

DRAFT FINAL REPORT
ABBREVIATED RESETTLEMENT
ACTION PLAN

FOR
PRIORITIZED ECOLOGICAL SITES IN EKITI STATE
(LOT 1)



EKITI STATE PROJECT MANAGEMENT UNIT

**NIGERIA EROSION AND WATERSHED MANAGEMENT
PROJECT (NEWMAP)**

MARCH, 2021

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1 DEFINITIONS

Children: all persons under the age of 18 years according to international regulatory standard (Convention on the rights of Child 2002)

Community: a group of individuals broader than households, who identify themselves as a common unit due to recognized social, religious, economic and traditional government ties or shared locality.

Compensation: payment in cash or in kind for an asset or resource acquired or affected by the project.

Cut-off-Date: the date of announcement of inventory of project affected items, upon which no new entrant or claimant or development is allowed or will be entertained as affected assets within the project area of influence.

Economic Displacement: a loss of productive assets or usage rights or livelihood capacities because such assets / rights / capacities are located in the project area.

Entitlement: the compensation offered by RAP, including: financial compensation; the right to participate in livelihood enhancement programs; housing sites and infrastructure; transport and temporary housing allowance; and, other short- term provisions required to move from one site to another.

Head of the Household: the eldest member of the core family in the household, for the purpose of the project.

Household: a group of persons living together who share the same cooking and eating facilities and form a basic socio-economic and decision- making unit. One or more households often occupy a homestead.

Involuntary Resettlement: resettlement without the informed consent of the displaced persons or if they give their consent, it is without having the power to refuse resettlement.

Lost Income Opportunities: lost income opportunities refer to compensation to project affected persons for loss of business income, business hours/time due to project

Operational Policy 4.12: Describes the basic principles and procedures for resettling, compensating or at least assisting involuntary displace persons to improve or at least restore their standards of living after alternatives for avoiding displacement is not feasible

Physical Displacement: a loss of residential structures and related non-residential structures and physical assets because such structures / assets are located in the project area.

Private property owners: persons who have legal title to structures, land or other assets and are accordingly entitled to compensation under the Land Act.

Project-Affected Community: a community that is adversely affected by the project.

Project-Affected Person: any person who, as a result of the project, loses the right to own, use or otherwise benefit from a built structure, land (commercial, residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

Rehabilitation: the restoration of the PAPs resource capacity to continue with productive activities or lifestyles at a level higher or at least equal to that before the project.

Relocation: a compensation process through which physically displaced households are provided with a one-time lump-sum compensation payment for their existing residential structures and move from the area.

Replacement Cost: the amount of cash compensation and/or assistance suffices to replace lost assets and cover transaction costs, without taking into account depreciation or salvage value.

Resettlement Action Plan (RAP): documented procedures and the actions a project proponent will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by a project.

Resettlement Assistance: support provided to people who are physically displaced by a project. This may include transportation, food, shelter, and social services that are provided to affected people during their resettlement. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

Resettlement: a compensation process through which physically displaced households are provided with replacement plots and residential structures at one of two designated resettlement villages in the district. Resettlement includes initiatives to restore and improve the living standards of those being resettled.

Squatters: squatters are landless household squatting within the public / private land for residential and business purposes.

Vulnerable group: People who by their disadvantage conditions will be economically worse impacted by project activities than others such as female headed households, persons with disability, at-risk children, persons with HIV-AIDS and elderly household heads of 60 years and above.

2 ABBREVIATIONS

ARAP	Abbreviated Resettlement Action Plan
BP	Bank Policies
CBO	Community Based Organization
CSO	Community Support Organizations
DaLA	Damage and Loss Assessment
EA	Environmental Assessment
EPA	Environmental Protection Agency
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESO	Environmental Safeguards Officer
FMEnv	Federal Ministry of Environment
FONGO	Focal Non-Governmental Organisation
FSLC	First School Leaving Certificate
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GRC	Grievance Redress Committee
IDA	International Development Association
LGA	Local Government Area
LS	Land Space
M&E	Monitoring and Evaluation
MDAs	Ministries, Departments & Agencies
NEWMAP	Nigeria Erosion and Watershed Management Project
NGOs	Non-Governmental Organizations
OP	Operational Policies (of the World Bank)
PAD	Project Appraisal Document
PAP	Project Affected Persons
PDO	Project Development Objectives
PMU	Project Management Unit
RAP	Resettlement Action Plan
RCC	Resettlement and Compensation Committee
RPF	Resettlement Policy Framework
SEA	Sexual Exploitation and Abuse
SLO	Social and Livelihood Officer
SMEEnv	State Ministry of Environment
SPMU	State Project Implementation Unit
STDs	Sexually Transmitted Diseases
ToR	Terms of Reference

3 EXECUTIVE SUMMARY

ES 1 Background

The Government of Nigeria is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria. The Project Development Objective (PDO) of the NEWMAP is to reduce vulnerability to soil erosion in targeted sub-catchments. (NEWMAP PIM, 2013).

NEWMAP investments include a strategic combination of civil engineering, vegetative land management and other catchment protection measures and community-led adaptive livelihood initiatives. Based on the above, the Ekiti State Project Management Unit (PMU) of the Nigeria Erosion and Watershed Management Project (NEWMAP), intends to intervene in Erosion and flood control in six prioritized ecological sites in Ekiti state. The Six site are divided into three (3) Lots and This ARAP is for the Lot 1 (Ipao 1 and 2, Arinkin Bridge, Ogbomu Culvert, Ajolagun Bridge and Irele Health Centre gully). The intervention will involve civil works which include mainly construction of drains, culverts and bridges.

Various documents have been prepared for NEWMAP, and they include; Environmental and Social Management Framework (ESMF), Environmental and Social Management Plans (ESMPs), Resettlement Policy Frameworks (RPF), Resettlement Action Plans (RAPs), Project Appraisal Document (PAD) and Project Implementation Manual (PIM). This report focuses on the Resettlement Action Plan (ARAP) for Lot 1 (Ipao 1 and 2, Arinkin Bridge, Ogbomu Culvert, Ajolagun Bridge and Irele Health Centre gully) of the Prioritized Ecological Sites in Ekiti State Nigeria.

ES 2 Project Description

Based on the analyses of preliminary results from the surveys and investigations, it was possible to propose solutions to address the established challenge(s) at the given locations. For the LOT 1 sites three solutions were considered and assessed for functional adequacy, service life, safety, cost of periodic maintenance, ease of maintenance, constructability, construction materials, environmental friendliness, and aesthetics. These would entail engineering works including site clearing, mobilization of equipment; excavation, earthworks; drainage and culvert construction; earth filing, etc. Based on the outcome of the cost and technical options assessment, the following structural arrangements were recommended for detailed engineering design:

- i. Irele Health Centre Gully Channelization: GABION BOX CANAL of dimensions 3000mm x 1000mm canal bed and 2x1000mm x 500mm x 20mm walls (both sides).
- ii. Ogbomu Onipako (Gbonyon) Crossing: MULTIPLE BOX CULVERT of 2x (5m span x 3m height) with 10m effective span.
- iii. Arinkin Crossing: RC T-GIRDER BRIDGE of 2x (16m span x 3m height), 32m total span.
- iv. ARAPAjolagun Crossing: RC T-GIRGER BRIDGE of 1x (20m span x 2.8m height), 20m total span.
- v. ARAPIpao 1 and 2 Road Drain: OPEN RECTANGULAR RC DRAINS

These activities will entail temporary and permanent land acquisition to advance component “1” works and shall result to direct social and economic hardships on the PAPs. A total of 8PAPs (3 of which are Family owned assets and a community owned school) were identified within the project corridor.

ES 3 Objectives of the ARAP

The aim of preparing a ARAP is to identify and assess the direct socio-economic risks of the proposed civil works and provide measures to assist PAPs in line with the World Bank’s policy on Involuntary Resettlement and the relevant Nigeria policies and laws. The ARAP outlines management processes for resettling and compensating the Project Affected Persons (PAPs). The goal is to implement resettlement activities as a sustainable development initiative in line with World Bank Policy and the relevant Nigeria policies and laws.

Specifically, the ARAP is designed to:

- identify the full range of people affected by the project, and justify their displacement after consideration of alternatives that would minimize or avoid displacement;
- prepare an Action Plan to be implemented to properly resettle and compensate affected people and communities in line with World Bank Policy and Nigeria policies and laws;
- ensure a fair and transparent process of compensation and resettlement;
- ensure a sound mitigation plan for those who will temporarily or permanently lose structures, farm land or assets as a result of the project;
- provide mechanism for redressing and resolving all grievances; and
- develop a social monitoring plan under the projects to ensure that all social issues are managed effectively.

ES 4 Justification for the Preparation of this ARAP

For project implemented with World Bank credit, project activities that cause displacement of any sort must be subjected to the requirements of the WB Operational Policy 4.12, on Involuntary Resettlement to the extent that persons involuntarily displaced due to taking of land resulting from project activities have the opportunity to restore or improve their level of living to at least the pre-project or pre displacement level. In NEWMAP, it is not sufficient for communities to passively accept project work and the impacts of these works rather, they must be mobilized to contribute actively to project implementation and to maintain the works after implementation. This feature underscores the need for accurate analysis of local social organization and or environment.

Considering The storm water and drainage rehabilitation works under NEWMAP could involve land acquisition or cause restriction of access to land and landed assets, this ARAP becomes relevant.

ES 5 ARAP Methodology

The preparation of the ARAP commenced with literature review of the Resettlement Policy Framework (RPF), legal documents, scientific literature, Environmental and Social Management Framework (ESMF) and other documents listed in the reference section of this document. Subsequently, the ARAP was conducted through; investigation and data collection, consultations with a number of key stakeholders at the state and local levels, review of drainage design report presented to the PMU and other stakeholders for comments, preliminary survey and reconnaissance of the proposed access route; census of PAPs and asset inventory of households, private community assets and properties affected by the proposed road rehabilitation. Enumeration forms were used to assess the PAPs and their assets through a census exercise. Data and information gathering on the field was geo-referenced using GPS for ease of location.

ES 6 Policy, Legal and Regulatory Framework

This ARAP was prepared in line with the applicable laws- Land Use Act Cap L5, LFN 2004 and the Involuntary Resettlement Policy- Operational Policy OP 4.12 of the World Bank. Specifically, the ARAP preparation was in line with the provisions of the Resettlement Policy Framework (RPF). While the policy of the World Bank supports compensation and assistance of PAPs irrespective of whether they have legal right to the land being occupied or not, the law of the Nigerian government only compensates people with legitimate land title. Hence, where there are gaps between the Land Use ACT Cap L5, LFN 2004 and the World Bank Policy (OP 4.12) in regard to compensation of PAPs, the World Bank's Policy will apply. The Land Use Act notwithstanding, existing customary laws in the project area allows for (1) individual land ownership; (2) family land ownership; and (3) communal land ownership through a traditional land tenure system. It is noted that in the event of divergence between the two policies, the one that better serves the needs of the PAPs takes precedence.

ES 7 Description of the Project of the Area

Ekiti State located in coordinates 7°40'N 5°15'E was created on 1st October 1996 out of the former Ondo State. It is bounded on the South by Ondo State, on the North by Kwara State, on the East by Kogi State.

The State has a population of 3,270,800 as at 2016 (estimated from the Nigerian National 2006 population census) and a landmass of about 6,353 km² with a population density of 380/km².

The prioritized project sites are spread across the state. Their locations are presently in Irele/Ipao in Ikole LGA, Ado Ekiti, Efon Alaaye and Ikere Ekiti. Figure 1 presents the map of Ekiti State showing the project locations. The project sites in Lot 1 are in Irele/Ipao in Ikole LGA and Ajolagun, Ikere Ekiti.

Irele Ekiti, an area in Ikole Local Government Area of Ekiti State Nigeria is predominantly a homogenous society and carefully populated by Ekiti speaking people of the South West Zone of Nigeria. The Religion of the people are mainly Christian and Islamic religion while a percentage of the people are Traditional religion worshippers.

The result from the socioeconomic survey suggests that majority of the PAPs are Men (71.4%) and head of households. Most of these PAPs going by the result would be able to engage in activities that would restore their livelihood considering that they fall within the active age (36-60years). *This age group especially those within 18-35 years can provide some workforce during construction activities. Engaging them can also improve their livelihood. The result also suggest that impact will be highly felt by households as PAPs belong to large family size (above 7). Also, PAPs in the project area earn on the average, about N504,000 per annum. This result puts PAPs in the class of middle-income economy group according to World Bank development indicators (World Bank, 2018) Lower-middle-income and upper-middle-income economies are separated at a GNI per capita of N1,485,000. Although these results imply that PAPs can maintain reasonably, good standard of living, it is however, not inconceivable that impacts on their sources of livelihood may have adverse impacts on their income sustenance and standard of living*

ES 8 Identification of Project Impacts and Project Affected Persons

Though impacts involving involuntary displacement are anticipated in some parts of the road right of way (ROW). Consequently, efforts were made in line with the policy of the project RPF to avoid and reduce impacts.

Impact Reduction Measures Undertaken

With the identification of adverse negative impacts, the Ekiti NEWMAP PMU took the following steps which have resulted in the reduction of adverse impacts of the project:

1. The engineering design for the intervention tried as much as possible to avoid damage as one of the proposed measures is to maintain alignment of the existing drain as much as possible to avoid major damage to adjacent assets and property.
2. The maximum width of the drainage including access and buffer on the drainage corridor was made known to the stakeholders to be 3 meters for the road side drain, 15 meters for major drains and 15 meters for minor drains and that in the event of work in such locations all affected properties are to be removed by their owners upon receipt of due compensation to give the required right of way for the work.
3. The SPMU shall Consult/communicate the people of the project area and PAPs in particular on the day and time to expect civil work activities within their respective location. This will give the PAPs opportunity to harvest materials from their buildings as well as the identified economic trees/crops before the beginning of civil works.

However, where impacts avoidance will affect the integrity of the work, consultations were carried out with stakeholders and potential affected persons to ensure appropriate mitigation measures are applied.

ES 9 Positive Impacts of the project

This project has numerous positive impacts if well implemented. These will include:

Creation of job opportunities for women and youths;

Improved quality of life through productivity and improved agricultural production as a result of reclamation of farmlands adjacent to drainage;
Increased income to families and communities, etc.

ES 10 Negative Impact of the Project

The assessment exercise revealed that the total of 7 PAPs and a community owned school will be impacted by civil works activities under component 1 as a result of physical and economic displacement. A total of 3 business (shops), 2 structures (fences and dilapidated building), 4 PAPs owning cash crops and economic trees will be affected. Also 2¹ PAPs will lose their land. **Some of the PAPs have more than one of their assets envisaged to be impacted by the project. See table on breakdown of individual impacted assets.**

Summary of Impacted Assets

S/N	Category of Impact	Number of PAPs ²
1	Land	2
2	Structures	2
3	Economic trees/Cash Crops	4
4	Loss of Business (Shops)	3

Summary on breakdown of individual assets³

Category of Impact	Project Affected Persons								TOTAL
	PAP 1	PAP 2	PAP 3	Community owned school	PAP 5	PAP 6	PAP 7	PAP 8	
Land		X	X						2
Structure		X		X					2
Economic trees/Cash Crops			X		X	X	X		4
Loss of Business (shops)	X						X	X	3

Eligibility

The census carried out has enabled the identification of those affected and eligible for assistance and the nature of assistance. Persons who are residing within the 19km priority roads corridor and fall under the eligibility criteria include:

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

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

Those who have no recognizable legal right or claim to the land they are occupying shall be considered as PAPs and will be eligible for compensation and resettlement assistance under this ARAP.

¹ Less than 1% of their available land

² Note that the Total Number of PAPs in the register will not correspond to the total number of PAPs assets impacted as some of the PAPs have more than one of their assets impacted.

³ Annex 1, 2 & 3 contains detailed information

ES 11 Compensation of PAPs

PAPs entitlements and information of their compensation packages will be promptly disclosed to them and compensated or resettled in accordance with the entitlement matrix/budget plan established in this ARAP prior to the commencement of civil works.

ES 12 Consultation

The SPMU pre-informed stakeholders along the project corridor prior to the date of the consultation with PAPs. The stakeholders' consultation started with meeting with SPMU and design consultants. It continued with consultation with stakeholders and PAPs in the project communities (29th September, 2020). The consultations provided an opportunity to interact with the opinion leaders in the host communities and intimate them on the proposed project. No vulnerable person(s) was identified during the field work as such none was consulted.

ES 13 Grievance Redress Mechanisms

Disputes and grievances are expected in the project. It is envisaged that some of the project affected persons are likely to feel inadequately treated during the implementation of this ARAP. In this regard, a well-structured and culturally appropriate Grievance Redress Mechanism (GRM) has been developed. All grievances or complaints must be registered and compiled regularly for project management. The structured grievance redress mechanism is fundamental to achieving transparency in this ARAP process. The SPMU shall follow the guidance of the World Bank to put in place a Gender Based Violence/Sexual Exploitation and Abuse (GBV-SEA)-sensitive GRM system that has strong elements of confidentiality, empathy and protection and services for survivors.

Cut – off Date

The cut-off date for the census is 29th September, 2020. The cut-off-date was announced on the day of the consultation with the community. This date was communicated to the communities including PAPs during the community consultations.

ES 14 ARAP Coordination and Implementation

The primary responsibility for the ARAP implementation is on the SPMU. The SPMU shall establish a ARAP Implementation/resettlement Committee (RIC) to coordinate and facilitate the compensation and resettlement of PAPs. The State has already retained the services of an appointed Focal NGO to provide necessary awareness, mobilization and facilitation support activities within project communities. The SPMU may carry out other responsibilities associated with the ARAP implementation and may appoint other Agents or consultants for project appraisal, capacity building, monitoring & evaluation and reporting to the FPMU and the World Bank.

Training and Capacity Needs

The implementation of this ARAP shall require that personnel and stakeholders possess the appropriate capacity. This capacity building plan has been taken into consideration in Table 15 (Livelihood Enhancement and Community Empowerment Program) in this report based on the capacity assessment of the Community Conflict/Grievance Redress Committee as well as the community representatives and PAPs.

ES 16 ARAP Implementation Budget

The estimated cost for implementation of the ARAP is [REDACTED]. This sum is expected to cover compensation of assets affected and additional mitigations for livelihood restoration measures, consultations, coordination of mitigations, grievance management, logistics and compensation commission. In addition, 10% of the compensation has been provided for Operation cost and contingencies such as inflation respectively that shall be allowed and added to the current budget.

ARAP Implementation Budget

Item		
Compensation and Resettlement Assistance	Land	
	Structures	
	Cash Crops and Economic Trees and Vegetables ⁴	
	Loss of Business	
Subtotal (A)		
Capacity Building & Training/institutional strengthening		
Additional Mitigation	GRM Management/Implementation	
	Consultations	
	Disclosure	
Contingency (10% of ARAP compensation budget)		
Sub total (B)		
GRAND TOTAL (A+B)		

Source of Fund

Ekiti State Government is the source of fund for this ARAP, which will be sourced from the NEWMAP SPMU counterpart fund.

ES 17 Review and Disclosure

This ARAP will be subjected to public review and shall be disclosed to the general public for review and comment at designated locations in the FCT, Ekiti State and on the World Bank Website. Display centers will include Ekiti NEWMAP SPMU office, NEWMAP FPMU office, EA Department of FMEnv., Ekiti State Ministry of Environment, Ikole-Ekiti LGA, and Project Community.

⁴ PAPs will be allowed to harvest their crops before construction works commence

CHAPTER ONE: INTRODUCTION

1.1 Background Understanding

The ecological menace of erosion is a major disaster that continues to threaten landmass in Nigeria. Some of this erosion have resulted due to natural and human causes. Over 6,000km² of land are affected by erosion and about 3,400km² are highly exposed. In some areas of southern Nigeria, farmland degradation has caused yield reductions of between 30% and 90%, and as much as a 5% drag on agricultural GDP. Erosion has a devastating effect on many peoples' lives and destroys infrastructure essential for economic development and poverty alleviation (NEWMAP ESMF, 2012).

Flood contributes to environmental problems by creating channels of various sizes through concentrated runoff on definite routes, which result in systematic removal of soil particles, including plant nutrients, from one location to another, and even in worse cases destruction of lives and properties. In view of this, the Government of Nigeria is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria. The project is currently being implemented in 19 states namely Cross River, Abia, Ebonyi, Imo, Enugu, Anambra, Edo, Gombe, Kogi, Kano, Katsina, Nasarawa, Akwa Ibom, Bauchi, Borno, Plateau, Delta, Oyo and Sokoto, states. The NEWMAP finances activities implemented by State and Federal Government.

The Project Development Objective (PDO) of the NEWMAP is to reduce vulnerability to soil erosion in targeted sub-catchments. It aims to improve erosion management and gully rehabilitation; increase incomes for rural households from improved agricultural and forest practices through the use of conservation agriculture, agroforestry, natural regeneration, etc.; and gain efficiency in public administration and public spending through improved knowledge base, analytical tools, multi-sectoral coordination and stakeholder dialogue.

NEWMAP investments include a strategic combination of civil engineering, vegetative land management and other catchment protection measures and community-led adaptive livelihood initiatives. As such, baseline survey has become an imperative study in order to assess and ascertain the baseline condition of the areas before project implementation to help Monitor impacts of the project as well as evaluate the outcome of the intervention.

Based in the above, Ekiti State Project Management Unit (PMU) of the Nigeria Erosion and Watershed Management Project (NEWMAP), used part of her proceeds in procuring a consultant to prepare this Resettlement Action Plan (RAP) for the Six (6) Priority sites in Ekiti state. The Six site are divided into three (3) Lots and this ARAP is for the Lot 1(Ipao 1 and 2, Arkinkin Bridge, Gbionyio Culvert, Ajeologun Bridge and irele Health Center gully)

1.2 NEWMAP Project Components

The project includes four main components, namely:

Component1: Investment in Targeted Areas to support on-the-ground interventions that address, prevent and reverse land degradation.

Component2: Institutional Development and Information Systems for Erosion Management and Watershed Planning to address longer term sustainability by strengthening the enabling federal and states MDAs on environment with a view to addressing erosion and watershed degradation problems in a comprehensive manner across sectors and states.

Component3: Climate Change and Disaster Preparedness

Component 4: project management to support the government at federal and state levels to implement this project.

The Table below outlines the different sub-components for each component, its associated activities, the envisaged outcome as well as cost assigned to each component.

Table 1 Main NEWMAP elements, activities and outcomes

	Component 1	Component 2	Component 3	Component 4
Title	Erosion and Catchment Management Investments	Erosion and Catchment Management Institutions and Information Services	Climate Change Agenda Support	Project Management
Sub-components	1A Gully Rapid Action and Slope Stabilization 1B Integrated Catchment Management 1C Adaptive Livelihoods	2A Federal MDA Effectiveness and Services 2B State MDA Effectiveness and Services 2C Local Government Capacity 2D Private Sector Capacity	3A Policy and Institutional Framework 3B Low Carbon Development	
Main activities	Stabilize severe gully erosion sites and conduct community-based catchment interventions.	Strengthen the enabling environment for effective erosion and catchment management.	Strengthen government capacity to promote low carbon, climate resilient development.	Procure goods and specialist services to support project management, safeguards, M&E and oversight.
Main outcome	Priority erosion sites rehabilitated, and more secure livelihoods and catchment services established.	More capable, modernized and coordinated Federal, State, and local institutions.	Government better equipped to respond to climate change, and low-carbon development options demonstrated.	Established systems for project management, M&E and best-practices for future replication.
USD budget (million)	484.34	35.80	30.00	40.50

1.3 Social Safeguard Concerns

The social safeguards concern for NEWMAP are addressed through a Resettlement Policy Framework (RPF) already prepared under the project. The RPF applies when land acquisition leads to the temporary or permanent 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 due to project activities. It sets out the resettlement and compensation principles, organizational arrangements and design criteria to be applied to meet the needs of project-affected people, and specifies the contents of a Resettlement Action Plan (RAP) for each package of investments. A Resettlement Policy Framework (RPF), which serves as a practical tool during the programme formulation, design, implementation and monitoring, was prepared for NEWMAP, which serves as a guide for the present terms of reference.

The activities of Component 1 will involve civil works in specific intervention sites – that is, construction of bridges, drainages and/or rehabilitation of gullies. These could result in the acquisition of land or displacement of families, business or public infrastructure, thus triggering the World Bank OP/BP 4.12 – Involuntary Resettlement.

In order to adequately manage the anticipated impacts of involuntary land acquisition, this Resettlement Action Plan (RAP) has been prepared for Lot 1 of the Prioritized Ecological Sites in Ekiti State (Ipao 1 and 2 drainage works, Ajalogun Bridge, Arkinki Bridge, Irele health Center gully and Gbonyo Culvert rehabilitation).

1.4 Objectives of this ARAP

Objective this ARAP is to design and implement social and economic impacts mitigation measures resulted from land acquisition to advance the project objective. The ultimate objective of this resettlement plan is achieving the policy objectives and principles of OP 4.12 which require Bank financed projects to;

1. avoid where possible involuntary resettlement or minimize by exploring all possible project design,
2. where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as development program, providing enough investment resources to enable the Project Affected Persons⁶ (PAPs) to share project benefits,
3. Identification of the project affected persons (PAPs), engage them in participatory discussions regarding the plan and their entitlement.
4. Formulate a plan of action to adequately compensate affected people for their losses in line with World Bank Policy and Nigeria policies and laws to ensure a fair and transparent process of compensation and resettlement;
5. Meaningfully consult PAPs and give them the opportunity to participate in the planning and implementation of the resettlement intervention,
6. Assist PAPs in their efforts to improve their livelihoods and standard of living or at least restore them, in real term, to pre-project level
7. Developing a mechanism for the redress of concerns and grievances that might arise as a result of the implementation of the set of actions required to offset the displacement impacts.

1.5 Justification for the Preparation of this ARAP

Activities under component 1 are expected to require land for advancing the project development objective. Land acquisitions associated with the component 1 activities are likely to have direct social and economic impacts on PAPs. A Resettlement Action Plan (RAP) will have to be prepared⁶. However, since the impacts on the entire displaced population are minor⁷, or fewer than 200 people are displaced, an Abbreviated Resettlement Plan (ARAP) **may be agreed** with the borrower. Therefore, based on the impact from this sub-project, an ARAP with the aim of; i) identifying and assessing the direct social and economic risks associated with storm water and drainage management project and, ii) preparing a social and economic impacts mitigation measures to assist PAPs restore their livelihoods to pre-project level and if possible better in line with World Bank Policy on involuntary resettlement and the relevant Nigeria policies and laws.

⁶ See OP 4.12 Annex A paragraph 2-21

⁷ Impacts are considered “minor” if the affected people are not physically displaced and less than 10% of their productive assets are lost.

If the negative impacts resulting from component 1 are not mitigated properly, Project Affected Persons (PAPs) will face difficult economic, social, and environmental risks. Thus, this ARAP is designed to mitigate those unavoidable risks and adverse impacts on PAPs and their livelihoods.

Experience has shown that involuntary resettlement can cause loss of income, assets, and community ties that, especially among the poor, and can be essential for survival and well-being. In extreme cases, involuntary resettlement can lead to the dissolution of families, impoverishment and health problems.

Where it is not feasible to avoid resettlement in the project corridor, this ARAP conceives and execute resettlement activities as sustainable development intervention. Its compensation and resettlement budget provide enough investment resources to enable the PAPs to share in project benefits. It has provided and will continue to provide platform for PAPs to be meaningfully consulted throughout the project cycle and shall afford them the opportunity to participate in planning and implementing resettlement programs.

This ARAP provided resettlement assistance to PAPs to assist them in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to levels prevailing prior to the beginning of project implementation, whichever is higher⁸.

1.6 ARAP Methodology

This ARAP involves a number of coordinated approaches and action plans tailored towards addressing the scope of work and objectives set out in the TOR. The Consultant took the following steps and approaches:

Initial meetings with Ekiti State NEWMAP SPMU and the Engineering Design Consultant

This meeting offered the opportunity to clarify relevant issues in the terms of reference and to agree on deliverables and timelines. The outcome of this meeting culminated in the collection of relevant documents from project proponent, Engineering design team and other relevant bodies. These documents include Engineering Drawings, Resettlement Policy Framework for NEWMAP, Environmental and Social Management Framework for NEWMAP, NEWMAP Project Implementation Manual (PIM), NEWMAP Project Appraisal Document (PAD), Nigeria Land Use Act (1978) and World Bank guidelines and Policies on Involuntary Resettlement.

Also, the consultant held discussion with the project engineering on the design concept. This helped in throwing more light on the approach for the proposed civil works, as well as the measures taken to minimize impact. All relevant documents were collected. Based on the discussion with the project engineer as well as the design document presented, it was established that the setback falls within 3 meters for the road side drain and 15meters for the gully.

Literature Review

The team duly reviewed all the relevant documents. The review exercise was helpful in understanding the relationship and gaps in the policy frameworks of the World Bank on one hand and the country laws and policies on involuntary displacement. Also, it helped in understanding the actual design for the intervention. From the review of the policy documents stated above, the necessary requirements for this ARAP were ascertained.

Initial/Reconnaissance Site Visit and Stakeholder Consultation

This step was important to determine the magnitude and nature of the anticipated impacts, identify the project affected persons (PAPs), community leaderships and associations in which potential PAPs belong. It was also used to consult with the stakeholder whose assistances and cooperation is expected to ensure sustainable project implementation.

⁸ Paragraph 3(b) of OP 4.12 stated that PAPs should be assisted in their efforts to improve or restore their livelihoods

Engagement of field officers/enumerators

Enumerators were selected from the state and this selection was based on field experience as well as knowledge of use of android device.

The field officers were trained on the use of the survey instruments and on the nature of the policy guidelines that underlay the project. This was undertaken with mock exercise carried out to test their understanding and capabilities before embarking on field survey.

Consultation with Affected Communities, PAPs and MDAs

Series of consultations were undertaken in the course of the preparation of the ARAP. The consultant engaged the Traditional Ruler, Youth Representatives, Women representatives, Project Affected Persons and other community organizations in the dissemination of information to the project area. The essence of this was to inform them of the exercise and invite all stakeholders and project affected persons to a public consultation with date, venue and time specified. Focus group consultations were also carried out.

CHAPTER TWO: DESCRIPTION OF THE REHABILITATION PROJECT

2.1 General Description

Flood and gully management comprises of series of activities to study the flow regime and determine the appropriate control using channels such as drains.

Based on the analyses of preliminary results from the surveys and investigations, it was possible to propose solutions to address the established challenge(s) at the given locations. For the LOT 1 sites three solutions were considered and assessed for functional adequacy, service life, safety, cost of periodic maintenance, ease of maintenance, constructability, construction materials, environmental friendliness, and aesthetics.

Table 2: Considered Project Intervention Engineering Options

S/N	Location	Location	Option A	Option B	Option C
1	Irele Healthcare	E 787858.468 N 885953.775	Rectangular concrete canal	Gabion Box Canal	Trapezoidal Concrete Canal
2	Gbonyon Culvert	E 789971.148 N 885142.527	RC Slab Bridge	Multiple Box Culvert	Multiple Pipe Culvert
3	Arinkin Bridge	E 781361.585 N 881532.057	RC T-Girder Bridge	Multiple Box Culvert (4 Cell)	Multiple Box Culvert (3 Cell)
4	Ajolagun Bridge	E 744000.000 N 827700.000	RC T-Girder Bridge	Multiple Box Culvert	RC Bridge slab:
5	Ipao 1 and 2 Road Drain	E 784291.605 N 872875.932	Stormwater Pipe Drain	Open Rectangular Concrete Drain	RC Bridge slab:

Based on the outcome of the cost and technical options assessment, the following structural arrangements were recommended for detailed engineering design:

- vi. Irele Health Centre Gully Channelization: GABION BOX CANAL of dimensions 3000mm x 1000mm canal bed and 2x1000mm x 500mm x 20mm walls (both sides).
 - Earthworks
 - Gully channelization works, employing gabion mattresses and gabion boxes, with polyfelt non-woven geotextile.
- vii. Ogbomu Onipako (Gbonyon) Crossing: MULTIPLE BOX CULVERT of 2x (5m span x 3m height) with 10m effective span.
 - Demolition of failed structure
 - Earthworks
 - Reinforced concrete works
 - Embankment protection using stone pitching
 - Restoration of approach road (both sides).
- viii. Arinkin Crossing: RC T-GIRDER BRIDGE of 2x (16m span x 3m height), 32m total span.
 - Confirmatory geotechnical investigations
 - Demolition of existing structures
 - River Diversion works
 - Earthworks
 - Reinforced concrete works
 - Miscellaneous works (bridge bearings, parapets, railings, etc.).
 - Bank protection works using gabion boxes.

- Restoration of approach road (both sides).
- ix. Ajolagun Crossing: RC T-GIRGER BRIDGE of 1x (20m span x 2.8m height), 20m total span.
 - Confirmatory geotechnical investigations
 - Demolition of existing structures
 - River Diversion works
 - Earthworks
 - Reinforced concrete works
 - Miscellaneous works (bridge bearings, parapets, railings, etc.)
 - Bank protection works using gabion boxes.
 - Restoration of approach road (both sides).
- x. Ipao 1 and 2 Road Drain: OPEN RECTANGULAR RC DRAINS
 - Earthworks
 - Reinforced concrete works, with cover slabs to provide vehicular and pedestrian access at junctions and entrance to properties.

Other specific activities to be carried out in the different proposed project sites summarized above can be obtained in the respective Engineering Design report.

2.2 Project Potential Impacts

Assessments of direct social and economic impacts were carried out in the project corridor. The assessment exercise revealed that the total of 8 PAPs will be impacted by component 1 civil works activities as result of physical and economic displacement. The overall impact is minimal and is manageable. In order to adequately manage the anticipated impacts of involuntary land acquisition, this ARAP has been prepared and it contains mitigation measures to address impacts associated with losses of land, crops/economic trees, income and also provide support to vulnerable people. Summary of the Impacts is presented in table 4 below.

Table 3: Summary of Impacts

S/N	Category Of Impact	Number of PAPs
1	Land ⁹	2
2	Structures	2
3	Economic Trees/cash crops	4
4	Loss of Business	3

2.3 Impact Reduction Measures Undertaken

One of the key requirements of OP 4.12 is to avoid land acquisition that results in physical and / or economic displacement and resettlement. However, where such displacement and resettlement is unavoidable – that is, where suitable alternative project sites are not available or the cost of developing those sites is prohibitive – OP 4.12 require that adverse resettlement impacts on affected individuals and communities are minimized through project design, adjustments in the routing or siting of project facilities, etc. The Ekiti NEWMAP PMU took the following steps which have resulted in the reduction of adverse impacts of the project:

⁹ Less than 1% of individual land is envisaged to be impacted by the project

1. The engineering design for the intervention tried as much as possible to avoid damage as one of the proposed measures is to maintain alignment of the existing drain as much as possible to avoid major damage to adjacent assets and property.
2. The maximum width of the drainage including access and buffer on the drainage corridor was made known to the stakeholders to be 3 meters for road side drains and 15meters on the gully corridor and that in the event of work in such locations all affected properties are to be removed by their owners upon receipt of due compensation to give the required right of way for the work.
3. Consulting/communicating with the people of the project area and PAPs in particular on the day and time to expect civil work activities within their respective location. This will give the PAPs opportunity to harvest materials from their buildings as well as the identified economic trees/crops before the beginning of civil works.

In spite of the outlined impact reduction measures above, mitigation measures have also been clearly prepared in this document, which is in line with the World Bank policy (OP 4.12) on involuntary resettlement to ensure that those who must suffer economic impact are restored to the pre-project state. It should be noted that Payment of compensation is a condition precedence for relocation of PAPs. Upon receipt of compensation, PAPs are expected to vacate the zone of impact which has been compensated for within a period of 4 weeks before commencing civil works.

CHAPTER THREE: DESCRIPTION OF THE PROJECT AREA OF INFLUENCE AND SOCIAL BASELINE DATA

3.1 Description of Project Area of Influence

Ekiti State located in coordinates 7°40'N 5°15'E was created on 1st October 1996 out of the former Ondo State. It is bounded on the South by Ondo State, on the North by Kwara State, on the East by Kogi State. The State has a population of 3,270,800 as at 2016 (estimated from the Nigerian National 2006 population census) and a landmass of about 6,353 km² with a population density of 380/km².

The State has 16 Local Government Areas which include Ado-Ekiti, Ikere, Oye, Aiyekire (Gbonyin), Efon, Ekiti East, Ekiti South-West, Ekiti West, Emure, Ido-Osi, Ijero, Ikole, Ilejemeje, Irepodun/Ifelodun, Ise/Orun and Moba. Its major towns include Ado-Ekiti, Efon Alaaye, Aramoko-Ekiti, Ikole Ekiti and Iyin-Ekiti.

Ekiti is culturally homogeneous and they speak a dialect of Yoruba language known as Ekiti. The homogeneous nature of Ekiti confers on the state some uniqueness among the states of the federation. Slight differences are noticeable in the Ekiti dialects of the Yoruba language spoken by the border communities to other states. For example, the people of Ado local government area do not speak exactly the same dialect with the people of Ijero Local government area, while the people of Ikole area speak something different from the people of Ikere area.

Ekiti land is naturally endowed with numerous agricultural and natural resources. The land is buoyant in agricultural resources with cocoa as its leading cash crop. It was largely known that Ekiti land constituted well over 40% of the cocoa products of the famous old Western Region. The land is also known for its forest resources, notably timber. Because of the favourable climatic conditions, the land enjoys luxuriant vegetation, thus, it has abundant resources of different species of timber. Food crops such as yam, cassava, and grains like rice and maize are grown in large quantities. Other notable crops such as kola nut and varieties of fruits are also cultivated in commercial quantities. The main staple food of the people of Ekiti is pounded yam with Isapa soup or vegetable soup.

The state is potentially rich in mineral deposits. These include granite, kaolinite, columbite, channockete, iron ore, baryte, aquamine, gemstone, phosphate, limestone, gold among others. They are largely deposited in different towns and villages of Ijero, Ekiti West, Ado - Ekiti, Ikole, Ikere, Ise-Ekiti and other Local Government Areas. The Land is also blessed with water resources, some of its major rivers are Ero, Osun, Ose, and Ogbese.

Ekiti state is largely agrarian. Agriculture is the mainstay of the state economy. It employs 75% of the state working population. The State is one of the largest producers of Rice, Kolanut, oil palm and cocoa in the country. They also produce crops like cassava, yam, cocoyam, maize, cowpea, citrus, plantain and fruits like cashew, mango and orange. As the state is within the ecological belt known for abundant forest resources the state produces high quality woods that are raw material for wood-based industries within and outside the state. Industrially, the state is arid with only few companies on the ground.

3.2 Overview of the project region

3.2.1 Introduction

The prioritized project sites are spread across the state. Their locations are presently in Irele Ekiti in Ikole Local government area, Ado Ekiti, Efon Alaye, and Ikere Ekiti. Figure 1 presents the map of Ekiti State showing the project locations. The project sites in Lot 1 are in Irele Ekiti.

Irele Ekiti is an area in Ikole Local Government Area of Ekiti State, Nigeria is predominantly a homogenous society and carefully populated by Ekiti speaking people of the South West Zone of Nigeria. The Religion of the people are mainly Christian and Islamic religion while a percentage of the people are Traditional religion worshippers.

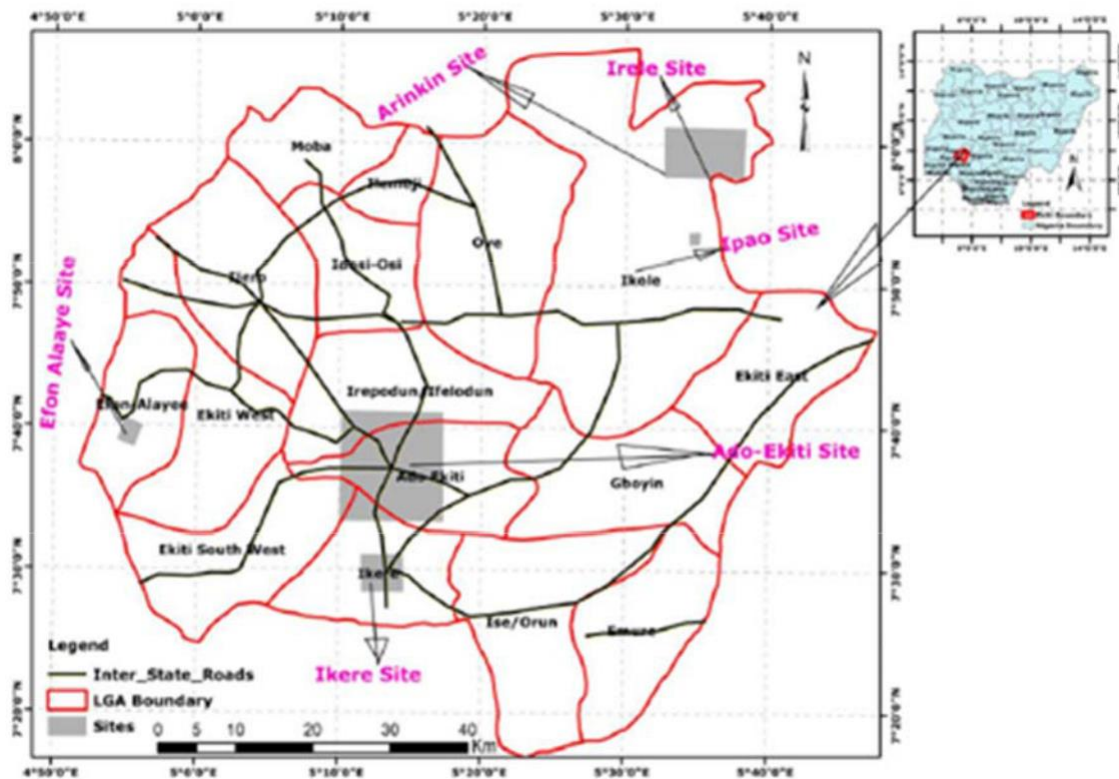


Figure 1: Map of Ekiti state showing the Project sites (Source: Design Report, 2020)



Figure 2: Imagery of Ipao 1 & 2 drainage network

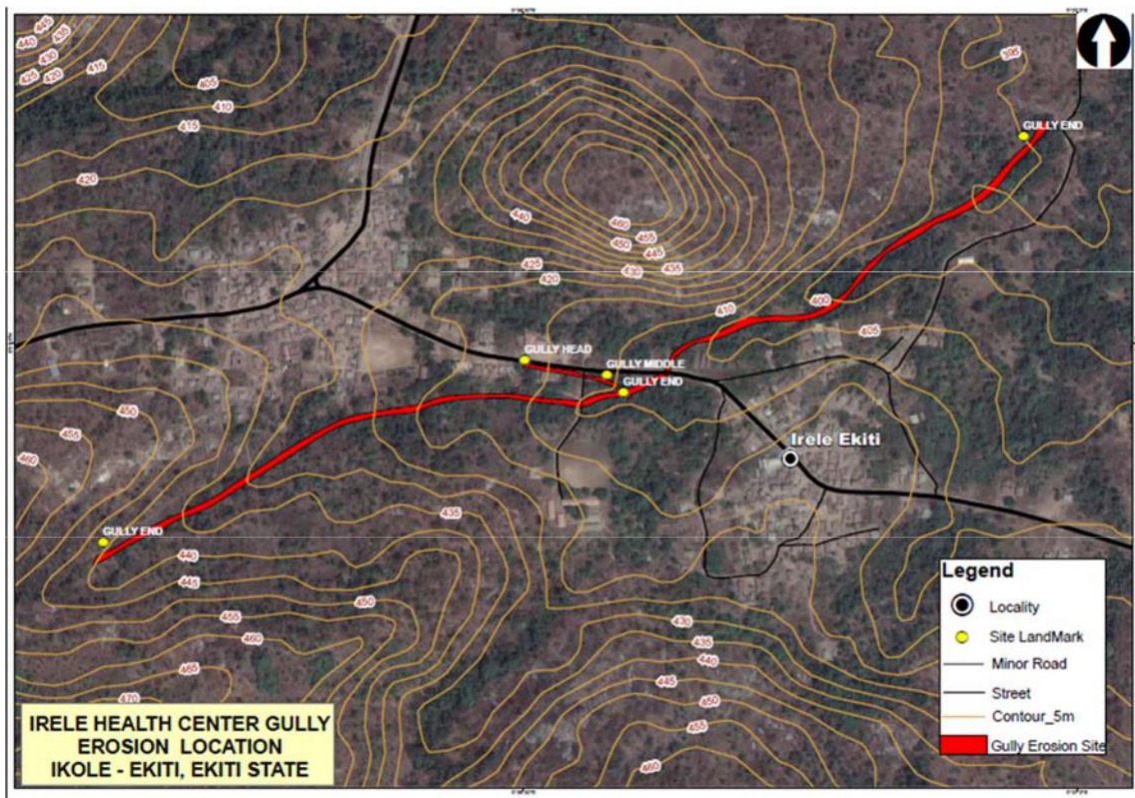


Figure 3: Satellite Imagery showing Irele Health Center Gully



Figure 4: Imagery showing Arkinkin Bridge location

3.3 Socioeconomic Baseline Conditions of PAPs

The socioeconomic study covered the following thematic areas for the 7 PAPs identified: gender, age distribution; marital status; nature of trade/occupation of PAPs; income category, etc. The analysis and discussion on the survey result is provided in the table below;

Table 4: Demographic and Socioeconomic Survey of PAPs

CATEGORY	NUMBER	PERCENTAGE	DESCRIPTION
Age distribution	Figure	Percentage	The result suggest more of the PAPs would be able to engage in activities that would restore their livelihood considering that they fall within the active age (32-58). <i>This age group can also provide some workforce during construction activities. Engaging them can also improve their livelihood.</i>
18-35	1	14.2	
36-49	2	28.6	
50-59	2	28.6	
60 + Above	2	28.6	
Total	7	100.0	
Gender	Figure	Percentage	More males were identified along the drain site than the females because they represent household head that own parcels of lands as well as houses. <i>This shows high impact on head of households which will be highly felt by the affected households.</i>
Female	2	28.6	
Male	5	71.4	
Total	7	100.0	
Marital Status	Figure	Percentage	<i>Result shows that impact will be highly</i>
Married	5	71.4	

Divorced	1	14.3	<i>felt by households as PAPs are married with dependents and any impact on head of households will be highly felt by the affected households.</i>
Widow/Widower	1	14.3	
Single	0	0	
Total	7	100.0	
Family Pattern	Figure	Percentage	
Extended	5	71.4	<i>Result shows that impact will be highly felt by households as PAPs have presumable high dependency from family members.</i>
Nuclear	2	28.6	
Joint	7	100.0	
Size of Family	Figure	Percentage	<i>Result shows that impact will be highly felt by households as PAPs belong to large family size (above 7).</i>
Large (7 and Above)	5	71.43	
Medium (3 to 6)	1	14.29	
Small (1 to 2)	1	14.29	
Total	7	100.0	
Household Main Occupation	Figure	Percentage	<i>Result shows that PAPs are mainly farmers with the second largest PAPs engaging in artisanship. This implies that though impact may be more on business men/women, there may also be considerable impact on agriculture as those involved in this activity are the second largest among the PAPs. Furthermore, some of these Traders participate in crop farming as secondary source of income. Also some pensioners are likely to feel the impact more than others.</i>
Crop Farming	5	71.43	
Artisan	2	28.57	
Total	7	100.0	
Monthly Income Distribution¹⁰	Figure	Percentage	<i>PAPs in the project area earn on the average, about N624,000 per annum. This result puts PAPs in the class of middle-income economy group according to World Bank development indicators (World Bank, 2018) Lower-middle-income and upper-middle-income economies are separated at a GNI per capita of N1,485,000. Although these results imply that PAPs can maintain reasonably, good standard of living, it is however, not inconceivable that impacts on their sources of livelihood may have adverse impacts on their income sustenance and standard of living</i>
5,000-20,000	0	0	
21,000-50,000	2	28.6	
51,000 – 80,000	1	14.2	
81,000-100,000	0	0	
100,000+ Above	4	57.2	
Total	7		
Disease Conditions	Figure	Percentage	<i>The prevalence of malaria may be as a result of the presence of breeding sites for the vector within the project areas (potholes on access roads, stagnant water in the drains as a result of flooding).</i>
Cough	1	14.3	
Diarrhoea	0	0	
Malaria	4	57.1	
Others	0	0	
Respiratory Disturbance	1	14.3	

¹⁰Average income of PAPs in the project area were measured at two levels; the overall average which indicates an aggregation of middle and low level income earning PAPs and the low income groups with lowest limit of N600 per day. The outcome is that on the overall aggregation, PAPs mean income is ₦4,880 or \$12 per day (for middle and low income combined) and ₦1200 or \$3 per day for lower income group using an exchange rate of ₦405/\$1.

Typhoid	1	14.3	
Total	7	100.0	
Preferred Replacement Option		Percentage	The PAPs preferred measures aimed at restoring their livelihood as depicted showed that majority preferred cash compensation over replacement. However, <i>care should be taken in using this step especially due to low rate of saving culture in the area.</i>
Cash_Compensation	5	71.4	
Other_Specified_Replacement(Land and/or Restoration)	2	28.6	
Total	7	100.0	

3.4 Summary of Findings from the Socioeconomic Survey

Following the socioeconomic survey carried out during the resettlement plan preparation, it was gathered that physical and economic displacement as a result of the project will have some significant adverse impact on the livelihood of the PAPs. While most of the impact will be on Men, some significant number of women will also be impacted. The impact will be extended to members of the Project Affected Household (PAH) considering the fact that most of the PAH have a good number of dependants (average of 6 dependents). Though PAPs within the area are placed along the middle- income class, it is however inconceivable that the project impact will affect their sustenance and standard of living if not mitigated. Finally, including the PAPs in any form of livelihood restoration program will be quite beneficial especially among those who have been identified to be more seriously impacted by the project.

CHAPTER FOUR: SUMMARY OF STAKEHOLDERS CONSULTATION AND PAPS

4.1 Introduction

Public consultation and participation are essential because they afford Project Affected Persons (PAPs) the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts. It also provides an avenue to intimate the PAPs of their choices and rights with regards to compensation and resettlement.

Information about the project was shared with the stakeholders, to enable meaningful contribution, and enhance the success of the project.

The public consultation strategy for the ARAP activities evolved around the provision of a full opportunity for involvement of all stakeholders, especially the PAPs. Concerns raised by the stakeholders are documented and incorporated in this report to project planning.

4.2 Stakeholders' engagement Strategy

The following considerations guided the consultations:

Site visit of the drainage route for the proposed erosion control and drainage works;

Identification of the administrative leadership in the project areas, and visits to the community leadership

Identification of PAPs and notification of meeting in collaboration with community leaderships

Public forum with stakeholders on the project matter

Stakeholder involvement in the project is expected to continue in a manner that gives the communities and the project affected persons (PAPs) the opportunity to make contributions aimed at strengthening the development project while avoiding negative impacts as well as reducing possible conflicts. In addition, the consultations will remain active (i.e. on-going exercise) throughout the duration of the entire project. Issues relating to project displacements and compensations to PAPs and any vulnerable groups will be handled efficiently in the ARAP report to minimize chances of possible conflicts.

4.3 Social Investment Plan

Social investment refers to philanthropy, charitable giving, corporate social responsibility, community programs and social contributions to contribute to society that is not primarily motivated by generating a direct financial return. NEWMAP should employ a three phased approach strategy which includes community investment, social investment and philanthropy.

The potential benefit of NEWMAP social investments in the community will create significant opportunities for businesses, including enabling them to meet regulatory requirements, secure a social license to operate, improve reputation, attract talented employees, increase workforce engagement and develop new products and markets. The areas for social investment include education, health, disaster relief, environment, community welfare, housing, infrastructure & energy, sports & recreation, food and agriculture.

NEWMAP should work in conjunction with existing community NGOs/CBO in achieving the investment plan.

This social investment plan is further delineated in the ARAP developed in the framework of this subproject.

4.4 Identification of Stakeholders

Generally, five (5) broad categories of stakeholders were identified for this project based on the degree to which the project activities may affect or involve such persons or group of persons. The identification was based on the following considerations:

- i) Any persons or parties whose line of duties whether officially, socially, economically or culturally has direct or indirect bearing on any aspects of project activities. These parties may include individuals, groups, institutions or organizations that may be affected by the gully rehabilitation activities; and,
- ii) Any persons or parties whose specific interests in the project results from: (a) the project's benefit(s) to such persons; (b) potential changes that may occur to the routine activities of the persons due to the project; and, (c) the project activities that may cause damage or conflict for the persons. The identified persons or group of persons in this category will ultimately represent the project Affected Persons (PAPs) or Project Affected Households (PAHs)

The identified groups include:

Traditional Leaders (Village heads, District heads, Ward heads)
Youth group Representatives
Women group Representatives
Project Affected Persons (PAPs)

People living along the corridors of the project

Vulnerable persons (widows, physically challenged and those PAPs along the corridor who had earlier suffered the impact of the flood by losing their assets).

The stakeholders were pre-informed of the visits through the Palace Secretary via phone calls to the respective community leaders and residents.

4.5 Stakeholders Engagement Activities

The stakeholders' consultation started with meetings with the SPMU on project planning and logistics. It continued with consultation with stakeholders and PAPs in the project communities (29th September, 2020). The consultations provided an opportunity to interact with the opinion leaders in the host communities and intimate them on the proposed project. See attendance lists in annex 4. No vulnerable person(s) was identified during the field work as such none was consulted.

4.5.1 Rights and Choices

The information passed to stakeholders includes the project design, anticipated timeframe for project commencement, benefit and anticipated impact of the project to individual and the communities, and the possibility for the stakeholders to contribute to the project design, the right of PAPs to resettlement and compensation, right to seek redress through the Grievance Redress Mechanism (GRM) when they are aggrieved. In other words, the PAPs, specifically, were told that they have the opportunity to air their concerns and suggestions which will be incorporated to the project design and in implementation process.

They were made aware of their rights, which include compensation for impacts and alternatives – even if they are willing to give up land, assets and or livelihood in the general public interest. They were informed that only those affected by the rehabilitation will be included in the resettlement compensation plan.

4.5.2 Summary of Consultations carried out are presented in the preceding tables.

The tables below summarize the different consultations carried out during the preparation of this ARAP. These included the consultations with the SPMU, Consultation with the Stakeholders and Consultation with the PAPs. The table outlines major issues discussed, Concerns raised by the stakeholders as well as responses provided by the consultant and/or SPMU.

Table 5: Consultations with Ekiti State NEWMAP on 25th September, 2020

Venue	Ekiti State NEWMAP Office
Attendance	SLO, ESO, M&E, Project Engineer, Consultant Team
Language of Communication	English
Overview	<p>The meeting started with an opening prayer followed by a welcome address by the project SLO of Ekiti state NEWMAP. She welcomed the team and reminded the team on the purpose for the RAP preparation while expressing her desire for the assignment to be completed within the stipulated time.</p> <p>She explained the planned program for the consultations in the different sites and demanded to know the planned activities of the ARAP consultant.</p>
Response From the ARAP Consultant.	<p>The ARAP Consultant Technical team expressed his happiness over the warm reception, Comments and the suggestions made by the NEWMAP Management.</p> <p>He explained that the team will be visiting all the sites in different Locations of the Project namely to identify the project corridor and sensitivity of the area. Based on the work Plan, the team intends to start with Lot 1 as the design was readily available.</p> <p>The team lead also emphasized on the need to use a reasonable number of experts and enumerators so as to have a good and sound result at the end of the day as ARAP is a project that needs not to be rushed, it is an exercise that requires monitoring.</p> <p>He also informed the SPMU that there is need to collaborate with the youth in the area and residents that can help the team as guides during the project.</p> <p>In his closing remarks, the ARAP team promised to deliver the report within the shortest possible time.</p>

Table 6: Stakeholders Consultation

	Date: 29 th September, 2020	
	Venue: Oba's Palace	
	Participants: Traditional leaders, Women group representatives, Youth Group representatives, Project affected persons, SPMU, Interested Community members	
S/N	DISCUSSION	REMARKS/RESOLUTION
1.	<p>The ARAP Consultant Team briefed the stakeholders on the NEWMAP project and the World Bank operational policies regarding the project. He enlightened the people on the various components of the project and reminded the community that the project is taking place in only the affected areas. The team will take inventory and census of the affected properties and persons which will be documented and sent to the World Bank. He advised them on the need to be present during the data capturing as that is the only way their details can be captured for compensation. He also requested that they should co-operate with the enumerators and give them all the necessary information that will be required. The ARAP consultant also informed them that after completion of the project, no one will be left worse than he/she was before the project, as the aim of the project is to improve the lives of the people not to worsen it.</p> <p>Grievance Redress Mechanism (GRM) would be put in</p>	<p>The cut-off date for the Irele community shall be 29th of September, 2020</p>

	<p>place by the LGA and the State NEWMAP where aggrieved persons can forward their Complaints and readily be resolved.</p> <p>Furthermore, he informed the stakeholders about the significance of the cut-off date in the implementation of this ARAP.</p> <p><i>He went on to inform them that the cut-off date for the assignment in the community is 29th September, 2020.</i> Furthermore, he explained that the report will be disclosed publicly in their community, the State NEWMAP office and other places for the people to access. He appreciated their effort and solicited the support of the ward heads and residents toward a successful exercise</p>	
	CONCERNS	RESPONSES
4.	<p>1. Chief Kehinde Adetiloye:</p> <p>He started by appreciating the team for coming for the consultation.</p> <p>He expressed his concern over the dilapidated state of the Arikin Culvert caused by erosion, which is almost cutting off the road into two, that if this occurs it will bring a devastating effect on the people as the road is the major road linking Ekiti State and Kogi State. He further appealed for quick intervention by the government, that it is the community effort made by the community members that has prevented the complete collapse of the culvert. He also suggested that they can help provide an access road which can be used temporally while construction is on-going.</p> <p>He asked if buildings that are to be affected by the construction work will be compensated or those which have been earlier affected by the impact of the erosion</p> <p>He further requested that loans be made available to them, as majority of the community members are farmers and this will help them to improve agriculture and social-economic wellbeing of the community member.</p>	<p>The ESMP has taken into cognizance the need for an alternative access road during the construction of the bridge. And this will be provided by the contractors. The consultant informed them that the plan is to commence the civil works as soon as possible and that was why all the consultants for different activities were deployed to the community at the same time.</p> <p>They were made to understand that those to be compensated are those whose assets will be affected by the construction activities and not those who have been previously affected by the flood. However, those whose livelihood have been affected by the erosion would be considered for the livelihood restoration program as proffered by the livelihood needs assessment.</p> <p>That the NEWMAP intervention does not give loans to individuals in this regard, but only provide support with grants to groups of people in same trade, which is what the livelihood</p>

	<p>2. Chief Adebile He also express concerns as regarding the suffering imposed on them as a result of the collapsed Oke-ako bridge, which has made life difficult for everyone. He appealed to the government for a quick intervention.</p> <p>3. Mr. Sunday Olorunirun. He asked if opportunity will be given to community youth for employment by the contractor when the construction activities commences.</p> <p>4. Mr. Olushola from community high school Irele Ekiti He stated that the gully erosion has completely cut-off the major road leading to the school, as teachers are forced to park their vehicles farther away from the school.</p> <p>5. Chief Mrs Ajolopo Ajiroba of Irele Ekiti That the construction work will not be a hindrance to them as they will always find an alternative access route for their selves. That all they are interested in is for the bridge to be reconstructed to alleviate their sufferings. She also pleaded that the government of Ekiti state intervene quickly.</p>	<p>assessment proffers. That support will be provided as groups under some cooperatives, where people with same livelihood come together as a group.</p> <p>The Consultant noted this.</p> <p>That the World Bank discourages labour influx, hence contractors are expected to source for unskilled and possibly semi-skilled labour locally from the host community. Also the existing community security architect will be engaged to address security issues, which will be also be an avenue to engage locals for employment.</p> <p>The consultant informed them that as part of the design, culvert will be provided to allow access across to the school. The consultant thanked them for their support.</p>
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Consultation with Women Group: The ARAP Consultant team female member briefed the women group on the NEWMAP project and the World Bank operational policies regarding the project. She went ahead to explain the need for the women group to be consulted separately so as to get their views and concerns. she advised them on the need to accept the project and participate effectively during the ARAP process. She also requested that they should co- operate with the enumerators and give them all the necessary information that will be required. She further informed them that after completion of the project, no one will be left worse than she was

before the project, as the aim of the project is to improve the lives of the people not to worsen it. Grievance Redress Mechanism (GRM) would be put in place by the NEWMAP SPMU where they can forward their Complaints.

The women were elated by the special consideration given to them by the team and expressed their appreciation. Their leader stated that they will give all support to the team for the success of the program. Their major concern was for the contractors to consider their children for employment as skilled and unskilled labour during the civil works.

The consultant informed them that the contractors are required to engage local labour during the civil works so long as they are qualified. This will help improve the livelihood of those engaged.

In conclusion, she thanked them for their welcoming spirit as well as their interest in the success of the project.

Consultation with Youth Group: The ARAP Consultant team lead briefed the youth members about the NEWMAP project and the World Bank operational policies applicable to the project. He further explained the need for the youth to be consulted separately so as to get their views and concerns as this may differ from what the elderly present. He advised them on the need to accept the project and participate effectively during the ARAP process. He further informed them that after completion of the project, no one will be left worse than he/she was before the project, as the aim of the project is to improve the lives of the people not to worsen it. Grievance Redress Mechanism (GRM) would be put in place by the NEWMAP SPMU where they can forward their Complaints.

The major concern raised by the youths was on the involvement of the youth in the civil works during the implementation of the flood control project. The youths also suggested that the contractors should also engage their youths in securing equipment in the area when they mobilize to site.

In his response, the consultant informed them that the contractors are required to make use of unskilled local labour during implementation as well as skilled labour so far as they are qualified. He agreed with the youths that security of the area lies in the hand of the members of the community first especially the youths and as part of the security measures put in place for the project, local security e.g. vigilante will be engaged by the contractors during implementation.

In conclusion, he thanked them for their welcoming spirit as well as their interest in the success of the project.

In General, the community and PAPs most especially, appreciated the effort of the state government and world bank for the intervention and pledged to give all support to the ARAP team to ensure successful completion of their assignment.

CHAPTER FIVE: POLICY LEGAL AND REGULATORY FRAMEWORK

5.1 Introduction

A number of national and international environmental guidelines are applicable to the operation of the NEWMAP. The policy and regulatory frameworks discussed in this section guided the preparation of this ARAP.

5.2 The Resettlement Policy Framework (RPF) for the NEWMAP

The Resettlement Policy Framework (RPF) was prepared as a guide to set out the general terms under which land acquisition/encroachment, and/or any form of involuntary displacement of persons from the land or right of way of the project can take place, to comply with the World Bank Operational Policy (OP 4.12 - Involuntary Resettlement).

The RPF specified that during implementation stage and following the identification of sub- projects and sites for the developments, individual resettlement action plans should be prepared that must be consistent with the provisions of the RPF. It also provided a generic process for the preparation of resettlement plans.

The RPF specified that in addressing impacts, resettlement plans must include measures to ensure that the displaced persons are:

- Informed about their options and rights pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
- Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the project;
- Enabled to restore and preferably improve their living standards compared to the pre-project Condition.

In the overall, a major objective of the RPF was to ensure that PAPs are meaningfully consulted, participated in the planning process and are adequately compensated to the extent that at least their pre-displacement incomes have been restored and in a fair and transparent process.

The RPF specified that occupants who must be displaced will be moved at minimum cost and at short distance as possible. It also states that occupants who must be moved will be assisted physically by inclusion of preparatory site work in the works programme of the contractor and/or by payments to move shops and items of livelihoods to alternative locations. It also recommended the setting up of a dispute resolution mechanism that will address complaints and grievances that may emanate from the resettlement or compensation process.

The preparation of this Resettlement plan is consistent with the guidelines and recommendations of the RPF of NEWMAP, which is in agreement with the guidelines of the World Bank OP 4.12.

5.3 Relevant Nigeria Acts and Legislations

5.3.1 Land Use Act of 1978 and Resettlement Procedures

The Land Use Act of 1978 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 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.

Local governments may grant customary rights of occupancy to land in any non-urban area to any person or organization for agricultural, residential, and other purposes, including grazing and other customary purposes ancillary to agricultural use. 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. Therefore, the Land Use Act provides for the establishment of a Land Use and Allocation Committee in each State that determine 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 of 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 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 however, submitted 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.

5.3.2 Forestry Act

This Act of 1958 provides for the preservation of forests and the setting up of forest reserves. It is an offence, punishable with up to 6 months imprisonment, to cut down trees over 2ft in girth or to set fire to the forest except under special circumstances. Nigeria is at present a wood deficit nation. In order to ameliorate the situation, the policy on forest resources management and sustainable use is aimed at achieving self-sufficiency in all aspects of forest production through the use of sound forest management techniques as well as the mobilization of human and material resources. The overall objectives of forest policy are to prevent further deforestation and to recreate forest cover, either for productive or for protective purposes, on already deforested fragile land.

Specifically, the National Agricultural Policy of 1988 in which the Forestry Policy is subsumed, provides for:

Consolidation and expansion of the forest estate in Nigeria and its management for sustained yield. Regeneration of the forests at rates higher than exploitation.

Conservation and protection of the environment viz: forest, soil, water, flora, fauna and the protection of the forest resources from fires, cattle grazers and illegal encroachment.

Development of Forestry industry through the harvesting and utilization of timber, its derivatives and the reduction of wastes.

Wildlife conservation, management and development through the creation and effective management of national parks, game reserves, tourist and recreational facilities, etc.

5.4 State Legislations

The relevant state ministry is the Ekiti State Ministry of Lands, Housing, Physical Planning and Urban Development. Some of the functions of the State Ministry related to this ARAP include taking up responsibility for all form of land policies within the state. It gives advices to the government on land tenure issues, and also manages government land and properties. The Ministry is also tasked with administrative rights to land use decree, urban development, city and town rejuvenation and planning.

5.5 Customary Law

Under customary law, land can be owned by the community; clan or family; traditional institutions; or individual. Diverse customary practices exist from place to place, which permit lands to be sold, given away, inherited or reserved. By Nigerian law, where land is owned by the community, compensation may be paid to the chief on behalf of the community or into a specially designated fund for the benefit of the community.

5.6 International Guidelines

International Development Partners/Agencies such as World Bank and other financial organizations interested in development projects recognize this highly especially in development that result in involuntary resettlement. It is against this background that policies and guidelines have been set for managing such issues.

The World Bank's policy on involuntary resettlement will be applied in any sub-project of the NEWMAP that displaces people from land or productive resources due to land take. Where there is conflict between national legislation and World Bank Operational Policies, the latter policies shall prevail.

5.7 The World Bank Policy on Involuntary Resettlement (OP. 4.12)

The Bank's policy on Involuntary Resettlement advocates that where feasible, involuntary resettlement should be avoided or minimized. Resettlement shall be conceived and executed as a sustainable development program, where it is inevitable, providing sufficient investment resources to enable persons displaced by the project share in project benefit.

Persons displaced shall 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 them

For the storm water Drainage Management Sites, which will also involve civil works, the World Bank required the preparation of a Resettlement Action Plan, which will guide in the execution of a sustainable resettlement or compensation process for all the Project Affected Persons (PAPs).

The scoping exercise to be carried out by the consultant will determine the resettlement instrument that best fit the project (RAP or ARAP). This will be determined by the level of physical and economic displacement as well as percentage of land that may be acquired.

5.7.1 Comparison between Land Use Act and the World Bank's Policy (OP4.12) on Compensation

In this section, a comparison is made between the World Bank policies (OP4.12) and the Nigerian Land Use Act. 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 OP4.12 is fundamentally different from this and states that affected persons are entitled to some form of compensation whether or not they have legal title if they occupy the land by an announced cut -off date.

The Nigeria Land Use Act and World Bank Safeguards Policy OP/BP 4.12 agree that compensation should be given to PAPs in the event of land acquisition and displacement of persons prior to the commencement of works. Thus, all land to be acquired by the government for this project will be so acquired subject to the Laws of Nigeria and the Bank OP4.12.

Table 7: Comparison of Nigerian land Use Act and World Bank OP4.12 on compensation

Resettlement Components	Nigeria's policy	WB OP 4.12	Addressing the gaps
Land owners	Cash compensation based upon market value.	Recommends land-for-land compensation. Other compensation is at replacement cost.	The eligible PAPs will be compensated at replacement cost.
Land tenants	Entitled to compensation based upon the amount of rights they hold upon land.	Are entitled to some form of compensation whatever the legal recognition of their occupancy.	Those with legal right on the land are compensated and those without any form of rights on the land but affected by the project as of the cut of date are given a form of compensation based on impacts.
Owners of "Nonpermanent" and "permanent" buildings	Cash compensation based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.
Encroachers and squatters. Illegal structures	No compensations	Entitled to compensation for buildings, structures, installations and improvements and other assistance measures	Entitled to compensation for buildings, structures, installations and improvements and other assistance measures
Consultation	Silent	Insists upon consultation and informed anticipation of all affected persons throughout resettlement process.	Insists upon consultation and informed participation of all affected persons throughout resettlement process.
Loss of Access/Rights of Way	Silent	Provide assistance to offset the loss of such resources to a community	Provide assistance to offset the loss of such resources to a community including and not limited to providing alternative temporary access
Livelihoods	Silent	Compensation for loss of assets at full replacement cost and other assistance to improve or at least restore standards of living and livelihoods.	Compensation for loss of assets at full replacement cost and other assistance to improve or at least restore standards of living and livelihoods.
Communal resources	Where land is owned by the community,	Where land is collectively owned, the project is to offer	Where land is collectively owned, the project is to offer land-based

Resettlement Components	Nigeria's policy	WB OP 4.12	Addressing the gaps
	compensation may be paid to the chief on behalf of the community or into a specially designated fund for the benefit of the community	land-based compensation where feasible Endeavour to offset the loss of communal resources through support for initiatives that enhance the productivity of the remaining resources, in-kind or cash compensation for loss of access, or provide access to alternative sources of the lost resource.	compensation where feasible Endeavour to offset the loss of communal resources through support for initiatives that enhance the productivity of the remaining resources, in-kind or cash compensation for loss of access, or provide access to alternative sources of the lost resource.
Resettlement assistance	Silent	Affected persons provided with assistance with movement, transition support, and to re-establish access to lost resources.	Affected persons provided with assistance with movement, transition support, and to re-establish access to lost resources.
Vulnerable groups	Silent	Provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable.	Provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable.
Grievance	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 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	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. Recognizes judicial redress as the last option.

This ARAP will be aligned with the World Bank Operational Policies including Involuntary Resettlement Policy that indicate best practices for rehabilitation of livelihoods of people affected by the implementation of the project. This is so because they are involved in the funding of the project and also because their respective policies most fulfil the pro-poor objectives of the project, ensuring that the conditions of PAPs are preferably improved and at least restored to pre displacement levels as well as offers special considerations for vulnerable and landless PAP.

5.7.2 Conclusion Drawn from the Review of World Bank Policies on Involuntary Resettlement

Review of the different policy guidelines of the World Bank (OP/BP 4.12) shows that primarily, the World Bank agree that PAPs be compensated or assisted irrespective of legal status of PAPs to the land/or place they occupy. The key concern articulated in this policy is to ensure that PAPs are compensated or assisted including income restoration measures to ensure that they are not economically worse off relative to pre-project period.

However, in the event of divergence between the two, the World Bank safeguard policy shall take precedence over Nigeria Land Use Act since the former is the most stringent.

CHAPTER SIX: SOCIAL IMPACT COVERAGE OF THE PROPOSED PROJECT

6.1 ARAP Scope and Impact Coverage

This ARAP covers the direct economic and social impacts that both result from component 1 activities and are caused by:

- a) The involuntary taking of land resulting in: (i) relocation or loss of shelter, (ii) loss of assets or access to assets or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location, or
- b) The involuntary restriction of access¹¹ to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.
- c) Project activities resulting in involuntary resettlement that in the judgment of the Bank, are (i) directly and significantly related to the project, (ii) necessary to achieve project objectives as set forth in the project documents and, (iii) carried out, or planned to be carried out, contemporaneously with the project.

6.2 ARAP Preparation Measures.

The preparation of this ARAP was guided by the RPF and includes measures to ensure that the PAPs are: Informed about their options and rights pertaining to resettlement,

Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives,

Provided prompt and effective compensation at full replacement cost¹² for loss of assets¹³ attributable directly to the project,

Offered support for a transition period based on reasonable estimate of the time¹⁴ likely needed to restore their livelihood and standards of living¹⁵.

Provided with development assistance in addition to compensation measures described in paragraph 6(a) (iii) of the OP4.12, such as land preparation, credit facilities, training, or job opportunities.

6.3 Inventory of Affected Assets/Structures in The Project Area

There is likelihood that some temporary land acquisition may be required for the establishments of burrow pits or staging areas. This will be properly compensated for through the payment of adequate lease. It is expected that

11 For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para.3(a).

12 Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see Annex A, footnote 1).

13 If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken

14 Reasonable time to restore livelihood and standards of living shall be determined in consultation with PAPs during the consultation process

15 Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements

such land will be adequately restored before reverting to the owner. A standalone ESMP prepared for the project will provide guidance on burrow pit restoration procedures.

The drainage construction will generally be performed within the existing drainage route. A total of 3 business (shops), 2 structures (fences and dilapidated building), 4 PAPs owning cash crops and economic trees will be affected. Also 2¹⁶ PAPs will lose their land. The summary of affected assets is shown in table 8.

Table 8: Summary of Impact on assets

S/N	Category of Impact	Number of PAPs
1	Land	2
2	Structures	
	Fence	1
	Dilapidated security post	1
3	Economic trees/Cash Crops	4
4	Loss of Business (Shops)	3

The economic trees and cash crops that will be impacted include Banana, Palm trees, Iroko trees, cassava, yam and bamboo.

6.3.1 Income Restoration and Support to Vulnerable Persons

The objective of income restoration measures for the vulnerable persons is to ensure that they are reasonably assisted to overcome potential economic shock from the project, and maintain the quality of life not less than their pre-project state because; they are at higher risk than others based on their vulnerability disadvantage. No Vulnerable person was identified as part of PAPs during this assignment and as such there is no other form of income restoration under this ARAP.

6.4 Performance Indicator for Assessing Livelihood Restoration

Performance indicators and monitoring are important in evaluating the progress and effectiveness of the resettlement plan as well as the income restoration measures. It is the responsibility of the monitoring and evaluation officer and Social Livelihood Officer of the PMU to design a schedule and budget for monitoring the implementation of the ARAP which will begin before project implementation and continue through the life cycle of the project. The monitoring indicators, which provide the basics for requirement of ARAP income restoration progress is discussed in details in Chapter eleven.

Positive results or improvement over the baseline conditions will be indicative of track record consistent with the objective of resettlement plan while performances below the baseline conditions indicate failure of the resettlement plan from meeting the desired objectives. In this case, Social Livelihood Officer is expected to report to the SPMU early and offer ways for improvement/modification of the restoration measures.

For successful implementation of the resettlement plan, PAPs must be given prior orientation, perhaps during the training and enlightenment workshop and must be informed that there will be periodic monitoring of their activities.

¹⁶ Less than 1% of their available land

CHAPTER SEVEN: PROPOSED RESETTLEMENT PLAN

7.1 Introduction

This section presents in detail the proposed resettlement plan. It includes the Valuation method used for valuing affected assets, the entitlements due for PAPs as well as eligibility of PAPs. This section shall examine the methodology used in valuing losses to determine their replacement cost and description of the proposed type and level of compensation and resettlement assistance to be provided to PAPs as well as measures considered to achieve full replacement cost for lost assets.

7.2 Entitlement Matrix for the PAPs

The matrix shows specific and applicable categories of PAPs under this project and types of losses as well as entitlement plan for PAPs. The Entitlement matrix therefore, is the basis for compensation budget, resettlement and income restoration measures to be administered by the proponent. The subsequent section further provides explanation of the entitlement matrix under eligibility criteria for entitlements.

Table 9: Entitlement Matrix Table for PAPs

Type of Loss	Entitled Person	Description of Entitlement
1. Permanent loss of land 1.1 Cultivable/residential /commercial land	1.1 (a)Legal owners of land (b)Occupancy/Hereditary (c)Tenant	1.1 (a) Cash for land compensation is preferred priority at replacement value based on market rate plus 10% compulsory acquisition surcharge as second option (b) Compensation will be paid as plus a one-time lump sum grant for restoration of livelihood and assistance for relocation. (c) Relocation assistance will be provided
2. Damage to land (such as abutting sub-project site) 2.1. By excavation etc. from borrows for earth for construction. 2.2 By severance of agricultural holding	2.1. (a)Legal owner/s (b) Village/s or clan/s with customary ownership 2.2. (a)Legal owner/s (b) Village/s or clan/s with customary ownership	2. 1/2.2 (a) & (b) Restoration of land to pre-construction condition or cash compensation at prevailing rates for restoration
3. Loss of income and livelihood 3.1. Temporary loss of access to land for cultivation	3.1. Cultivator occupying land	3.1. Estimated net income for each lost cropping season, based on land record averages of crops and area planted in the previous four years
3.2. Loss of agricultural	3.2. (a) Owner/s of	3.2. (a) Cash compensation for loss of

Type of Loss	Entitled Person	Description of Entitlement
<p>crops, and fruit and wood trees.</p> <p>3.3 Loss of income by agricultural tenants because of loss of land they were cultivating</p>	<p>crops or trees. Includes crops trees owned by encroachers/squatters</p> <p>(b) /tenant</p> <p>3.3 Persons working on the affected lands</p>	<p>agricultural crops at current market value of mature crops, based on average production.</p> <p>Compensation for loss of fruit trees for average fruit production years to be computed at current market value.</p> <p>Compensation for loss of wood-trees at current market value of wood (timber or firewood, as the case may be).</p> <p>3.2. (b) Partial compensation to tenants for loss of their crops/trees as per due share or agreement (verbal or written)</p> <p>3.3 One-time lump sum grant to agricultural tenants (permanent, short-term or long-term agricultural labor (this will be in addition to their shares in crop/tree compensation)</p> <p>a) Tree/perennial crops: Harvesting of the crops will be given a first priority but where harvesting is not possible, counting of the affected crops will be done in the presence of the owner. Computation of the costs will be done according to market rates</p> <p>b) Annual crops: Crops will be harvested by the owner and therefore no compensation will be paid for crops. Where crops cannot be harvested compensation at the market rate will be paid</p>
<p>4. Permanent loss of Structures</p> <p>4.1 Residential and commercial structures</p>	<p>4.1. (a) Owners of the structures whether or not the land on which the structure stands is legally occupied</p> <p>(b) Renters</p>	<p>4.1. (a) Cash compensation for loss of built-up structures at full replacement costs</p> <p>Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure.</p> <p>In case of relocation, transfer allowance to cover cost of Shifting (transport plus loading/unloading) the effects and materials will be paid on actual cost basis or on current market rates.</p> <p>(b) One-time cash assistance equivalent to 4</p>

Type of Loss	Entitled Person	Description of Entitlement
		months' rent moving to alternate premise. Transfer allowance to cover cost of shifting (transport plus loading/unloading) personal effects paid on actual cost basis or on current market rates.
4.2. Cultural, Religious, and community structures /facilities School, church, water channels, pathways, and other community structures/installations	4.2. Community	4.2. Complete rehabilitation/restoration by the Project; or, Cash compensation for restoring affected cultural/community structures and installations, to the recognized patron/custodian.
}	5.1 Women headed households, disabled or elderly persons and the landless	5. Needs based special assistance to be provided either in cash or in kind.
5.2 Change in Livelihood for women and other vulnerable PAPs that need to substitute their income because of adverse impact	5.2. (a) Vulnerable PAPs, particularly Women enrolled in a vocational training facility 5.2. (b) owner/s whose landholding has been reduced to less than 5 acres	5.2 (a) &(b). Restoration of livelihood (vocational training) and subsistence allowance at agreed rate per day for a total of 6 months while enrolled in a vocational training facility
Unanticipated adverse impact due to project intervention or associated activity	The Project team will deal with any unanticipated consequences of the Project during and after project implementation in the light and spirit of the principle of the entitlement matrix.	

7.3 Valuation Methodology for Compensation

The method of valuation has been communicated to and dialogued with the PAPs during consultations as presented as follow:

7.3.1 Full Replacement Cost Method

The Full Replacement Cost Method, which is used in estimating the value of the property/structure, is based on the assumption that the capital value of an existing development can be equated to the cost of reinstating the development on the same plot at the current labour, material and other incidental costs. The estimated value represents the cost of the property as if new. According to the RPF, it is important to ensure that before civil work commences, PAPs will be provided full replacement cost of lost structures and other impacted assets and are able to rebuild or replace their structures/assets without difficulties. The valuation estimates asset compensation rates based on full replacement without depreciation.

7.4 Valuation Methods for Categories of Impacted Assets

7.4.1 Valuation Method for Land

In line with OP4.12 of the World Bank on involuntary resettlement as stated in the entitlement matrix, land for land entitlement is prescribed. In so doing, it is also important to take into cognizance the size of the land and location since these two variables are determinants of value of land property. The land to be acquired for this project are those that fall within the 15 meters along the gully corridor or 3meters along the drainage corridor. Road construction is within existing roads and as such there will not be land acquisition for the 2m drainage on these roads.

The Landed property along the project corridor as at the time of the assignment has reduced in value. This is as a result of the flood issue along the corridor. The cost for Land within the corridor was determined by considering the replacement cost of land within the project area while considering proximity to the flood plain and level of damage caused by the flood. This was placed at ₦70,000/Plot of Land (900sqm). This is equivalent to N77.8/sqm.

7.4.2 Valuation Method for Other Assets and Structures

Replacement cost' is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts were made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by the World Bank's policy on involuntary resettlement to meet the full replacement cost principles.

To assess damage and losses of economic assets identified, the Damage and Loss Assessment (DaLA) Methodology was adopted. DaLA is a flexible, comprehensive damage and loss assessment methodological tool presently used by the World Bank for the estimation of overall impacts. The tool which captures the full replace cost principle advanced by the World Bank OP4.12 provisions on involuntary resettlement.

The DaLA Methodology bases its assessments on the overall economy of the affected country/project area.

It uses the national/project location accounts and statistics as baseline data to assess damage and loss. It also factors on the impact of disasters/projects on individual livelihoods and incomes to fully define the needs for recovery and reconstruction.

The tool analyses three main aspects:

- a) **Damage** (direct impact) - impact on assets, stock, and property, valued at agreed replacement (not reconstruction) unit prices. The assessments consider the level of damage (whether an asset can be rehabilitated/repaired or has been destroyed).
- b) **Losses** (indirect impact) - flows that will be affected, such as reduced incomes, increased expenditures, etc. over the time period until the assets are recovered. These are quantified at present value. The definition of the time period is critical. If the recovery takes longer than expected, losses might increase significantly.
- c) **Economic effects** (sometimes called secondary impacts) - fiscal impacts, implications for GDP growth, etc. This analysis can also be applied at sub-national/local levels.

DaLA method was used to determine compensation for economic trees because of its robustness and advantage over the traditional method of assessing the cost of an economic tree. DaLA method states that market value of yield per tree for the current season (agricultural season) and cost of re-planting and nursery should be used to determine the compensation rate for the economic tree while the Traditional Method equates the capital of the existing structure/ tree to the cost of reinstating the structure/ tree on the same type of plot at the current labour, material and other incident costs. Current Market value of asset within the project area was used to determine the compensation rate for Economic Trees and land. This was determined via market survey of land per square meter and the market prices of the affected Trees in the project areas.

1. Structure/Building

Assets valuation was carried out by utilizing the general principle adopted in the formulation of the compensation valuation that lost income and asset will be valued at their full replacement cost such that the PAPs should experience no net loss. This was conducted using the current market prices in this project area. Data captured during valuation of structures include structure type, Dimensions/ total floor area, type of doors, windows, roof type, walls, and foundations.

Table 10 Market Survey for Building Materials carried out in Irele-ekiti on 29th September, 2020 (Source: Field survey, 2020)

S/N	ITEMS	UNIT	UNIT COST (N)	BULK COST (N)	REMARKS
	Cement	Kg	00.00	2500.00	
	Blocks 6"	inch	180.00	180.00	
	9"	inch	250.00	250.00	
	Mud Blocks		00.00	00.00	
	Nails	kg	150.00/kg	150.00/kg	
	Timbers 2x2	nos	400.00	400.00	
	2x3	nos	600.00	600.00	
	2x4	nos	700.00	700.00	
	1x10	nos	1500	1500	
	Sand	Cubic meter	15000.00/double load	15000.00/double load	
	Gravel	Cubic meter	25000.00	25000.00	
	Zinc	Bundle			
	8ft (pure white)		17000.00	17000.00	
	8ft RSP		22000.00	22000.00	
	8ft Colored		24000.00	24000.00	
	8ft Colored RSP		28000.00	28000.00	
	Wooden window	nos	500.00	500.00	
	Wooden door	nos	15000.00	15000.00	
	Metal door	nos	25000.00	25000.00	
	Iron 8mm	mm			
	10mm	mm	2250.00	2250.00	
	Land Space	Plot (900m ²)	70000.00	70000.00	

2. Fruit trees/Farm crops/Woodlots

The Full Replacement Cost Method was used in estimating the value of the economic trees and crops based on market survey conducted within the project community and the resultant figure become the compensation value. The cost derivation table for cash crops and economic trees based on the market surveys as provided in Annex 2.

Current market values were derived from pricing these farm products in the local market. The results for market survey are provided in the table below.

Table 11 Market survey for Cash crops and Economic trees carried out in Irele-Ekiti Market on 29th September, 2020 (Source: Field Survey, 2020)

	ITEMS	UNIT COST (₦)/ (PER BUNCH)/BASKET	COST PER BAG (₦)/Tree	NUMBER OF BAGS PER HECTARE	REMARKS
1.	Plantain	200.00 for 5pcs	6000.00	30pcs/5bunches/tree	
2.	Palm tree	1000.00/basket	5000.00	3bunches/basket/15 bunches/tree	
3.	Bamboo tree	0.00	300.00	85pcs	
4.	Iroko tree	0.00	2500.00	27pcs	
5.	Cassava	0.00	8000.00		
6.	Yam		2000.00	Per heap (10pcs)	

Loss of business income

In calculating for loss of business income with all data available the methodology below can be adapted;

$$BI = T \times Q \times V$$

Where,

BI= Business Inconveniences

T- no of time (hours/days) operation are shut down Q- the quantity of goods normally produced or sold/unit time used in T V- the value of each unit of goods

The above formula was employed considering that the construction activities will be carried out in segments along the project thereby reducing the number of days for loss of income. However, the maximum number of days of 7 was used in calculation to compensate for net profit.

7.5 Entitlements and Eligibility

The Resettlement Policy Framework (RPF) of NEWMAP provides guidelines and procedures for identifying eligible persons for compensation and various entitlements for varied categories. This section provides the definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including the cut-off date.

The census carried out has enabled the project to identify potential PAPs to be affected by the project and who will be eligible for compensation and resettlement assistance. The PAPs who are residing or owning properties within the corridor of the proposed drain falls under the eligibility criteria of OP 4.12 paragraph 15(a), (b) and (c) and shall be considered eligible for compensation and resettlement assistance under this ARAP.

The objective of the census was to identify and determine the number of Project Affected Persons (PAPs), impacts on their assets as a result of economic and physical displacement that are likely to be caused by component 1 activities. The census of PAPs was conducted on 6th of October, 2020 The cut-off date which was selected as 29th of September, 2020 was announced during the consultation on the 29th of September,

2020. The outcome of the census and the socioeconomic exercises shows that a total of 7 Project Affected Persons (PAPs), made up of 5 males and 2 females and a state owned school, will be impacted by component 1 activities.

7.6 Eligibility Criteria

The eligibility criteria define the various categories of the displaced persons. PAPs who meet the following eligibility criteria are eligible for resettlement benefits:

- a) Persons holding legal title (or the equivalent in customary-law) to the land they occupy or use to derive their livelihood are entitled to full replacement compensation for their property and other resettlement assistance,
- b) Persons lacking title but with legal rights that can be ratified by recognized legal process, e.g. Heirs to an estate are entitled to full replacement compensation for their property and other resettlement assistance,
- c) Persons with no legal or legitimate claim to the land they occupy, or use are entitled to resettlement assistance.
- d) Persons owing cash crops are entitled to full replacement compensation for loss of agricultural crops at current market value of mature crops, based on average production.
- e) Persons owning fruit trees are entitled to full replacement compensation for loss of fruit trees for average fruit production years to be computed at current market value.
- f) Persons owning wood-trees are entitled to full replacement compensation for loss at current market value of wood (timber or firewood, as the case may be).

Those having legitimate rights shall receive assistance to regularize their status and shall be treated just as those having legal rights.

Persons having no legal rights to land under law may not be compensated for the land they occupy but they are entitled to compensation for other assets (e.g. housing) and to receive assistance. In practice, this may mean that squatters and other non-legal occupants receive the same entitlement as those having legal rights.

Tenants may be granted resettlement entitlements along with owners or they may be given a subsidy to find a new rental property. Entitlements shall include transitional support such as moving expenses, assistance with food and childcare during a move and other needed support.

All PAPs irrespective of their status, whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the project area before the cut-off date. All persons residing, conducting activities or earning income within the project affected areas on the last day of inventory of loss, which is the cut-off date (29th September, 2020) will be entitled to compensation and resettlement assistance.

7.7 Cut-Off Date

The census cut-off date refers to the date of announcement of inventory of project affected assets, upon which no new entrant or claimant or development is allowed or will be entertained as affected assets within the project area of influence. Any new development in the area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets, fruit trees etc., established after the date of completion of the census will not be compensated. The cut-off date for being eligible for

compensation and/ or resettlement assistance is 29th September, 2020 which is the day the final field consultation with the PAPs was conducted. PAPs and project community were duly informed about the significance of the cut-off date in the implementation of this ARAP during the initial consultation with PAPs held on 29th of September, 2020.

7.8 Payment of Compensation

Compensation under this ARAP will be considered for land, assets or livelihoods.

In other words, the affected persons must be able to have their structure rebuilt in a different location using the compensation paid for the old structure if applicable. Depreciation will not be taken into account while calculating the cost of affected structures.

The Compensation package will also include cost of moving, such as transport costs as well as any associated land titling or transfer fees. All payments or compensation and resettlement assistance shall be made in the forms as agreed with each PAP. Payment of compensation will be made by the Resettlement Implementation Committee (RIC) and witnessed by an NGO engaged by the SPMU. Compensation benefits shall be settled before the construction phase of the project.

All Project Affected Persons would be restored to the status that is at the minimum commensurate to their pre-project status in accordance with the World Bank Policy on involuntary resettlement. Owners of immovable structures will be paid compensation that will be based on assessed values of their properties and this shall be at the:

Full replacement cost of structure; and Cost of agricultural crops/economic trees to be affected at full market price, inclusive of cost of tree value, replacement costs and cost of nurturing of tree for a period it reaches maturity and, payment of income loss till the tree reaches its pre-project production level. In addition to being guided by the market price and the relevant national law, the overall compensation for crops and economic trees will be guided by the provision of the World Bank Policy on involuntary resettlement.

The RIC in conjunction with the SPMU will verify the correctness of each PAP as stated in the register. Payments will be made to all PAPs at a designated location within the project area (preferably the Palace of the district head as stated by the PAPs) and adequate information will be made available to all affected persons before payment. Such information will include how the payment will be made and dates, etc.

The procedure for delivery of compensation shall include:

Full payment of compensation carried out before possession of acquired sites formally making offers to affected persons and allowing persons to accept or reject offer, offer a counter claim and seek redress under the grievance procedures established

Implementation committee communicates the amount to be paid to the PAPs. Transfer to individual accounts is the preferred and first mode of payment. SPMU shall make arrangements with nearest bank to effect payments without any challenge to the PAPs.

Necessary document of payments to the affected persons shall be presented to local land/Asset Valuation Committee from the local government and/or other independent witness of the affected person and leaders of the communities. Proper receipts issued, and copies given to the affected person by the SPMU; Comprehensive reports on payment made submitted for review by SPMU

CHAPTER EIGHT: BUDGET AND FINANCING PLAN

8.1 Budget and Financing Plan

This section provides information on the estimated budget and sources of fund for the overall implementation of this ARAP. In budgeting, the following were taken into consideration:

Sufficient budget for resettlement, and its inclusion in the overall project budget.

Resettlement costs, if any, to be funded by the Ekiti State Government and the mechanisms that will be established to ensure coordination of disbursements with the ARAP and the project schedule. Estimated budget, by cost and by item, for all resettlement costs including planning and implementation, management and administration, monitoring and evaluation, and contingencies.

A detailed inventory of all affected assets and PAPs was carried out to give the basis for estimating the compensation costs. Information on the estimated budget for the overall implementation of this ARAP and Source of funds are provided in this Section.

8.2 Financing Plan

Compensation budget for this ARAP implementation is to be fully funded by the Ekiti State Government and shall be disbursed from the project counterpart fund account. Since Ekiti NEWMAP, under the State Ministry of Environment (SMEnv) is the one impacting livelihoods, it will be their responsibility to fund the ARAP budget. Detail of compensation for each asset is found in Annex 1

It is expected that implementation function will rest on the SPMU, but the budget and the entire ARAP Report will however be subject to the clearance/approval by the World Bank, finalization of disclosure before disbursement or implementation can commence. Before any activity of component 1 is implemented, PAPs will need to be compensated in accordance with this ARAP and the RPF. The funding for this ARAP shall be deposited in a separate account dedicated for payment of compensations and resettlement assistance. Separate financial record shall be kept, and the record shall show payments by line items as stated in the ARAP budget.

8.3 ARAP Budget

The estimated cost for implementation of the ARAP is [REDACTED] as shown in the Table 15.

This sum is expected to cover compensation of assets affected and additional mitigations for livelihood restoration measures, consultations, coordination of mitigations, grievance management, logistics and compensation commission. In addition, 10% of the compensation has been provided for Operation cost and contingencies such as inflation respectively that shall be allowed and added to the current budget.

Table 12: Budget Estimate for ARAP Implementation

Item		[REDACTED]
Compensation and Resettlement Assistance	Land	[REDACTED]
	Structures	[REDACTED]
	Cash Crops and Economic Trees and Vegetables ¹⁷	[REDACTED]
	Loss of Business	[REDACTED]

¹⁷ PAPs will be allowed to harvest their crops before construction works commence

Sub total (A)			██████████
Capacity Building & Training/institutional strengthening			██████████
Additional Mitigation	GRM Management/Implementation		██████████
	Consultations		██████████
	Disclosure		██████████
Contingency (10% of ARAP compensation budget)			██████████
Sub total (B)			██████████
GRAND TOTAL (A+B)			██████████

CHAPTER NINE: INSTITUTIONAL ARRANGEMENTS- ROLES AND RESPONSIBILITIES

9.1 Introduction

This ARAP recognizes the cross-ministerial and cross-state coordination and collaboration of the many Federal and State Ministries, Departments and Agencies (MDAs) as well as local governments and communities involved in the NEWMAP. This brought about the development of institutional arrangements amongst public agencies with local communities and PAPs with a view to ensuring good project management. The implementation of this ARAP shall require close collaboration among all the stakeholders with a properly constituted structure for administration which shall be agreed by all parties from the onset. The roles and responsibilities of the participating parties in collaborative efforts are well outlined.

The major institutions that are involved in this resettlement process are the Ekiti State Ministry of Environment, the World Bank, and the Resettlement Implementation Committee (RIC)/NGO.

9.2 Institutional Arrangement

The roles and responsibilities of the institutions regarding Resettlement Implementation and Grievance redress is summarized below.

9.2.1 The World Bank

- Maintains an oversight role to ensure compliance with the safeguards policies, review and provide clearance and approval for the ARAP.
- Conduct regular supervision for satisfactory ARAP implementation, fulfilment of community liaison and provide support role throughout the project implementation, and monitor the progress of the project construction.
- Recommend additional measures for strengthening the management framework and implementation performance.
- In case the WB considers the implementation to be not acceptable and no improvements can be expected, it will require that institutional capacity building measures be taken to strengthen the SPMU

9.2.2 Federal Level

Federal Ministry of Environment-EA Department (FMEnv)

- Lead coordinating agency and hosts the Federal Project Management Unit (FPMU).
- FPMU
- Review and issue out circular for disclosure of ARAP
- Certification

Federal Project Management Unit (FPMU)

- Provides an oversight and advisory role in overall project management including resettlement planning and implementation
- Establishes and maintains the project management systems
- reinforce the State level structures
- Supervises through missions

9.2.3 State Level

State Project Management Unit (SPMU)

The SPMU, as the implementing authority, headed by Project Coordinator (PC) & Authorized to take decision on financial matters within the provided budget, has the mandate to:

- Develop and implement ARAPs and other safeguard instruments.
- Drives activities of procurement, capacity building, service-provider mobilization, and monitoring and coordinating the many participating MDAs at State and Local Government levels.
- Study in detail the ARAP, and based on the review of the ARAP prepare a detailed action plan and time table for the day to day ARAP implementation;
- Organize the necessary training and capacity building measures for the unit itself and for other partner organizations and committees;
- Establish all local level institutions and committees which will participate in the implementation of the ARAP and provide them with the necessary training and capacity building measures;
- Coordinates and undertake compensation activities in accordance with the principles and procedures specified in the ARAP
- Implement the income restoration and social development programs and project in accordance with the principles and procedures specified in the ARAP;
- Ensure the systematic undertaking of monitoring, review and evaluation of the ARAP in accordance with the framework and guidelines provided in the ARAP and store the data and information collected in a data base;
- Based on the findings of the monitoring and review take corrective actions and submit monitoring and review reports to the relevant higher bodies for timely corrective measure.
- Facilitate the discussion between PAPs and communities regarding compensation for land acquired for the projects;
- Implement the ARAP including their involvement to redress complaints and internal monitoring.
- Cooperate through a Steering Committee that provides guidance to the technical aspects of all project activities;
- Maintain and manage all funds effectively and efficiently for the projects
- Organize the necessary orientation and training for SPMU officials so that they can carry out consultations with communities, support communities in carrying out ARAPs and implement the payment of compensation and other measures (relocation and rehabilitation entitlement) to PAPs in a timely manner;
- Ensure that progress reports are submitted to the World Bank regularly

SPMU Livelihood Safeguard Officer

- Initiate Implementation of Resettlement Action Plan (whenever the project involves displacement of homes or businesses) or land acquisition of any kind.
- Review and approve Contractor's Implementation Plan for the social impact measures as per the ARAP
- Liaise with the Contractors and the SPMU on implementation of the ARAP and prepare ARAP implementation report.
- Coordinate on behalf of SPMU day to day activities with the relevant line departments and oversee the implementation of ARAP instrument, prepare compliance reports with statutory requirements, etc.
- Monitor and supervise regularly the implementation of ARAP
- Observe payment of Compensation to PAPs.
- Identify and liaise with all relevant Stakeholders pre and post Project implementation.
- Sensitization of and Consultations with relevant Stakeholders during and after (where necessary) Project Implementation.
- Charged with the responsibility of safeguard requirements and ensuring the sustainability of project.

SPMU Engineer

- Provide technical support

Monitoring & Evaluation Officer/Consultant

- Develop the monitoring and evaluation protocol
- Conduct monitoring of ARAP implementation activities.
- Provide early alert to redress any potential problems.
- Monitor target achievements and slippages.

NEWMAP Technical Officer

- Acts as a link between the SPMU and the LGA;
- Sits at the LGA where the site intervention is taking place.

Resettlement Implementation Committee (RIC)

To ensure a broad representation with the intent of minimizing any conflict, it is recommended that a Resettlement Implementation Committee (RIC) be set up and members be drawn from amongst the following:

- Affected Local Government Chairman as Chairman
- Physical Planning /land officer and forester
- Representative of affected Communities,
- PAPs represented by local trade /Union leaders
- Coordinated by the SPMU (Social Safeguards Officer, Project Accountant, Communications Officer and Project Engineer).
- Rep of the Site Committees

Their roles shall include;

- Carry out meeting with each PAPs.
- Provide all necessary information to the PAPs regarding guidance value and basis for calculation of prices offered.
- Negotiate and firm up the final consent price.
- Intimate the decision for payment of compensation to the PAPs
- Ensure the Implementation of the ARAP without any conflict
- Establish dialogue with the affected persons and ensure that the concerns and suggestions are referred to SPMU for appropriate response and management
- All members of RIC must be people who are knowledgeable in the use of local mechanism to settle grievances and who can ensure equity across cases and also be in position to know and eliminate nuisance claims and satisfy legitimate claimants at low cost

Roles and Responsibilities of the Grievance Redress Committee

The following are the roles and responsibilities expected to be executed by the members of the GRC;

- Receiving, acknowledging, evaluating, and analyzing the complaint;
- Assessment of alternative solution for the issues;
- Recording the grievances;
- Consultation with the affected and relevant communities;
- Choosing of the best solution;
- Resolving issues through mediation;
- Informing back complainant from the decision taken;

- Follow-up/implement; and
- Report (number and category of cases, districts, provinces, position, gender and outcome of complaints (rejected/resolved)

9.2.4 Local Level

Local Government

- Coordinates activities at local level during the preparation and implementation of ARAPs such as activities for determining the cut-off date and for actually implementing the resettlement, and for handling any grievances and complaints.
- Responsible for the appraisal of properties affected by the project.
- Provide additional resettlement area and amenities if the designated locations are not adequate.
- Engage and encourage carrying out comprehensive and practical awareness campaign for the proposed project, amongst the various relevant grass roots interest groups.
- Appoint a suitable Desk Officer for ARAP information management
- Participating in sensitization of all communities
- Participate in resolving grievances;
- Monitor implementation of projects and activities of Operational Officers;
- Liaises with State PMU
- Convenes and helps mobilise affected communities within and across targeted sub-catchments
- Oversees community facilitators
- O&M oversight of works
- Participates in site-committees

Technical Officer in Local Government Areas

- Act as liaison to SPMU, MDAs and other organisations working with communities.
- Provide senior technical skill-set and advisory services to communities and LGAs.
- Convene affected and directly participating communities (liaising with neighbouring LGAs as needed).
- Closely interact with community stakeholders and the community facilitators.
- Support site monitoring.

9.2.5 Community Level

Site Committees/ Community Associations

- Project site oversight.
- Identifies erosion problems and helps select and monitor solutions.
- Selects livelihood opportunities.
- Oversee physical works.
- Participate in site monitoring.
- Cooperate with neighbouring communities and LGAs as needed for trans-boundary sub-catchments.

Traditional Authority

- Support in the identification of the right PAPs
- Assist in resolving grievances of PAPs
- Ensures that social values are not interfered with.

Project Affected Persons

- Receive compensation and move away from impact areas promptly

- Coordinate with the survey team/Resettlement Committee in carefully checking and signing off their affected lands and other assets as well as their entitlements;
- Make themselves available during census and participation in implementation;
- Provide feedback on improving the quality of the ARAP and suggesting solutions for its effective implementation and
- Submit concerns through the right grievance redress channel

CBOs/CSOs

- Assist in resolving grievances of PAPs
- Support and assist in the mobilization of the various relevant grass roots interest groups.
- May have complaints that need to be resolved in the execution of the project with a view to avoiding conflicts and grievances.
- Serve as witness in compensation process and Monitoring and Evaluation

9.2.6 Others

Contractors

- Comply with relevant contract clauses on resettlement issues
- Establish good community relations;
- Train the workforce, and avoid any form of discrimination in terms of gender, religion or tribe;
- As much as possible employ the workforce from the project catchment area, and also make procurement therein;
- Try to provide local infrastructure and services in the course of executing the project;
- Ensure that workers and site staff are sensitive to the customs and way of life of the communities.
- Promptly repair any damage to utility services or infrastructure of the community in implementation of the project;
- Office of the Edo State Geographic Information Services and Ministry of Physical Planning and Urban Development
- Ensure compliance on matters of Land Acquisition and compensation and other resettlement issues,
- Verification of selected sites for resettlement and ensuring that such sites are ideally suitable for affected people.
- Ensuring that the project meets with the requirements of resettlement as specified in the report
- Make appropriate recommendation and input in the resettlement process
- Ensuring that affected people are adequately compensated as stated in this report

CHAPTER TEN: TIMETABLE OF EVENTS

10.1 Introduction

The schedule for the implementation of activities must be agreed by the Resettlement Committee, the PAPs and State Project Management Unit (SPMU). These include the target dates for start and completion of all compensation payment before commencement of construction work.

10.1.1 Resettlement Preparation, Implementation, Monitoring and Linkages to Civil Works

Before any civil work commences, PAPs must have received full compensation/resettled in accordance with the entitlement matrix/budget plan established in this ARAP. Only after the ARAP has been implemented will the SPMU or their contractor mobilize to the sites for civil works activities. The major component tasks for the ARAP are outlined in Table 13.

Table 13: Show the Indicative Timetable for Implementing the ARAP

S/N	Activities	Timelines
1.	Cut Off Date	September 29, 2020
5	Finalization of ARAP Report	April 6, 2021
6	Clearance of ARAP Report	April 7, 2021
7	Public Display & Advertisement in the Country	April 15, 2021
8	Disclosure in the World Bank website	April 16, 2021
9	Field verification and validation of claims	April 19, 2021
10	Sensitization of PAPs and Capacity Building/Training	April 20, 2021
11	Payment of compensation and in-kind assistance to vulnerable persons	April 21, 2021
12	Compensation and resettlement assistance completion exercises	April, 22, 2021
13	Submission of compensation and resettlement assistance completion report to the FPMU and the Bank	April 26, 2021
14	Commencement of Civil works upon completion report acceptance	April 27, 2021
15	ARAP Implementation Monitoring/GRM	May, 2021

10.2 Training and Capacity Needs

The implementation of this ARAP shall require that personnel and stakeholders possess the appropriate capacity. During the public consultation, capacity assessment of the PAPs and community representatives were assessed in the area of community conflict/Grievance Redress and ARAP process. The effective functioning of the above mentioned is compromised by limited knowledge on the ARAP process. Thus, knowledge barriers include: Limited knowledge on the principles of Resettlement Action Plan, Monitoring & Evaluation of ARAP Implementation, Conflict Management and Resolution in ARAP implementation as well as ARAPs implementation and monitoring. This capacity building plan has been taken into consideration in the table below.

Table 14: Shows the Training Needs for the Responsible Institutions

Duration	Item	Module	Who to Train	Resources	Estimated Amount
1 Day	Involuntary Resettlement and Rehabilitation Protocol	Principles of Resettlement Action Plan Monitoring & Evaluation of RAP/RAP	SPMU	Full text of OP 4.12 for each participant PowerPoint Presentation	

		Implementation Public Involvement and Consultation in ARAP		Associated Handouts	
1 Day	Grievance Redress Mechanism	Conflict Management and Resolution in ARAP	SPMU, members of Resettlement and Grievance Redress Committees	PowerPoint Presentation Associated Handouts	██████████
1 Day	Basics of Livelihood Restoration	Cash Management and Monitoring Book keeping and Record Management Investment Decision making			██████████
TOTAL: N2,000,000					

10.3 Disclosure of ARAP

This ARAP has been prepared in consultation with the Ekiti State NEWMAP and in conjunction with the project community. Following completion of this ARAP, this ARAP shall be submitted through the Ekiti NEWMAP SPMU for the review and clearance by the World Bank, upon which it will be disclosed at the National and local levels by the SPMU, and this process shall include display at the FMEnv in Abuja and at the World Bank website, to ensure compliance with relevant legislations and OP4.12. The document shall also be disclosed at community level particularly in the community center and/or Community Leader's Palace.

The final version of the ARAP at the evidence of the in-country disclosure should be provided to the World Bank for disclosure on the World Bank website to ensure compliance with relevant legislation and OP 4.12.

CHAPTER ELEVEN: MONITORING AND EVALUATION

11.1 Introduction

Impacts mitigation measures reflected in the ARAP need to be monitored very closely. Monitoring is required in order to ensure: i) compensation and resettlement assistances are delivered on promptly, ii) GRM is functional and disputes are resolved efficiently and, contractor(s) are in full compliance with safeguard requirement and are within the defined setback. Implementation of this ARAP shall be regularly supervised and monitored by the Social Safeguard Officer in coordination with M&E Officer of the SPMU. The findings will be recorded in quarterly reports to be furnished to the FPMU and the World Bank. There will be two levels of monitoring; namely internal monitoring and external monitoring. Under internal monitoring the SPMU M&E officer will lead the task for the SPMU M&E Unit while an external monitoring and evaluation officer will be engaged periodically

11.2 Internal Monitoring

The social safeguard unit of the SPMU will perform periodic monitoring of all resettlement activities in the Unit's portfolio. The SPMU will consult and coordinate with the appropriate Federal and State agencies (e.g., FMEEnv, SEPA) on social monitoring. The SPMU Safeguard section will report at least quarterly on the: implementation schedule, delivery and usage of any resettlement compensation, extent of community involvement and efficiency of resettlement agencies in fulfilling their obligations.

11.3 External/Independent Monitoring

The State Project Implementation Units (SPMU) will engage an independent firm or organization to conduct periodic external assessments of resettlement progress. The State agencies will develop a detailed monitoring work plan for the terms of reference, based on the resettlement plan submitted to and approved by the World Bank. The various State Agencies will select a firm with extensive experience in social survey and resettlement monitoring for this work. The SPMU will review and approve the questionnaires and inventory forms developed by the consultant, as well as the research methods, analytic techniques, and reporting formats proposed by the consultant. The aim of this independent monitoring is to provide verification of key concerns in resettlement, such as compliance with resettlement policies, implementation progress, the extent of effective consultation and participation of local populations, and the direction and extent of changes of income and livelihood among displaced persons. Careful attention to monitoring matters such as these will help ensure equitable benefits for every displaced person. Furthermore, the SPMU will also engage an independent consultant to conduct a ARAP completion audit of the ARAP implementation.

11.4 Monitoring Indicators

In-house monitoring may need to be supplemented by independent external monitors to ensure complete and objective information. Thus, the project has developed an extensive M&E system that includes:

- i. Internal monitoring, in particular reporting by government officials and field consultants, community participatory monitoring;
- ii. External monitoring, with NGOs and journalists providing independent monitoring; and
- iii. Impact evaluation.

Table 15 indicates some specific variables to monitor routinely in the course of implementation.

Table 15: Monitoring Indicators

Indicator	Variable
Consultation	Number of people reached or accessing Information, Information requests, issues raised etc
Consultation and Reach out	Number of local CBOs participating

Compensation and reestablishment PAPs	Physical Progress of compensation and assistance Number of PAPs affected (buildings, land, trees, crops) Number of PAPs compensated by type of loss Amount compensated by type and owner Number of replacement asset recovered Compensation disbursement to the correct parties;
Socio-economic Changes	Level of income and standard of living of the PAPs No of income restored, improved or declined from the pre- displacement levels;
Training	Number of SPMU and ARAP committee members trained
Grievance redress mechanism	No. of cases referred to RCC No. of cases settled by RCC No. of cases pending with RCC Average time taken for settlement of cases No. of RCC meetings No. of PAPs moved court No. of pending cases with the court No. of cases settled by the court
Overall Management	Effectiveness of compensation delivery system Timely disbursement of compensation; Census and asset verification/quantification procedures in place Co-ordination between local community structures, PAPs and SPMU

CHAPTER TWELVE: GRIEVANCE REDRESS MECHANISMS

12.1 Introduction

The likelihood of dispute is much reduced because the few affected persons due to the erosion control and drainage construction works have been greatly consulted.

Nevertheless, in the event that grievances arise this redress mechanism has been prepared. Already, the affected persons have been helped to appreciate that there are provisions for addressing any complaints or grievances. The grievance procedure will further be made available to the affected person through project implementation.

The major grievances that might require mitigation include:

- Dispute between contractors and the stakeholders;
- Dispute between contractors and the host community;
- Losses not identified correctly;
- Inadequate assistance;
- Dispute about ownership;
- Delay in disbursement of assistance and improper distribution of assistance;
- PAPs not listed;

12.2 Grievance Redress Process

There is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs, and project conditions and scale.

In its simplest form, grievance mechanisms can be broken down into the following primary components:

- Receiving and registering a complaint.
- Acknowledge grievance
- Screening and assessing the complaint.
- Formulating a response.
- Selecting a resolution approach.
- Implementing the approach.
- Announcing the result.
- Tracking and evaluating the results.
- Learning from the experience and communicate back to all parties involved.
- Preparing a timely report to management on the nature and resolution of grievances.

The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs, and project conditions and scale. For the storm water and drainage control project, all the grievances will be channelled via the Resettlement and Compensation Committee (RCC) for each sub project at the sector level.

For NEWMAP Additional Financing, it is recognized that the formal legal mechanisms for grievance redress tend to be lengthy and acrimonious procedures, and thus an informal grievance redress mechanism through the SPMU Safeguard Units will be established. This unit will work with a committee comprising administrative head of local governments; community/village chiefs, NGOs/CBOs and other relevant Government organs that will be set-up to address complaints.

Three levels of grievance redress channels have been identified and will be operationalised for the erosion control and drainage construction works:

12.2.1 First Level GRM: RCC at the Site/Community Level:

Complaints regarding project implementation and activities arising from the project area shall be channelled to the Village head, who shall convene the RCC committee at that level to review and address the complaint. The underlying merit is that the community has proven a notable channel for conflict resolution in the project area. The Village head shall head this committee while membership of the committee will consist of those outlined in the table below;

Table 16: Membership of Community Level RCC

S/N	Membership	No of Persons	Designation
1	Community Leader	1	CHAIRMAN
2	1 Representative from CBOs	1	MEMBERS
3	Representative from Ministry of Land and Survey	1	MEMBER
6	Environmental Officer (SPMU)	1	
7	Representative from Focal NGO	1	MEMBER
8	Social and Livelihood Officer (SPMU)	1	SECRETATRY
9	2 Representatives of PAPs (male and Female)	2	MEMBERS

This committee will be expected to report to the SPMU. In addition, complaint box will be placed in the Community leader's palace, where complaints from PAPs can be dropped without retribution. The complaints are received (in written, verbal or electronic form) at various points at Community Level. These points may include one or more of the following;

- a) Complaint box
- b) Mobile application (WhatsApp, Telegram) Complaint line
- c) Toll-free/hot lines

The various points of receiving complaints at the provincial level would be as follows:

- a) Respective LGAs;
- b) Community Town hall
- c) Designated spots along the road
- d) Traditional Ruler's Palace
- e) SLO (SPMU)

After registering the complaint in the Grievance Redressal Registration and Monitoring Sheet, the Chairman of the community level RCC would study the complaint made in detail and issue an acknowledgement letter within five working days, including an outline of the complaint review and appeal process. A written response shall be issued within two weeks. The Community level RCC shall coordinate a meeting with the aggrieved party to address such issues. The deliberations of the meetings and decisions taken are recorded.

The resolution at the first tier will be normally done within 14 working days and notified to the concerned through a disclosure form. Should the Grievance not be solved within this period, this would be referred to the next level of Grievance Redressal. However, if the social safeguard officer feels that adequate solutions are being worked out and it would require a few more days for actions to be taken, he can decide on retaining the issue at the first level by informing the complainant accordingly. However, if the complainant requests for an immediate transfer of the issue to the next level, it would be accepted, and the issue would be taken to the next channel. But in any case, if the issue is not addressed within 21 days, it needs to be taken to the next level.

12.2.2 Second Level of GRM: RCC at the SPMU Level:

The PMU shall receive, hear and address complaints arising from the project implementation. The Representative from Min of Environment shall head this committee while membership of the committee shall be as outlined in the table below;

Table 17: Membership of State Level RCC (PMU-RCC)

S/N	Membership	No of Persons	Designation
1	Representative from Ministry of Environment	1	CHAIRMAN
2	Representative from Ministry of Agric	1	MEMBER
3	Representative from Ministry of Land and Survey	1	MEMBER
4	Representative from Ministry of Water Resources	1	MEMBER
5	Ministry of Local Govt And Chieftaincy Affairs	1	MEMBER
6	Project Accountant in SPMU	1	MEMBER
7	Representative from focal NGO	1	MEMBER
8	Environmental Officer (SPMU)	1	MEMBER
9	SPMU Coordinator	1	MEMBER
10	SLO (SPMU)	1	SECRETATRY
11	2 Representatives of PAPs (Male and Female)	2	MEMBERS

If the complainant is not satisfied by the first level RCC response nor has a complaint regarding their decision-making process, they can directly write to the SPMU. All complaints submitted to the SPMU shall be logged with a unique ID code. Complainants shall receive an acknowledgement letter within 5 working days, including an outline of the complaint review and appeal process. The complaint shall be filed according to a tracking system, so that complaints are classified, and responded to consistently. Furthermore, the complaint shall be discussed within the SPMU and responded to in writing within 2 weeks. The SPMU shall also convene a meeting of the aggrieved parties if required. The SPMU shall undertake a six-monthly internal review of the complaint handling mechanism, and make necessary corrections, if need be.

The SPMU-RCC will hold the necessary meetings with the complainant and the concerned officers and attempt to find a solution acceptable at all levels. RCC would record the minutes of the meeting.

The decisions of the PMU-RCC are communicated to the complainant formally and if he accepts the resolutions, the complainant's acceptance is obtained on a disclosure form.

If the complainant does not accept the solution offered by the SPMU-RCC, then the complaint is passed on to the next level / or the complainant can reach the next level. The Chairman of the SPMU-RCC would be require to forward the issue to the next level through the Secretary of the SPMU-RCC to facilitate in exploring a solution to this at this level before transferring it to the Third level. In any case the case should be forwarded to the next level if no solution is reached within 14 days of the case reaching the second level and, in a case(s), nearing the required solution, it can be retained to an extent of 21 days.

12.2.3 Third Level of GRM: RCC at the State Technical Committee Level:

Any unresolved matter at the SPMU level will be channelled to the Project Technical Committee. The committee at this level shall be headed by the Commissioner for Environment while the SLO shall serve as the secretary of the committee.

The unresolved matter may be due to dissatisfaction of the aggrieved party with the Community or SPMU response or has a complaint about the overall NEWMAP or there is a time delay of more than a month in solving the issue. This committee shall convene on a case-by case basis, arbitrate the issue based on the guidelines established, and convene the necessary stakeholders if necessary. All the stakeholders, including state and non-state actors shall be able to lodge a complaint with the TC-RCC.

The TC -RCC will be constituted as the Third Level of Redressal to look into the problems not solved in the Second Level. Membership of the RCC at this level shall constitute as outlined in the table below;

Table 18: Third Level RCC (TC-RCC)

S/N	Membership	No of Persons	Designation
1	Commissioner for Environment	1	CHAIRMAN
2	PAP representatives	2	MEMBERS
3	Representative from Focal NGO	1	MEMBER
4	FPMU SLO	1	MEMBER
5	Representative from Umbrella NGO	1	MEMBER
6	SLOs FROM 2 SPMUs	2	MEMBERS
7	Environmental Officer (SPMU)	1	MEMBER
8	SLO (SPMU)	1	SECRETATRY
9	2 Representatives of PAPs (Male and Female)	2	MEMBERS

The Traditional/Community Leaders and the Commissioner of Local Government of the project Community will be the invitees to the Committee meetings to enable the TC-RCC to understand the deliberations of the Community Level RCC.

The Social Safeguard Officer of the SPMU will collect all the details of the Grievance including the deliberations of First and Second level efforts and present it to the TC-RCC. The TC-RCC will deliberate upon the issue and give suitable recommendations and record their discussions. The decisions of the TC-RCC are communicated to the complainant formally and if he accepts the resolutions, the complainant's acceptance is obtained on a disclosure form.

The decisions of the TC-RCC would be final from the Project side and the Complainant may decide to take a legal or any other recourse if he /she is not satisfied with the resolutions due to the deliberations of the Third Level RCC. If affected person is not satisfied with the decision received, he/she can, as a last resort, appeal to a court of competent jurisdiction. Affected persons will be exempted from all administrative and legal fees incurred pursuant to grievance redress procedures.

12.2.4 Awareness of GRM

GRM should be given a wide publicity among stakeholder groups such as affected parties, government agencies, and civil society organizations. Effective awareness of GRM process makes people better

understanding about their options, depending on the types of complaints. Awareness campaigns should be launched to give publicity to the roles and functions of the GRM.

Awareness should include the following components:

Scope of the project, planned construction phases, etc.;

Types of RCCs available; purposes for which the different GRMs can be accessed, e.g., construction-related grievances, grievances related to physical and economic displacement,

Eligibility to access the GRM.

How complaints can be reported to those RCC and to whom, e.g., phone, postal and email addresses, as well as information that should be included in a complaint;

Procedures and time frames for initiating and concluding the grievance redress process; boundaries and limits of GRM in handling grievances; and roles of different agencies such as project implementer and funding agency.

A variety of methods that can be adopted for communicating information to the relevant stakeholders. These methods could include display of posters in public places such as in government offices, project offices, community centers, hospitals and health clinics of the area.

Similarly, an effective awareness program should be arranged to educate the PAPs on the following:

Members of RCC and its location

Method of complaining or reporting the grievance

Taking part in the RCC meeting (is any companions of the complainant allowed) The steps of resolving process and timeline adopted in this mechanism.

Needed documents and evidence to support the complaint.

This information should be part of a simple brochure that explains the different grievance redress possibilities for PAPs.

12.3 GRM Jurisdiction:

This is a project specific GRM and applicable to solve the concerns of the stakeholders of the Project. This is however not intended to bypass Governments own redress process; rather intended to address affected people's concerns and complaints promptly, making it readily accessible to all segments of the affected people and is scaled to the risks and impacts of the Project. The Government Redress mechanism takes priority over this one.

12.4 Expectation When Grievances Arise

When local people present a grievance, they expect to be heard and taken seriously. Therefore, the SPMU and others such as the engineers involved in one aspect of the project or other must convince people that they can voice grievances and work to resolve them without retribution.

It should be understood that all or any of the following is or are expected from the project management/channel of grievance resolution by the local people:

acknowledgement of their problem,

an honest response to questions/issues brought forward, an apology, adequate compensation,

modification of the conduct that caused the grievance and some other fair remedies

12.5 Management of Reported Grievances

- a) The procedure for managing grievances should be as follows:
- b) The affected person files his/ her grievance, relating to any issue associated with the resettlement process or compensation, in writing or phone to the project Resettlement and Compensation committee (Phone numbers will be provided by the SPMU). Where it is written, the grievance note should be signed and dated by the aggrieved person. And where it is phone, the receiver should document every detail.
- c) A selected member of the Site Committee will act as the Project Liaison Officer who will be the direct liaison with PAPs in collaboration with an independent agency/NGO to ensure objectivity in the grievance process.
- d) Where the affected person is unable to write, the local Project Liaison Officer will write the note on the aggrieved person's behalf.
- e) Any informal grievances will also be documented

12.6 Grievance Log and Response Time

A grievance log will be established by the project and copies of the records kept with all the relevant authorities. A review of grievances will be conducted at least once in every three months during implementation in order to detect and correct systemic problems.

In addition, where displacement is unavoidable and displaced people are dissatisfied with the compensation and rehabilitation offered, The SPMU will establish an informal forum for the presentation and consideration of individual appeals after the administrative route has been exhausted. The informal forum will include local government, and other concerned responsible parties, as deemed appropriate them.

The existence, location, purpose and composition of this forum will be publicized, so that displaced persons are knowledgeable about the availability of this forum for resolving any grievance. If a grievance cannot be resolved in these informal venues, the complainant may take recourse to the administrative and legal systems for satisfaction.

Table 19: Implementation Plan for Grievance Redress

Steps	Process	Description	Completion Time frame	Responsible Agency/Person
1	Receipt of complaint	Document date of receipt, name of complainant, village, nature of complaint, inform the SPIU	1 day	Secretary to GRC at project level
2	Acknowledgement of grievance	By letter, email, phone	1-5 days	Social safeguard officer at SPMU
3	Screen and Establish the Merit of the Grievance	Visit the site; listen to the complainant/community; 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/OP 4.12	21 days or at a time specified in writing to the aggrieved PAP	PC-PMU and Social safeguard Officer
5	Extra intervention for a dissatisfied scenario	Review the redress steps and conclusions, provide intervention solution	2-3 weeks of receiving status report	PC-PMU
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
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The SPMU Social Safeguards Officer will ensure that each complaint has an individual reference number and is appropriately tracked and recorded actions are completed. The log also contains a record of the person responsible for an individual complaint, and records dates for the following events:

- Date the complaint was reported.
- Date the Grievance Log was uploaded onto the project database.
- Date the information on proposed corrective action sent to complainant.
- The date the complaint was closed out.
- Date response was sent to complainant.
- Monitoring Complaints

Table 20: Typical Reporting format for Grievance Redress

Community project & Name of Complainant	Type of Grievance					Grievance Resolution			
	Affected, but not informed about impacts and options	Compensation awarded is inadequate	Compensation not paid for assessment acquisition	Resettlement benefits awarded are not provided	other	Date of complaint	Date received	Pending	Case referred to the Court
Community Leader									
1. Complainant									
2. Complainant									
3. Complainant									
TOTAL									

12.7 Monitoring Complaints

The Project Liaison Officer will be responsible for: providing the grievance Committee with a weekly report detailing the number and status of complaints any outstanding issues to be addressed monthly reports, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action.

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