



## **RESETTLEMENT POLICY FRAMEWORK (RPF)**

### **BUILDING RESILIENT DIGITAL INFRASTRUCTURE FOR GROWTH – (BRIDGE)**

**AUGUST 2025**

## TABLE OF CONTENTS

<i>RESETTLEMENT POLICY FRAMEWORK (RPF)</i> .....	1
<i>TABLE OF CONTENTS</i> .....	2
<i>LIST OF ACRONYMS &amp; ABBREVIATIONS</i> .....	4
<i>DEFINITION OF KEY TERMS</i> .....	5
<i>EXECUTIVE SUMMARY</i> .....	7
<i>CHAPTER ONE: INTRODUCTION</i> .....	12
1.1 Background .....	12
1.2 Objectives .....	13
1.3 Scope of Work .....	13
1.4 Principles and Objectives of World Bank's ESS 5 (Land Acquisition, Restriction on Land Use and Involuntary Resettlement) .....	16
1.5 The Need for BRIDGE RPF .....	17
1.6 Technical Approach and Methodology .....	18
1.6.1 Review of Literature/Existing RPF .....	18
1.6.2 Stakeholders/Public Consultation .....	18
1.6.3 Data Gathering and Reconnaissance Survey .....	19
1.6.4 Organizing and Integrating Data .....	19
1.7 Structure of the Resettlement Policy Framework .....	19
<i>CHAPTER TWO: DESCRIPTION OF PROPOSED PROJECT</i> .....	20
2.1 Project Overview .....	20
2.2 Development Objective .....	20
2.3 Components of the BRIDGE .....	21
2.4 Description of the Socioeconomic Background of Nigeria .....	22
2.4.1 Demography .....	22
2.4.2 Economy .....	22
2.4.3 Employment .....	<b>Error! Bookmark not defined.</b>
2.4.4 Literacy .....	<b>Error! Bookmark not defined.</b>
2.4.5 Land Use [Pattern, Agricultural Production and Livelihoods] .....	22
<i>CHAPTER THREE: THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS</i> .....	25
3.1 Introduction .....	25
3.2 The Land Selection Screening Process .....	26
3.3 .....	<b>Error! Bookmark not defined.</b>
3.3 Socio-economic Study .....	26
3.4 Preparation of Resettlement Plans .....	27
3.5 Approval Process .....	28
<i>CHAPTER FOUR: LAND ACQUISITION AND LIKELY CATEGORIES OF PROJECT AFFECTED PERSONS</i> .....	30
4.1 Individuals and Households Potentially Affected .....	30
<i>CHAPTER FIVE: CRITERIA AND ELIGIBILITY FOR COMPENSATION OF PROJECT AFFECTED PERSONS</i> .....	32
5.1 Introduction .....	32
5.2 Eligibility for Community Compensation .....	32
5.3 The Cut – off Date .....	33
5.3.1 Justification for Cut-off-date .....	33
5.3.2 Common complications in the Application of Cut Date .....	33
5.3.3 Establishing the Cut-off-date .....	34
5.3.4 Requirements for enforcing Cut-off Date .....	34
<i>CHAPTER SIX: LEGAL/INSTITUTIONAL GUIDELINES, REQUIREMENTS AND SAFEGUARD POLICIES</i> .....	35

6.1	Land Ownership in Nigeria .....	35
6.2	Nigerian Legal/Institutional Guidelines and Requirements .....	37
6.2.1	Land Use Act of 1990 and Resettlement Procedures .....	37
6.2.2	Forestry Act and National Forest Policy 2020 .....	<b>Error! Bookmark not defined.</b>
6.2.3	Nigerian Communications Commission (NCC) Act .....	39
6.3	International Guidelines .....	40
6.3.1	World Bank Environment and Social Standard 5- Land Acquisition, Restriction on Land Use and Involuntary Resettlement .....	40
6.4	Nigerian Law and World Bank ESS5 on Compensation– A Comparison .....	41
<i>Table 6.1: Comparison of Nigerian Law and World Bank ESS5 Regarding Compensation .....</i>		45
<b>CHAPTER SEVEN: METHODS OF VALUING AFFECTED ASSETS. ....</b>		52
7.1	Introduction .....	52
7.2: Compensation Payments and Related Considerations. ....		52
7.2.1	Compensation for Land .....	53
7.2.2	Compensation for Buildings and Structures. ....	54
<i>Table 7.1: Compensation for Buildings and Structures .....</i>		54
7.2.3	Calculation of Crops Compensation Rate .....	55
7.2.4	Compensation for Vegetable Gardens and Beehives .....	56
7.2.5	Compensation for Domestic Fruit and Shade Trees. ....	56
<b>CHAPTER EIGHT: ARRANGEMENTS FOR COMPENSATION .....</b>		57
8.1	Introduction .....	57
8.2	Community Compensation Payments .....	58
8.3	Description of the Implementation Process .....	58
8.4	Resettlement, Cost Estimates and Contingencies .....	59
<b>CHAPTER NINE: GRIEVANCE REDRESS MECHANISM .....</b>		60
9.1	Introduction .....	60
9.2	Informing Parties on Levels and Channels of Grievance Uptake .....	60
9.3	Setting up a Grievance Redress Mechanism .....	61
9.4	Membership of the Grievance Redress Committee (GRC) .....	61
9.5	Grievance Redress Process Procedure .....	62
9.6	Financing of the Grievance Redress Mechanism and Cost of Remediation .....	63
<b>CHAPTER TEN: CONSULTATIONS AND STAKEHOLDER PARTICIPATION .....</b>		64
10.1	Mechanism for Consultation and Participation of Displaced Persons .....	64
10.1.1	Identifying Stakeholders .....	64
10.1.2	Consultation Strategies .....	65
Level of Engagement .....		65
<b>CHAPTER ELVEN: MONITORING AND EVALUATION ARRANGEMENTS .....</b>		71
11.1	Introduction .....	71
11.2	Monitoring Plan Procedure .....	71
11.3	Evaluation .....	72
<b>ANNEXES .....</b>		73

## **LIST OF ACRONYMS & ABBREVIATIONS**

ARAP	Abridged Resettlement Action Plan
BRIDGE	Building Resilient Digital Infrastructure for Growth
CBOs	Community-Based Organizations
ESS	Environment and Social Standards
FGN	Federal Government of Nigeria
FM	Financial Management
FMCIIDE	Federal Ministry of Communications Innovation and Digital Economy
GDP	Gross Domestic Product
GNI	Gross National Income
GRE	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GSMA	Global System for Mobile Communications Association
ICT	Information Communication Technology
IDA	International Development Association
LUA	Land Use Act
M&E	Monitoring and Evaluation
NCA	Nigerian Communications Act
NCC	Nigerian Communications Commission
NGOs	Non-Governmental Organizations
PA	Protected Areas
PAP	Project Affected Persons
PCE	Private Capital Enabled
PCM	Private Capital Mobilization
PDO	Project Development Objective
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SMEs	Small and Medium-sized Enterprises
SPC	Special Purpose Company
SPV	Special Purpose Vehicle
WB	World Bank

## DEFINITION OF KEY TERMS

Word/Term	Definition
<b>Asset Inventory</b>	A complete count and description of all property that will be acquired.
<b>Bank</b>	World Bank
<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>Compensation</b>	Payment in cash or in kind of the replacement value of the acquired property.
<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>Entitlements</b>	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 BRIDGE 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 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.
<b>Host Communities</b>	Communities receiving resettled people as a result of involuntary resettlement activities
<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>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>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 inland 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>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>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 PPP. 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>“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>Vulnerable 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

### Introduction

Digital infrastructure is crucial in advancing several key objectives of Nigeria's Renewed Hope Agenda, particularly in economic growth, social welfare, governance, and security. Thus, the project will implement the rollout of 90,000 km of fibre infrastructure especially in unserved and underserved regions of Nigeria. The operation is aligned with goals and objectives of National Digital Economy Policy and Strategy 2020-2023 and the 2023 National Strategic Blueprint, whose aims is to drive digital transformation at scale. The proposed project will directly contribute to the FGN's objectives to eliminate digital inequality and improve broadband quality, to ensure 25 Megabits per second (Mbps) internet connectivity for all households at affordable prices. The project will further contribute indirectly to accelerating economic diversification insofar as it is underpinned by resilient and affordable broadband infrastructure. To expand inclusive use of high quality and climate resilient broadband internet in selected unserved and underserved areas of Nigeria

### Project Description

**Component 1: Resilient Digital Infrastructure (IDA: US\$495 million; PCM: US\$1.1 billion):** This component aims to finance the rollout of high-quality resilient backbone and backhaul digital infrastructure in unserved and underserved regions of Nigeria, that allows private sector to then connect households, public institutions, businesses, and mobile towers to broadband. The component will seek to provide catalytic public funding to mobilize private capital for infrastructure investments to deploy climate-resilient fiber-optic middle-mile infrastructure. Specifically, the project will finance preparatory studies (such as detailed network design) and transaction advisory services to set up a Project Company. Once the Project Company is established, the component will provide equity financing to support its operations. Component 1 will also finance technical assistance to relevant federal government agencies such as NCC related to broadband market regulation.

The Project Company will take the form of a Special Purpose Vehicle (SPV) that will crowd-in the private sector participation. SPV will be responsible for the roll out of 90,000 km of fiber infrastructure and will offer wholesale, open access services to downstream telecommunications companies (SPV clients) as well as managing associated investments. National and international private sector companies (potential SPV investors) interested in the SPV will be invited to participate.

**Component 2: Project Management and Implementation Support (IDA: US\$5 million)** will finance support to the Borrower's Project Implementation Unit (PIU) established under FMCIDE. The PIU will be responsible for PPA implementation and, upon effectiveness, for project implementation. Due to the complexity of the project, the PIU will hire a professional project management company to. to verify the withdrawal conditions of the project (e.g. achievement of fiber length milestones indicated in financing agreement). It may play other functions, but the exact scope will be determined later during the implementation.

The financial management (FM) function will be executed by a specialist to be determined and assigned by the Federal Project Financial Management Department (FPFMD). The component will also finance independent audits and quality assurance to ensure compliance

with procurement and FM practices. M&E responsibilities will include the curation of sub-national sex-disaggregated data from SPV clients, as well as implementation of a study to understand the effects of broadband Internet connectivity on women and female-headed households in comparison with male-headed households.

### **The Need for BRIDGE RPF**

The Resettlement Policy Framework (RPF) is designed to provide procedures and guidelines that would be followed, given that ESS5 is one of the World Bank environmental standards that will be accounted for in the project. Based on the design of BRIDGE and consultations with FMCDIE, most of fibre installation will be within existing government properties and transport utility corridors. Fibre cables to be deployed will share right-of-way (ROW) of existing road corridors; hence, land acquisition is not expected to occur. However, due to the challenges of unregulated development, particularly in urban areas, there might be (i) encroachment into the ROW (ii) restriction of access leading to impacts on businesses and livelihoods on economic activities established in close proximity to these ROW corridors. To mitigate these potential impacts, this Resettlement Policy Framework is being developed by FMCDIE to guide the management of such issues by the BRIDGE PIU at FMCDIE and the Special Purpose Vehicle (SPV).

The purpose of the resettlement framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation. The RPF provides a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the BRIDGE project. The RPF sets out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of any anticipated resettlement impacts. These arrangements shall also ensure that there is a systematic process (as against an adhoc one) for the different stages of the implementation of a framework that assures the 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 RPF provides the framework within which Resettlement Action Plans/Abbreviated Resettlement Action Plans will be developed when the project is certain of the locations and specific impacts of the sub-projects.

### **Categories of PAPs**

The likely displaced persons can be categorized into three groups, namely;

- **Affected Individual** – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economical resources as a result of the project activities and to whom compensation is due.
- **Affected Household** – A household is affected if one or more of its members is affected by sub project activities, either by loss of property, loss of access or otherwise affected in any way by project activities.
- **Vulnerable Households** – Vulnerable households could be owners of compound walls or shops/room that will be partially demolished during sub project activities.



### **Criteria for Eligibility for Compensation**

The Bank's ESS5 classifies affected or eligible persons as follows;

- a) Those who have formal rights to land (including customary land, traditional and religious rights, recognized under the Federal and/or State Laws of Nigeria)
- 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 state and/or federal laws of Nigeria or become recognized through a process identified in the resettlement plan
- c) Those who have no recognizable legal right or claim to the land or assets they are occupying, using or getting their livelihood from.

### **Legal Framework for Land Acquisition**

The legal framework for land acquisition in Nigeria is the land use Act of 1978, reviewed under Cap 202, 1990. The relevant World Bank Environment and Social Stand (ESS) 5, which addresses land acquisition, restriction on land use and involuntary resettlement was reviewed. The differences between the Land Use Act and the ESS5 are mostly in rehabilitation measures, which are neither proscribed nor mandated in the Act. *Thus it is noted in this RPF that in the event of divergence between the two, the World Bank ESS5 shall take precedence over Nigeria Land Use Act.*

### **Guiding Principles for Resettlement Planning**

Once the proposed intervention has been designed and before actual work begins, a resettlement action plan will be developed. This will involve a socioeconomic study and census (including complex households such as compounds) will be carried out within the area directly affected by the project where land will be acquired. The socioeconomic study should focus on such issues as livelihoods, household and compound composition, clan and sub-clan organization, other forms of social organization, ethnic groups, traditional and non-traditional leadership and other factors in the area, conflict and other issues relevant to the implementation of a resettlement plan. The census should include information on all income sources including remittances. All the above data shall be photographically documented. A questionnaire will be used for data collection (see sample questionnaire in the annex). Concurrently, data will be collected on services available to households in the area such as educational institutions, health-care facilities, places of worship, extension agencies, shops and any other services normally used by household members. Transport facilities (roads, bus and van lines, etc.) should be registered. Distance from households to facilities should be noted. The data collected will also include Land/assets/ infrastructure and income losses.

The valuation procedures of all assets that will be affected will be conducted by a qualified valuer/surveyor. Compensation for loss of income and assets will be at full replacement cost such that the PAPs will experience no net loss. Eligibility criteria have been defined. PAPs, communities, NGOs relevant stakeholders will participate in the resettlement/rehabilitation process. The specific plans/mechanisms for consultation participation will be detailed in the RAP and will include resettlement committees for PAPs and communities and interagency committees for participating stakeholders. The general guidelines for these committees are as follows:

- 1) Include both the representatives of PAPs and project implementers (FMCIDE, PIU and other agencies that may be involved in project implementation).
- 2) Must reflect the diversity of the affected population (gender, age, vulnerable groups, host community, traditional authorities, youth, and livelihood groups).
- 3) Ensure adequate representation of women and vulnerable groups (e.g., widows, the elderly, and the people living with disability).
- 4) The process of selecting individuals who will be part of the committees should be open and transparent.
- 5) The roles and responsibilities of the committees should be well defined.
- 6) The members should be trained on resettlement processes, rights of PAPs, negotiation skills, and grievance handling.

### **Arrangements for Compensation**

The Government through the FMCIDE shall be responsible for the funding of the compensation (and other resettlement measures). Compensation (and other resettlement measures) will be funded like any other activity eligible under the projects' administrative and financial management rules and manuals. Funding would be processed and effected through the BRIDGE Project Implementation Unit (PIU) and will comply with the financial arrangements agreed upon at project negotiations. The compensation process, which will involve several steps, would be in accordance with the BRIDGE project resettlement and compensation plans and will include public participation, notification, documentation and preparation of contracts and compensation payments.

### **Grievance Redress Mechanism**

During the time of development of sub-projects ARAP/RAP, the PIU shall establish a Grievance Redress Mechanism that incorporates the use of existing local grievance redress mechanism available in the project communities, existing GRM at the national and state levels and based on experience from previous World Bank assisted projects. It will be effective and result-oriented to work with existing and functional local structures of dispute resolution than to design an entirely new one which may be alien to the people. However, field survey to be conducted by the PIU through the independent RAP/ARAP consultant will among other things ascertain the strength of the existing local grievance redress structure and where need be; the existing GRM can be restructured and strengthened for adaptation for this project context.

### **Public Consultation and Participation**

Public consultation and participation are essential because they afford PAPs the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood of conflicts between and among PAPs and the PIU. The socio-economic situation prevailing in the country makes public consultation with the communities, indispensable. Furthermore, it is the local, urban, semi-urban and rural areas that are to claim ownership of this project and are the intended beneficiaries ultimately. For this project to be successfully meaningful, effective and close consultation with local communities is a pre-requisite. In recognition of this, particular attention would be paid to public consultation with potentially affected individuals/households.

**Monitoring and Evaluation**

In order to successfully complete the resettlement management as per the implementation schedule and compliance with the policy and entitlement framework, there would be need for monitoring and evaluation of the RPF and RAP implementation. Monitoring and evaluation will be a continuous process and will include internal and external monitoring. The safeguards officer shall play a key role in reporting the progress of implementation as well as compliance to the PIU and the World Bank. The RPF underscores the importance of monitoring and evaluation of the sub projects under the BRIDGE project. It also highlights mechanisms for internal and external monitoring and provides the indicators.

## CHAPTER ONE: INTRODUCTION

### 1.1 Background

Nigeria is confronted with significant challenges related to broadband access, in other words constraints around internet supply to the population. National fixed broadband household penetration stood at 7.3 percent in Q3 2024, which is 26 percentage points below Senegal (leading regionally) and 10 percentage points below the level observed in countries with a similar GDP per capita. In relation to mobile internet, unique subscriptions per 100 inhabitants are also low, at 66.8 percent. In terms of broadband quality, Ookla's internet quality analysis indicates that majority of internet connections in Nigeria are below a speed of 10 Mbps; approximately 70 percent of all connections are below 20 Mbps; and only 5 percent of all connections are above a speed of 100 Mbps. Adamawa, Akwa Ibom and Sokoto states have the lowest quality of fixed internet at approximately 9 Mbps, while Yobe, Ebonyi and Kwara states have the lowest mobile broadband quality. In terms of dynamics, during the past three years internet quality increase is marginal (if any) except for a few states (the Federal Capital Territory, Benue, and Lagos). In terms of the urban-rural divide, approximately 63 percent of Nigerians living in rural areas are unconnected, compared to 40 percent of people living in urban areas. The Inclusive Internet Index by the Economist Intelligence Unit ranks Nigeria 81<sup>st</sup> out of 100 ranked countries in terms of availability. In terms of affordability, mobile broadband prices have come down significantly in the past decade (the cheapest 2GB mobile data plan costs 1.61 percentage of GNI per capita). Yet, affordability is a major impediment to fixed internet access which is geographically localized and is overall a nascent service in the country. With the average cost of fixed broadband at US\$80 per month, high-quality Internet access is unaffordable to most households as well as small entrepreneurs, microenterprises, and Small and Medium-sized Enterprises (SMEs). So far, most broadband connections in Nigeria are mobile broadband.

Also, there are significant disparities in internet access and usage between men and women in Nigeria. According to the Global System for Mobile Communications Association (GSMA), in Nigeria, only 33 percent of women used mobile internet compared to 52 percent for men in 2023, indicating that women are 37 percent less likely to use mobile internet. Although approach to digitalization is strategically balanced but the country needs to accelerate efforts in areas where its digital performance is lagging.

To enhance digital transformation in Nigeria, digital infrastructure is crucial. Thus, the project will implement the rollout of 90,000 km of fibre infrastructure especially in unserved and underserved regions of Nigeria. Although the project will not involve the new land acquisition given that cables to be deployed will share right-of-way (ROW) of existing road corridors, it will involve the restriction of land use and physical and economic displacement of people especially those near the ROW. In line with the World Bank's Environment and Social Standards (ESS) 5, the Resettlement Policy Framework (RPF) is designed to provide procedures and guidelines that would be followed when project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. Considering that the Building Resilient Digital Infrastructure for Growth (BRIDGE) is still at

the preparatory stage and the details of the sub-projects (volume, scope, scale and/or actual nature of activities, etc.) are not known, it is therefore not possible in this situation to prepare a Resettlement Action Plan (RAP) or an Abbreviated Resettlement Plan (ARAP). The World Bank Environment and Social Standards 5 (ESS5), therefore, requires the development of a Resettlement Policy Framework (RPF).

The Resettlement Policy Framework clarifies resettlement principles, organizational arrangements and design criteria to be applied during project implementation. Sub-project resettlement plans consistent with the RPF will subsequently be submitted to the World Bank for approval after specific planning information becomes available.

It should be noted that the RPF is designed to mitigate the harm caused by displacement or land acquisition occurring in the process of the BRIDGE Project implementation. It is also important to note that the policy is not intended or designed to address “economic displacement” in itself where such is unconnected with the BRIDGE project. It is also not designed to mitigate damages caused by processes occurring prior to the BRIDGE interventions of any particular sub-project.

ESS 5 applies to permanent or temporary physical and economic displacement resulting from land acquisition or restrictions on land use undertaken or imposed in connection with project implementation. There is no obligation, under ESS 5, to replace assets lost to construction or rehabilitation before or outside the context of the Bank-financed project.

The RPF shall serve as a practical tool (e.g. screening checklist -see Annex 1) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the BRIDGE. It is vital to note that for each subproject supported under the Project that involves land acquisition or relocation of people, a separate Resettlement Action Plan (RAP) satisfactory to the Bank is required before signing a work order.

## **1.2 Objectives**

The main objective of the assignment is to prepare a Resettlement Policy Framework (RPF) applicable to the project over its time frame. This RPF shall follow the World Bank’s ESS 5 requirements on land acquisition, restriction on land use, and involuntary replacement. The RPF shall also make reference to the Federal Government of Nigeria’s legal and institutional requirements. Any identified gaps are to be clearly captured, explaining how these gaps will be filled and which should take precedence with reasons.

## **1.3 Coverage of Resettlement Policy Framework**

The RPF covers the following:

*(i) Project Description:* A brief description of the project to place the RPF in the relevant context. This would include a summary of the background to the project and the different components. Most importantly, the RPF identifies the possible resettlement issues that each component and subcomponents are likely to generate.

*(ii) Country Legal and Institutional Guidelines and Requirements:* A review of the national, state and customary laws and regulations governing land tenure, land use and land acquisition, as well as similar laws and regulations covering other natural and built assets.

And the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies.

*(iii) World Bank Environmental and Social System (ESS):*

The RPF spells out the World Bank's ESS 5 and assess how this applies in the specific case of the BRIDGE.

*(iv) Eligibility Criteria for various Categories of Affected People:*

The RPF states the method for setting a cut-off date for eligibility for compensation and also as a means for making this information (on cut-off date) reach the wider public. In addition, the Consultant shall recommend the compensation type for the different categories, losses and affected persons. These may include persons affected by land take, rights of access to resources or properties like housing, and water sources, loss of livelihood, and loss of cultural properties. The RPF shall take particular note of the multidimensional impact of the project and factor that into the analysis especially with regard to different sites and different forms of social impacts. The criteria for compensation should be in line with national legal requirements and provisions, World Bank ESS5, 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.

*(v) Entitlement Matrix for proposed Resettlement and Compensation Policy::*

Following from the above, the RPF includes a matrix that details 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.

*(vi) Methods for Valuing Affected Assets:*

This section describes in detail the methods used in valuing those assets that will be eligible for compensation following the national and World Bank policy 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. The RPF shall include a clear statement alluding to the possibility of revised values should there be major discrepancies between dates for value determination and actual date for payments. 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 fully participatory and acceptable to all stakeholders.

*(vii) Organizational Arrangements and Procedures for Delivery of Entitlements:*

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

*(viii) Methods for Consultation with and Participation of Affected People:*

The RPF describes 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.

*(ix) Grievance Redress Mechanisms:*

Under the grievance redress mechanism, the RPF describes 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 indicates how these would be disseminated and accessible to them in a way that is clear 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 different 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.

*(x) Budget and Funding Arrangements:*

The RPF clearly states the sources of funding for subsequent RAPs, an overall cost estimates for resettlement including for monitoring of the resettlement activities. Even there are multiple sites, the RPF should give a general/indicative budget for resettlement for 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

*(xi) Monitoring Arrangements:*

The RPF provides appropriate mechanism for monitoring the implementation of the resettlement activities. The RPF proposes an outline of 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 main issues identified and spelt out in the RPF.

*(xii) Implementation Schedule:*

To avoid confusion with cut-off dates and other time lines especially given that 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.

*(xiii) Screening process and Template for the Design of Resettlement Action Plan:*

The RPF has developed a screening checklist for identification of sites that require site specific RAP's, and a template for the design of a RAP based on the details of the RPF This template will spell out the main subsections of the RAP and any other relevant annexes that should be included.

#### **1.4 Principles and Objectives of World Bank's ESS 5 (Land Acquisition, Restriction on Land Use and Involuntary Resettlement)**

The ESS5 recognizes that project-related land acquisition and land use restrictions can adversely impact communities and persons. Project-related land acquisition<sup>1</sup> or restrictions on land use may cause physical displacement (relocation, loss of residential land, or loss of shelter), economic displacement (loss of land, assets, or access to assets leading to loss of income sources or other means of livelihood), or both. The term “involuntary resettlement” refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

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. The impacts due to involuntary resettlement from development projects, if left unmitigated, often gives rise to severe economic, social and environmental risks resulting in production systems being dismantled; people facing impoverishment when their productive assets or income sources are lost; people being relocated to environment where their skills may be less applicable and the competition of resources greater; community institutions and social networks being weakened; kin/clan groups being dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. For these reasons, most projects, supported by the Bank, like BRIDGE, are designed to avoid involuntary resettlement. Where it is unavoidable to embark on involuntary resettlement, appropriate measures to minimize, as much as possible, are chosen. For adverse impacts on displaced persons and host communities, carefully planned and implemented framework is ensured to mitigate the impact.

The objectives of the World Bank's ESS5 are to:

- avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- avoid forced eviction.
- 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.
- 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.
- 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.
- ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.



In terms of scope of application<sup>1</sup>, the ESS applies to permanent or temporary physical and economic displacement resulting from different types of land acquisition or restrictions during project implementation are as follows:

- (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 preparation for, the project.

### **1.5 The Need for BRIDGE RPF**

Based on the design of BRIDGE and consultations with FMCDIE, most of fibre installation will be within existing government properties and transport utility corridors. Fibre cables to be deployed will share right-of-way (ROW) of existing road corridors; hence, land acquisition is not expected to occur. However, due to the challenges of unregulated development, particularly in urban areas, there might be (i) encroachment into the ROW (ii) restriction of access leading to impacts on businesses and livelihoods on economic activities established in close proximity to these ROW corridors. To mitigate these potential impacts, this Resettlement Policy Framework is being developed by FMCDIE to guide the management of such issues by the BRIDGE PIU at FMCDIE and the Special Purpose Vehicle (SPV).

---

<sup>1</sup> World Bank Environmental and Social Framework.” World Bank, Washington, DC. 2016.

The Resettlement Policy Framework (RPF) is designed to provide procedures and guidelines that would be followed, given that ESS5 is one of the World Bank environmental standards that will be accounted for in the project. The purpose of the resettlement framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation. The RPF provides a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the BRIDGE project. The RPF sets out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of any anticipated resettlements. These arrangements shall also ensure that there is a systematic process (as against an adhoc one) for the different stages of the implementation of a framework that assures the 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 RPF provide the framework within which Resettlement Action Plans/Abbreviated Resettlement Action Plans will be developed when the project is certain of the locations and specific impacts of the sub-projects.

## **1.6 Technical Approach and Methodology**

Generally, the RPF is prepared in accordance with applicable World Bank safeguard policies and Nigerian guidelines/laws. The distinct phases for preparing RPF include: review of existing RPF to be updated; Public Consultation, Data Gathering e.g. for baseline conditions, institutional arrangement, capacity, etc. which involved reconnaissance survey/visits to States; and identification of potential impacts; preparation of the RPF and sub-project guidelines screening.

### **1.6.1 Review of Literature/Existing RPF**

A review of relevant literature will be carried out with a view to gaining a further and deeper understanding of the project and the social conditions that exist.

The following documents, amongst others, will be considered:

- RPFs prepared for other recent World Bank projects in Nigeria and elsewhere (other countries), where there have been a greater number of resettlements and affected populations as there potentially is under the project;
  - the draft RPF for NEWMAP
  - RPF ACRESAL
  - Other relevant documents, reports, publications on land acquisition, compensation that bears relevance to the RPF,
  - Other literature on ICT development and broadband network in Nigeria
- The Nigeria Land use Act
- Forestry Act
- Nigeria's National laws and/or regulations on environmental assessments
- World Bank Environment and Social Standards (ESS)

### **1.6.2 Stakeholders/Public Consultation**

The main groups of stakeholders who need to be consulted are the Project affected persons and project beneficiaries located in the RoW or losing asset/livelihood including (vulnerable individuals /groups - (Elderly, women headed households, people living with disabilities and CBOs/NGOs). Some officers from various ministries and departments, including Officers of

Federal Ministry of Environment, Federal Ministry of Communications Innovation and Digital Economy, Special Purpose Vehicle (SPV) and Special Purpose Companies (SPC), etc.. should be consulted.

### **1.6.3 Data Gathering and Reconnaissance Survey**

The data gathering involved visits to various government offices at federal levels already indicated above, internet searches, etc. to obtain relevant information. All concerned stakeholders in the ICT sector were visited, with a view to gathering first hand information and holding stakeholder consultations/meetings. With the visits, better appreciation of the baseline conditions, institutional arrangement at the different levels, capacity, the nature and extent of likely social impacts as well as who would likely be impacted and how, etc. were identified and documented.

### **1.6.4 Organizing and Integrating Data**

The information/data obtained were organized and summarized with a view to identifying areas of commonality and difference among the various relevant issues concerning the project. Just as it is important to identify areas of common social benefits or cost to the likely project affected persons, it was also essential to evaluate the differences among impacts and determine how to address the differences which were considered most significant.

## **1.7 Structure of the Resettlement Policy Framework**

The Resettlement Policy Framework is structured into nine chapters as follows:

Chapter One: provides a background to the project and outlines the scope, objectives, principles and the need of the Resettlement Policy, as well as the methodology of the RPF study and structure of the report.

Chapter Two: describes the proposed project, provides a broad overview and outlines the project objectives and components.

Chapter Three: describes the process that will be used to prepare and approve resettlement plans for sub-projects to be financed under the project.

Chapter Four: presents the different categories of the likely persons that the project may displace.

Chapter Five: provides the eligibility criteria and conditions for compensating project affected persons.

Chapter Six: describes the legal/institutional guidelines and requirements for resettlement planning in Nigeria and discusses the World Bank safeguard policy on resettlement.

Chapter Seven: describes the methods for valuation of affected assets and compensation payment.

Chapter Eight: discusses arrangements for compensation including the compensation and implementation processes

Chapter Nine: discusses the grievance redress mechanism

Chapter Ten: describes the procedure for consultation and stakeholder participation .

Chapter Eleven: discusses arrangements for monitoring and evaluation.

## CHAPTER TWO: DESCRIPTION OF PROPOSED PROJECT

### 2.1 Project Overview

Digital infrastructure is crucial in advancing several key objectives of Nigeria's Renewed Hope Agenda, particularly in economic growth, social welfare, governance, and security. The operation is aligned with goals and objectives of National Digital Economy Policy and Strategy 2020-2023 and the 2023 National Strategic Blueprint, whose aims is to drive digital transformation at scale. The proposed project will directly contribute to the FGN's objectives to eliminate digital inequality and improve broadband quality, to ensure 25 Megabits per second (Mbps) internet connectivity for all households at affordable prices. The project will further contribute indirectly to accelerating economic diversification insofar as it is underpinned by resilient and affordable broadband infrastructure.

### 2.2 Development Objective

The Project Development Objective is to expand inclusive use of high quality and climate resilient broadband internet in selected unserved and underserved areas<sup>2</sup> of Nigeria.

#### PDO Level Indicators

The achievement of the PDO will be measured by the following results indicators:

- a) People using broadband internet (inferred use) (corporate scorecard indicator):
  - i. Of which female
  - ii. Of which youth

#### Intermediate Indicators

- a) Total private capital mobilized (the amount of private sector participation in SPV) (USD)
- b) Special Purpose Vehicle for fiberoptic infrastructure operational (Yes / No)
- c) Facilities connected to broadband internet (number); of which
  - i. public schools
  - ii. health facilities
  - iii. local government administration offices
- d) Decrease in wholesale prices (percentage)
- e) Number of contracts established between the SPV and service off-takers (non-monetary PCE indicator)
- f) Fixed broadband median download speed (Mbps)
- g) Fiber added in the national backbone through the Project that is climate resilient<sup>3</sup> (percentage)
- h) Participants in digital literacy (basic digital skills) training programs (number) - Of which female (Percentage)
- i) Analysis of gender disparities in connectivity benefits using subnational sex-disaggregated data collected from SPV clients (Yes/No)

---

<sup>2</sup> Unserved and underserved are defined as areas with no operators and without technical feasibility to offer broadband connection with 25 Mbps download speed, respectively.

<sup>3</sup> The newly built and upgraded infrastructure will be subject to quality standards that include compliance with the requirements for disaster response and for climate change mitigation (to be elaborated in bidding documents). These requirements will include, for example, the usage of weather-resistant materials, waterproof coverings, and underground infrastructure with climate-resilient design to withstand floods.

## 2.3 Components of the BRIDGE

The project components are:

**Component 1: Resilient Digital Infrastructure (IDA: US\$495 million; PCM: US\$1.1 billion):** This component aims to finance the rollout of high-quality resilient backbone and backhaul digital infrastructure in unserved and underserved regions of Nigeria, that allows private sector to then connect households, public institutions, businesses, and mobile towers to broadband.

This component will seek to provide catalytic public funding to mobilize private capital for infrastructure investments to deploy climate-resilient fiber-optic middle-mile infrastructure. Specifically, the project will finance preparatory studies (such as detailed network design) and transaction advisory services to set up a Project Company. Once the Project Company is established, the component will provide equity financing to support its operations. A Project Preparatory Advance (PPA) has been mobilized to finance the transaction advisory service and key preparatory studies, ahead of Board Approval of the project. Component 1 will also finance technical assistance to relevant federal government agencies such as NCC related to broadband market regulation.

The Project Company will take the form of a Special Purpose Vehicle (SPV) that will crowd-in the private sector participation. The SPV will be responsible for the roll out of 90,000 km of fiber infrastructure and will offer wholesale, open access services to downstream telecommunications companies (SPV clients) as well as managing associated investments. National and international private sector companies (potential SPV investors) interested in the SPV will be invited to participate.

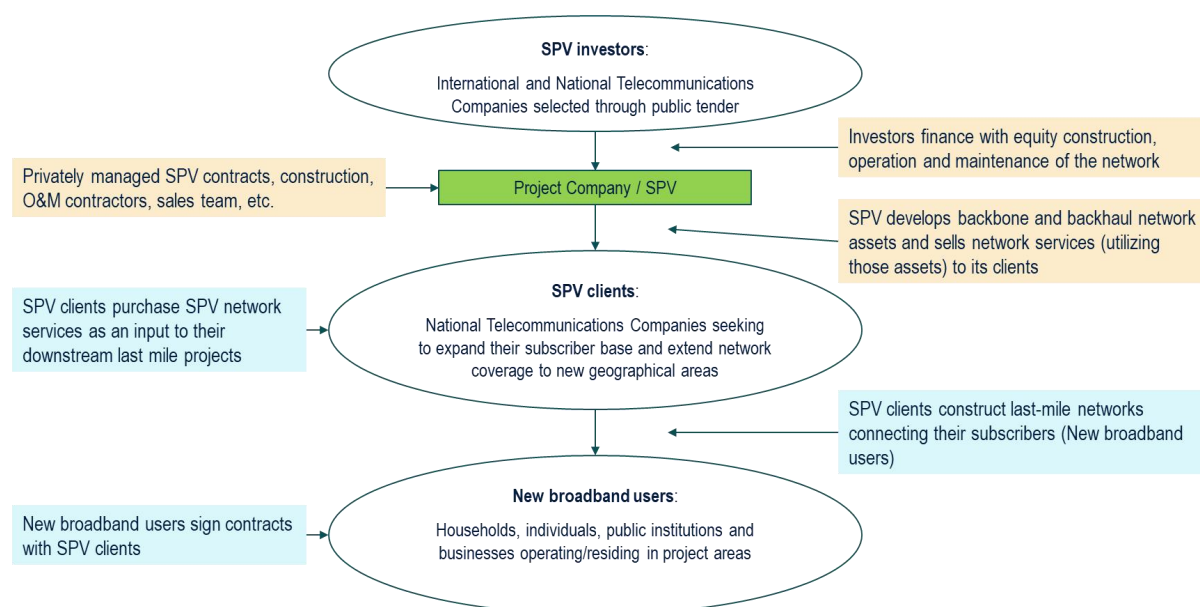


Figure 1: Project stakeholders, their roles and interdependencies

**Component 2: Project Management and Implementation Support (IDA: US\$5 million)** will finance support to the Borrower's Project Implementation Unit (PIU). The PIU will be responsible for PPA implementation and, upon effectiveness, for project implementation. Due to the complexity of the project, the PIU will hire a professional project management company to execute management and implementation of project-related activities, including procurement, monitoring and evaluation (M&E), project communications, as well

as environmental and social safeguards and citizen engagement. The financial management (FM) function will be executed by a specialist to be determined and assigned by the Federal Project Financial Management Department (FPFMD). The component will also finance independent audits and quality assurance to ensure compliance with procurement and FM practices. M&E responsibilities will include the curation of sub-national sex-disaggregated data from SPV clients, as well as implementation of a study to understand the effects of broadband Internet connectivity on women and female-headed households in comparison with male-headed households.

## **2.4 Description of the Socioeconomic Background of Nigeria**

### **2.4.1 Demography**

Nigeria has the highest population in Africa. In 2024, its population amounted to over 227 million and was estimated to increase constantly in the next decades<sup>4</sup>. The largest city in Nigeria is Lagos, which is also the largest city in all of Sub-Saharan Africa. Abuja, the Capital City of Nigeria, had about 1.2 million inhabitants in 2022, ranking seventh among the largest cities in Nigeria. The youths dominate Nigeria's population. In 2030, the population's median age is forecast to reach 18.3 years, meaning that about half of the population will be under 18.5 years.

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%. Nigeria's Middle Belt region shows the greatest ethnic diversity, particularly in Adamawa, Taraba and Plateau States. English is the official language while the vast majority of the population conducts commercial activities in their ethnic language and "pidgin" English.

### **2.4.2 Economy**

Nigeria is among the largest economies in Africa, with a gross domestic product (GDP) of approximately US\$363 billion in 2023, but over 40 percent of its population live in poverty. Economic growth over the past decade has not maintained pace with population growth: income per capita in 2023 was US\$1,621, lower than US\$2,280 recorded in 2010. Nigeria's key development constraints include the high dependence on oil, insufficient economic diversification and inclusive growth, and a poor scorecard on governance and service delivery including investments in human capital.

### **2.4.3 Land Use [Pattern, Agricultural Production and Livelihoods]**

The estimated land area of Nigeria is 924,000 km<sup>2</sup>. 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

---

<sup>4</sup> <https://www.statista.com/topics/6477/demographics-of-nigeria/#topicOverview>

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.

Agriculture in Nigeria is largely subsistence and is characterized by intensive small holder rainfed and extensive grazing. Various schemes had been put in place to further boost agricultural production, these includes the Irrigation system, FADAMA projects, grazing zones/routes, and Agro-allied business such as fertilizer production. In addition to fish farming activity, some coastal/riverine communities also engage in fishing activities and other aquatic resources.

Agricultural produce in Nigeria vary from one region to the other. Major produce in the north are cereals ((such as millet, millet), rice, maize, beans, soya beans and vegetables. Irish potato, yam, potato are the main agricultural produce in the middle belt while cassava, cash crops such as cocoa, coffee, cola nuts and cashew nuts are grown in the south-western Nigeria, also, red oil production and cassava are exceptionally produced at the south-eastern region.

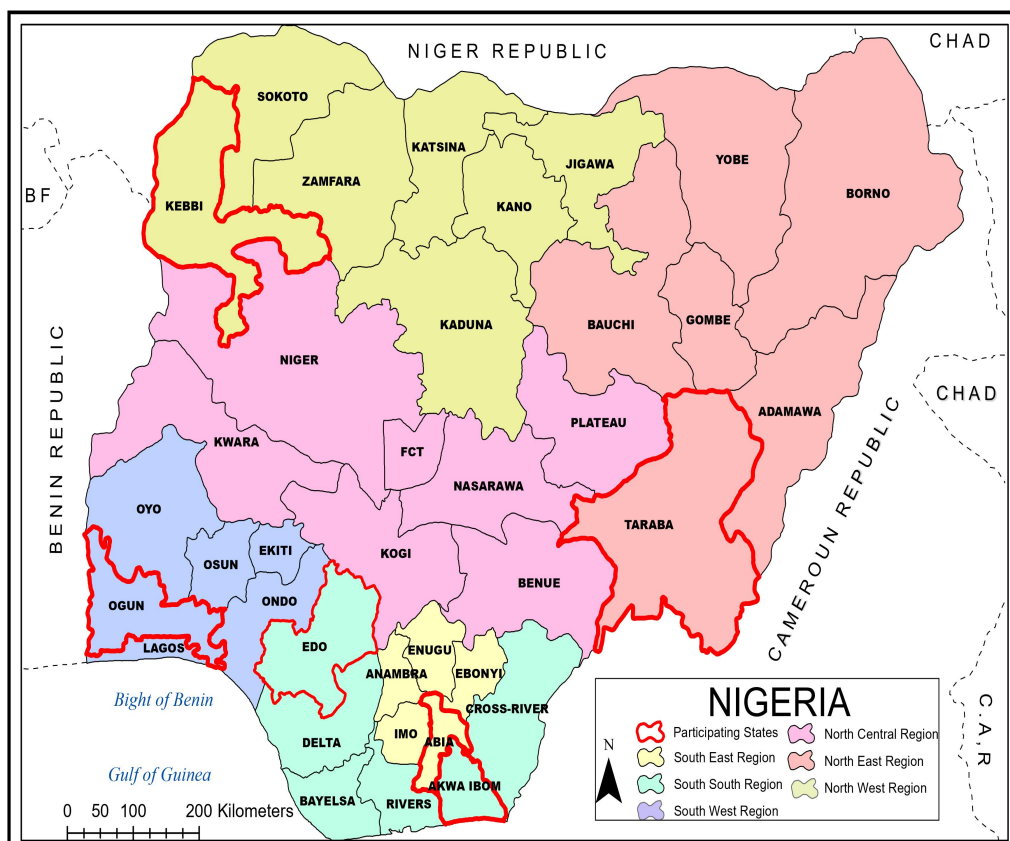


Figure 2: Map of Nigeria Showing different geopolitical zones



## CHAPTER THREE: THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS

### 3.1 Introduction

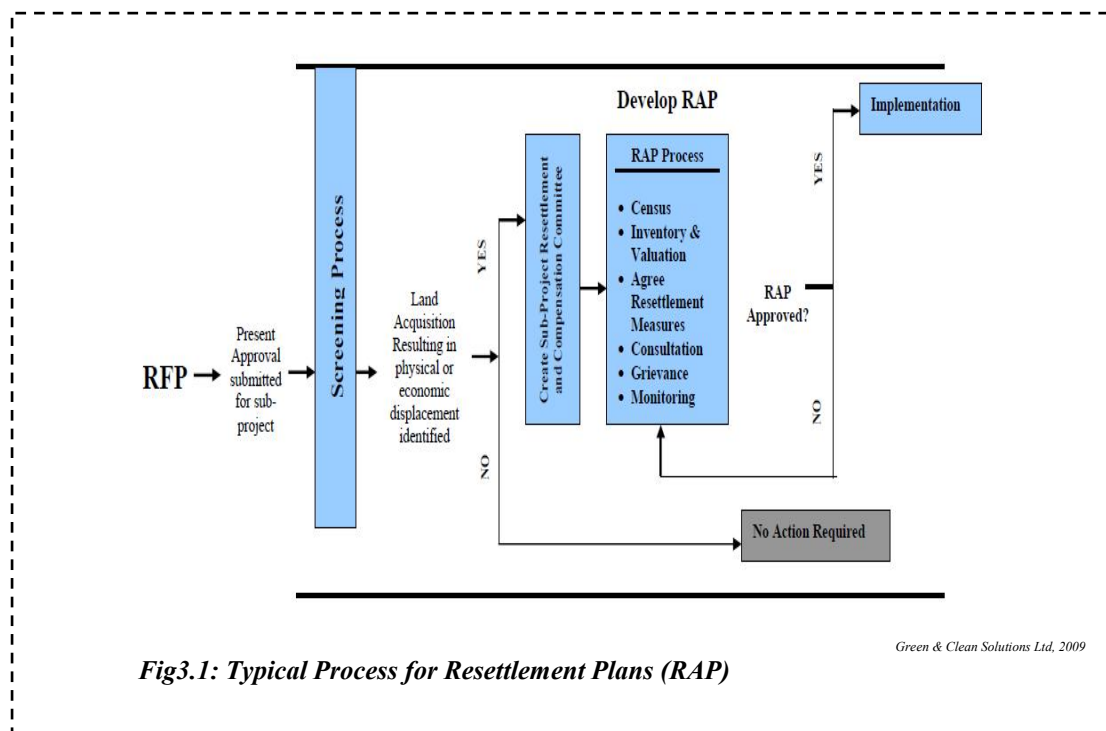
As stated earlier, given that the project will involve infrastructure development that may require land acquisition and/or land use leading to loss, denial, or restriction of access to economic resources, the World Bank ESS5 provides the guidance to deal with issues regarding land acquisition, land use and involuntary resettlement. Since the exact nature of project construction activities that may lead to the taking of land and in the construction sites are not known at the time of the preparation of the project, the preparation and disclosure of this RPF by the FGN is a conditionality for appraisal of this project.

However, during implementation of this project, in a process defined below, the identification of the specific activities that will lead to taking of land and the areas that will be specifically involved will be made. When that happens, people will be affected. At that stage, the Bank's ESS5 calls for the preparation of individual Resettlement Plans that must be consistent with this RPF.

To address the impacts under this policy, resettlement and compensation plans must include measures to ensure that displaced persons are;

- (a) informed about their options and rights pertaining to resettlement and compensation.
- (b) consulted on, offered choices among, and provided with technically and economically feasible resettlement and compensation alternatives.
- (c) provided prompt and effective compensation at full replacement cost for losses of assets and access, attributable to the project.
- (d) Enabled to restore but preferably, to improve upon their pre-project living standards and conditions.

Fig. 3.1 depicts the process of scoping for potential resettlement implications at the design and implementation stages of each individual sub-project.



The first stage in the process of preparing the individual resettlement and compensation plans is the screening process to identify the land/sites that are causing this impact (i.e. resettlement). The resettlement and compensation plans will contain the analysis of alternative sites undertaken during the screening process.

### 3.2 The Screening Process

The activities proposed for inclusion in the BRIDGE project would be screened and classified according to their social impact. The first stage in the process of preparing the individual resettlement and compensation plans is the screening process to identify the land/areas that are causing this impact (i.e. resettlement). The resettlement and compensation plans will contain the analysis of alternative sites undertaken during the screening process.

### 3.3 Socio-economic Studies

An important aspect of preparing a RAP is the conduct of a socioeconomic study. The purpose of the socio-economic study is to collect base line data within the chosen/targeted sites/areas thereby enabling the social assessment of potentially affected populations/communities. The socio-economic study would focus on the identification of stakeholders (demographic data), the participation process, identification of affected people (including owners and users of land) and impact on their property and their production systems, the institutional analysis and the system for monitoring and evaluation.

Detailed calculation of individual and household economies and identification of all impacts will be undertaken as part of the socio-economic study and be the determinant in the potential compensation process. Standard characteristics of the affected households, including a description of production systems, labor, and household organization, and baseline information on livelihoods (including production levels and incomes derived from both formal and informal economic activities) and standards of living and health status of the PAPs.

Under this study, a comprehensive baseline census would be carried out to identify potentially affected people on the individual and household levels, vulnerable groups (women, children, the elderly, female headed households, affected internally displaced people, affected internally displaced households, etc.) and to discourage inflow of people ineligible for assistance by specifying cut-off date (see section 5.3 below) and through effective communication by the PIU and by community leaders in the localities.

The socio-economic study and baseline census will be prepared by the PIU. On completion of the socio-economic study and the baseline census the PIU will prepare a resettlement plan for the areas that are affected by resettlement and compensation.

### **3.4 Preparation of Resettlement Plans**

The preparation of a Resettlement Plan (RAP) is required for each site with population displacement. World Bank ESS5 article 25 sets the requirements of the RAP to include.

- (a) Description of the project
- (b) Potential Impacts
- (c) Objectives
- (d) Socioeconomic Studies
- (e) Legal Framework
- (f) Institutional Framework.
- (g) Eligibility
- (h) Valuation of and compensation for losses
- (i) Resettlement measures
- (j) Site selection, site preparation, and relocation
- (k) Housing, infrastructure, and social services
- (l) Environmental protection and management
- (m) Community participation
- (n) Integration with host populations
- (o) Grievance procedures
- (p) Organizational responsibilities
- (q) Implementation schedule
- (r) Cost and budget
- (s) Monitoring and evaluation

### **3.5 Approval Process**

The resettlement plans should be forwarded for screening and approval to the PIU and the Federal Ministry of Communications Innovation and Digital Economy in compliance with the project's institutional and administrative requirements.

All approved productive investments that ESS5 applies and their resettlement plans would be subject to the final approval of the World Bank to ensure compliance with the Bank's ESS. This will help ensure that, before land is actually acquired or access to resources is lost, denied or restricted, the individual resettlement plans are consistent with this RPF.

For the World Bank to approve the award of a contract under BRIDGE to any private firm that needs to acquire land to support proposed investments, for example, for a data centre under this project, the private firm must first secure legal title to land that is acquired, consistent with the provisions of this RPF. For investments on land that is already owned by the private company, the World Bank will only approve award of the contract once it is satisfied that the provisions of this RPF were met in cases where ESS5 apply.

In cases where the land was acquired and there were no resettlement and compensation issues the the private companies would have to also seek the confirmation from the World Bank that provisions of ESS5 do not apply before funding will be approved and must secure the site and also chose a cut-off date for that site so that opportunistic invasions can be avoided.

The aforementioned screening process should be used by the SPV/SPC and the PIU in their preparation of their productive investments to enhance their likelihood for approval.

Before the decision to approve a site is taken, the PIU and the Federal Ministry of Communications Innovation and Digital Economy would need to approve or disapprove the resettlement plan of the private company proposed digital infrastructure investments in totality with the overall environmental and social screening process that has been applied for each of their proposed investments and to also approve or disapprove of the proposed mitigation measures, if any.

This process of identifying land, consulting potentially impacted people, carrying out a socio-economic study may have to be iterative, simply because the mitigation measures (i.e. the compensation levels) may be too costly in terms of the amount paid as compensation and the overall number of people impacted. This would have to be determined by the participating private firms. The firms may also wish to consider the selection of alternative sites to propose to the PIU and the Federal Ministry of Communications Innovation and Digital Economy for approval. However, irrespective of whether the process of identifying potential land/sites is pursued iteratively or a number of sites are identified simultaneously, the process for the selection must be as described above.

Capacity will be built at the level of the PIU and the Federal Ministry of Communications Innovation and Digital Economy by providing technical assistance to allow the PIU and responsible staff of FMCIDE themselves to screen their proposed productive investments for environmental and social concerns. This training will also include the capacity to develop

mitigation measures to meet environmental and social impacts and to prepare for the implementation of such measures. This would build capacity at the level of the PIU with regard to environmental and social safeguards issues, which is crucial for the success of this project.

## CHAPTER FOUR: LAND ACQUISITION AND LIKELY CATEGORIES OF PROJECT AFFECTED PERSONS

At this stage, it is not possible to estimate the likely number of people who may be affected since the technical details and precise locations of the proposed productive investments that will be made in the BRIDGE have not yet been known.

However, the likely displaced persons can be categorized into three groups, namely;

### 4.1 Individuals and Households Potentially Affected

- (i) **Affected Individual** – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economical resources as a result of the project activities and to whom compensation is due. For example, person who has built a structure (or has a structure) on land that has been demarcated as a suitable site that may be affected by the reconstruction of drainage channels and therefore may be needed by the a sub project activity.
- (ii) **Affected Household** – A household is affected if it is economically or physically displaced<sup>5</sup>. That is if one or more of its members is affected by sub-project activities, either by loss of income, property or access to physical assets. . This provides for:
  - (a) any members in the households, men, women, children, dependent relatives and friends, tenants
  - (b) vulnerable individuals who may be too old or ill to work.
  - (c) members of households who cannot reside together because of cultural rules, but who depend on one another for their daily existence
  - (d) members of households who may not eat together but provide housekeeping, or reproductive services critical to the family's maintenance, and
  - (e) other vulnerable people who cannot participate in production, consumption, or co-residence for physical or cultural reasons.

In the local cultures, members of production, consumption, and co-resident groups form overlapping, often incongruent sets of people who may exchange domestic or farming services on a regular basis even though living separately.

Compensation will not be limited to people who live together in a co-resident group, since this might leave out people whose labor contributions are critical to the functioning of the “household”. For example, among polygamous settings, each wife has her own home.

(iii) **Vulnerable Households** – Vulnerable households could be owners of compound walls or shops/room that will be partially demolished during sub project activities. Partial demolition of houses will lead to congestion and possible voluntary termination of tenancy. These negative impacts of partial demolition will deprive landlords of important rent income. Other vulnerable groups are:

- (a) **Internally Displaced Peoples** – these are people who fled their homes during civil unrests/riots/armed robberies, if any, and are virtually refugees in their own country and have not returned. They may be dependent on the NGO community and others for support.

---

<sup>5</sup> WB ESS5 Guidance Note

- (b) **Elderly** – With age limiting them in terms of productivity, they will have cash or in-kind replacements to exchange. For future production they need access to only a small parcel of land. What would damage their economic viability is resettlement that separates them from the person or household on whom they depend for their support. The definition of household by including dependents avoids this.
- (c) **Women** – may depend on husbands, sons, brothers or others for support. In many cases too, women are the main breadwinners in their household. They need relatively easy access to health service facilities, as mothers and wives. Some women live in a polygamous situation in Nigeria and this requires special attention, as women are central to the stability of the household. For example, where the land being acquired is used by a woman with no formal rights to it or a woman who is dependent on a man other than her husband for her primary income. These women should not be resettled in a way that separates them from their households as the very survival of their households may depend on them. Their compensation must take into account all these factors.
- (d) **Income related poverty** – that is the poorest households are also vulnerable. Special attention would be paid to these groups by identifying their needs from the socio-economic and baseline study so that (i) they are individually consulted and given the opportunity (i.e. not left out) to participate in the project activities, (ii) that their resettlement and compensation is designed to improve their pre-project livelihood (iii) special attention is paid to monitor them to ensure that their pre-project livelihood is indeed improved upon (iv) they are given technical and financial assistance if they wish to make use of the grievance mechanisms of the project and (v) decisions concerning them are made in the shortest possible time.

## CHAPTER FIVE: CRITERIA AND ELIGIBILITY FOR COMPENSATION OF PROJECT AFFECTED PERSONS

### 5.1 Introduction

The Bank's ESS5 suggests the following three criteria for eligibility: project-affected persons may be classified as persons:

**Category (a): Who have formal legal rights to land or assets:** affected persons who have formal legal rights to land or assets are those who have formal documentation under national law to prove their rights, or are specifically recognized in national law as not requiring documentation. In the simplest case, an area is registered in the name of individuals or communities. In other cases, persons may have a lease on the land and therefore have legal rights.

**Category (b): Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law:** Affected persons who do not have formal legal rights to land or assets, but who have a recognized or recognizable claim under national law can fall into a number of groups. They may have been using the land for generations without formal documentation under customary or traditional tenure arrangements that are accepted by the community and recognized by national law. In other cases, they may have never been provided formal title or their documents may be incomplete or lost. They may have a claim for adverse possession if they have occupied land for a certain period of time as defined by national law, without the formal owner contesting the occupation. In such cases, national law often has legal procedures by which such claims can become recognized.

**Category (c): Who have no recognizable legal right or claim to the land or assets they occupy or use:** Affected persons who have no recognizable legal right or claim to the land or assets they occupy or use are eligible for assistance under ESS5. These can be seasonal resource users, such as herders, grazers, fishers, or hunters (although if the rights of such users are recognized by national law, they may fall into category (a) or (b)). They can also be persons occupying land in violation of applicable laws. Affected persons in these groups are not eligible for compensation for land, but are eligible for resettlement and livelihood assistance and compensation for assets.

### 5.2 Eligibility for Community Compensation

Communities (districts, towns and villages) 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 those for public toilets, market place, taxi parks, schools and health centers. The rationale for this is to ensure that the pre-project socio-economic status of communities where adversely impacted is also restored. The local community leaders will play a crucial role in identifying users of land



### **5.3 The Cut – off Date**

#### **5.3.1 Justification for Cut-off-date**

The entitlement cut-off date refers to the 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. In line with the ESS5 guidance note, the cut-off date for determining eligibility for compensation or other assistance is intended to help prevent encroachment by opportunistic settlers. The date is often the day when the assessment of persons and their property in the project area commences. It is a date after the PIU/SPV/SPC have identified the needed land sites. This date is before the census of affected persons. The main purpose of establishing a cut-off date is to ensure that the actual project-affected persons are the ones resettled and that individuals do not exploit the expected resettlement in the project and thus relocate and settle in the project location. Individuals taking up residence in, or use of, the project area after the cut-off date are not eligible for compensation or resettlement assistance. Similarly, the loss of fixed assets (such as built structures, fruit trees, and woodlots) built or planted after the cut-off date is not compensated, except where it can be demonstrated that such post-cut-off date improvements were needed to maintain the livelihoods of the affected person during the period between the cut-off date and displacement. Establishing a cut-off date is required to prevent opportunistic invasions /rush migration into the chosen land, thereby posing a major risk to the project. Besides, it helps to avoid unidentified costs for the project. It is most effective when well communicated, documented, and disseminated, including by clearly demarcating areas designated for resettlement.

#### **5.3.2 Common complications in the Application of Cut Date**

The application of cut-off date sometimes become controversial especially if there is delay between the time the census is carried out and the start and completion of project. However, the WB ESS5, as noted above, recognizes that individuals and households who occupy project-affected areas after the cut-off date are not eligible for compensation. The ESS5 recognizes that 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. ESS5 indicates that 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 but after the 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 labor) incurred

until the cut - off date. Nevertheless, if works are not initiated two years or more pass after declaration of a cutoff date, a new census and evaluation of properties must be carried out.

### **5.3.3 Establishing the Cut-off-date**

Establishment of a cut-off date is of critical importance. To avoid an influx of outsiders to subproject areas and misuse of the compensation policy, the date of the census will serve as the cut-off date for eligibility and no new PAPs will be eligible for compensation after this date. The cut-off date will be announced and made public through appropriate means of reach-out such as radio advertisement during the community awareness campaigns. The detailed census of PAPs will be appended to the RAP/ARAPS. Subprojects should only be approved if they include at least a preliminary RAP and budget. This date is to be chosen in close consultation with the State Environmental Agencies and the participating state utilities and must be in full compliance with the conflict resolution mechanisms in this RPF and as noted, this date must be communicated effectively to the potential PAP's and surrounding local communities.

### **5.3.4 Requirements for enforcing Cut-off Date**

To ensure that the cut-off date is adhered to, there should be thorough stakeholder communication through print and electronic media, including meeting and other mechanisms of local announcement. This will help prevent opportunistic invasions/rush migration into the chosen land areas thereby posing a risk to the subproject. Such opportunistic invasions could be by individual encroachers, newly formed families (e.g. households formed after the cutoff date) and persons making improvements to their homes or businesses who will not be compensated after the cutoff date. The list of PAP before the cut-off date should always be kept safe. Effort should also be made to ensure that new entrants into the land/subproject locations are aware that work is about to start and that people entering the areas from the date will not be compensated. This can be done by placing bill boards inside and in the streets leading to the project location to pre-warn potential settlers.

## CHAPTER SIX: LEGAL/INSTITUTIONAL GUIDELINES, REQUIREMENTS AND SAFEGUARD POLICIES

### 6.1 Land Ownership in Nigeria

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

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

The legal framework for land acquisition and resettlement in Nigeria is the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990 (see Annex 2). The following are selected relevant sections;

Section 1: Subject to the provisions of this Act, all land comprised in the territory of each State in the Federation are hereby vested in the Governor of each state and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of this Act.

Section 2 (a): All land in urban areas shall be under the control and management of the Governor of each State; and (d) all other land shall be under the control and management of local government within the area of jurisdiction in which the land is situated.

Section 5 (1): It shall be lawful for the Governor in respect of land, whether or not in an urban area (a) to grant statutory rights of occupancy to any person for all purposes.

Section 6 (1): It shall be lawful for a Local Government in respect of land not in an urban area, (a) to grant customary rights of occupancy to any person or organization for the use of land in the Local Government Area for agricultural, residential and other purposes; (b) to grant customary rights of occupancy to any person or organization for use of land for grazing purposes as may be customary in the Local Government Area concerned.

Section 6 (3): It shall be lawful for a Local Government to enter upon, use and occupy for public purposes any land within the area of its jurisdiction, and for the purpose, to revoke any customary right of occupancy on any such land.

Section 6 (5): The holder and the occupier according to their respective interests of any customary right of occupancy revoked under subsection (3) of this section shall be entitled to compensation, for the value at the date of revocation, of their unexhausted improvements.

Section 6 (6): Where land in respect of which a customary right of occupancy is revoked under this Act was used for agricultural purposes by the holder, the Local Government shall allocate to such holder alternative land for use for the same purpose.

Section 28 (1): It shall be lawful for the Government to revoke a right of occupancy for overriding public interest.

Section 29 (1): If a right of occupancy is revoked, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements.

Section 29 (3): If the holder or occupier entitled to compensation under this section is a community the Governor may direct that any compensation payable to it shall be paid (a) to the community or (b) to the chief or leader of the community to be disposed of by him for the benefit of the community in accordance with the applicable customary law (c) into some fund specified by the Governor for the purpose for being utilized or applied for the benefit of the community.

Section 29 (4): Compensation under subsection (1) of this section shall be, (a) the land, for the amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked, (b) buildings, installation or improvements thereon, for the amount of the replacement cost of the building, installation or improvement, that is to say, such cost as may be assessed on the basis of the prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interests at the bank rate for delayed payment of compensation and in respect of any improvement in the nature of reclamation works, being such cost thereof as may be sustained by documentary evidence and proof to the satisfaction of the appropriate officer, (c) crops on land apart from any building, installation or improvement thereon, for an amount equal to the value as prescribed and determined by the appropriate officer.

Section 33 (1): Where a right of occupancy in respect of any developed land on which a residential building had been erected is revoked under this Act, the Governor or the Local Government, as the case may be, may in his or its discretion offer in lieu of compensation payable in accordance with the provisions of this Act, resettlement in any other place or area by way of a reasonable alternative accommodation (if appropriate in the circumstances).

Therefore, according to the Land Use Act, all land in Nigeria is vested in the Governor of each State, and shall be held in trust for the use and common benefit of all people. The

administration of land area is divided into urban land, which will be directly under the control and management of the Governor of each State; and non-urban land, which will be under the control and management of the Local Government. The Governor of each State will have the right to grant statutory rights of occupancy to any person for any purposes; and the Local Government will have the right to grant customary rights of occupancy to any person or organization for agricultural, residential and other purposes. For agricultural purposes, no single customary right of occupancy shall exceed 500 hectares.

The rationale for the Act was that bitter disputes over land were resulting in loss of lives and properties; moreover, that the management and ownership of land needed to be streamlined and simplified; and furthermore that citizens, irrespective of their social status, need support to realize their aspirations of owning a place where they and their family can lead a secure and peaceful life.

The Act gives the government the right to acquire land by revoking both statutory and customary rights of occupancy for the overriding public interest. In doing so, the Act specifies that the State or Local Government should pay compensation to the current holder or occupier with equal value.

## **6.2 Nigerian Legal/Institutional Guidelines and Requirements**

### **6.2.1 Land Use Act of 1990 and Resettlement Procedures**

The Land Use Act, 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. He 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 non-urban or local areas. 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”. Thus the Land Use Act is the key legislation that has direct relevance to resettlement and compensation in Nigeria. Relevant Sections of these laws with respect to land ownership and property rights, resettlement and compensation are 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; grant easements appurtenant to statutory rights of occupancy and to demand rent. The Statutory rights of Occupancy are for a definite time (the limit is 99 years) and may be granted subject to the terms of any contract made between the state Governor and the Holder.

The Local Government Councils may grant customary rights of Occupancy for agricultural (including grazing and ancillary activities), residential and other purposes. But the limit of such grant is 500 hectares for agricultural purpose and 5,000 for grazing except with the consent of the Governor. The local Government, under the Act 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.

### **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 labour. The compensation payable is the estimated value of the unexhausted improvements at the date of revocation. Payment of such compensation to the holder and the occupier as suggested by the Act is confusing. Does it refer to holder in physical occupation of the land or two different persons entitled to compensation perhaps in equal shares? The correct view appears to follow from the general tenor of the Act. First, the presumption is more likely to be the owner of such unexhausted improvements. Secondly, the provision of **section 6(5)** of the Act, which makes compensation payable to the holder and the occupier

according to their respective interests, gives a pre-emptory directive as to who shall be entitled to what.

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

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

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

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

### **6.2.3 Nigerian Communications Commission (NCC) Act**

The Nigerian Communications Act, 2003 ("NCA") empowers the NCC to enact subsidiary legislation through regulations, guidelines, etc. to regulate telecommunications services. The Act requires anyone who wishes to operate a communications system or facility or provide a communications service to be authorized and licensed by the NCC, unless exempted from such requirements. Chapter IX, part 1 of the Act provides for the Installation of network facilities and access to network facilities. It indicates as follows:

(1). A licensee shall, in installing its network facilities, take all reasonable steps to ensure that he causes as little detriment and inconvenience and does as little damage as is practicable.

(2) If a licensee engages in an activity under this Part in relation to any land, the provider shall take all reasonable steps to restore the land to a condition that is similar to its condition before the activity began.

(3) All licensees shall, in connection with the installation of their respective network facilities, take all reasonable steps to act in accordance with good engineering practice; protect the safety of persons and property; ensure that the activity interferes as little as practicable with (i) the operations of a public utility, (ii) public roads and paths, (iii) the movement of traffic, and (iv) the use of land; and protect the environment.

### **6.2.3 Town Planning (or Urban & Regional Planning) Laws**

The responsibility for setting standards and regulations for physical development lies with State Governments in Nigeria. Various state governments have state-level laws defining the Width of roads and utility corridors where fibreoptic cables planned under BRIDGE will be laid. Typically, all unapproved developments or activities within the defined areas as specified by these laws, will be considered as encroachments.

## **6.3 International Guidelines**

International Development Partners/Agencies such as World Bank and other financial organizations interested in development projects recognize this highly especially in developments that result in involuntary resettlement. It is against this background that guidelines and standards have been set for managing such issues. Project proponents must comply with these standards before these institutions invest in them, such as the World Bank ESS5 on Land Acquisition, Restriction on Land Use and Involuntary Resettlement.

The World Bank's ESS5 will be applied in any sub-project of the BRIDGE that displaces people from land or productive resources due to land take.

### **6.3.1 World Bank Environment and Social Standard 5- Land Acquisition, Restriction on Land Use and Involuntary Resettlement**

In project design, ESS5 advocates that the borrower will demonstrate that involuntary land acquisition or restrictions on land use are limited to direct project requirements for clearly specified project purposes within a clearly specified period of time. The Borrower 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, while balancing environmental, social, and financial costs and benefits, and paying particular attention to gender impacts and impacts on the poor and vulnerable. When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, persons displaced must be:

- i. Duly consulted and should have opportunity to participate in the planning and execution of the resettlement;
- ii. Compensated for their losses at full replacement cost prior to civil works;
- iii. Assisted with the move and supported during the transitional period in the resettlement site;



- iv. Assisted in their effort to improve their former living standards, income earning capacity and production levels or at least to restore their standards of living or livelihoods.

For the nature of this BRIDGE, the World Bank requires the preparation of a Resettlement Policy Framework (which this document stands for) following National and World Bank ESS5 to guide the project as sub-projects are selected and specific Resettlement Action Plans (RAPs) for each sub-project selected.

#### 6.4 Nigerian Law and World Bank ESS5 on Compensation– A Comparison

In Table 6.1, a comparison between compensation in Nigerian Land law and the WB ESS5 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 ESS5 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 a cut -off date.

The Nigeria Land Use Act and World Bank ESS5 agree that compensation should be given to PAPs in the event of land acquisition and displacement of persons. Thus, all land to be acquired by the government for this project would be so acquired subject to the Laws of Nigeria and the World Bank's ESS5.

In the event of divergence between the two, the World Bank ESS5 provisions shall take precedence over Nigeria Land Use Act.

Gap Analysis  
Table 6.1

Theme	Local Legal Framework/Policy	ESS5 requirements	Measures to address Conflict/gap
Minimization of Resettlement	There are no provisions on the need to minimize or avoid resettlement	Requires that project designers should apply the mitigation hierarchy – avoidance, minimization and compensation - during the preparation of projects	All project sites will be assisted to consider the possibility of avoiding or minimizing impacts before designs are finalized
Extent of Coverage of Compensation and Resettlement Assistance	Compensation does not cover the actual cost of land. Only the cost of all <i>unexhausted developments</i> is covered. Payment for compensating loss of developments is at <i>depreciated market value</i> . For persons with statutory title under the LUA, compensation will also be paid for rental for the year during which the title was revoked	Recommends land-for-land compensation. Other compensation is at Full ( <i>undepreciated</i> ) replacement cost. Cash compensation can only be adopted where there is an active land market. All transaction costs required to achieve full replacement of lost land must be included. Locational advantages of acquired landholding must also be	Eligible PAPs (based on OP 4.12 eligibility categories) will be compensated on replacement cost. Full Replacement Cost will be independently determined and paid  All costs of keeping the land productive that has been incurred by affected persons will be included in the compensation offer.

Theme	Local Legal Framework/Policy	ESS5 requirements	Measures to address Conflict/gap
		<p>paid as part of the compensation plan.</p> <p>Requires payment of compensation for land to persons with formal titles and other recognized claims on land</p>	
Eligibility	Recognizes persons who obtain rights under the LUA and others who held titles under the previous tenure arrangements prior to the LUA subject to such rights being recognized through the transitional arrangements set up under the act	Eligible persons for compensation and resettlement assistance are (i) all holders of formal titles to land (ii) persons without formal titles but with claims to ownership and use of such land which is recognized in the project area and (iii) persons without any title or claim for assistance under the RAP to be prepared	The project will adopt the three eligibility categories established under the OP 4.12 for compensation and resettlement assistance. PAPs in the third category will only be provided with resettlement assistance and are not eligible for any form of compensation for land
Timing of Compensation	Allows the government to acquire land compulsorily and make compensation due for acquired assets anytime	Requires that all payments for compensation and resettlement assistance will be provided before the land (including other assets) are acquired to allow displaced persons to achieve replacement of lost assets and settle appropriately before assets are taken	Compensation and resettlement assistance will be delivered to PAPs before compulsory acquisition is effected
Livelihood restoration.	Silent	Compensation for loss of assets at full replacement cost and other assistance to improve or at least restore standards of living and livelihoods.	Financial support and livelihood improvement strategies will be implemented for all categories of PAPs with impacts on their means of livelihood.
Grievance procedure	Land Use Act provides for establishment of a Land Use and Allocation Committee in each state to arbitrate compensation related disputes. Either party may seek judicial redress 4.12 in the courts.	Requires the elaborate design of multiple orders of grievance redress mechanism, which provides varied access to suit PAPs understanding and comfort for dispute resolution promptly in an impartial and transparent manner	A culturally-sensitive GRM will be instituted for the project
Occupier of the	Allows same remedies	Occupants are also	Will be provided compensation

Theme	Local Legal Framework/Policy	ESS5 requirements	Measures to address Conflict/gap
right of occupancy	enjoyed by actual title holders to the extent of their rights.	covered as affected persons. Requires that resettlement assistance is provided for displaced persons	and resettlement assistance to appropriate to the magnitude of their losses
Encroacher, Squatters, settlers and migrants	No compensation or assistance provided in Nigerian laws	Entitled to <b>assistance</b> for buildings, structures, installations and improvements and other assistance measures. Trade-offs in terms of actual entitlements are allowed provided it is successfully negotiated with affected persons.	Encroachers will be <b>assisted</b> to acquire new location and settle properly. Replacement items will be negotiated with affected persons and documented in the RAP.
Land-owners	Only persons with formal rights of occupancy granted by the governor are recognized. Does not cover compensation for value of land except for the rental value of persons with Certificate-of-Occupancy	Recommends land-for-land compensation. Recognizes different categories of claimants including (i) persons with formal legal title, (ii) persons 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 and (iii) persons who do not have any form of title.  Requires compensation for persons with title and recognized claims and resettlement assistance for persons without title.	All three categories of persons recognized by OP 4.12 will be considered for either compensation or resettlement assistance. Eligible PAPs will be compensated at Full Replacement Cost.
Owners of "Non-Permanent" buildings, installations	LUA does not clearly state provisions for temporary structures, even though the definition of structures include terms like "other structures" and "installations". All such unexhausted developments on land are eligible for compensation. Cash compensation based	ESS5 does not clearly describe how non-fixed assets should be handled but their circumstances are similar to those of squatters and encroachers.  Requires that squatters and encroachers who may not have any recognizable claim to land will be	Owners of temporary and non-fixed structures will be provided with relocation assistance to move their structures to a new location and re-establish their livelihoods.

Theme	Local Legal Framework/Policy	ESS5 requirements	Measures to address Conflict/gap
	<p>on market-depreciated value.</p> <p>Monetary Compensation is the primary means of compensation, though In-kind compensation is allowed under LUA s. 33 (1) and 6 (6)</p>	assisted to achieve full restoration.	
Cut-off date	No provisions on cut-off date	States that a cut-off date should be established by the borrower. Also states that persons who encroach in the project area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. The cut-off date is the date on which the census began and the date, after which PAPs will NOT be considered eligible for compensation, i.e. they are not included in the list of PAPs as enumerated during the census of PAPs..	Ensure the cut-off date (s) is clearly and adequately communicated through appropriate means.
Disclosure of Information	Requires that all instruments should be disclosed in line with the Nigerian EIA laws for 21 working days.	Requires that Resettlement Plan (or Framework) is made available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them	The RAP report will be disclosed locally in Local Government Area (LGA) offices where the projects are located, the Federal Ministry of Environment Website and on the WB external website.
Determination of replacement value	Requires that compensation is paid for affected assets (except land) based on the replacement cost. The cost is assessed on the basis of the prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interest at the bank rate for delayed payment of compensation.	Requires that a Resettlement Plan should be prepared that provides prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. For land, cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets	The RAP will offer compensation at full replacement cost for the value of affected assets. Method of valuation will be based on the replacement cost approach.

Theme	Local Legal Framework/Policy	ESS5 requirements	Measures to address Conflict/gap
Restoration of livelihoods and living standards Support for displacement Development assistance.	Silent	Requires that affected persons provided with assistance with movement, transition support and to re-establish access to lost resources.	The project will provide affected persons with assistance with movement, transition support and to re-establish access to lost resources.
Vulnerable People	Silent	Requires that particular attention is paid to the needs of vulnerable groups among displaced persons, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, 15 ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.	The project will assess the level of vulnerability within the displaced population and provide differentiated relocation assistance suited to the needs of each group (including psychosocial supports and specialized mobility and transitional assistance) of displaced persons, with particular attention paid to the needs of the poor and the vulnerable. This additional assistance will be delivered as cash.
Consultation	Silent	Insists upon consultation and informed participation of all affected persons throughout resettlement process.	Ensure consultation and informed participation of all affected persons throughout resettlement process.
Monitoring and evaluation	Silent	Requires that the conditions of displaced persons should be monitored until they achieve restoration of all losses	A full M&E process which will track outputs and outcomes of the resettlement process will be designed and implemented

**Table 6.2: Comparison of Nigerian Law and World Bank ESS5 Regarding Compensation**

S/N	Category of PAPS	Nigerian Law	World Bank ESS5
1	Land Owners	Cash compensation based upon market value.	Recommends land-for-land compensation. Other compensation is at replacement cost.
2	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.

<b>3</b>	Land Users	Not entitled to compensation for land, entitled to compensation for crops.	Entitled to compensation for crops, may be entitled to replacement of land and income must be restored to pre-project levels at least.
<b>4</b>	Owners of “Non permanent” Buildings	Cash compensation based on market value.	Entitled to in-kind compensation or cash compensation at the cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better than those of the affected structure; or of repairing a partially affected structure, including labor and contractors’ fees; and transaction costs, such as registration, transfer taxes, and moving costs.
<b>5</b>	Owners of “Permanent” buildings	Cash Compensation is based on market value.	Entitled to in-kind compensation or cash compensation at the cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better than those of the affected structure; or of repairing a partially affected structure, including labor and contractors’ fees; and transaction costs, such as registration, transfer taxes, and moving costs.

The World Bank ESS5 is developed to ensure that the negative impacts of the BRIDGE development on people do not occur. And 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 it becomes inevitable cash compensation. It should be noted that massive involuntary displacement in BRIDGE is not envisaged. Also, it is not envisaged that the project will lead to the acquisition of protected areas (PA) or community resource management areas. However, in the unlikely event that this happens the procedures indicated in ESS5 will be followed.

Based on the existing comparison of the compensation systems of Nigeria and the World Bank, entitlement matrix (Table 6.2) 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 of Action (RAPs) are being negotiated and prepared.



**Table 6.2: The Entitlement Matrix for Various Categories of PAPs**

Asset	Type of Impact	Affected Person/unit	Eligibility Criteria	Financial or In-Kind Compensation	Allowances/Assistance
Land (including fallow land used as part of agricultural cycle)	Permanent acquisition of land	Land owner (individual, clan or community)	Person with formal right to land or without formal legal right to land but have recognizable claim to land recognized under the prevailing local land tenure	Land of equal productive use or potential, located in the vicinity of the affected land or the new housing site, plus the cost of preparation to levels similar to or better than those of the affected land, and transaction costs such as registration and transfer taxes or customary fees.	<u>Land Transfer allowance</u> 10 % of market value in cash covering all administrative fees related to the purchase or provision of replacement land.
		Tenant/User (will not receive compensation for land but for improvements to land they have made such as crops, houses, sheds etc. (see below for details)		Community land – replacement land or if unavailable, compensation to be paid to the community with their full consultation and participation	
	Temporary acquisition of land			Full restoration to pre-project conditions; financial compensation for any crops or trees acquired or destroyed; compensation for any rent received from land; replacement land if lack of access will last for an agricultural cycle and prevent farmers from either planting or harvesting crops. Return of land to land user after use	Moving allowance
	Cultural Heritage	Permanent /Temporary loss of cultural heritage including sacred sites.	Community	Community Land not under dispute	Replacement in consultation with concerned parties including ministry of environment with respect to forest/trees. Movable heritage (artifacts, structures, relics) if affected, should be preserved, documented, or relocated with community agreement.



				<p>Shrines, sacred groves, or burial sites should be relocated with community participation.</p> <p>Funding should be provided to support rituals, ceremonies, and cleansing to appease ancestral or spiritual concerns if applicable.</p> <p>Cash compensation of temporary loss of income</p>	
	Restriction /loss of grazing ground	Cattle herders and others	Verifiable established grazing pattern/history	<p>Assistance to create grazing reserve elsewhere in consultation with PAPs</p> <p>Cash compensation for temporary loss of income.</p>	NA
<b>Asset</b>	<b>Type of Impact</b>	<b>Affected Person/unit</b>	<b>Eligibility Criteria</b>	<b>Entitlement Description</b>	<b>Allowance/ Assistance</b>
<b>Crops/ Trees</b>	Destruction/damage/loss of crops	Landowner	Landowner with formal or informal right to own land on which crops / fruit / economic trees are grown	Cash compensation for crops at full market value of crop yield per hectare	NA
	Loss of fruit trees	Tenants/Users of land and cultivators/owners of crops/fruit trees, including individuals of the same household who tend their own piece of land and grow crops on it.		Cash compensation for fruit trees at full market value of fruit yield per season	NA
	Destruction/Loss of wood trees		Recognized owner of affected fruit / economic trees	Cash compensation for wood tree at current market value	Moving/Setup allowance
<b>Structures</b>	Destruction of permanent immovable structures	Owner	Recognized owner of affected structure irrespective of land ownership status	Cash compensation at full replacement value, or replacement structure- The cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better	Cash or in-kind moving assistance
		Tenant/User	Recognized tenant		

				than those of the affected structure; or of repairing a partially affected structure, including labor and contractors fees; and transaction costs, such as registration, transfer taxes, and moving costs.	
	Temporary displacement of moveable structures	Owner	Recognized owner of affected structure irrespective of land ownership status	For loss of structure, replacement property at equal or greater value, Compensation at full replacement value not depreciated. For lost rental income, Lump sum cash payment of 6 months rent per tenant.	Cash or in-kind moving assistance
		Tenant	Recognized tenant/user		
	Businesses and Commercial Enterprises (formal and informal)	Business person distinct from owner of the structure	Those operating business on the affected project land irrespective of their land ownership status	<p>For residential tenant, replacement costs for non-movables if installation was agreed with owner. Provide relocation assistance suited to the needs of each group of displaced persons.</p> <p>For business tenant, replacement cost for facilities that cannot be moved. compensated for the cost of identifying a viable alternative location; for the cost of the transfer and reinstallation of the plant, machinery, or other equipment; and for reestablishing commercial activities.</p>	
Loss of access to rivers or lakes	Loss of access to fishing livelihood	Recognized fishermen/women who substantially rely on fishing for their livelihood	Verification that fishing is important livelihood for household or individual	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.	

Restriction/Loss of grazing grounds	Loss of access to grazing livelihood	Fulani herdsmen and others	Verifiable established grazing pattern/history	Assistance to create grazing reserve elsewhere in consultation with PAPs  Cash compensation for temporary loss of income.	Cash and/or in-kind
Loss of employment due to loss or depiction of land for land-based agricultural livelihood		Women, other vulnerable groups that rely on land for livelihood		Affected employees will receive assistance for temporary loss of wages and, if necessary, assistance in identifying alternative employment opportunities;	
Residual loss of livelihood and assets		Same as above			

## CHAPTER SEVEN: METHODS OF VALUING AFFECTED ASSETS.

### 7.1 Introduction

Valuation methods for affected land and assets would depend on the type of asset. The three land asset types identified under Nigeria law in this policy framework are:

- (i) State (urban and non urban) owned Land
- (ii) Privately owned Land
- (iii) Assets held under Customary Law

State owned land or regulated public domain within transport and utility corridors would be allocated free by the Governor or Local Government (perhaps except for processing and registration fees).

The PIU would be expected to offer assistance to occupants of land in this category in cases where the state-owned land is being encroached upon by landlords or squatters, settled upon or otherwise being used. Privately owned property would have to be acquired at the market value. The guiding principle is that whoever was using the land to be acquired would be provided other land of equal size and quality.

However, 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. The project would compensate for assets and investments, including labor, buildings, and other improvements, according to the provisions of the resettlement plan. Compensation rates would be based on replacement cost as of the date and time that the replacement is to be provided. 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. 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.

### 7.2: Compensation Payments and Related Considerations.

Forms of compensation may include one or more of the following:

- (i) **Payments in Cash:** Cash compensation may be made for damage to or loss of land assets, damage to or loss of trees or other activities related to livelihood and damage to or loss of structures.
- (ii) **Payments in Kind:** In-kind compensation may be made for land assets, agricultural assets (such as productive trees) or structures.

The type of compensation will be an individual choice although every effort will be made to instill the importance and preference of accepting in kind compensation if the loss amounts to more than 20% of the total loss of subsistence assets.

Making compensation payments raises some issues regarding inflation, security and timing that must be considered. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur, thus market prices will be monitored within the period that compensation is being made to allow for adjustments in compensation values. The question of security, especially for people who will be receiving cash compensation payments, needs to be addressed by Government. Local banks and micro finance institutions should work closely with the State and the participating local governments at this level to encourage the use of their facilities, which will positively impact the growth of the local economies.

### **7.2.1 Compensation for Land**

Compensation for land is aimed at providing a landlord or owner of land whose land is acquired and used for project purposes with compensation. In the project context, and for transparency, “Land” is defined as an area:

- Covered with structures (building, kiosk, shop, fence/wall)
- Where a structure is about to be erected.
- In cultivation or being prepared for cultivation or cultivated during the last season agricultural season.

Compensation for land will cover the market price of labor invested and the market price of the land lost. Land required for BRIDGE may fall under the following categories:

- Land is permanently needed for construction and the location of equipment, such as digital infrastructure, including data centres, optic fibre cables and networks, towers, etc.
- Land temporarily required for the duration of construction activities (e.g. access track that will be reclaimed after construction, or staging area that a contractor will use for the duration of construction of a given facility).
- Rights-of-Way, i.e. land that can still be used by its former users during operation of the facility subject to certain restrictions (e.g. electricity lines where cables can also be laid)

For purposes of measuring land, the unit of measurement would be that which is used and understood by the affected land owners. Therefore, if a traditional unit of measurement exists, that unit should be used. If a traditional unit of measurement does not exist, then it is recommended that land should be measured in meters or any other internationally accepted unit of measurement. However, in such an event, the unit that is being used must be explained to the affected farmers or landlord and must somehow be related to easily recognizable land features that the affected persons or communities are familiar with, such as using the location of trees, stumps, etc. as immovable pegs. The most important concern of this exercise is to ensure that the affected person is able to verify using his/her own standards/units of measurement for him/herself, the size of land that is being lost. Ensuring that this occurs maintains transparency in the system and will thus avoid subsequent accusations of wrong measurements or miscalculations of areas.

### 7.2.2: Compensation for Buildings and Structures.

Compensation will be paid by replacing structures such as huts, houses, farm outbuildings, latrines and fences. Any homes lost will be rebuilt on acquired replacement land, however cash compensation would be available as a preferred option for structures (i.e. extra buildings) lost, that are not the main house or house in which someone is living. The going market prices for construction materials will be determined. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure. The project will survey these prices for administrative purposes on an ongoing basis.

Compensation will be made for structures that are:

- Abandoned because of relocation or resettlement of an individual or household,  
Or
- Directly damaged by construction activities.

Replacement values will be based on:

- Drawings of individual's house and all its related structures and support services,
- Average replacement costs of different types of household buildings and structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. bricks, bundles of straw, doors etc.),
- Prices of these items collected in different local markets,
- Costs for transportation and delivery of these items to acquired/replacement land or building site,
- Estimates of construction of new buildings (if any), including labor required.

Details for compensation of buildings are presented in Table 7.1.

**Table 7.1: Compensation for Buildings and Structures**

Buildings and structures will be replaced by an equivalent structure or, on an exception basis, cash and/or credits will be paid based on replacement costs.	
Item	Example
House	Raw or Baked brick Straw, zinc/aluminium roof or tiles. Varying sizes (small, medium large)
Kitchen	Open, closed
Stables/sheds/pens	Cattle, goat, sheep, other
Fence	Straw/poles (per unit poles & mat), raw and/or baked brick/cement blocks (per 1-m length)
Latrine	Replacement latrines will be similar to those currently operational and financed by the bank or other donor agencies at health centers, schools or similar structures.
Open well	Internally lined with concrete rings and provided with a hand driven pump.
Storage building	Cement/sand block walls with thatched roof on z-profiled metal sheets.

### 7.2.3: Calculation of Crops Compensation Rate

The development and establishment of digital infrastructure, such as data centres, optic fibre cables, towers, etc., could result in the destruction of standing crops in areas acquired permanently or areas occupied temporarily. Where crops are affected, there are considerable impacts on livelihoods of affected farmers (potentially including both owners and occupants/users).

For farmers, the current prices for cash crops would have to be determined. All crops to be compensated using a single rate regardless of the crop grown. This rate incorporates the value of crops and the value of the labor invested in preparing a new land. Determining compensation using a single rate creates transparency because anyone can measure the area of land for which compensation is due and multiply that by a single rate known to all. This approach also allows the assignment of values to the previous year's land (land in which a farmer has already invested labor) and land that has been planted but crops have not sprouted/germinated. Further, it avoids contention over crop density and quality of mixed cropping. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation is to be updated to reflect values at the time compensation is paid. The following example, which is based on 2013 data, derives a total value for a one-hectare land from the value of the crops on the land and the value of labor invested in preparing a replacement land.

**Table 7.2: Example of method to be used to determine a monetary compensation rate for land\***

Item Compensated	Basis of Value	NAIRA/ha (example)
Value of Crops	Average of the highest 2025 official and market survey cost per ha of staple food crops (yam, plantain, rice etc.), plus cash crops (e.g., maize, rice).	1,402,750
Labor Invested	Labor costs of preparing a replacement land.	232,500
Total	Replacement value of crops plus labor.	1,635,250

- Note: This example assumes a one-hectare land.

All agricultural labor activities are included for two reasons. First, because of the need for transparency, all land labor will be compensated for at the same rate. Second, it is difficult to forecast when during the growing season a farmer might need to give up his/her land. Thus, the land compensation covers all investments that a farmer will make. In certain cases, assistance may be provided to land users in addition to compensation payments, for example, if the farmer is notified that his/her land is needed after the agriculturally critical date of March, when s/he will no longer have enough time to prepare another land without help. Assistance will be provided in the form of labor-intensive village hire, or perhaps

mechanized clearing, so that replacement land will be ready by the sowing dates. The farmer will still continue to receive his/her cash compensation so that /s/he can pay for sowing, weeding and harvesting.

#### **7.2.4: Compensation for Vegetable Gardens and Beehives**

These are planted with vegetable and ingredients for daily use. Until a replacement garden starts to bear, the family displaced as a result of the project land needs will have to purchase these items in the market. The replacement costs therefore, will be calculated based on the average amount that an average town dweller spends on buying these items for one year per adult from the local market.

Beehives are placed in various locations in the bush by some individuals that specialize in honey gathering. If such hives would be disturbed by the project activities, or access to hives is denied, beekeepers can move them, and the bees will adapt to the new locations. Beekeepers would be compensated by the value of one season's production costs of honey for each hive that is moved and any reasonable costs associated with moving the hive.

#### **7.2.5: Compensation for Economic Trees, Domestic Fruit and Shade Trees.**

These trees have recognized local market values, depending upon the species and age. Individual compensation for wild trees "owned" by individuals, which are located in lands as defined in this policy, will be paid. Note that wild, productive trees belong to the community when they occur in the true bush as opposed to a fallow land. These trees will be compensated for under the umbrella of the village or community compensation. The rates to be applied in compensating for these trees will be based on the 2024 Harmonised Crop & Economic Trees compensation rates prepared by the National Technical Development Forum (NTDF) on Land Administration.



## CHAPTER EIGHT: ARRANGEMENTS FOR COMPENSATION

### 8.1 Introduction

Compensation (and resettlement) will be funded like any other activity eligible under the projects' administrative and financial management rules and manuals. Funding would be processed and effected through the BRIDGE Project Implementation Unit (PIU) and will comply with the financial arrangements agreed upon at project negotiations. The compensation process, which will involve several steps, would be in accordance with the BRIDGE resettlement and compensation plans and will include:

- **Public Participation** with the PAPs would initiate the compensation process as part of an ongoing process that would have started at the planning stages when the technical designs are being developed and at the land selection/screening stage. This would ensure that no affected individual/household is simply 'notified' one day that they are affected in this way. Instead, this process seeks their involvement and wishes to involve PAPs in a participatory approach with the project from the onset.
- **Notification** of land resource holders - the respective community or municipal heads or leaders (chiefs) having been involved in identifying the land that the BRIDGE require will notify the municipal and community inhabitants who will help to identify and locate the land users. These local community leaders will also be charged with the responsibility of notifying their community members about the established cut-off date and its significance. The user(s) will be informed through both a formal notification in writing and, for as many people as are illiterate, by verbal notification delivered in the presence of the community leader or his representative. In addition, the village chiefs, religious leaders, other elders and individuals who control pastoral routes, fishing areas, wild trees, or beehives, hunting areas will accompany the survey teams to identify sensitive areas.
- **Documentation** of Holdings and Assets – BRIDGE officials arrange meetings with affected individuals and/or households to discuss the compensation process. For each individual or household affected, officials of the BRIDGE PIU complete a compensation dossier containing necessary personal information on, the affected party and those that s/he claims as household members, total land holdings, inventory of assets affected, and information for monitoring their future situation. This information is confirmed and witnessed by Federal and State environment agency and village officials. Dossiers will be kept current and will include documentation of lands surrendered. This is necessary because it is one way in which an individual can be monitored over time. All claims and assets will be documented in writing.
- **Agreement on Compensation and Preparation of Contracts** - All types of compensation are to be clearly explained to the individual or household. The BRIDGE PIU draws up a contract listing all property and land being surrendered and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract and the grievance redress mechanisms are read aloud in the presence of the affected party, the representative of the state environment agency, project

officials, community (or Local Government ) officials and other leaders prior to signing.

- **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 Federal and state Ministry of Environment and the community officials.

## **8.2 Community Compensation Payments**

Community compensation will be in-kind only for a community as a whole in the form of reconstruction of the facility to at least the same standard or equivalent better standard prior to BRIDGE and to serve the same function. Examples of community compensation include;

- School Building (public or religious)
- Public Toilets
- Well or Pump
- Market Place
- Road
- Storage warehouse
- Community-owned fruit and shade trees

Community compensation may in itself require land take and people may be affected, thus a change of impacts which will be compensated for.

## **8.3 Description of the Implementation Process**

The environmental and social specialist attached to the PIU will be responsible for the implementation of the RPF in close collaboration with the Federal and State Ministry of Environment and FMCIDE. Before any project activity is implemented, PAPs, will need to be compensated in accordance with the resettlement policy framework and subsequent RAP. For activities involving land acquisition or loss, denial or restriction to access, it is further required that 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. In particular, the taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to displaced persons. For project activities requiring relocation or loss of shelter, the policy further requires that measures to assist the displaced persons are implemented in accordance with the individual resettlement plan of action.

The measures to ensure compliance with this policy directive would be included in the resettlement plans that would be prepared for each land involving resettlement or compensation.

When the PIU present their resettlement plans to the Federal Ministry of Environment and FMCIDE for approval, part of the screening process that would be used to approve recommended sites would be to confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works in compliance with this policy. The

timing mechanism of these measures would ensure that no individual or affected household would be displaced due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or household affected. Once the resettlement plan is approved by the requisite authorities, the resettlement plan should be sent to the World Bank for final review and approval.

#### **8.4 Resettlement, Cost Estimates and Contingencies**

The estimate of the overall cost of resettlement and compensation would be determined during the socio-economic study. There will be provision in the BRIDGE project to finance the resettlement concerns as and when they arise during project implementation.

At this stage, it is not possible to estimate the likely number of people who may be affected since the technical details/designs have not yet been developed and land needs have not yet been identified. When these locations are known, and after the conclusion of the site-specific socio-economic study, information on specific impacts, individual and household incomes and number of affected people and other demographic data are available, thus facilitating the preparation of a detailed and accurate budget for resettlement and compensation.

#### **Sources of Funding**

The Government, through the FMCIDE, shall fund resettlement matters. The PIU will prepare the resettlement budget and finance this budget through funding by the FMCIDE consistent with the project's administrative and financial management rules and manuals, like any other activity eligible for payment under the project. This budget will be subject to the approval of the World Bank.

## **CHAPTER NINE: GRIEVANCE REDRESS MECHANISM**

### **9.1 Introduction**

Grievance Redress Mechanism (GRM) is a proactive alternative dispute resolution arrangement. It is not inconceivable that grievances or complaints may arise as fallout of RAP implementation. 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.

Potential grievances and disputes that arise during implementation of the resettlement and compensation programme may be related to, but not confined to the following issues:

- (i) Incomplete census as well as inadequate valuation of properties.
- (ii) Errors related to identification and disputes on boundaries between affected individual(s) and specifying their land parcels and associated development.
- (iii) Disagreements on plot/asset valuation.
- (iv) Divorces, successor and family issues resulting into ownership dispute or dispute share between heirs or family.
- (v) Disputed ownership of a given Asset (two or more affected individual(s) having claim on the same land.
- (vi) 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).

### **9.2 Informing Parties on Levels and Channels of Grievance Uptake**

There will be four levels at which aggrieved PAP or grievant can channel his/her complaints for redress. These shall include 1) the project site level, 2) the project management unit level 3) the Special Purpose Vehicle (SPV)/Special Purpose Company (SPC) and 4) FMCIDE Level. It is, however, the right of the PAP to take a matter to the court of law as the final arbiter if he/she feels dissatisfied with the judgments obtained from the grievance redress committees set up by this project.

PAPs shall be communicated early during RAP/ARAP public consultation and census about the existence of the GRM and sufficient information provided to them on the grievance uptake channels. This RPF requires that the Federal Ministry of Communications Innovation and Digital Economy (FMCIDE) and the Special Purpose Vehicle (SPV)/Special Purpose Company (SPC) clearly indicate in the RAP/ARAP report how PAPs were informed about the channels of grievance redress uptake.

Subject to site peculiarity, during RAP/ARAP stage, the Federal Ministry of Communications Innovation and Digital Economy is to set up grievance redress mechanisms at the following levels

- Site/Community Level;
- Project Implementation Unit
- SPV Level;
- FMCIDE level:

### 9.3 Setting up a Grievance Redress Mechanism

During the time of development of sub-projects ARAP/RAP, the PIU shall establish a Grievance Redress Mechanism that incorporates the use of existing local grievance redress mechanism available in the community, existing GRM at the national and state levels and based on experience from previous World Bank assisted projects. The GRM to be established have been described in the Stakeholder Engagement Plan (SEP). It will be effective and result-oriented to work with existing and functional local structures of dispute resolution than to design an entirely new one which may be alien to the people. However, field survey to be conducted by the PIU through the independent RAP/ARAP consultant will among other things ascertain the strength of the existing local grievance redress structure and where need be; the existing GRM can be restructured and strengthened for adaptation for this project context.

### 9.4 Structure of Grievance Redress Mechanism

#### 9.4.1 Grievance Mechanism Management structure

- *Tier 1:* SPV Project Community GRC. The Community Liaison Officer is the secretary of the GRC. Community GRC should comprise the community head, a representative of community groups and representative from the PIU.
- *Tier 2:* SPV Headquarters Complaints Desk
- *Tier 3:* BRIDGE PIU Grievance Redress Committee (GRC). The Committee composition should be decided by the PIU.
- *Tier 4:* FMCIDE Servicom Desk

#### 9.4.2 Grievance Uptake

Grievances can be submitted via the following channels

- **Channel 1:** Verbal reports to Community Liaison Officers stationed at Broadband Network route communities
- **Channel 2:** Letter to complaint boxes placed in Broadband Network route communities
- **Channel 3:** Toll-free telephone hotline / Short Message Service (SMS) line to SPV complaints desk
- **Channel 4:** E-mail to SPV complaints desk
- **Channel 5:** Complaint form filled on SPV website

#### 9.4.3 Sorting & Processing of Complaints

Any complaint received from the five channels will be handled as follows;

- **Channel 1:** Details of complaint and complainant will be logged on the complaints app by the CLO
- **Channel 2:** Details of complaint and complainant will be logged on the complaints app by the CLO

- **Channel 3:** Complaint received via SMS and toll-free line will be automatically registered on the complaints app.
- **Channel 4:** Complaint received via email will be manually registered on the complaints app
- **Channel 5:** Complaint received via web complaints form will be automatically registered on the complaints database and dashboard

All complaints will be categorized according to the schedule shown in Annex 1 of the SEP. Where complaints are brought to the attention of staff of contractors or consultants, such complaints MUST be referred to their appointed Community Liason Officer (CLO).

## 9.5 Grievance Redress Process Procedure

### **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 will capture the following data: name of the complainant, date of the grievance, category of the grievance, persons involved, and impacts on complainant life, proofs and witnesses. A registration form will have all these bits of information.

### **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.

### **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.

### **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.

Table 9.1 shows the implementation plan for the GRM.

**Table 9.1: Implementation Plan for Grievance Mechanism**

Steps	Process	Description	Completion Time frame	Responsible Agency/Person
1	Receipt of complaint	Document date of receipt,	1 day	Secretary to GRC at

		name of complainant, village, nature of complaint, inform the PIU		project level
2	Acknowledgement of grievance	By letter, email, phone	1-5 days	Social safeguard officer at PIU
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	National Project Coordinator 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	National Project Coordinator/PIU
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)

## 9.6 Financing of the Grievance Redress Mechanism and Cost of Remediation

The Federal Ministry of Communications Innovation and Digital Economy (FMCIDE) and PIU shall be responsible for the funding of logistics for the GRC as well as the eventual compensation or resettlement remediation that the aggrieved party may be entitled to. They will also be responsible for the cost of the judicial process for cases that result in court for adjudication.

## CHAPTER TEN: CONSULTATIONS AND STAKEHOLDER PARTICIPATION

### 10.1 Mechanism for Consultation and Participation of Displaced Persons

Public consultation and participation are essential because they afford PAPS the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood of conflicts between and among PAPs and the PIU. The socio-economic situation prevailing in the country makes public consultation with the communities, indispensable. Furthermore, it is the local, urban, semi-urban and rural areas that are to claim ownership of this project and are the intended beneficiaries ultimately. For this project to be successfully meaningful, effective and close consultation with local communities is a pre-requisite. In recognition of this, particular attention would be paid to public consultation with potentially affected individuals/households.

#### 10.1.1 Identifying Stakeholders

Stakeholders for the purpose of this project shall be defined as all those **people and institutions** that have an interest in the successful planning and execution of the project. This includes those positively and negatively affected by the project. Table 10.1 shows the stakeholder identification matrix.

**Table 10.1: The Stakeholder Identification Matrix**

Those who may be affected by the project:	
These may include	How to identify them
People living in the vicinity of the proposed works including vulnerable people.	<ul style="list-style-type: none"><li>• Identify the local government area(s) that falls within 1 km radius of the proposed sites.</li><li>• Review available data to determine the stakeholder profile of the whole stakeholder or relevant group.</li><li>• Use identified groups and individuals to tap into stakeholder networks to identify others.</li></ul>
Special interest groups.	<ul style="list-style-type: none"><li>• Identify key individuals or groups through organized groups, NGOs, local clubs, community halls and religious places.</li><li>• Organizations such as environmental groups would be aware of similar local groups or individuals.</li></ul>
Individual people who own properties that will be directly or indirectly affected.	<ul style="list-style-type: none"><li>• Advertise in local newspapers, telling people that they may be affected and asking them to register interest in attending meetings or receiving further information.</li></ul>



Business (owners and employees).	• Council lists or property registers.
----------------------------------	--

### 10.1.2 Consultation Strategies

The consultation process shall ensure that all those identified as stakeholders are consulted. Subject to PIU approval, information about the project will be shared with the public, to enable meaningful contributions and enhance the success of the BRIDGE.

Public consultation should take place through workshops, seminars, meetings, radio programs, requests for written proposals/comments, questionnaire administration, public reading and explanation of project ideas and requirements. The Federal Ministry of Communications Innovation and Digital Economy (FMCIDE) would monitor the consultation plan. The Ministry will set their own verifiable indicators to assess the degree of participation of the key stakeholder during all the phases of BRIDGE implementation.

### 10.1.3 Level of Engagement

The level of stakeholder involvement would be based on the project phase, location and expected outcome. Small projects would require less complicated stakeholder involvement programs as the issues are likely to be less complex and their impact smaller. This section is a guide to determining the level of stakeholder involvement required. Specifically, the extent of stakeholders' involvement would be based on the following:

- the project is likely to have significant impacts, that is, high impacts in one area/location, or relatively small impacts spread out over a large area.
- the project involves significant issues, that is, the wider stakeholder may be affected.

Through the engagement, the PIU would be able to:

- Clarify the project's objectives in terms of stakeholders' needs and concerns
- Identify feasible alternatives (in particular alternative locations) and examine their relative merits in terms of environmental, social and economic factors
- Identify and prioritize environmental and resettlement issues and establish the scope of future studies
- Identify processes for continued stakeholders' involvement.
- Receive feedback and suggestions from stakeholders to improve project activities and its implementation.
- Correct course, where required, from real-time information on the ground.

### 10.1.4 Summary of stakeholder engagement done during project preparation

During project preparation, the following public consultation meetings were held.

**Table 10.2 Stakeholder Consultation Form and Outreach**

Topic	Stakeholder focused meetings	
Date	14-16 April 2025	
Attendance	Over 25	
Venue	hybrid formats (Physical & Virtual)	
Participants	Finance Houses, DFI's, Telecommunication Companies	
Summary of Concerns Raised		
Issue/Concern	Issue Raised By	Response

Need for guarantees/comfort mechanisms	Multiple stakeholders	Will be considered in the SPV structuring phase
<b>Date</b>	22 <sup>nd</sup> April 2025	<b>Date</b>
<b>Attendance</b>	Total = 20	<b>Attendance</b>
<b>Venue</b>	Online	<b>Venue</b>
<b>Participants</b>	20 local and International Finance Houses, DFI's, Telecommunication Companies	<b>Participants</b>
<b>Summary of Concerns Raised</b>		
<i>Issue/Concern</i>	<i>Issue Raised By</i>	<i>Response</i>
Models for the SPV's Operational Model	Multiple participants	A hybrid model combining both expansion and competitive market strengthening will be deployed
Stimulation of Demand	Multiple	Implementation of initiatives to boost device access and digital adoption
The need for a single, consolidated feasibility study to underpin technical, financial, and regulatory structuring.	AfDB	Efforts are being aligned to use a single feasibility plan that is acceptable to partners
Alignment on the strategic relevance	Multiple stakeholders	Engagements and stakeholder feedback is vital in shaping the project and outcomes
Geographic scope	Multiple stakeholders	The approach will be balanced and blended to ensure expansion into underserved areas and commercially active regions

Event	Date	Venue	Participants	Summary of Concerns Raised	Response
Public Consultation on BRIGDE for the Stakeholder Engagement Plan (SEP), Environmental and Social Commitment Plan (ESCP), Resettlement Policy Framework (RPF) and Environmental and Social Management Framework (ESMF)	25 July 2025	World Bank Office and Microsoft Team (Hybrid)	World Bank, IFC, FMCIDE PMO Team, NIMC ID4D PIU, Nigeria Communications Commission (NCC), U.S. Trade and Development Agency (USTDA), African Development Bank (AfDB), Africa Finance Corporation (AFC), Initiative for Community and Human Development in Taraba (ICH), Connected Development (CODE), BudgIT, Global Centre for	<p><b>Stakeholder Engagement and Inclusivity:</b> Participants raised concerns about the inclusion of small-scale operators, right-of-way issues, and the involvement of local communities and people with disabilities.</p> <p><b>Grievance Redress</b></p>	<p>The FMCIDE assured stakeholders that the project aims for inclusive growth and continuous stakeholder engagement.</p> <ul style="list-style-type: none"> <li>Small-Scale Operators: FMCIDE assured that the project aims to democratize connectivity, allowing local ISPs to thrive.</li> <li>Right of Way: Participants raised concerns about right of way issues. FMCIDE acknowledged the challenge and mentioned ongoing engagements with state governments through the Nigeria Governors Forum (NGF) to address it.</li> </ul>

			Human Empowerment and Entrepreneurship Development (GLOCHEED-MSMEs), Centre for Accountability and Inclusive Development (CAAID), Partnership for Amplified Voices (PAV), Nigeria for Women Program Scale Up Project (NFWP-SU). (55 participants, 18 females, 37 male)	<p><b>Mechanism:</b> Participants emphasized the importance of an effective grievance redress mechanism.</p> <p><b>World Bank Environmental and Social Framework:</b> The World Bank team explained the Environmental and Social Framework (ESF) and its importance in ensuring that projects do not harm people or the environment. They discussed the various environmental and social standards applicable to Project BRIDGE.</p> <p><b>Project Implementation and Monitoring:</b> The World Bank team emphasized the importance of continuous monitoring, stakeholder engagement, and adaptive management in the implementation of Project Bridge. They highlighted the need for capacity building and compliance with regulatory requirements.</p>	<p>Local Communities: Participants emphasized the need to engage local communities. FMCIDE mentioned that the project would involve local stakeholders at every stage. FMCIDE explained that the project will have a community liaison officer in each state to address grievances and ensure 100% resolution. To do so, the three-tier grievance redress system will be considered, which includes community, state, and federal levels to ensure comprehensive coverage.</p> <p>It was agreed that specific consultations will be conducted with the association of people living with disabilities.</p>
Stakeholder Alignment on Environmental and Social Framework for BRIDGE	16 May 2025	Virtual – Microsoft Team	FMCIDE PMO Team, AfDB, World Bank, European Bank for Reconstruction and Development - EBRD	<p>The primary objective of the meeting was to ensure coherence between the environmental and social policies, instruments, and approaches of the World Bank, AfDB &amp; EBRD. The teams discussed the need to avoid duplicative efforts and streamline documentation and compliance processes. AfDB led the discussion on their framework and emphasized the importance of access to detailed project information, the terms of reference for the feasibility study, and alignment on environmental and social due diligence.</p> <p>The World Bank team presented their existing and planned ESF instruments. They also noted that a quality review process is ongoing and confirmed that many of these documents would be publicly disclosed.</p> <p>The discussion also touched on the sequencing of project preparation, feasibility outputs, and the development</p>	<p><b>Centralize documentation</b> – Set up a shared document folder for all ESF instruments and project ToRs.</p> <p><b>Align timelines</b> – Develop a shared milestone tracker with AfDB, World Bank, and PIU to manage deliverables leading to government deadlines.</p> <p><b>Clarify E&amp;S staffing needs</b> – Finalize and circulate ToR for E&amp;S specialist; begin recruitment or secondment process.</p>

				of safeguards instruments. The meeting concluded with a clear commitment to continue collaboration, maintain open channels of communication, and coordinate more closely in the coming weeks.	
World Bank Digital Transformation (DT) Vice President's (VP's) Private Sector Roundtable - Broadband Access, Affordability & Quality	28-Feb-25	WB, Abuja Room	21st Century, 9 Mobile, Airtel, BCN, Equinix, Globacom, IPnX, MTN, Phase 3 Telecom, Tizeti, West Indian Ocean Cable Company (WIOCC).	Priority actions to: (i) close Nigeria's digital infrastructure and data infrastructure gap through greater private sector investment and participation in the digital/ ICT sector; (ii) find strategies to improve digital skills and productivity to close the gaps and increase digital jobs; and (iii) increase penetration and use of digitally enabled services, including digital ID, financial services, etc.	Stakeholders agreed on the shared vision for the project, as a government backed SPV, to be led by the private sector as guaranteed model to build fibre infrastructure that can provide affordability and quality. A shared sense of the broad objectives, to ensure broadband to low and non-consumption clusters, and ideas on models to facilitate affordability.
Fibre Forward: FINANCING OF 90,000KM FIBRE OPTIC BACKBONE INFRASTRUCTURE ACROSS NIGERIA	25-Jun-24	Fraser Suites	FMCIDE, African Development bank (AFDB), World Bank (WB), European Union (EU), Open Access Data Centres, United States Trade and Development Agency (USTDA), Phase 3, Nigeria Sovereign Investment Authority (NSIA), WIOCC, Ministry of Finance Incorporated (MOFI), Nigeria Communications Commission (NCC), International Finance Corporation (IFC), Islamic Development Bank (IsDB), Oodua Infracore, Modular open Source Identity Platform (MOSIP), State House, Federal Ministry of Finance (FMoF), Africa Finance Corporation (AFC),	During various events focused on broadband infrastructure in Nigeria, including the Fibre Forward event on June 25, 2024, the Broadband For All Workshop on February 13, 2024, and the Country Private Sector Diagnostic (CPSD) consultations in May 2024, several concerns were consistently raised. Participants highlighted excessive right of way (ROW) fees and opaque processes for obtaining ROW approvals as significant barriers to the deployment of fiber optic infrastructure. The high cost of broadband services and underdeveloped national fixed-line infrastructure were also identified as major challenges. Vandalism of fiber optic installations was a recurring issue, leading to increased maintenance costs and service disruptions. Stakeholders emphasized the need for better coordination and transparency among government agencies, enhanced security measures, and community engagement to protect infrastructure. Additionally, providing fiscal and monetary incentives to attract private sector investment was recommended to reduce the financial burden on investors and facilitate	FMCIDE presented plans and traction to achieve affordable or zero-rated ROW cost and provided updates of engagements with State Governments in Nigeria, with at least ten states negotiating zero rated cost. Updates were also presented on the Implementation of Critical National Infrastructure (CNI) Order which was issued prior to the session. The implication and enforcement of CNI will improve security of Infrastructure and provide a platform for coordination. The CNI order will institutionalize security, information sharing and surveillance of telecoms infrastructure as a National Priority. It was also agreed that the proposed structure of the project as a PPP will guarantee affordability and affordability for stakeholders.
Country Private Sector Diagnostic (CPSD) Consultation	9-May-24	Transcorp Hilton	NCC, FMCIDE, Galaxy Backbone (GBB), National Data Protection Commission (NDPC), National Information Technology Development Agency (NITDA), Office of National Security Advisor (ONSA), State		Private sector agreed that backbone and backhaul infrastructure is patchy and not sufficient to support last mile investment. There is no business case to invest into last mile and to extend backbone either without Government's support.

			House/The Presidency	infrastructure deployment. Overall, these events underscored the necessity for coordinated efforts to address ROW limitations, reduce fees, improve transparency, and enhance security measures to encourage private sector investment in broadband deployment across Nigeria.	
Country Private Sector Diagnostic (CPSD) Consultation	May 6 - 8, 2024 and May 10, 2024 (Virtual)	IFC Office, Lagos	American Tower Company, Association of Telecommunications Companies of Nigeria (ATCON), Backbone Connectivity Network (BCN), iHS, INQ Digital, Main One, Ericsson, Suburban Telecommunication, Cisco, IPNX, Merit Telecommunications, Microsoft, Raenna, VDT Communications, Medallion, Liquid Tech		
Broadband For All Workshop – Realizing a Nigerian Vision of Broadband for All	13-Feb-24	Transcorp Hilton	NITDA, NCC, MainOne, ITX Telecoms, Central Bank of Nigeria (CBN), Ericsson, IHS, NAPET, Phase 3 Telecom, Global System for Mobile Communications Association (GSMA), Nigeria Communications Satellite (NIGCOMSAT), NITDA, American Tower Corporation (ATC), FMCIDE, BCN, Paradigm Initiative, Johnson and Wilmer, AFDB, Oodua Infracore, Merit, Nigerian Television Authority (NTA), Google, 21st Century, Suburban, Hamu Legal		Stakeholders agreed on the need to catalyze investments and broadband access to support National development.  The session also addressed models to address non-consumption such as subsidies and bulk purchases to improve access. Stakeholders also aligned infrastructure sharing models to enable optimization and reduce duplicity in developing infrastructure.
Stakeholder Consultation Form and Outreach	22 <sup>nd</sup> April 2025	Online	20 local and international Finance Houses, DFI's, Telecommunication Companies	Need for guarantees/comfort mechanisms	Will be considered in SPV structuring phase
Stakeholder focused meetings	14-16 April 2025	Hybrid-Online and Physical	Finance Houses, DFI's, Telecommunication Companies	Models for the SPV's Operational Model Stimulation of Demand The need for a single, consolidated feasibility study to underpin technical, financial, and regulatory structuring. Alignment on the strategic relevance Geographic scope	A hybrid model combining both expansion and competitive market strengthening will be deployed Implementation of initiatives to boost device access and digital adoption Efforts are being made to use a single feasibility plan that is acceptable to partners Engagement and stakeholder

					feedback is vital in shaping the project and outcomes The approach will be balanced and blended to ensure expansion into underserved areas and commercially active regions
Workshop on Structural Options to Accelerate Fiber Deployment in Nigeria	15-16 June 2022	Physical Transcorp Hilton Hotel Abuja	123 people: World Bank, FMCIDE, BCN, NITDA, IHS Towers, NCC, Broadband Implementation Steering Committee (BISC), Federal Competition and Consumer Protection Commission (FCCPC), Galaxy Backbone (GBB), Federal Ministry of Transportation (FMOT), WIOCC, MTN Nigeria, Airtel, Phase 3 Telecom, Nigeria Police Force (NPF), Glo, Globacom, Alliance for Affordable Internet (A4AI), Jos Electricity Distribution (JED Plc), Universal Service Provision Fund (USPF), MainOne, Meta, ATCON, ALTON, Space X, Academia in IT Profession (AITP), 9mobile, Hamu Legal, ONSA, Ministry of Petroleum Resource (MPR), United Nations World Food Programme (UNWFP), IFC, United Nations High Commissioner for Refugees (UNHCR), Transmission Company of Nigeria (TCN), Medallion Data Centre, Eko Electricity Company, Federal Ministry of Works and Housing (FMWH), Ikeja Electric, Kaduna Electric, Yola Electricity Distribution Company (YEDC),	Way forward for expanding fiber networks in Nigeria. World Bank presented options to expand wholesale fiber networks in Nigeria including a SPV model (for consolidating various assets and rights of ways). The workshop discussed example business and deployment models in other countries, SPV ownership options, legal and regulatory aspects, etc.	The workshop was well received by various stakeholders.

			Afrinvest, Federal Ministry of Budget and Economic Planning (FMFBNP), INQ Digital Nigeria		
--	--	--	---	--	--

## CHAPTER ELEVEN: MONITORING AND EVALUATION ARRANGEMENTS

### 11.1 Introduction

The arrangements for monitoring would fit the overall monitoring plan of the entire BRIDGE which would be through the Federal Ministry of Communications Innovation and Digital Economy (FMCIDE).

The BRIDGE will institute an administrative reporting system that:

- (a) Alerts federal project authorities to the necessity for land acquisition in BRIDGE technical requirements,
- (b) Provides timely information about the valuation and negotiation process,
- (c) Reports any grievances that require resolution, and
- (d) Documents timely completion of project resettlement obligations (i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary loses, as well as unanticipated, additional construction damage.

### 11.2 Monitoring Plan Procedure

The Environmental and Social specialist of the PIU will prepare a long-term monitoring strategy and this will encompass clear and definitive criteria and parameters to be monitored for each specific site and in each community. The monitoring strategy the monitoring will avoid the linear conceptual model in which monitoring come at the end of the implementation processes. Instead, the monitoring will be continuously carried out based on measurable indicators. The Monitoring Plan will take into consideration the scope of development, environmental and social sensitivity and the financial and technical means available for the monitoring plan. The plan will identify and describe the indicators to be used, the frequency of monitoring and the standard (baseline) against which the indicators will be measured for compliance with the Environmental management Plan (EMP).

Monthly monitoring plans will be prepared by the PIU. Quarterly and annual reports will be submitted to the Federal Ministry of Communications Innovation and Digital Economy (FMCIDE) and to other appropriate agencies. All monitoring components will be subject to audit, internally by the PIU and externally by the Federal Ministry of Communications Innovation and Digital Economy (FMCIDE). Each monitoring programme will follow the established schedule; monitoring may be performed daily, weekly, quarterly, semi-annually, annually, biennially, or continuously, depending upon the resource, regulatory requirements for regulatory monitoring, and the project-specific requirements for other monitoring.

Monitoring results will be compiled when due and communicated to the the Federal Ministry of Communications Innovation and Digital Economy (FMCIDE) as appropriate.

### **11.3 Evaluation**

Consistent with the ESMF, the Environmental and Social Resource Person attached to the PIU would be responsible for periodically transferring the information compiled at the project level to the ministry so that it is alerted in a timely manner to any difficulties arising at the project level. The objective will be to make a final evaluation to determine;

- If affected people have been paid in full and before implementation of the sub projects activities ,
- If the people who were affected by the project have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are they are actually poorer than before.

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, the standard of the house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc.). Therefore, the resettlement and compensation action plans will contain indicators and benchmarks for the achievement of the objectives under the resettlement program. These indicators and benchmarks should be of three kinds:

- Process indicators, indicating project inputs, expenditures, staff deployment, etc
- Output indicators, indicating results in terms of numbers of affected people compensated and resettled, training held, credit disbursed, etc.
- Impact indicators relating to the longer-term effect of the project on people's lives.

The benchmarks and indicators should be limited in number, and combined quantitative and qualitative types of data. The first two types of indicators, related to process and immediate outputs and results, will be monitored internally by the project. This information will serve to inform project management about progress and results, and to adjust the work program where necessary if delays or problems arise. The results of this monitoring will be summarized in reports, which will be submitted to authorities and the World Bank on a regular basis. Each time land is used or acquired by the BRIDGE project, the dossier will be updated to determine if the individual or household is being affected to the point of economic non-viability and eligibility for compensation/resettlement or its alternatives. These dossiers will provide the foundation for monitoring and evaluation, as well as documentation of compensation agreed to, received, and signed for. Normally, some compensation procedures and rates may require revision at some time during the project cycle. The PIU and FMCIDE will implement changes through the Change Management Process in the Monitoring and Evaluation manuals of the project.



## ANNEXES

### Annex 1. Indicative Resettlement Screening Form (Adapted from Previous WB Projects)

#### Annex 1a: Proposed BRIDGE Resettlement Screening Form

<b>Sub-project name</b>	
<b>Sub-project Location (Include Map/sketch)</b>	
- <b>Type of Activity</b> (Structural land management measures and civil works - New construction, Rehabilitation or Periodic Maintenance etc).	
<b>Estimated Cost</b>	
<b>Proposed Date of Commencement of work</b>	
<b>Technical Drawing/specifications Reviewed</b>	(Circle answer) <b>Yes</b> <b>No</b>

This report is to be kept short and concise.

#### 1. Site Selection:

*When considering the location of a subproject, rate the sensitivity of the proposed site in the following table according to the given criteria. Higher ratings do not necessarily mean that a site is unsuitable. They do indicate a real risk of causing undesirable adverse social effects, and that more substantial social planning may be required to adequately avoid, mitigate or manage potential effects.*

Issues	Site Sensitivity			Rating
	Low(L)	Medium(M)	High(H)	L, M, H
Involuntary resettlement	Low population density; dispersed population; legal tenure is well-defined.	Medium population density; mixed ownership and land tenure.	High population density; major towns and villages; low income families and/or illegal ownership of land; communal Properties	
Cultural property	No known or suspected cultural heritage sites	Suspected cultural heritage sites; known heritage sites in broader area of influence	Known heritage sites in project area	
Natural hazards	Flat terrain; no	Medium slopes;	Hilly/mountainous	

**Checklist questions:**

*Refer to project application for this information.*

*(If the answer to any of the questions is "Yes", please consult the RAMP II Resettlement Policy Framework and, if needed, prepare a Resettlement Action Plan (RAP)).*

**Recommendations:**

Requires a RAP to be submitted on date:

Does not require further studies

Reviewer: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### Annex 1b: Socio-Economic Census and Land Asset Inventory Form

#### Socio-economic Household Datasheet of PAPs

Name of Interviewer ID Code		Signature
Name of Supervisor ID Code		after verification of interview

Date: .....

Day Month Year

Name of Head of Extended Family	
Number of Nuclear Families in Extended Residential Group(including household of head of extended family)	

#### Household Interview

Name	Relationship to Head of Family	Sex	Place of Birth	Age	Marital status	Residence Tenure	Ethnic Group	Religion	Education Level	Income Earner	Economic Activity
1											
2											
3											
4											
5											
6											
7											
8											



Annex 1c: Land asset inventory for Project Affected People																	
Survey No: _____																	
Village _____ Date _____																	
Name of Head of Household	No. of Persons in household	Total land holding of H/hold (m <sup>2</sup> )	Land to be acquired (m <sup>2</sup> )	Land Use Type *	Loss of % total	Loss of assets	Loss of crops	Loss of other assets	Other losses	Permanent (m <sup>2</sup> )							
										Structures temporary (m <sup>2</sup> )	Area of residential land lost (m2)	Fruit trees lost type and number	Agricultural land lost (m2)	Other (specify)	Residence (rented)	Business lost	Income loss

**Annex 1d: Affected Plot Sheet**

Reference:

Reference: .....

Location:- LG:.....Community: .....

GPS Coordinates: .....Surface: ..... m2

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 1e: Affected Building Sheet**

Reference: .....  
Location: - LG: ..... Community/Clan: .....  
GPS Coordinates: ..... Photograph number: .....  
Owner:-  
Full Name: .....  
Address: .....  
.....  
Description:-  
Permanent:..... Non permanent: .....  
Surface: ..... m2 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 1f: Affected Household Sheet

Household Reference: .....

Location: - LG: .....community/Clan: .....

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				
4				
5				

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: .....

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: .....

.....



**Annex 1g: Simplified Survey Form for Affected Properties, Characteristics of Families and/or Businesses and Impacts Caused by Displacement**

**1g.1 Property (Goods and Assets Affected)**

Household number <sup>1</sup>	Business number <sup>2</sup>	Name of household head or business owner	Plot area	Description of houses and constructions	Uses of the property (housing, economic activity, other)	Level of impact (total, partial, minimum) <sup>3</sup>	Tenure status (titled owner, owner without documents, tenant, sharecropper, etc.)	Employment status of all adults	Comments

<sup>1</sup> Households should be defined as commensal units i.e. people who eat out of the same pot. <sup>2</sup> Business should be defined as any economic activity. <sup>3</sup> “Partial” in cases where family/business can develop activities involving listed goods and assets; “Total” where activities cannot be developed as a result of displacement. <sup>4</sup> If they are not owners, include the name and address of the owner.

**1g.2: Socioeconomic Characteristics of Families**

Household number <sup>1</sup>	Name of household head	No. of persons in household	No. of children <13 years of age	No. of adults +60 years of age	No. of students	Sources of income	Place of work or study and distances	Means of transport to place of study/workplace	Comments

**1g.3 Socioeconomic Characteristics of Business**

Business number	Name of business owner	Age of business owner	Type of activity	No. of employees	Monthly income average	Destination of production	Place of selling	Duration of existence of business in affected location	Comments

1g.4 Impacts Caused by Displacement (Households)								
Household Number	Loss of land	Loss of house or other structures	Loss or decrease of income	Loss or difficulty of access to educational services	Loss of access to health services	Loss of access to public services	Loss of social networks	Comments

2g.5 Impacts Caused by Displacement (Businesses)					
Business Number	Loss of land	Loss of Business place	Loss or decrease of income	Loss of economic networks	Comments

# Annex 1h: Entitlements of Project Affected People – indicative

Sector: \_\_\_\_\_ Date: \_\_\_\_\_

Survey no.	Name of Head of Household	Compensation for Land			Compensation for structures			Compensation for c trees		
		Quantity (m <sup>2</sup> )	Unit price Per m <sup>2</sup>	Entitlement	Quantity (m <sup>2</sup> )	Unit price Per m <sup>2</sup>	Entitlement	Quantity (m <sup>2</sup> )	Unit price Per m <sup>2</sup>	

.....