



GOVERNMENT OF SIERRA LEONE

Ministry of Finance

Resilient Urban Sierra Leone Project (RUSLP)

[P168608]

Resettlement Policy Framework

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ABBREVIATIONS AND ACRONYMS

CERC	Contingent Emergency Response Component
COVID-19	Coronavirus
CPF	Country Partnership Framework
CPITs	City Project Implementation Teams
CRP	City Resilience Program
DFID	United Kingdom’s Department for International Development
DRM	Disaster Risk Management
DRMA	Disaster Risk Management Agency
EIA	Environmental Impact Assessment
EOC	Emergency Operations Center
ESAP	Environmental and Social Impacts Assessment Procedures
ESCP	Environmental and Social Commitment Plan
EDSA	Electricity Distribution and Supply Authority
ESF	Environmental and Social Framework
ESHS	Environmental, Social, Health and Safety
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Safeguards
FCC	Freetown City Council
FDD	Fiscal Decentralization Division
FERP	Freetown Emergency Recovery Project
FM	Financial Management
GEB	Global Environmental Benefits
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GEF	Global Environment Facility
GHG	Greenhouse Gas
GIS	Geographic Information System
GoSL	Government of Sierra Leone
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
IDA	International Development Association
IT	Information Technology
LoCASL	Local Councils Association of Sierra Leone
LCs	Local Councils
M&E	Monitoring and Evaluation
MCA	Market Comparison Approach
IMF	International Monetary Fund
MDAs	Ministries Departments and Agencies
MLHCP	Ministry of Lands, Housing and Country Planning
MoPED	Ministry of Planning and Economic Development
NDP	National Development Plan
NBS	Nature-Based Solutions
NCPD	National Commission for Persons with Disability
NDMA	National Disaster Management Agency
NEMS	National Emergency Medical Services
NLC	National Land Commission
OARG	Office of Administrator and Registrar General

ONS	Office of National Security
OP	Operational Policy
OSR	Own Source Revenue
PACs	Project Affected Communities
PAI	Project Area of Influence
PAPs	Project Affected Persons
PDO	Project Development Objective
PIC	Public Information Center
PMU	Project Management Unit
POM	Project's Operational Manual
PPP	Public-Private Partnership
PPSD	Project Procurement Strategy for Development
PSC	Project Steering Committee
RAP	Resettlement Action Plan
RCA	Replacement Cost Approach
RPF	Resettlement Policy Framework
RUSLP	Resilient Urban Sierra Leone Project
SCIP	Sustainable Cities Impact Program
SEP	Stakeholder Engagement Plan
SME	Small and Medium Enterprise
SSA	Sub-Saharan Africa
SWM	Solid Waste Management
TA	Technical Assistance
ToR	Terms of Reference
WARDC	Western Area Rural District Council
WB	World Bank

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EXECUTIVE SUMMARY

The preparation of Resettlement Policy Framework (RPF) is required for World Bank funded assisted investment projects that may entail land acquisition and restrictions on land use that can have adverse impacts on communities and persons. The project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both.

The objective of this document is therefore to provide guiding principles for the implementation of the Resilient Urban Sierra Leone Project (RUSLP) in order to ensure timely, adequate and efficient roll out of activities in ways that will avoid, minimize, and compensate for all adverse impacts before project implementation. It provides the mandatory basis for developing site specific resettlement instruments (Resettlement Action Plans), which will be developed as appropriate for subprojects (project components) that lead to resettlement.

The RPF is prepared in accordance with the legal system, laws and procedures of Sierra Leone, in conformity with World Bank's Environment and Social Framework (ESF) especially Environment and Social Standard Five (ESS 5) which provides the requirements for project Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement.

Project Objectives

The development objective of RUSLP is to improve urban management, service delivery, and disaster emergency management in Freetown and select cities of Sierra Leone. The key indicators for tracking progress toward the achievement of the objective include:

Outcome 1: Improved institutional capacity for urban management

- City Councils with new/updated planning instruments and staff trained (percentage)
- Own source revenue increased (percentage)

Outcome 2: Improved urban living conditions

- People provided with increased access to resilient municipal infrastructure and services (number, disaggregated by gender and city)

Outcome 3: Enhanced emergency preparedness and response capacity

- Regional DRM hubs with decentralized emergency response services established (percentage).
- Number of the population with access to early warning systems (number)

Project Component:

The project has four primary components and subcomponents as follows:

Component 1: Institutional and Capacity Development in Integrated Urban Planning

Subcomponent 1.1: Strengthening urban planning and spatial Data Infrastructure.

Subcomponent 1.2: Upgrading Urban Property Tax Administration and System

Under component 1, the Project will also finance the creation and implementation of a citizen engagement digital platform in which citizens can access the status of activities funded under the Project and provide feedback. This platform will be piloted in Freetown initially with the objective to scale it up nationwide.

Component 2: Resilient Municipal Infrastructure Investment and Urban Greening

Subcomponent 2.1: Neighborhood upgrading and greening in Freetown

Subcomponent 2.2: Solid waste management upgrading in Freetown and secondary cities

Subcomponent 2.3: Market upgrading in select secondary cities.

Component 3: Emergency Management Institutional and Capacity Development

Subcomponent 3.1: Strengthening Emergency Preparedness and Response Systems

Subcomponent 3.2: Contingent Emergency Response Component

Component 4: Project Management

Project Benefits and Beneficiaries:

Several benefits will accrue from the implementation of the Resilient Urban Sierra Leone Project (RUSLP).

A. Climate Co-Benefits:

The Project investments in infrastructure, urban greening (planting and nurturing about 1 million trees in the Western Area) and emergency preparedness under components 2 and 3, and the technical assistance to strengthen institutional and capacity building (subcomponent 1a) will have substantial climate change adaptation and mitigation co-benefits.

- Service delivery upgrading in vulnerable neighborhoods includes flood and landslide risk reduction measures combined with the integration of nature-based solutions, including tree planting. Community awareness campaigns will complement the physical interventions.
- The tree planting will increase green spaces and additional vegetation areas, thereby contributing to the increase in greenhouse gas sequestration.
- The SWM upgrading will support the eventual closure of unsafe and uncontrolled dumpsites

which will reduce the current emission of massive amount of CO₂, methane, and leachate directly into the surrounding environment.

- The TA will support knowledge development for climate change and mainstream climate-related considerations into solid waste management, urban planning and settlement upgrading, which can significantly contribute to mitigating carbon emissions and avoiding climate-vulnerability lock-in and strengthening urban resilience to disaster risks and climate-related impacts.

B. Project beneficiaries:

The project is estimated to benefit about 1.7 million people, including residents and businesses in the seven targeted cities, namely Greater Freetown including Western Area Rural District (WARDC), Makeni, Koidu New Sembehun, Kenema, Bo, Port Loko, and Bonthe.

Purpose/objectives of the RPF

The purpose of the Resettlement Policy Framework (RPF) is to establish a comprehensive framework to guide and govern the entire RUSLP as civil works packages are defined for funding. The RPF gives a framework for the policy, principles, institutional arrangements and procedures that the Project Management Unit (PMU) in collaboration with the Resettlement and Compensation Committee will follow in each civil works package involving resettlement. The RPF clarifies the rules for identifying people who may be affected by the implementation of project and takes into account the requirements of the new Environment and Social Framework (ESF) especially Environment and Social Standard (ESS) 5, and the national laws and regulations of Sierra Leone that deal with Involuntary Resettlement. The document sets out actions for addressing and mitigating potential adverse social impacts of the Project.

Methodology:

The preparation of this RPF largely depended on extensive review of relevant secondary data within the Government of Sierra Leone and the World Bank to gain insight into the World Bank and Sierra Leone legal framework on resettlement related issues. Key stakeholders in the project also provided data and information needed for the preparation of the RPF.

The main documents reviewed for the preparation of the RPF include the draft Project Appraisal Document for RUSLP; draft ESCP for RUSLP; draft SEP for RUSLP; relevant Sierra Leonean policies, plans and regulations regarding resettlement, land take and compensation; ESF (ESS 5) on Involuntary

Resettlement; RPFs already prepared for similar World Bank financed projects in Sierra Leone and in the larger West African sub region especially Ghana; relevant literature from internet sources.

The key stakeholder consultations for the preparation of the RPF took place from 9th June to 6th August 2020. The COVID-19 pandemic did not permit face-to-face meetings with the various stakeholder groups. Hence, the meetings were held via zoom, phone calls, WhatsApp messages, and email correspondence to collect the needed information required for the preparation of the RPF. Specifically, the stakeholder groups were consulted to identify major resettlement related issues that may arise from the implementation of the RUSLP, as well as confirm the legal and institutional framework that will be used to guide the implementation of the RPF.

The key stakeholders consulted as part of the preparation of the RPF included:

1. Fiscal Decentralization Division of the Ministry of Finance
2. Project Fiduciary Management Unit (PFMU) of the Ministry of Finance
3. Decentralization Secretariat of the Ministry of Local Government and Rural Development (MLGRD)
4. Ministry of Works and Public Assets
5. Environmental Protection Agency (EPA)
6. Ministry of Environment
7. Quantity surveyors
8. Freetown City Council- Safeguards and Procurement Officer on RUSLP
9. Western Rural Council- Development Planning Officer and Civil Engineer
10. Bo City Council-Development Planning Officer
11. Kenema City Council -Civil Engineer
12. Makeni City Council-Civil Engineer
13. Koidu New Sembehun City Council-Chief Administrator and Deputy Chief Administrator
14. Bonthe Municipal Council-Chief Administrator
15. Port Loko City Council-Chief Administrator
16. Community leaders (Freetown, Bo, Kenema, Bonthe)
17. CSOs- CODOHSAPA and Green Scenery
18. Disability Association- National Commission for Persons with Disability
19. Women centered bodies- 50:50
20. Environmental Foundation for Africa (EFA)

21. Rainbo Initiative

The Legal Framework for RPF

The legal framework relating to resettlement issues consists of the various pieces of Sierra Leone legislation and World Bank's new Environment and Social Framework (ESF). The national environmental and other statutory laws and legislation particularly relevant to the project include the following:

1. The Constitution of Sierra Leone (1991) and the Protection of Individual Property
2. National Lands Policy (2015)
3. National Environmental Policy (1994)
4. National Environmental Policy (1994) and Cultural Heritage Issues
5. The Local Government Act, 2004
6. The Provinces Land Act, Cap 122 (enacted in 1927)
7. The Concessions Act, Cap 121
8. State Lands Act 1960
9. The Unoccupied Lands (Ascertainment of Title) Act, Cap 117
10. The Survey Act, Cap 128
11. The Registration of instrument Act, Cap 256

Table 1 of the RPF provides a comparison between the World Bank's Environment and Social Framework (ESF), especially Environment and Social Standard (ESS) 5, and the applicable laws and regulations in Sierra Leone.

Eligibility Criteria

The RPF applies to project activities (sub-projects or components) that require (permanent or temporary) involuntary land acquisition of land where involuntary resettlement is unavoidable. This policy will cover all economically and/or physically displaced persons and whether they have legal title to the land. Particular attention will be paid to the needs of vulnerable groups among those economically and/or physically displaced especially women headed households, low income households, households headed by elderly with no support and households headed by physically challenged people or other economically and/or physically displaced persons as defined by the laws of Sierra Leone. Based on the nature of RUSLP, the most likely project affected persons (PAPs) to be directly affected by the Project civil work activities include:

- Farmers and owners of trees
- Owners of residential land/houses
- Tenants
- Squatters and
- Business owners

The various forms of evidence to show as proof of eligibility will include:

1. Affected persons with formal legal rights, documented in the form of land title registration certificates, leasehold indentures, tenancy agreements, rent receipts, building and planning permits, business operating licenses, utility bills among others. Unprocessed/unregistered formal legal documents will not bar eligibility and procedures for confirming authenticity of such documents will be established in the RAP.
2. Witnessing or evidence by recognized traditional authority
3. Affidavit signed by landlords and tenants
4. Affected persons with no formal or recognized legal rights. Criteria for establishing informal, undocumented or unrecognized claims to eligibility shall be established during RAP preparation paying particular attention to each situation and its peculiarities.

Generic Potential Social Risks and Impacts

It is estimated that the Project will directly benefit about 1.7 million people, including residents and businesses in the seven targeted cities, namely Greater Freetown including Western Area Rural District (WARDC), Makeni, Koidu New Sembehun, Kenema, Bo, Port Loko, and Bonthe. The main benefits will stem from improved access to services (across a range of sub-sectors, including access roads, solid waste management, sanitation, markets, storm water drainage (and reduction of flooding), and street lighting; and living and working conditions as well as from job opportunities from labor-intensive construction activities and community tree planting intervention. The participating cities' administration and national public-sector staff will benefit from training and support to gradually improve their management capacity and provide services to the city inhabitants. Central government entities involved in the Project will also benefit from capacity building to better fulfil their role. The local construction sector, especially SMEs, will benefit from contract opportunities of the Project. Finally, the national disaster preparedness and response strengthening intervention will have country-wide benefits.

Resettlement Preparation Processes

1. Categorization of project activities with respect to land needs:

The resettlement preparation process will begin with screening of RUSLP subprojects/ activities by the Social specialist in the PMU to determine if there is need for the preparation of any resettlement instrument (RAP).

2. Preparation of the Resettlement Action Plan (RAP)

The RAP will be prepared by the PMU to mitigate physical and/or economic displacement and livelihood losses. The tasks/ToR and contents for the preparation of the RAP is given in Appendix 2. All RAPs must be prepared by the PMU, approved by the World Bank and disclosed prior to commencing resettlement activities.

3. Conducting a Census of Affected Persons and Assets

Upon identification of the need for involuntary resettlement in a sub-project, the PMU will recruit a consultant to carry out a census and socio-economic study to identify the persons who will be affected by the sub-project, and what their losses will be. This will help the project to determine who will be eligible for assistance early enough in the project cycle. It will also help to prevent an inflow of ineligible people living outside the sub-project area of impact but who might want to take advantage and claim for assistance. The completion of the census will mark the cut off-date for eligibility for compensation.

4. Consultations during Resettlement Action Planning and Implementation

Consultations with stakeholders including PAPs will be an integral part in the RAP preparation, implementation and monitoring processes at all stages and stakeholders should have access to the RAP. Consultations should happen in local language where possible; women should be consulted separately if that is more appropriate. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc.

5. Openness and Transparency

Under this Project, openness and transparency will be achieved through rigorous information, education and communication system and citizen participation in decision making.

Property Valuation and Compensation

All affected properties shall be evaluated to determine the overall Compensation Payable as part of the assessment of resettlement related issues under the RUSLP. The scope of the valuation covers land, structures and crops/economic trees on the project sites to be affected. Loss of income or disruptions to livelihoods are considered as far as it may be appropriate for payment of compensation for the period of disruption of land, structures, livelihood, and businesses. The basis of the valuation will be the Full Replacement Cost for immovable assets in accordance with the World Bank's new Environment and Social Framework (ESF), especially ESS 5; the National Lands policy 2015; and the Constitution of Sierra Leone.

The Department of Housing under the Ministry of Land, Housing and Country Planning (MLHCP), together with the Survey Department under the Ministry of Works and Public Assets (MWPA), will be requested to value affected assets/properties based on the full replacement cost principle (which includes transaction cost such as any fees or transfer taxes, cost of registration of titles, and transport costs etc.).

The types of compensation for use in the implementation of the RPF include cash payment and in-kind compensation.

Cash payment: Cash payment compensation will be calculated and paid in Leones. Rates will be based on market value of land when known and estimated full replacement value of structures/crops.

In-kind compensation: In-kind compensation may include items such as land, buildings, building materials, and financial credit for equipment.

Implementation Arrangements

The Fiscal Decentralization Division (FDD) of the Ministry of Finance, through an internal Project Management Unit (PMU-FDD), will provide overall oversight for the screening, preparation and implementation of the resettlement activities. The PMU has been established and is currently staffed with a project manager, an environmental specialist, a social specialist, a community liaison and communications specialist and a gender and gender-based violence specialist as well as an M&E officer to support project execution. A Project Steering Committee (PSC) will be established to oversee project planning and execution as well as facilitate effective coordination of the project, and will comprise of senior representatives of key Ministries Departments and Agencies (MDAs) such as Ministry of Local Government, Ministry of Environment, Ministry of Lands and Housing, and Ministry of Planning and

Economic Development, and 2-3 representatives from the relevant Local Councils. The PSC will meet at least every quarter to resolve strategic issues affecting project execution, provide policy guidance, and review project implementation progress and results indicators. The PMU will serve as the secretariat to the PSC.

Grievance Redress Mechanism (GRM)

The Grievance Redress Mechanism (GRM) is designed to resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. It outlines a transparent and credible process for fair, effective and lasting outcomes. Similarly, it builds trust and cooperation as an integral component of broader community consultation that facilitates corrective actions. Specifically, the GRM:

1. Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants.
2. Avoids the need to resort to judicial proceedings as a way of seeking redress.
3. Provides affected people with avenues for making a complaint or resolving any dispute that may arise during the implementation of project.

Grievances will be handled at the Project Steering Committee (PSC) level through different grievance uptake channels. The GRM will provide for anonymous reporting in ways that will ensure confidentiality and anonymity. This will create an enabling environment to allow for grievances to be raised by project affected persons without fear of victimisation. The GRM process will be coordinated by the Social Safeguards Specialist at the PMU to ensure transparency and accountability in the resolution of complaints.

The GRM will include the following steps:

1. Receiving and registering complaints at central grievance registration center
2. Screening and assessing the complaint
3. Formulating a response within agreed timelines as indicated in section 9 of this RPF
4. Selecting a resolution approach
5. Implementing the approach

6. Announcing the result
7. Social Safeguards Specialist at the PMU monitoring the resolution timelines to ensure feedback is provided to complainant(s) within agreed timelines
8. Learning from the experience and communicating back to all parties involved
9. Preparing timely reports to management on the nature and resolution of grievances

Stakeholder Engagement and Consultations of RPF

The preparation of the RPF was informed by extensive stakeholder consultation and participation. Key project stakeholders consulted during the preparation of the RFP included Ministries, Departments and Agencies (MDAs), Local Councils, Private Organizations, Non-Governmental Organizations and local communities as detailed in Appendix 6. Therefore, the RPF and its associated instruments, such as the RAP are public documents that are accessible to the public throughout the project life cycle. The PMU shall be responsible for all disclosure of documents and must ensure that the RPF is published on the website of the Ministry of Finance and all other available channels of information disclosure including publishing in local languages in the various local communities. The PMU shall also present all documents such as the RPF and related documents to the Project Affected Persons (PAPs), including vulnerable groups in form that they will understand.

The PMU must ensure that affected persons participate throughout the development and implementation of resettlement activities and in the land acquisition process during implementation.

Monitoring and Evaluation Arrangements

Arrangements for monitoring of resettlement activities by the PMU to ensure the RAP is implemented as required and complete and objective information are collected to measure inputs, outputs, and outcomes of the resettlement activities. Citizen engagement will be ensured by the development and implementation of a digital citizen engagement platform where citizens can access the status of activities funded under the Project and provide feedback. This will be complemented by a continuous iterative beneficiary monitoring and regular social audit to allow the project to adjust the implementation approach on a real-time basis.

The Monitoring and Evaluation Specialist together with the Safeguards Specialists at the PMU in collaboration with the Local Councils will ensure strict compliance with all the safeguards commitments

and protocols put in place for the project. The following indicators shall be closely monitored, tracked, and reported on at the time periods stipulated in the Project Results Measurement Framework.

1. Number of subprojects screened on environmental and social safeguard grounds.
2. Number of subprojects with RAPs;
3. Number of RAPs implemented according to schedule;
4. Number/frequency of safeguard supervision and annual Project reviews undertaken.
5. Numbers of households/individuals affected by the RUSLP Project activities;
6. Number of individuals physically or economically displaced;
7. Numbers of households/individuals benefitting from the RUSLP activities
8. Number of women benefitting from the RUSLP activities;
9. Number of youth (between the ages of 15 and 35 years benefitting from the RUSLP activities);
10. Number and sizes of individual family or stool lands acquired for the RUSLP activities;
11. Amounts of compensation paid; and
12. Number of grievances registered, and number resolved.

Budget for implementation of RPF and preparation of RAP

The budget for the implementation of the RPF is estimated to be US\$60,000 which includes the cost of training, sensitization, and awareness creation programs. Public Disclosure and monitoring and evaluation will be funded by the project. Also, the cost for the implementation of the RAPs cannot be estimated at this stage. Involuntary Resettlement will likely happen in multiple sub-project locations which have not yet been determined and the magnitude of resettlement not defined. However, an outline of the indicative costs of resettlement and compensation will be expenditures relating to (1) the preparation of the resettlement instrument, (2) relocation and transfer, (3) income losses and livelihood restoration plan, and (4) administrative costs.

1.0 INTRODUCTION

1.1 General Background

Urbanization provides enormous economic opportunities. However, if these opportunities are not managed effectively, cities are likely to succumb to the ever-growing threat of natural hazards including health exposures like the Coronavirus (COVID-19) pandemic. Cities, like Freetown, are the engines of growth for economic development. For millions of people to be lifted out of poverty, a comprehensive urban structural transformation is required whereby labor in the agricultural sector steadily moves into high productivity jobs in urban manufacturing and services. According to the World Bank Urban Sector Review, *'no country has ever reached middle-income status without urbanizing'*. This underscores the tremendous potential of cities to drive productivity and economic growth as a result of agglomeration. Agglomeration is an economic growth trigger whereby businesses and people are clustered in an environment that promotes effective scale and specialization. Nonetheless, this economic trigger comes with an increased vulnerability to natural hazards and disease outbreaks. Due to the large concentration of people and assets in such urbanized towns, the impact of such natural hazards and disease outbreaks like COVID-19 tend to be phenomenal. However, these impacts can be significantly mitigated if cities like Freetown are managed effectively.

The global COVID-19 pandemic and the outbreak in Sierra Leone pose significant developmental risks. The multidimensional risks that Sierra Leone contends with will be dramatically amplified when these risks intersect with the COVID-19 impacts. COVID-19 mitigation measures to reduce the spread of the virus have dramatically slowed economic activity, disrupting domestic and global supply chains and significantly reducing local employment and output, while the economy is likely to experience direct fiscal impacts from the health system's efforts to contain the disease outbreak.¹ Shutdown of businesses and resulting job losses, decline in tourism and travel and resulting job losses, unanticipated increase in health expenditure and resulting upsurge in public debt burden, and tighter financing conditions despite interventions through monetary policy to cut interest rates.

Against this backdrop, the Government of Sierra Leone (GoSL) has requested the World Bank's support to improve urban management and disaster resilience in Sierra Leone. RUSLP is an ambitious intervention designed to respond to the significant urban opportunities and challenges in Freetown as well as the secondary cities of Sierra Leone. As an integrated intervention, RUSLP applies a spatial

¹ In terms of preparedness, surveillance, isolation, and treatment of those affected by the disease.

approach to address, the multi-sectoral urban development challenges of Sierra Leone in a comprehensive manner. These challenges include poor urban planning, inadequate own source revenue, poor infrastructure, inappropriate solid waste management, and a lack of effective disaster risk management system. The overall objective is to achieve a resilient, healthy, well planned, financially sustainable, and productive urban centers throughout Sierra Leone.

The proposed project activities will be processed under the new World Bank’s Environment and Social Framework (ESF) especially Environment and Social Standard Five (ESS 5) which focuses on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement. The ESS 5 indicates that a Resettlement Policy Framework (RPF) must be prepared at project appraisal phase if the extent and location of resettlement cannot be known because the project has multiple components that are not well defined yet.

“Where the likely nature or magnitude of the land acquisition or restrictions on land use related to a project with potential to cause physical and/or economic displacement is unknown during project preparation, the Borrower will develop a framework establishing general principles and procedures compatible with this ESS. Once the individual project components are defined and the necessary information becomes available, such a framework will be expanded into one or more specific plans proportionate to potential risks and impacts. No physical and/or economic displacement will occur until plans required by this ESS have been finalized and approved by the Bank.”
(World Bank Environmental and Social Framework – ESS 5, p. 58)

As a result, this Resettlement Policy Framework (RPF) has been prepared to serve as a guide to addressing potential impacts related to any land acquisition that will lead to relocation, resettlement or negative effects on livelihoods of affected people. In all cases of land acquisition, restrictions on land use and involuntary resettlement due to implementation of infrastructure projects, and depending on the stage of implementation, World Bank policies require preparation of a project-specific Resettlement Policy Framework (RPF) to guide any potential, future project-induced resettlement activities.

1.2 Project Description

Sierra Leone has multi-sectoral challenges in its urban landscape – with regards to policy reforms, institutional governance, and infrastructure needs. In the light of this, a programmatic approach with different phases has been designed in lieu of a singular project-based approach. Under the first phase, the Bank will support urgent priority needs identified through analytical work and from previous

interventions such as the Freetown Emergency Recovery Project. Instead of addressing all the challenges and dimensions of urban transformation in one intervention, the first phase will rather demonstrate potential for city transformation, build consensus and political buy-in, and lay the institutional groundwork for follow-up investment operations. The project is designed in coordination and complementarity with other World Bank projects, government programs and development partner support to leverage maximum impact.

Towards the long-term objective, the Project will aim to strengthen institutional and financial capacity of cities and develop the appropriate urban planning tools and instruments to enable the country to fully leverage the urbanization potential of Sierra Leone. Thus, the Project consists of improving Sierra Leone's urban centers through urban planning, own source revenue enhancement, infrastructure upgrading, solid waste management, and disaster risk management. The project will benefit all seven city councils in Sierra Leone, including the Capital city, the Western Area Rural District Council (WARDC), Makeni, Koidu New Sembehun, Kenema, Bo, Port Loko, and Bonthe. Per the nature of the project interventions, which include construction investments, and the financing modalities, a Resettlement Policy Framework (RPF) is required.

The preparation of a RPF is a requirement for World Bank funded projects that must be prepared for all project activities that will cause physical and/or economic displacement and that project activities that will cause physical and/or economic displacement will not commence until such specific plans have been finalized and approved by the Bank. . The objective of this document is to provide guiding principles for the Project implementation and is intended to ensure timely, adequate and efficient actions specified by priority, in order to avoid, minimize and compensate for all adverse impacts during resettlement. RPF is prepared in accordance with the legal system, laws, and procedures of Sierra Leone, in conformity with World Bank's resettlement policies and best international practice. RPF also provides the mandatory basis for developing site specific resettlement instruments, which will be developed as appropriate for subprojects (project components) that lead to resettlement.

This document includes an overview of the national framework of the Republic of Sierra Leone for resettlement, applicable World Bank's policies and best international practices in this field. In case of project-induced land acquisition/resettlement, the more stringent requirements of either one shall prevail. This document provides the framework for resolving all related issues and circumstances with the final

objective that during this Project implementation if any involuntary resettlement should be required, it does not lead to severe economic and social risks to persons, families or groups, to provide the mitigation of all risks, and to provide a framework for compensation for all resettlement impacts that cannot be avoided. If any resettlement should be required, it will be governed by principles and rules presented in this RPF. This RPF applies to all subprojects of the Resilient Urban Sierra Leone Project (RUSLP).

1.3 Project Objectives

The Project Development Objective (PDO) of RUSLP is to improve urban management, service delivery, and disaster emergency management in Freetown and select cities of Sierra Leone.

1.3.1 Key Outcome Indicators

The key indicators for tracking progress toward the PDO include the following:

1. Outcome 1: Improved institutional capacity for urban management

- City Councils that adopted and enforce planning instruments (percentage)
- Increase in own source revenue (percentage)

2. Outcome 2: Improved urban living conditions

- Increase in population with access to sustainable, resilient municipal infrastructure and services (number, disaggregated by gender and city)

3. Outcome 3: Enhanced emergency preparedness and response capacity

- Districts or Councils with decentralized emergency response services established (percentage).
- Number of populations with access to early warning systems.

1.4 Project Components

The project has four primary components and subcomponents:

Component 1: Institutional & Capacity Development in Integrated Urban Management.

The sub-components and related activities under component 1 are unlikely to cause involuntary resettlement because they focus mainly on transfer of knowledge, technology, data, and tools that will enhance of the operations of the beneficiary councils. This component is unlikely to cause involuntary resettlement.

- Subcomponent 1.1: Strengthening urban planning and spatial data infrastructure.
- Subcomponent 1.2: Modernizing Urban Property Tax Administration system

Component 2: Resilient Municipal Infrastructure Investment and Urban Greening

The main activities of Component 2 will include neighborhood upgrading, market renovations, construction of a new sanitary landfill and community tree planting, which are likely to involve involuntary resettlement as highlighted in the sub-components below.

- Subcomponent 2.1: Neighborhood upgrading and greening in Freetown.
- Subcomponent 2.2: Solid waste management upgrading in Freetown and secondary cities
- Subcomponent 2.3: Market upgrading in secondary cities

Component 3: Emergency Management Institutional and Capacity Development

Component 3 will focus mainly on building the capacity of the national and local governments in emergency preparedness and response, to better prepare them to respond to and recover from disasters. It will (a) support technical and operational capacity building, which may also include construction or upgrading of an office building for the new national DRM agency, which will be decided once the Agency is established; and (b) provide access to financing for immediate response through a contingent emergency component.

- Subcomponent 3.1: Strengthening Emergency Preparedness and Response Systems
- Subcomponent 3.2: Contingent Emergency Response Component

Component 4: Project Management

This component would finance project management costs of the PMU for staffing, monitoring and evaluation, including project technical audits (as needed) and mid-term and end-project evaluations, safeguards, financial management, procurement, and training. This component will also cover any costs related to the setup of a grievance redress mechanism. The Project will also finance the creation and implementation of a citizen engagement digital platform in which citizens can access the status of activities funded under the Project and provide feedback. This platform will be piloted in Freetown initially with the objective to scale it up nationwide.

2.0 PURPOSE AND SCOPE OF THE RPF

The specific sites for project activities are not yet determined, the RPF will outline the principles and procedures for the development of Resettlement Action Plans once the specific sites for the project activities are determined. The project activities that are likely to cause land acquisition and involuntary resettlement are under component 2.

Activities under component 2 include construction of urban infrastructure including neighborhood upgrading in Freetown, upgrading of solid waste management operational capacity building (waste collection, transfer and disposal) for selected towns, upgrading of site ancillaries such as access road, weighbridge and perimeter fencing at existing landfill in Bo, construction of modern landfill for Western Area, construction of waste sorting and recycling facilities (waste transfer stations) and, market upgrading in selected cities (including water, electricity, toilet facilities, storage, pavement, roofing, universal accessibility, drainage, children's center).

Activities under component 3 are primarily focused on capacity building interventions. But the component may also include construction or upgrading of an office building for the new national DRM agency, which will be decided once the agency is established.

2.1 Purpose of the RPF

The RPF provides a comprehensive framework to guide and govern the entire RUSLP since the specific sites for the specified civil works activities are not yet determined. ESS 5 stipulates that an RPF needs to be prepared at appraisal if the extent and location of resettlement cannot be known because the project has multiple components. This RPF therefore gives a framework of the policy, principles, institutional arrangements and procedures that the RUSLP will follow to prepare Resettlement Action Plans to mitigate risks related to land acquisition, restriction of access on land use and involuntary resettlement caused by the project activities. The RPF clarifies the rules for identifying people who may be affected by the implementation of project and takes into account the requirements of the World Bank's ESS 5 and the national laws and regulations of Sierra Leone that deals with Involuntary Resettlement.

The principles to follow for conducting involuntary resettlement are:

1. Avoid or minimize or mitigate involuntary resettlement where feasible, exploring all viable alternatives of project designs,

2. Help resettled people improve their former living standards, their ability to generate revenue or at least to cater for them,
3. Provide assistance to affected people regardless of the legality or land tenure.
4. Conduct consultations using participatory approaches with project affected persons and stakeholders
5. Ensure project affected persons have access to a functioning grievance redress mechanism.

3.0 METHODOLOGY / APPROACH

The preparation of this RPF is largely based on extensive review of relevant secondary data within the Government of Sierra Leone and the World Bank to gain insight into the World Bank and Sierra Leone legal framework on resettlement related issues. Key stakeholders provided the data and information required for the preparation of the RPF.

3.1 Literature Review in preparing the RPF, reference was made to the World Bank's new Environment and Social Framework (ESF) especially ESS 5 which focuses on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement. It provides the objectives, principles, and processes. expected to be followed while addressing the issues related to land acquisition and resettlement in any World Bank assisted projects. Specifically, the following documents were reviewed to extract the relevant information needed for the preparation of the RPF

1. Draft Project Appraisal Document for RUSLP;
2. Draft ESCP for RUSLP;
3. Draft SEP for RUSLP;
4. Relevant Sierra Leonean policies, plans and regulations regarding resettlement, land take and compensation;
5. World Bank Environment and Social Framework (ESF) on Involuntary Resettlement (ESS 5);
6. RPFs already prepared for similar World Bank projects in Sierra Leone and in the other West African sub region especially Ghana, and
7. Relevant literature from internet sources.

3.2 Stakeholder Consultations

The key stakeholder consultations for preparation of the RPF took place from 9th June to 6th August, 2020. The COVID-19 pandemic did not permit face-to-face meetings with the various stakeholder groups. Hence, the meetings were held via zoom, phone calls, WhatsApp messages, and email correspondence to collect the needed information required for the preparation of the RPF. Specifically, the stakeholder groups were consulted to identify major resettlement related issues that may arise from the implementation of the RUSLP, as well as confirm the legal and institutional framework that will be used to guide the implementation of the RPF. Potential Project Affected Persons (PAPs) were not engaged directly during the preparation of the RPF mainly due to initial restrictions related to the COVID-19 pandemic. Therefore, the Local Councils presented information as a proxy for the PAPs.

Nonetheless, PAPs will be engaged and consulted meaningfully during project implementation as outlined in the Environment and Social Commitment Plan (ESCP), and project SEP. The SEP for this project has multi-layer engagement structures which will engage all relevant stakeholders from national through to the Local Council and community levels including vulnerable segments of the society.

The key stakeholders consulted as part of the preparation of the RPF included;

1. Fiscal Decentralization Division of the Ministry of Finance
2. Project Fiduciary Management Unit (PFMU) of the Ministry of Finance
3. Decentralization Secretariat of the Ministry of Local Government and Rural Development (MLGRD)
4. Ministry of Works and Public Assets
5. Environmental Protection Agency (EPA)
6. Ministry of Environment
7. Quantity surveyors
8. Freetown City Council- Safeguards and Procurement Officer on RUSLP
9. Western Rural Council- Development Planning Officer and Civil Engineer
10. Bo City Council-Development Planning Officer
11. Kenema City Council -Civil Engineer
12. Makeni City Council-Civil Engineer
13. Koidu New Sembehun City Council-Chief Administrator and Deputy Chief Administrator
14. Bonthe Municipal Council-Chief Administrator
15. Port Loko City Council-Chief Administrator
16. Community leaders (Freetown, Bo, Kenema, Bonthe)
17. CSOs- CODOHSAPA and Green Scenery
18. Disability Association- National Commission for Persons with Disability
19. Women centered bodies- 50:50
20. Environmental Foundation for Africa (EFA)
21. Rainbo Initiative

Section 10 provides detailed information on stakeholder activities.

3.3 Data Collection, Analysis and Preparation of Report

The data for the preparation of the RPF was collected by extracting relevant data and information in existing reports and documents and consulting with key stakeholder groups to fill data/information gaps required for the preparation of the RPF.

3.4 Process for RAP preparation and ApprovalThe preparation of a resettlement instrument is a condition for appraising projects involving involuntary resettlement. The standard requires that a satisfactory Resettlement Plan (RAP) that is consistent with the provisions of the ESS 5 be submitted to the Bank for approval before the sub-project is appraised for the Bank's financing.

After project sites are determined and designs complete, the resettlement preparation process will begin with screening of sub-projects/ activities by the project Social Safeguards Specialist in the PMU to determine if there is need for the preparation of any resettlement instrument (RAP). A sample screening checklist for identifying cases of involuntary resettlement is provided in Annex 1. It is anticipated that PMU will work with Environmental and Social officers (ESOs) at the Local Councils to determine, through the screening and census, the number of affected persons/assets under any RUSLP activity that is likely to generate resettlement related or compensation issue.

The draft RAP prepared by the PMU will be submitted to the World Bank for approval before in-country public disclosure, and afterwards, the final version of RAP will be submitted for disclosure on the Bank's website. After no objection has been obtained, consultation and negotiation will start and afterwards the activities for compensation, resettlement and rehabilitation activities will be initiated, and compensation fully completed before the commencement of civil works. The PMU will commission a RAP completion audit and prepare RAP completion report satisfactory to the Bank.

The following steps describe the processes for the preparation and approval of RAP.

1. The PMU will commission the preparation of a draft RAP for sub-projects that fall within the requirements described in ESS5,
2. The RAP will include the identification and census of persons who will be affected by the involuntary resettlement, an inventory of land and assets to be impacted and full cost resettlement activities, setting and communication of cut-off date, consultations with PAPs and key stakeholders, roles and responsibilities relating to financing and implementation of the RAP including arrangements monitoring and addressing grievances etc. The minimum content of a RAP is described in Annex.
3. The PMU sends the draft RAP to the World Bank for review and clearance.

4. FDD and Local Councils will disclose draft RAP and organize consultations with impacted Project Affected Persons (PAPs) on the mitigation and compensation measures.;
5. The PMU will update the RAP follow any changes resulting from the in-country;
6. Final RAP sent to WB;
7. Disclosure of updated RAP;
8. RAP completion audit;
9. Completing the expropriation process;
10. starting with sub-project implementation.

4.0 PROJECT BACKGROUND

4.1 Project Context

Urbanization in Sierra Leone has been a continuing trend, with the share of the population living in urban areas almost doubling between 1967 (21 percent) and 2015 (41 percent). Despite this increasing urbanization trend across the country, the urban sector is ill-equipped to deal with rapid urbanization challenges and harness potential benefits. City councils in Sierra Leone face several challenges related to their fiscal sustainability and investment capacity, constraining their ability to deliver services to their residents and undermining their ability to tap into their economic growth potential. The lack of planning and development controls has exacerbated precarious living conditions and the depletion of biodiversity and natural forest areas. Basic infrastructure and service delivery in urban areas are also inadequate, with significant adverse impacts on the well-being of households and productivity of firms, while the country's high vulnerability to natural catastrophes adds mounting pressure to its already strained urban infrastructure and limited fiscal space. And, despite Sierra Leone's exposure to recurrent emergencies, disaster preparedness and response systems remain inadequate.

Within this context, the Resilient Urban Sierra Leone Project (RUSLP) is designed to support an integrated intervention that takes a spatial approach to address, comprehensively, the multisectoral urban development challenges of the country, including integrated urban planning, own-source revenue enhancement, infrastructure upgrading, solid waste management, and disaster risk management (DRM), with the aim for livable, well-planned, financially sustainable, and productive urban centers. In light of the depth and scale of the urban challenges, the Project is conceptually designed using a programmatic approach to support Sierra Leone's long-term urban development objectives and help address the complex institutional issues that require incremental and sustained interventions to develop adequate structure, systems and capacity of City Councils to manage urban development. The project infrastructural services (civil works support ranging from rehabilitation of yet-to-be identified existing and new sites). The probable project infrastructure to be provided may include the following:

1. Neighborhood upgrade of 3 potential communities with related activities such as drainage upgrading, walkways, streetlights, roads, bridge, water and sanitation system, rehabilitation of police stations, and healthcare facilities etc.
2. Construction and upgrading of markets with facilities such as sheds, waste disposal systems, toilets, urinals, childcare facilities, information/ security posts/ offices/ car parks etc. in 1-2 cities.
3. Construction of new landfill sites (Western Area Landfill)
4. Potential rehabilitation of the ancillary infrastructure around the existing landfill site at Bo

5. Rehabilitation of waste transfer stations in the Western Areas of Freetown

The project activities for the various beneficiary councils have been summarized in Table 1.

Table 1: Project Activities Distribution

CITY/AREA	Urban planning	Cadastral system & property valuation	Neighbourhood Upgrading	SWM	Market upgrade	Disaster preparedness
FCC	X		X	X		
WARDC	X	X		X		
Kenema	X	X		X	X	X
Makeni	X	X		X	X	X
Bo	X	X		X	X	X
Koidu	X	X		X		X
Port Loko	X	X		X		X
Bonthe	X	X		X		X
National	X	X		X		X

Project Beneficiaries: It is estimated that the Project will directly benefit about 1.7 million people, including residents and businesses in the seven targeted cities/areas, namely; Greater Freetown including Western Area Rural District (WARDC), Makeni, Koidu New Sembehun, Kenema, Bo, Port Loko, and Bonthe.

5.0 LEGAL & INSTITUTIONAL FRAMEWORK

5.1 Legal and Policy Framework

The legal framework relating to resettlement issues consists of the various pieces of Sierra Leone legislation government laws and policies on land acquisition and involuntary resettlement and World Bank ESS5 (Environmental and Social Standard 5) on ‘land acquisition, restriction of land use and involuntary resettlement

The relevant national environmental and other statutory laws and legislation particularly relevant to the project include the following:

1. The Constitution of Sierra Leone (1991) and the Protection of Individual Property;
2. National Lands Policy (2015);
3. National Environmental Policy (1994);
4. National Environmental Policy (1994) and Cultural Heritage Issues
5. The Local Government Act, 2004.
6. The Provinces Land Act, Cap 122 (enacted in 1927)
7. The Concessions Act, Cap 121
8. State Lands Act 1960
9. The Unoccupied Lands (Ascertainment of Title) Act, Cap 117
10. The Survey Act, Cap 128
11. The Registration of instrument Act, Cap 256

5.1.1 The Constitution of Sierra Leone (1991) and the Protection of Individual Property

The Constitution includes some provisions to protect the right of individuals to private property, but Section 21 of the Constitution also sets principles under which citizens may be deprived of their property for public use. Section 21 (1) c indicates that: Provision is made by law applicable to that taking of possession or acquisition for;

- i. prompt payment of adequate compensation; and
- ii. securing to any person having an interest in or right over the property, a right of access to the court or other impartial and independent authority for the determination of his interest or right, the legality of the taking of possession or acquisition of the property, interest or right, and the amount of any compensation to which he is entitled and for the purpose of obtaining prompt payment of that compensation”

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

5.1.2 National Lands Policy (2015)

The National Land Policy was established to address the inherent challenges associated with the dual ownership system in Sierra Leone. Presently, land allocation decisions are exercised by both the government and traditional authorities (chiefs) which is often characterized by high incidences of conflicting interests among interested parties such as policy makers, chiefs, and private citizens. There is the general concern that lands held by the State are not managed in a transparent, accountable, and efficient manner. Numerous ad hoc and short-term measures are being undertaken by the government to improve the effectiveness of the existing land administration system, particularly at central government level in the Ministry of Lands, Housing and Country Planning. In the Western Area and the Provinces various pilot efforts are being discussed in order to improve the management of land and resolve the diverse demands for land, including the emerging land disputes. Land use and urban planning systems are also being considered as part of efforts to deal with the diverse issues raised by the present complex institutional framework. The Policy has proposed a single, autonomous, decentralized land administration and land management institution to be known as the National Land Commission (NLC) founded in the Constitution and shall be detailed in a statute enacted for that purpose. The Commission shall function at district, chiefdom and village levels with membership drawn primarily from tenure right holders and with a great degree of autonomy. The Ministry of Lands, Housing and Country Planning (MLHCP) will supervise the implementation of the Lands Policy.

The aim of the revised land policy of 2015 is to ensure that land tenure system in Sierra Leone becomes clearer, transparent, and effective, in providing for the social and public demands, stimulates responsible investment, and form a basis for the nation's continued development. The Policy affirms that a secure land tenure system is a critical element of consolidating the peace and recovery processes in Sierra Leone and it is fundamental to the nation's development.

Some of the main problems related to land tenure currently prevalent in Sierra Leone which the Policy intends to address are:

1. Inequitable access to land;
2. Shortage of accessible land in the Western Area;
3. “Squatting” on State and private lands in the Western Area due to rapid urbanization;
4. Insecure tenure forms and rights due to the non-compliance with the system of registration of titles;
5. Lack of proper cadastral mapping and land information;
6. Unclear and diverging tenure forms under customary law;
7. Overlapping jurisdictions for statutory and customary law;
8. Weak land administration and management, i.e. inadequate capacity within the responsible Ministry to carry out its scope of responsibility and meet set objectives;
9. Lack of a proper cadastral and land use information database for State, private, and customary lands; and
10. Inadequate concession practices and protective mechanisms inserted to prevent “land-grabbing” in the commercial land use sector.

5.1.3 National Environmental Policy (1994) and Cultural Heritage Issues

The National Environmental Policy (1994) provides for the collection of relevant data on biological diversity and cultural heritage. It seeks to promote socio-economic and cultural development through the preservation of biological diversity for the sustainable utilization of natural resources. There are references to the preservation and/or respectful removal (taking into consideration cultural sensitivities) of “society bushes” for large-scale agribusiness and other purposes in various regulations.

5.1.4 The Local Government Act, 2004

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

5.1.5 The Provinces Land Act, Cap 122 (enacted in 1927)

This Act was established to guide processes for land acquisition and set out the conditions for the allocation of lands to “non-natives” in the provincial areas of Sierra Leone. It establishes that all land leases to “non-natives” must have the consent of the Chiefdom Council headed by the Paramount Chief of the area. This Act distinguishes between “native” and “non-native” as far as access to provincial land is concerned which is generally perceived as a hindrance to proper use of such land for development purposes because of the conflicting interest between policy makers and chiefdoms. It is therefore noted as one of the key issues for redress by the Cabinet sub-Committee on lands headed by the chairperson of the Law Reform Commission;

5.1.6 The Concessions Act, Cap 121

This statute was enacted in 1931 for the express purpose of regulating the rights which “natives” could grant to “non-natives”, with the consent of the Governor by way of concession for mining or agricultural purposes. Concessions under the Act could be granted for a term as long as ninety-nine years and could cover an area of one thousand acres and above.

However, the procedure for the grant of a concession was very complicated and time-consuming. Not only must a special Concession Court under section 11 of the Act validate the grant, but, if the extent of the concession exceeded five thousand acres, the Governor had to give his assent subject to the approval of Parliament. Though the Act still remains in the statute books and was even amended in 1976 to exclude mining concessions from its provisions, the Act has not been invoked in recent times for the purpose of granting access to provincial land to foreign investors in agriculture. The relevance of this Act to the RPF is premised on the assumption that some properties or lands that will be affected by this project may have been acquired using provisions of this Act.

5.1.7 State Lands Act 1960

The State Lands Act, 1960 also known as “The Government Lands Act” authorizes the State to manage all lands in the country whether occupied or not. The Act gives Government the power to acquire and manage any land for public purposes such as;

1. for exclusive Government use or for general public use;
2. for or in connection with sanitary improvements of any kind, including reclamations;
3. for or in connection with the laying out of any new Government station or the extension or improvement of any existing Government station;
4. for obtaining control over land contiguous to any port or airport;

5. for obtaining control over land required for defense purposes;
6. for obtaining control over land required for civil aviation purposes; and
7. for obtaining control over land the value of which will be enhanced by the construction of any railway, road, or other public work or convenience about to be undertaken or provided by the Government.

This Act is currently being redesigned as part of the new land policy so that the proposed National Land Commission will be responsible for the administration of this Act on behalf of Government.

5.1.8 The Unoccupied Lands (Ascertainment of Title) Act, Cap 117

This Act empowers the Director of Surveys and Lands under the Ministry of Lands, Housing and Environment to claim any land considered to be unoccupied within the meaning of the Act as State land.

For the purposes of the Act:

“all land shall be deemed to be unoccupied where it is not proved by the person claiming the same that beneficial user thereof for cultivation or habitation, or collecting or storing water, or for any industrial purpose has been made for twelve years next prior to the commencement of the Act.”

If the claim is disputed the matter could end up in court and be added to the ever-increasing number of land disputes pending before the courts. Though the provisions of this Act have for long remained dormant there are signs that its provisions are now being invoked more frequently as the Government embarks on a drive to identify and recover illegally occupied State land. Since the socioeconomic circumstances and the policy imperatives that led to the enactment of this law in 1911 no longer exist there might be a need to review and amend, if necessary, not only the substantive grounds upon which the State can claim lands under this statute as State land but the procedure laid down in the Act which is bound to give rise to litigation in each case ought to be revisited;

5.1.9 The Survey Act, Cap 128

This Act specifies all the processes involved for the administration and survey of all lands. It is being administered and regulated by the Survey Department of the MLCP. The Act makes it compulsory for every conveyance deed or other instrument submitted for registration to have a survey plan annexed thereto, such plan to be prepared by a surveyor and countersigned by the Director of Surveys and Lands in accord with section 15 of the Survey Act as amended.

5.1.10 *The Registration of instrument Act, Cap 256*

This Act specifies the present system of registration of deeds in the country. This Act is one of the major issues being reviewed under the Cabinet Sub-Committee on Lands to make registration of title more transparent and effective.

5.2 Land Ownership and Tenure System

Land tenure in Sierra Leone is characterized by a dual ownership structure due to historical developments. The Western Area including the Freetown Peninsula is governed by an English system of land ownership which includes fee conveyances, mortgages and leases. Unoccupied and uncultivated land remain Crown (State) land. Thus, land in these areas is either owned by individual families or is Crown land. Communally owned land does not exist in the Western Area.

Land in the rest of the country (i.e., the majority of the agricultural land) is held in communal ownership under customary tenure and is controlled by traditional rulers who administer it on behalf of their communities in accordance with customary principles and usage. Though there are minor differences among the various ethnic communities, the general trend is that land is considered a divine heritage not to be bought and sold. The responsibility to ensure the preservation of the land and subsequent enjoyment by future generations therefore rests on the community as a whole. The absolute interest in land vests in families. In other words, it is the land-owning family, which deals in its land. The Paramount Chief is regarded as the custodian of the land on behalf of the entire Chiefdom but decisions regarding the land are the preserve of heads of the various land-owning families.

5.3 World Bank Safeguard Policy on Involuntary Resettlement

The fundamental objective of resettlement planning, as stipulated in ESS 5, is to avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives. It further requires that projects must avoid forced eviction and mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by:

- (a) providing timely compensation for loss of assets at replacement cost; and
- (b) assisting displaced persons in their efforts to improve, or at least restore their livelihoods and living standards in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

The Standard also requires projects to improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure. Projects involving land acquisition and involuntary resettlement must also conceive and execute resettlement activities as sustainable development programs, providing sufficient investment

resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant. The project should also ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Furthermore, displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

ESS 5 further requires attention to be given to the needs of vulnerable groups especially those below the poverty line, including:

- i. Landless individuals and households;
- ii. Elderly persons
- iii. Persons with disabilities
- iv. Women and children;
- v. People living of the dump sites
- vi. Street vendors and informal operators in the market
- vii. Indigenous groups and ethnic minorities; and
- viii. Other disadvantaged persons.

The ESS 5, further requires the resettlement plan should include measures to ensure that the displaced persons are:

- i. informed about their options and rights pertaining to resettlement;
- ii. consulted on, offered choices, and provided with technically and economically feasible resettlement alternatives;
- iii. provided prompt and effective compensation at full replacement cost for losses of assets attributed directly to the project.
- iv. provided assistance (such as moving allowances) during relocation where applicable; and
- v. provided with residential housing, or housing sites, or as required, agricultural lands for which a combination of productive potential, location advantages, and other factors is at least equivalent to the old site.
- vi. offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and

vii. provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training, or job opportunities.

5.4 Comparison of Sierra Leonean Regulations and World Bank’s ESS 5

This section assesses the gaps and discrepancies between Sierra Leonean regulations and World Bank policies. Where there is discrepancy between national policy and the World Bank policies, under this project, the Bank’s requirement will take precedence as part of the gap filling measures in the implementation of the RPF are summarized in Table 1.

Table 2: Comparison of Sierra Leonean Regulations with World Bank’s ESS 5

Topic	Sierra Leonean Legislation Requirement	WB policy requirement	Proposed Gaps Filling measures
Timing of compensation payment	Prompt	Prior to displacement	Compensation payments must be paid prior to displacement.
Calculation of compensation	Fair and adequate.	Full replacement cost	The Full Replacement Cost Approach will be adopted for the calculation of compensation (cash and in-kind). No depreciation will be considered. Full replacement cost will include labor, relocation expenses and administrative costs of legalization
Squatters	No provision for PAPs with no claim whatsoever to land. Are deemed not to be eligible and therefore not entitled to any compensation	Are to be provided resettlement assistance and compensation for lost or damaged structures, and trees or crops they planted (but no compensation for land itself)	Squatters are to be provided resettlement assistance and compensations for crops, trees and structures (but no compensation for land)
Land Tenants	Entitled to compensation based upon the amount of rights they hold upon land under relevant laws.	Are entitled to some form of compensation whatever the legal recognition of their occupancy	Land tenants are entitled to compensation irrespective of the legal recognition of their occupancy
Owners of “Non-permanent” buildings (Moveable assets)	Cash compensation based on market value or entitled to moving to an authorized land under Government (State or local)	Where moving these movable assets will affect livelihoods or incomes, the affected owners will be Entitled to in kind compensation or cash compensation for cost of identifying a viable alternative space, lost net income during the period of transition, cost of reinstatement of the asset to reestablish the activities.	PAPs will be given reasonable time to move their assets plus cost of identifying a viable alternative location and transitional support based on reasonable estimate of time required to relocate their assets and reestablish their activities.
Owners of Permanent Buildings	Cash Compensation is based on market value	Entitled to in kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement	PAPs entitled to in kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement

Topic	Sierra Leonean Legislation Requirement	WB policy requirement	Proposed Gaps Filling measures
Resettlement	In situations where inhabitants have to be physically displaced, the state is to resettle all on “suitable land with due regards for their economic well-being and social and cultural values”	Affected people who are physically displaced are to be provided with residential housing, or housing sites, or, as required, agricultural sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.	Physically displaced PAPs are to be provided with housing sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based (i.e. farmers, etc.). Alternatively, physically displaced PAPs can also be given equivalent cash compensation to be able to acquire similar land and a housing unit equivalent to the affected structure. Adequate time should be given for relocation. Transitional assistance for relocation and for covering rental and other costs to be offered.
Resettlement assistance including livelihood restoration	No specific provision with respect to additional assistance and monitoring.	Affected people are to be offered support after displacement, for a transition period	Affected people are to be offered resettlement support to improve or restore the means of income or livelihood sources. Measures will be implemented to either allow for continued access to the affected resources or provide alternative resources with equivalent livelihood earning potential through livelihood restoration programs.
Vulnerable groups	No specific provision	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women, children and the disabled.	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women especially widows and single parent, children and the disabled.
Information and consultation	The owner/occupier of the land must be consulted on the project impact on lands, ascertain ownership status and discuss associated resettlement or compensation options available to him/her. The owner will be formally notified at least a week in advance of the intent to enter and be given at least 24 hours’ notice before actual entry.	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. PAPs should be given sufficient time for notice prior to expropriation.
Grievance	Formal and informal mechanisms and formal access to court of law	Functional, effective, transparent and accessible grievance mechanisms to be established	Functional, effective, transparent and accessible grievance mechanisms to be established

6.0 ELIGIBILITY CRITERIA AND ENTITLEMENT MATRIX

The RPF applies to activities in sub-projects (or components) affecting those who would either be physically displaced or economically displaced (i.e., those who would lose some or all access to the natural resources, regardless of the total number affected, the severity of impact, and their legal status (e.g., the RPF guidelines apply also to those with no title to the land). Project affected persons are described as persons affected by land acquisition, land occupation, relocation, or loss of income associated with the acquisition of land and/or other assets.

Based on the nature of RUSLP, the most likely project affected persons (PAPs) will be people directly affected by the Project through the loss (permanently or temporarily) of land, residences, other structures, business, assets are as follows:

- Persons whose agricultural land will be affected
- Persons whose residential land/houses will be affected
- Persons whose leased houses will be affected;
- Persons whose businesses, farming activities, occupations. or places of work will be affected
- Persons whose crops (annual and perennial)/ trees will be affected in part or in total by the Project;
- Persons whose other assets or access to those assets will be affected in part or in total by the Project; and
- Persons whose livelihoods will be impacted (permanently or temporarily)
- Persons whose will be impacted due to stopping or disruption in water supply and/ or other utility services during construction.

6.1 Potential Resettlement Risks and Impacts

Based on the project activities outlined in Table 2, the project is anticipated to have generic impacts on assets (land, crops, structures, cultural heritage resource) and livelihoods as presented in Table 3. Whereas impacts on cultural heritage is not envisaged, the project ESMF makes provisions for a chance find procedure. In line with the mitigation hierarchy, any cultural heritage resource will be avoided to the extent feasible through re-routing or change in sub-project location.

Table 3: Potential project activities and likely impacts on Assets and Livelihoods

Detailed activities to be financed	Potential Impact on Assets, Livelihoods					Mitigation/Safeguards/Measures/Plans
	Land	Crops	Structures	Livelihoods	Cultural resources	
Component 1: Institutional and Capacity Development in Urban Management						
Subcomponent 2.1: Neighborhood Upgrading and Greening in Freetown	<ul style="list-style-type: none"> • Permanent acquisition of land may be required. • Temporary disruption of access to structures • Compensation issues • Conflicts in land claims • Temporary and permanent properties affected by project • Tree planting requiring consent from landowners but no transfer of title to the State or resettlement of tenants. 	<ul style="list-style-type: none"> • Crops may be affected including vegetable farmers 	<ul style="list-style-type: none"> • Demolition /temporary removal of structures (both temporary and permanent displacement) • Resource Access and Possible Restriction 	<ul style="list-style-type: none"> • Jobs opportunities for individuals and private enterprises • Livelihoods may be affected through disruption of access to structures and transient business operators. • Maintaining Livelihoods: Petty traders and various shops and other economic activities operating haphazardly at industrial sites/parks • Safety and security of workers and general public 	<ul style="list-style-type: none"> • Cultural artefacts may be uncovered during excavation • Preservation of local cultural identity and heritage • Compensation issues • Community pride and support • Community relinquishing/ sharing heritage for greater good 	<ul style="list-style-type: none"> • RAP to be prepared and implemented. (cash compensation and livelihood assistance)
Subcomponent 2.2: Solid Waste Management Upgrading in Freetown and Secondary Cities						
Subcomponent 2.3: Market Upgrade in Secondary Cities						

6.2 Eligibility Criteria and Entitlement

The eligibility will be based on the category of losses at the cut-off date (when the census begins) identified through the various interests and rights derived from customary laws, common law and international conventions and in specific cases as agreed with the affected community. Project affected persons are described as persons affected by land acquisition, land occupation, relocation, or loss of income associated with the acquisition of land and/or other assets. Based on an understanding of the social structure of the rural and urban communities and the nature of the RUSLP activities.

6.2.1 Proof of Eligibility

The Resettlement and Compensation Committee will consider various forms of evidence as proof of eligibility to cover:

- i. Affected persons with formal legal rights, documented in the form of land title registration certificates, leasehold indentures, tenancy agreements, rent receipts, building and planning permits, business operating licenses, utility bills among others. Unprocessed/unregistered formal legal documents will not bar eligibility and procedures for confirming authenticity of such documents will be established in the RAP.
- ii. Affected persons with no formal or recognized legal rights.
- iii. Criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established paying particular attention to each situation and its peculiarities. Alternative means of proof of eligibility will include:
- iv. Affidavit signed by landlords and tenants;
- v. Witnessing or evidence by recognized traditional authority

6.2.2 Entitlement Matrix

The entitlement could be in the form of replacement of assets if possible; cash compensation, temporary loss of income for moveable structures; livelihood restoration and assistance; relocation assistance or as agreed between the parties involved.

Table 4 below presents the matrix of entitlements for the different categories of impacts, likely to be encountered.

Table 4: Eligibility Criteria and Entitlements

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
Land	Permanent acquisition of land	Landowner (individual, family, community)	Owns the affected plot of land under Sierra Leonean laws including customary	<ul style="list-style-type: none"> in-kind compensation (land to land) for land-based displacement at a suitable location comparable to the previous land or better Cash compensation for land determined by prevailing market rates where primary livelihood is not land based and where there is satisfactory demonstration of lack of adequate land or strong preference by the PAP. Land replacement for community Lands or if unavailable, compensation be paid to the community with their full consultation and participation. cash compensation covering all administrative, land registration and transfer fees
	Temporary occupation of land	Landowner (individual, family, community)	Owns the affected plot of land under Sierra Leonean laws including customary	<ul style="list-style-type: none"> Compensation (in cash or kind) for the period of occupation based on terms of occupancy as agreed among the parties. Compensation for loss of crops or assets on the land during the period of occupancy at full replacement cost.
Crops (food/cash crops and economic trees inclusive)	Destruction of or damage to standing crops	Owner or Farmer	Have grown the affected crop (regardless of related plot ownership)	<ul style="list-style-type: none"> Cash compensation for standing crops counted at valuation date and based upon updated current Survey Department rates Cost of replanting to the same maturity level, the estimated life and harvest from tree (fruit trees) Disturbance allowance of 10% of cash compensation amount or at a rate determined by MLHCP. to the extent feasible, allow for farmers to harvest crops before start of project interventions
Structures	Destruction of immovable structures	Owner	Owns affected structure	<ul style="list-style-type: none"> Compensation at full replacement cost of structure Cost of moving (e.g. persons/ goods in the structure under or belonging to owner) Disturbance allowance of 10% of cash compensation for full replacement or at a rate determined by the MLHCP
		Occupant	Live in or use the affected structure on rental basis (Occupant different from owner)	<ul style="list-style-type: none"> Cost of renting similar structure (e.g. for 6 months' duration) Cost of moving out to new place Disturbance allowance of 10% of cost of renting similar structure or at a rate determined by the MLH

		Squatter	Live in or use the affected structure as at time of census	<ul style="list-style-type: none"> • Compensation for full replacement cost
	Relocation of movable structures	Owner	Owns the affected structure	<ul style="list-style-type: none"> • Cost of moving affected structure to new site • Disturbance allowance of 10% of cost of moving similar structure or at a rate determined by the MLHCP
		Occupant	Use or occupies the affected structure	<ul style="list-style-type: none"> • Cost of moving occupants to new site • Disturbance allowance of 10% of cost of moving occupants to new site or at a rate determined by the MLHCP [NB: if owner is same as occupant, he/she will not be entitled to this disturbance allowance].
Livelihoods	Agriculture - destruction of economic or cash crop	Farmer	Use affected land for farming as livelihood sources (emphasis on perennial crops. Annual crops can be harvested prior to land entry or destruction)	<ul style="list-style-type: none"> • Cash compensation for any temporary loss of income or livelihood incurred as a result of the project during the transition period (period required to reestablish farm elsewhere).
	Business	Business owner (may be distinct from owner of structure where business takes place)	Operate a business on Project affected land, regardless of the land ownership situation (includes squatters)	<ul style="list-style-type: none"> • Cash compensation of temporary loss of income or livelihood incurred because of the Project during the period required to re-establish the business to pre-project conditions • Provide alternative resources with equivalent livelihood-earning potential and accessibility.
	Use of communal resources such as livestock grazing grounds (or involuntary restrictions to community assets)	User of such resources (can be individuals or communities)	Use communal resources as an element of livelihood	<ul style="list-style-type: none"> • Assistance in identifying and accessing similar resources elsewhere possible • Cash compensation of temporary loss of income incurred because of the Project during the period required to access similar resources elsewhere/period required to provide alternative livelihood assistance • Provide livelihood assistance (access to loans, training etc.)
Cultural heritage resources (e.g. sacred site).	Relocation or removal of cultural heritage resource	Owner (individual or community)	Use or pay homage to cultural heritage resource/ sacred site	Avoid any impact on cultural heritage resources by finding alternative locations. If impact is unavoidable, ensure successful relocation or removal of cultural resource/ sacred site in accordance with Chance Find procedures prescribed under the ESMF.

6.3 Principles and Procedures for the Resettlement Process

The principles are the fundamental requirements that underpin the preparation and implementation of the resettlement instrument (RAP). These principles are intended to minimize negative impacts. The principles require that every resettlement and compensation must:

- i. Be guided by regulatory framework;
- ii. Aim at minimizing physical and economic displacement;
- iii. Have cut-off date for compensation;
- iv. Aspire to restore income livelihoods;
- v. Consider resettlement as a development opportunity and benefit affected communities
- vi. Compensation paid prior to physical and economic displacement and at full replacement value;
- vii. Hold meaningful consultations with all stakeholders; and
- viii. Include grievance mechanisms.

6.3.1 Avoidance and Minimization of Physical and Economic Displacement

In line with the World Bank's ESS 5, the Resilient Urban Sierra Leone Project (RUSLP) will avoid or minimize displacement through the following design procedures:

- i. To the extent possible, existing facilities on government lands will be selected for rehabilitation under the RUSLP;
- ii. Wherever inhabited dwellings may potentially be affected by a component of a RUSLP activity or sub-project, the project will use the mitigation hierarchy to first avoid the use of that sub-project location through relocation or identification of an alternative site or land to avoid displacement/relocation;
- iii. Wherever the impact on the land holding of one individual or household is such that the mitigation measure to be applied may not be sustainable in the long term, the RUSLP activity shall be redesigned to avoid any such impact;
- iv. To the extent possible, project facilities will be located on lands with no structures;
- v. Landowners and farmers who have access to lands without encumbrances will be considered for use as demonstration sites; and
- vi. Infrastructures required by the project will be sited on government lands which has not been encroached or private lands which the owner is willing to use to participate under the programme without compulsion through a willing buyer and willing seller basis.

6.3.2 Cut-off date

The objective of the cut-off date is to establish a deadline for determining eligibility for compensation and other assistance intended to help prevent encroachment by opportunistic persons or group. Affected Persons and communities will be informed of the cut-off date to register their assets within the specified dates and persons establishing themselves or any properties. The Project Area after the Cut-Off Date are not eligible for compensation and/or resettlement assistance.

In accordance with ESS 5 and for each sub-project activities under the RUSLP, a cut-off date will be determined and announced to project affected persons, taking into account the likely implementation schedule of the sub-project to avoid potential rent-seeking or influx of people who may want to take advantage of the process. To ensure consistency between Sierra Leonean legal requirements and WB policies, the cut-off date should be the date of the start of the inventory of assets/properties.

6.3.3 Categories of Eligible Project Affected People (PAPs)

In line with ESS 5, the following three categories of affected people will be eligible to Project resettlement assistance: a) those who have formal legal rights to land (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country); b) those who do not have formal legal rights to land at the time of the cut-off-date but have a claim to such land or assets-provided that such claims are recognized under the laws of Sierra Leone or become recognized through a process identified in the resettlement plan; and c) those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) above are provided compensation for loss of land and assets and other assistance as needed. Persons covered under (c) above are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, if they occupy the project area prior to the cut-off date. In practice this means that, people usually considered in Sierra Leone as “squatters” will be entitled to Project assistance as long as they are in occupation on the affected property before the cut-off date. However, persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons in the three categories above are provided compensation for loss of assets other than land (i.e. structures and crops).

6.3.4 Income and Livelihood Restoration

The paramount principle of ESS 5 is that where people are affected by land take, the aim of resettlement must be that they should be “no worse-off if not better off” after the resettlement has taken place and resettlement should be considered as a development opportunity to improve the lives of poor people. Where impact on land use is such that people may be affected in the sustainability of their livelihoods, preference will be given to land-for-land solutions rather than cash compensation, consistent with the Constitution of Sierra Leone and with ESS 5.

This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their livelihood. It is anticipated that the livelihood of waste pickers will be impacted following rehabilitation and or construction of landfill sites under the project. However, the magnitude or scale of impacts cannot be estimated at this stage since the specific sites for the landfill sites are undetermined. For such impacts, Livelihood restoration measures will be included in relevant Resettlement Action Plans (RAPs). Livelihood measures will also be included in the RAPs for the neighborhood upgrade works to improve incomes of the low-income communities. Livelihood planning will seek to allow affected persons to improve or at least restore their incomes or livelihoods. The plan will entail description of livelihood baseline, establish the entitlement of affected persons paying attention to gender aspects and needs of vulnerable sections of PAPs. The plan will evaluate measures or opportunities under the project to allow for continued access to affected resources or to provide access to alternative resources with equivalent livelihood=earning potential and accessibility. The plan will ensure that, assessment and establishment of entitlement are conducted in a transparent, consistent, and equitable manner. The plan will incorporate budget, timelines for implementation and arrangements to monitor the effectiveness of livelihood measures during implementation, as well as evaluation once implementation is completed. The mitigation of livelihood displacement will be considered complete when the completion audit concludes that affected persons have received all of the assistance for which they are eligible and have been provided with adequate opportunity to reestablish their livelihoods. .

6.3.5 Compensation payment

Compensation principles will be as follows:

- i. Compensation shall be paid prior to physical and economic displacement.
- ii. Compensation will be at full replacement cost using the current market value plus transaction cost or above.
- iii. Project affected persons will be notified and given adequate time to salvage any useful assets before total demolition by the project.

In contrast with the depreciated or net value of a structure, the “replacement cost” includes the full cost of materials and labour required to reconstruct a building of similar surface and standing. In other words, the affected person must be able to have their structure rebuilt to the same quality as before in a different location using the compensation paid for the old building.

6.3.6 Meaningful Consultations with Stakeholders on RPF

The Constitution of the Republic of Sierra Leone and the Environmental Protection Agency Act, 2008 (as amended in 2010) are the two national laws that prescribe how stakeholders should be engaged and consulted as part of project design, implementation, monitoring and evaluation. The application of these laws together in conjunction with the World Bank’s standards on stakeholder engagement and consultation which will require that meaningful information and consultation take place before the process leading to displacement is launched in each particular location concerned by a RUSLP activity. Consultations of affected persons and stakeholders may require adaptation to the COVID 19 by using different forms of media for consultation where required. In all cases consultations should be properly documented.

(Refer to section 10 for the stakeholder engagement and information disclosure plan related to the project.)

6.3.7 Grievance Redress Mechanisms

A project wide GRM will be instituted and will cover grievances related to compensation and resettlement as well. Grievances will be handled at the Project Steering Committee (PSC) level through a multi-channel grievance uptake process, through which project related grievances including resettlement and compensation will be resolved. The GRM will provide for anonymous reporting in ways that will ensure confidentiality and anonymity of complainants. This will largely create an enabling environment to allow for grievances to be raised by project affected persons without fear of victimization. The GRM process will be coordinated by the PSC via the PMU to ensure transparency and accountability in the handling of grievances related to eligibility, entitlements, measurement of asset, valuation, etc. to people affected by the project.

The GRM will be done in accordance with relevant laws and procedures in Sierra Leone and complying also with the Bank’s standards on grievance redress. Specifically, the project must ensure;

- i. a specific grievance registration and processing mechanism is in place; and
- ii. Grievance redress Committees set up and operationalized in project impact areas.

(Refer to section 9 for detailed information on the GRM.)

6.4 Objectives of the Resettlement & Compensation Programme

The main objectives are as follows:

- i. To minimize displacement and cash compensation as much as possible;
- ii. To ensure that project affected people are consulted and their concerns included in the resettlement/compensation program for implementation;
- iii. To ensure that project affected people are adequately compensated for deprivation of use of land, loss of crops and structures (either farming or business/ residential structure or communal property);
- iv. To compensate the affected units and enterprises for their loss at full replacement cost;
- v. To identify vulnerable groups including the elderly, physically challenged, women heads etc. among the project affected people and prescribe any special assistance they may require in terms of extra attention during the implementation of the programme; and
- vi. To meet both national regulatory and WB requirements and other internationally accepted best practices.

6.5 Resettlement Preparation Processes

6.5.1 Categorization of Project Activities with respect to Land Needs

As far as land needs and resettlement requirements are concerned, two different situations may be encountered in the course of the implementation of the RUSLP:

- i. the project component will be established on government lands. In such cases, written confirmation of legal status and undisputed ownership, lands free from any encumbrance or encroachment will be required before these are approved.
- ii. the implementation of the project component (e.g., construction of new landfill site) may require land acquisition (e.g., involuntary land acquisition from individuals with freehold title, lease or customary holding and involuntary land acquisition from communities or encroached public lands).

In situations where there is no land acquisition involved as stipulated in (i) above it means that procedures required by the Sierra Leonean law do not need to be triggered. The proposed processes will therefore need to be consistent only with WB requirements. On the other hand, if land take is required, then both Sierra Leonean laws and procedures and WB requirements must be followed.

The resettlement preparation process will begin with screening of RUSLP subprojects/activities to determine if there is a need for the preparation of any resettlement instrument (RAP). . The PSC, through the PMU, will use the E&S Officers at the various Local Councils to determine the number of affected persons/assets under any RUSLP activity that is likely to generate resettlement related or compensation issues.

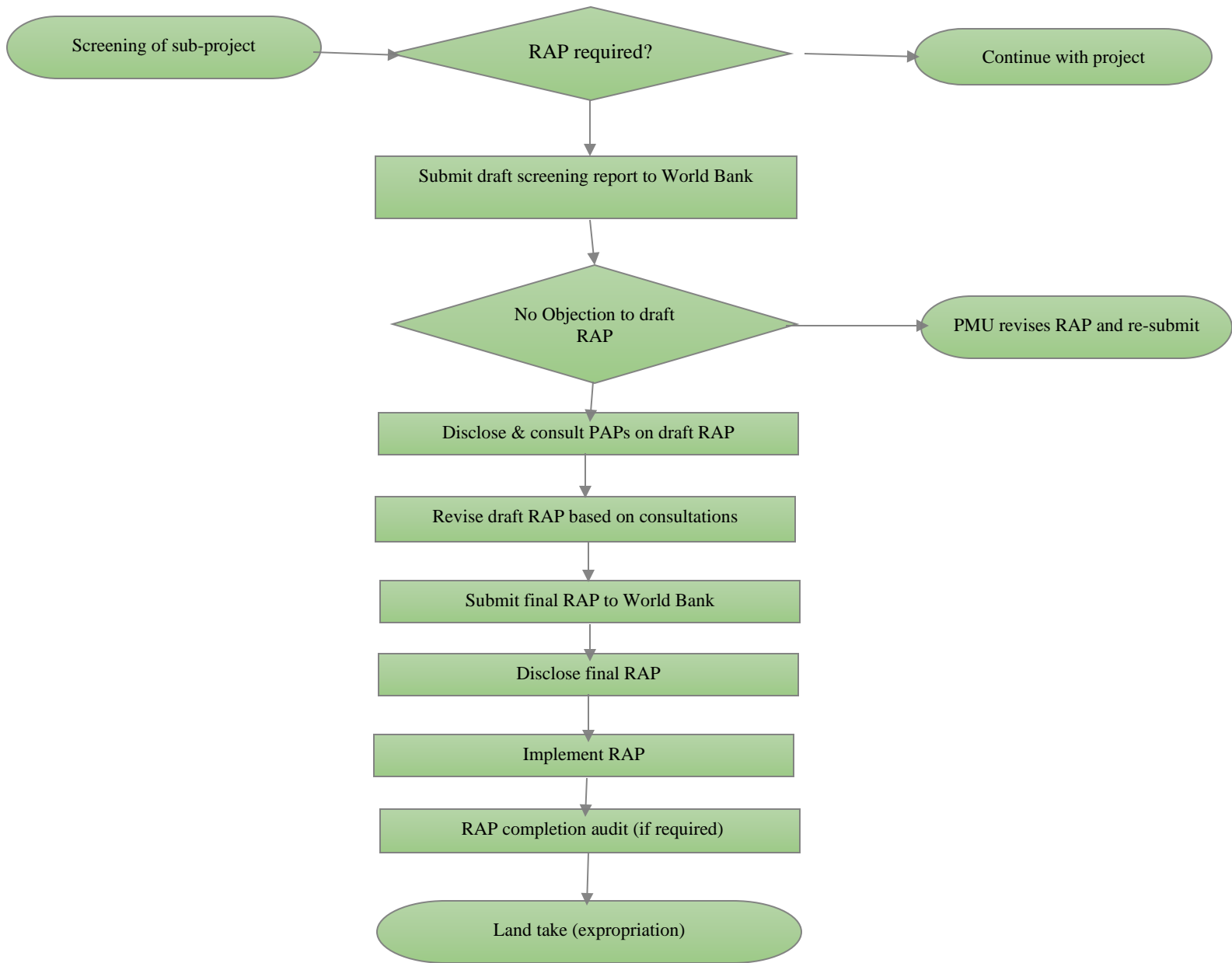
The responsible officers in charge of environment and social issues on site will do the initial screening of the site by filling the Screening Checklist for Involuntary Resettlement (Annex 1). All projects should be screened prior to implementation. The result of the screening will determine whether there is a need for preparation of RAP for the site.

The Resettlement screening process will include the following steps:

- i. Submission of application for sub-project financing;
- ii. PMU reviews the submitted documentation for sub-project financing;
- iii. Fulfillment of the screening form in Annex 1
- iv. PMU member conducts Site visit
- v. Report to PMU and WB, on the need for RAP development

If the sub-projects require RAP development, further guidance will be provided by PMU which shall follow the following steps outlined in Figure 1.

Figure 1: RAP Implementation Process



6.5.2 Preparation of the Resettlement Action Plan (RAP)

RAP and or LRP will be prepared where individuals are physically or economically displaced. The tasks/ToR and contents for the preparation of the RAP is given in Appendix 2. All RAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing civil works.

6.5.3 Conduct a Census of Affected Persons and Assets

Upon identification of the need for involuntary resettlement in a sub-project, the project will carry out a census to identify the persons who will be affected by the sub-project. This will help the project to determine the magnitude of impact, the type and scope of RAP/LRP to prepare, who will be eligible for assistance early enough in the project cycle. It will also help to prevent an inflow of ineligible people living outside the sub-project area of impact but who might want to take advantage and claim for assistance. The start of inventory of asset will mark the cut off-date for eligibility for compensation. Project affected persons, communities and relevant stakeholders will be informed of the cut-off date with warning that, persons who will undertake any activities after the cut-off date will be removed without compensation. This will help prevent any encroachment by opportunistic persons or groups and ensure transparency in the process.

6.5.4 Consultations during Resettlement action Planning and Implementation

Consultations with stakeholders including PAPs will be an integral part in the RAP preparation, implementation and monitoring processes at all stages and stakeholders should have access to the RAP. Consultations should happen in the local language of the PAPs whenever possible; and engagement with women should be consulted separately and in a culturally acceptable manner. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc. The stakeholder engagement will be done to offer the stakeholders opportunity to express their concerns and when possible be allowed to choose between options. Stakeholder consultations will be done taking into consideration all the national recommended social distancing protocols against COVID-19.

6.5.5. Openness and Transparency

Under this Project, openness and transparency would be achieved through the following mechanisms:

- i. Rigorous Information, Education and Communication System. Specific tools to be used in internal and external communication are as follows:

- a. Internal Communication (e.g. meetings, letters, emails, whatsApp messaging etc.)
 - b. Project Technical Committee meetings (e.g. meetings, letters, emails, whatsApp messaging etc.)
 - c. Project Steering Committee meetings (e.g. notice boards, meetings, letters, emails, whatsApp messaging etc.)
 - d. Periodic briefing of MoF (e.g. press conferences, meetings, letters, emails, etc.)
 - e. The Safeguards Specialist in collaboration with the Community Engagement and Communications Specialist at the PMU will be responsible for the generation and Circulation of Periodic Reports on RAP implementation.
- ii. Citizen Participation in Decision Making (community meetings, fora etc.).

7.0 PROPERTY VALUATION AND COMPENSATION

7.1 Valuation of Properties

The purpose of the valuation is to assess the overall compensation payable as part of the assessment of resettlement related issues under the RUSLP. The scope of the valuation covers land, structures and crops/economic trees on the project sites to be affected. Loss of income or disruptions to livelihoods are considered as far as it may be appropriate for payment of compensation for the period of disruption of land, structures, livelihood, and businesses.

7.1.1 Basis of Valuation

The basis of the valuation will be at Full Replacement Cost in accordance with the World Bank's ESS 5, the National Lands policy 2015, and the Constitution of Sierra Leone.

7.1.2 Valuation Methods and Compensation Rates

Table 5 provides the general guidelines for cost preparation and method for valuing affected assets/properties. In this context, the compensation is the amount of money or in-kind required, to put the owner or user of a land or building in the same position as if his/her use and enjoyment has not been disrupted. In other words, it is based on the principle of "Full Replacement Cost".

Land: The Market Comparison Approach (MCA) will be adopted for the valuation of land if there is a vibrant and active land market. This approach involves the direct comparison of the property's value determining features with those of the immediate and surrounding vicinity that sold recently. In applying this method, values of plots of land from the neighborhood of the sites will be collected, compared, adjusted to take account of minor differences, and applied to arrive at the reported values. This is to ensure that the values obtained would be adequate to purchase alternative land or cash compensation for the affected owners. Alternatively, where there is no active land market, the economic approach will be adopted. This is based on productive potential of agricultural or commercial land of equivalent size and location.

Structures: The full Replacement Cost Approach (RCA) will be adopted for the valuation of the structures. It involves the cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better than those of the affected structure; or of repairing a partially affected structure, including labor and contractors' fees; and transaction costs, such as registration, and moving costs. . For the purpose of this valuation, the affected assets/structures will not be taxed or depreciated in line with the World Bank requirements.

Crops/Economic Trees: The Market value will be adopted for affected crops/economic trees under the project. The enumeration of trees or crops will involve taking census of the affected crops (either by counting or area) and applying crop rates approved by the Ministry of Lands, Housing and Country Planning. Valuation rates to be applied under the RUSLP will ensure that the crop rates compensate for the labor and equipment invested in the crop cultivation as well as adjust to reflect the number of years after replanting before such trees or crops can begin to fruit or generate income to ensure that the rates are in harmony with the full replacement cost requirements.

Livelihood/economic displacement – Replacement cost will be used to allow affected persons to improve, or at least restore, their incomes or livelihoods. Measures will be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood-earning potential and accessibility or cash assistance additional to compensation for any assets that may be impacted. Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

Table 5: General guidelines and methods for valuing lost assets

Item	Types	Method
Land	Community lands, private land	Prevailing market value of the land to be acquired if there is a vibrant and active land market. Otherwise a negotiated price land for land replacement will be agreed. The assessment should include labor cost and other investment cost on the land such as irrigation canals, pumps, and pipes.
Structures	Any type of structure, e.g., mud houses, wooden structures, sandcrete block houses, etc.	Full Replacement Cost method. No depreciation will be applied. Owner is free to keep any materials he can salvage.
Crops/Plants	Food and cash crops/economic plants (cassava, maize, etc.)	Market value and applying updated MLHCP rates. Crop rates will take care of labor and equipment invested in the crop cultivation as well as the number of years required for a crop to reach maturity and generate income.
Cultural heritage resources	Sacred groves, cemeteries, shrines	Avoidance and an alternative site selected for project. where avoidance is not possible, follow chance find procedures in ESMF.
Loss of income and livelihood	Businesses, livelihoods, farming, etc.	Estimation of net monthly/annual profit for business/farm based on records; application of net monthly/annual profit to the period when business/farm is not operating. Where loss of income is temporal, the affected parties will be compensated in cash and where

		permanent loss of livelihood occurs, Livelihood Restoration Plan will be prepared either as standalone or part of the RAP depending on the magnitude of impact to ensure that PAPs are provided with opportunities to improve or at least restore the livelihoods or income earning capacity, and production levels.
Disturbance allowance		10% of affected property value /compensation to be negotiated, based upon rates determined by the government agency for valuation.

7.1.3 Valuation Responsibility

The Department of Housing under the Ministry of Land, Housing and Country Planning (MLHCP) together with the Survey Department under the Ministry of Works and Public Assets (MWPA) will be requested to value affected assets/properties based on the full replacement cost principle (which includes transaction cost such as labor and transport costs). By their mandates, the Housing Department will be responsible for structures whereas the Survey Department will be responsible for land valuations. Certified private valuers may also be engaged where necessary especially involving private persons or if required to assist the process. These professional valuers will be required to provide evidence where necessary that the rates applied are consistent with the “full replacement value” requirement.

7.2 Considerations on Compensation Package

7.2.1 Livelihood Assistance/Loss of Income

The estimation for loss of income (referred to as livelihood assistance) for affected businesses will be generally based on the following factors:

- Estimated production levels, income of business or daily sales of the business; and
- Estimated period of construction or RUSLP activity which will disrupt business or commercial activity (if impact is temporal). Losses of income for businesses will be estimated from net monthly/annual profit of the business verified by an assessment of visible stocks and activities.
- Where impact on livelihood is permanent, losses will be estimated such as to restore PAPs to their production levels and income earning-capacity.

7.2.2 Resettlement/Relocation Assistance

Where PAPs are to be physically displaced or relocated, resettlement assistance should be provided to take care of the transport cost of mobilizing and moving the affected properties to a new location and an accommodation assistance where affected persons will have to rent accommodation at the initial stages.

7.2.3 Disturbance Allowance

Cost of disturbance is one of the components to be considered when determining compensation for PAPs (especially for affected structures, crops and livelihoods). The application of 10% of affected property value /compensation is recommended based on how big or small the compensation amount is. The rates will be approved by the Ministry of Lands, Housing and Country Planning (MLHCP).

7.2.4 Types of Compensation

The types of compensation recommended for use in the implementation of the RPF include cash payment and in-kind compensation.

- i. Cash payment:* Cash payment compensation will be calculated and paid in Leones. Rates will be based on market value of land when known or estimated full replacement value of structures/crops.
- ii. In-kind compensation:* In-kind compensation may include items such as land, buildings, building materials, and financial credit for equipment, etc.

7.2.5 Compensation Payment/Claim

Compensation will be paid either by cash or cheque depending on the amount and in consideration of the security and safety of the PAPs prior to vacating the land or property. For couples, compensation may be paid through joint accounts when the relationship is confirmed, and if it is possible. In cases where compensation will have to be paid in-kind, the project representative and the PAPs should confirm that such in-kind compensation has been received by the PAP after releasing of land for project (e.g., for construction and or renovation of markets, construction of waste management facilities, neighborhood upgrading, tree planting, etc.). PAPs will be given reasonable time to salvage any valuable items when vacating the site. The PMU will prepare a resettlement dossier and compensation payment form or receipt for each PAP where all payments shall be documented.

8.0 IMPLEMENTATION ARRANGEMENTS

The Project Management Unit (PMU) under the Fiscal Decentralization Division (FDD) of the Ministry of Finance will provide overall oversight for the development and implementation of the RAP. It will supervise the establishment of a Settlement Committee whose composition shall be determined taking into consideration the nature and type of project. The membership of the Resettlement Committee shall at all times include representatives of the respective Local Council and Affected Committees and PAPs. The preparation of RAP and Livelihood Restoration Plan if needed will commence immediately after the cut-off date has been declared and main the key activities to be carried out in Table 5. The draft RAP will be submitted to the World Bank for review and clearance, after which it can be disclosed by PMU using the agreed methods of public consultation. After its finalization, final RAP will be submitted to the World Bank.

8.1 Institutional Arrangement for RAP Implementation

The implementation of RAP will be led by the PMU under the supervision of FDD and the main roles are summarized in table 6.

Table 6: Roles and Responsibilities in Implementation of RAP

Stage of RAP Implementation	Responsible party(s)
Identification of project site	PMU/Local Council
Screening for RAP	PMU/Local Council
Determine the need for RAP/Livelihood Restoration Plan	PMU
Preparation of TOR for RAP	PMU
Procurement of consultant for RAP	PMU
Preparation of RAP	Consultant
RAP review	PMU
RAP clearance	World Bank
RAP disclosure	PMU/Local Councils
RAP implementation	Resettlement and Compensation Committee
Monitor RAP implementation	PMU
RAP completion audit	Consultant

As outlined in Table 7, the implementation of the RAP will be led by the Resettlement and Compensation Committee whose members will be drawn from various stakeholders as detailed in Table 7

Table 7: Composition of the Resettlement and Compensation Committee and Roles during RAP Implementations

Institution	Role in RUSLP	Role in Implementation of the RAPs	Specific Responsibilities for RAPs
FDD/MOF	<ul style="list-style-type: none"> • Hosts the PMU. • Set up Project Steering Committee and act as its Secretariat. • Supervise implementation and reporting on all project activities. • Coordinate with other MDAs on project related issues. • Provide Policy guidance on fiscal decentralization issues. 	<p>Social Safeguards Specialist in the PMU will be responsible for implementation of the RAPs. He/she will be supported by the Community Engagement and Communications and the Gender-GVB Specialists.</p>	<ul style="list-style-type: none"> • Chair the Compensation Committee. • Lead in the Screening, and full census survey of PAPs and the total stock of lost assets. • Prepare TOR for Consultant to prepare RAPs. • Coordinate preparation of the RAPs and review draft RAPs. • Prepare TOR for the Compensation Committee. • Undertake stakeholder engagements and public disclosures. • Maintain an up to date database on PAPs including a compensation matrix • Facilitate the training of PAPs who opt to be provided alternative sources of livelihood. • Facilitate the set up and popularize a GRM process for compensation and resettlement. • Escalate unsettled grievances to the Steering Committee and the Bank.
PFMU	<ul style="list-style-type: none"> • Fiduciary Management 	<p>Procure goods and services for resettlement and disburse funds for compensation of PAPs</p>	<ul style="list-style-type: none"> • Procurement for consultant for RAP preparation and other resettlement related services. • Maintain a database of PAPs to be resettled, as well as those actually resettled and compensated. • Work with the PMU to ensure the correct people receive compensation. • Document and safely store all records of payment of compensations to PAPs.
MLHCP	<ul style="list-style-type: none"> • Member of the Steering Committee • Provide policy guidance on access to, and utilization of, lands. • Verify claims of ownership of land. • Survey project sites and issue conveyance for procured land 	<p>Provide technical advice and access to land and temporary housing for PAPs.</p>	<ul style="list-style-type: none"> • Support in verifying PAPs status claims on land, including for multiple claims to the same land. • Support the PMU to provide a suitable alternative land for permanent resettlement of PAPs who opt for (in kind) land-based compensation – e.g. land owners at the proposed landfill site. • Provide temporary housing for PAPs who are to be temporarily relocated, where necessary, to allow public works to be carried out for Neighborhood upgrades.
Environmental Protection Agency	<ul style="list-style-type: none"> • Provide technical guidance. Member of negotiation committee for purchase of land for landfill. • Issue EIA license 	<p>Identification of site for landfill</p>	<ul style="list-style-type: none"> • Undertake screening and scoping of land identified for landfill site. • Issue EIA license and recommend mitigation measures which may result permanent resettlement.

Institution	Role in RUSLP	Role in Implementation of the RAPs	Specific Responsibilities for RAPs
MWPA	<ul style="list-style-type: none"> Provide technical guidance on land access and use pertaining to the project. 	Valuation of properties	<ul style="list-style-type: none"> Assess the fair value of properties located on land to be used by the project.
MAFFS	<ul style="list-style-type: none"> Provide technical advice to local councils on the quality of seedlings for Tree Planting activities 	Valuation of plants, goods and animals	<ul style="list-style-type: none"> Provide support to the PMU to value the size of farm/garden plot, goods, livestock of PAPs for the purpose of compensation. Provide training for PAPs, where necessary, who opt for agriculture as an alternative source of livelihood.
Ministry of Social Welfare	<ul style="list-style-type: none"> Provide policy guidance on dealing with Persons with Disabilities 	Protection of rights of vulnerable PAPs	<ul style="list-style-type: none"> Monitoring of screening, public disclosures and compensation payments to PAPs. Ensure vulnerable groups like persons with disabilities, squatters, women, children, Ebola and COVID-19 survivors, persons living with HIV/AIDS etc. are treated fairly and their needs are adequately supported. Provide access to psychosocial services for PAPs where necessary. Record grievances and escalate to the PMU.
Ministry of Gender	<ul style="list-style-type: none"> Member of the Steering Committee. Provide technical guidance on gender and SGBV issues. 	Protection of PAPs from GBV/SEA/VAC	<ul style="list-style-type: none"> Monitoring of screening, stakeholder engagement and compensation payment to PAPs. Ensure vulnerable groups like persons with disabilities, women, children etc. are protected from sexually exploitation or abused. Record grievances and escalate to the PMU. Provide psychosocial services for SGBV victims where cases occur.
Local Councils - Councillors	<ul style="list-style-type: none"> Implementing local councils 	<ul style="list-style-type: none"> As direct implementing institutions the local councils have a shared responsibility for implementation of RAPs in their jurisdiction. The Chief Administrator will lead on all activities related to the RAPs in the locality. 	<ul style="list-style-type: none"> Inputs into the TOR for the RAP Support consultant during field work for the RAP preparation. Work with the PMU to organize screening of PAPs and conduct public disclosures. Councilor in whose ward project site is located will support the PMU during screening. Councilor will work with the Committee to provide suitable temporary accommodation for PAPs.
Chief/Headman	<ul style="list-style-type: none"> Support project through the Ward Committee and Local Councils Support Project on all land related issues 	<ul style="list-style-type: none"> Participate in public disclosures, stakeholder engagements. 	<ul style="list-style-type: none"> Witnesses during screening, public disclosures, and monitor resettlements of PAPs

8.2 Resources, Technical Support and Capacity Enhancement

7.2.1 Resources available to deal with resettlement issues

The Fiscal Decentralization Division will provide oversight and supervision in implementing the RPF. The FDD has also hired a Social Safeguards Specialist to oversee implement the project Resettlement measures. The FDD will also ensure the active involvement of the respective Local Councils, Project Affected Communities, and PAPs in the implementation of the RAP. A Resettlement and Compensation Committee shall also be established to oversee all resettlement and compensation issues related to the project.

8.2.2 Technical support and capacity building

Compliance with World Bank's ESF will require some capacity building of both Project Management Unit and Project implementers at the national and provincial/district level. A capacity assessment is currently ongoing which will propose training on the RPF and other relevant safeguard tools such as the GRM, SEP, Sexual exploitation and abuse and Sexual Harassment etc. to make the work of the implementing team more effective.

8.2.3 Priority Tasks

As soon as RUSLP sub-projects or activities and locations are determined in sufficient detail, preliminary screening of resettlement/ compensation related issues should be carried out by the Officers responsible for Environment and Social issues to confirm (i) if land acquisition is involved, (ii) if implementation of subproject activities will impact on livelihoods and assets (structures, crops/economic plants and cultural heritage resources) of people and (iii) if implementation of subproject activities will also cause physical or economic displacement of people. If any of these is triggered, resettlement instrument (RAP) should be prepared for implementation prior to the taking of land and start of any civil works.

9.0 GRIEVANCE REDRESS MECHANISM (GRM)

A comprehensive project wide GRM will be instituted to enable a broad range of stakeholders to channel their concerns, questions, and complaints to the various implementation agencies, through multiple grievance uptake channels. The GRM will have a trained specialist to address any related issues and complaints.

The Grievance Redress Mechanism (GRM) is to help resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. It outlines a transparent and credible process for fair, effective and lasting outcomes. Similarly, it builds trust and cooperation as an integral component of broader community consultation that facilitates corrective actions. Specifically, the GRM:

1. Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants.
2. Avoids/ minimize the need to resort to judicial proceedings as a way of seeking redress.
3. Provides affected people with avenues for making a complaint or resolving any dispute that may arise during the course of the implementation of project.

9.1 The Grievance Redress Mechanism Process

Grievances will be handled at the Project Steering Committee (PSC) level through a multi-channel grievance uptake process, through which project related grievances will be resolved. GRM contact number(s) will be provided when GRM is set up (before project implementation). The GRM will provide for anonymous reporting in ways that will ensure confidentiality and anonymity. This will largely create an enabling environment to allow for grievances to be raised by project affected persons without fear of victimisation. The GRM process will be coordinated by the PSC via the PMU to ensure transparency and accountability in financial flow and distribution of relief items/supplies/consumables to people affected by the project.

The GRM will include the following steps:

- Receiving and registering a complaint;
- 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 communicating back to all parties involved; and
- Preparing timely reports to management on the nature and resolution of grievances

9.2 Scope of the GRM

The GRM will be a project wide GRM for the RUSLP and will be available for use by all project stakeholders including those directly and indirectly impacted, positively or negatively. This will proffer project affected persons to submit questions, concerns/complaints, comments, suggestions and obtain resolution or feedback.

9.3 Implementation Steps of GRM

The GRM implementation process will involve the following steps and timelines:

Step	Process	Time frame
1	Receive and register grievance	within 24 hours
2	Acknowledge	within 24 hours
3	Assess grievance	Within 24 hours
4	Assign responsibility	Within 2 Days
5	Development of response	within 21 Days
6	Implementation of response if agreement is reached	within 21 Days
7	Close grievance	within 30 Days
8	Initiate grievance review process if no agreement is reached	within 30 Days
9	Implement review recommendation and close	within 30 Days
10	Grievance taken to court by complainant	As applicable

The coordination responsibility of the GRM shall rest with the RUSLP Social Safeguards Specialist and the focal person at the call/report center. Complaints could be registered through calls, text messages, emails or voice mail. All complaints will be registered in a central log system (digitized). Once complaints is received at the call or report centre, they will be responsible for logging all complaints, the fraud/corruption complaints will be investigated and resolved by the PSC and the Anti-Corruption Commission. All other complaints will be forwarded to the GRM Committee or the appropriate bodies (to be constituted before project implementation) report on GRM as part of the standard monthly E&S reports to the PSC and the World Bank.

9.4 Cases and their Description

This section provides examples of the various types of cases that can arise during the implementation of the project. The type of cases to be handled include the following:

- Corruption/Fraud – for example, misappropriation of project funds, non or underpayment of risk allowances, diversion of project response materials/resources for use other than project implementation etc.
- Neighbourhood upgrading and greening
- Case management such as communities/inhabitants losing land and other assets due to construction of access roads, waterways/drainage, etc. Persons displaced in the process of flood risk mitigation measures.
- Affected persons not getting the necessary compensation, inaccurate data of persons affected, difficulties in locating affected persons due to logistical constraints, lack of corporation from general population due to insufficient information about the project, safety of officers undertaking disaster risk assessment, inadequate resources for officers to implement assigned tasks.
- Temporary shelter for displaced population: Inadequate provision of food and non-food items to displaced persons, poor conditions of temporary shelter facilities, proper monitoring of the shelters to ensure compliance especially in facilities vis-a-vis environmental considerations.
- Solid Waste Management such as lack or inadequate personal and equipment and waste handling material and logistics to deal with solid, exposure of the general population and workers to waste etc.
- Misinformation and/or inadequate information to the population about the project that could create an environment of resistance from sections of the general public.
- Psychosocial: lack of or inadequate response to tackle psychosocial issues (anxiety) arising from the project, lack of or inadequate staffing to respond to psycho-social issues
- Complaints of Sexual Exploitation and Abuse and Sexual Harassment between project staff and PAPs. The project has recruited and Gender and GBV specialist to support in confidential uptake and resolution of SEA/SH complaints which will be consistent with the project GBV action plan.

Administrative and Logistics: delay and under payment or non-payment of compensations, delay in procurement processes, delay in availability of project implementation funds; insufficient or lack of funds for project implementation, illegitimate spending of implementation funds, lack of or inadequate logistics to implement project, misuse of project logistics etc.

9.5 Potential sources of grievances/disputes

In practice, grievances and disputes that arise during the course of implementation of a resettlement/compensation program may be related to the following issues among others:

- Siting of the project / subproject;
- Mistakes in inventorying or valuing properties;
- Disagreement on property boundaries, either between the affected person and the expropriation agency or between two neighbors;
- Disputed ownership of a given asset (two or more affected people claim that the affected asset is theirs);
- Disagreement on asset valuation methods and compensation amounts in cash or in-kind;
- Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members including couples as to who should be given the cash compensation;
- Disagreement with the computation of the resettlement or livelihood assistance or transportation cost;
- Claims by people who relocated on their own after receiving notification about the project and the likelihood of impact on their activities; and
- Delays in resolving complaints of PAPs.

9.6 Key Stakeholders in GRM Process

The GRM will require all project stakeholders to actively participate in the identification, recording and resolution of grievances. Specific roles and responsibilities are outlined in the table below;

Table 8: Key Stakeholders in GRM Processes

Actor	Role
Ministry of Finance	Provides implementation oversight of Government of Sierra Leone and other Donor Partners on the RUSLP funding
Project Fiduciary Management Unit	Responsible for all fiduciary activities under the project
GRS Report Centre	General Platform that receive/record/log/document, screen and refers all RUSLP related complaint to appropriate channels for investigation and resolution
GRM focal person/PSC	Detect or investigate and resolve any complaint pertaining to the project
MLGRD	Provide supervisory role on local councils' cooperation on the project and help in the area of giving directives on relevant sector policies to guide project implementation
PMU-FDD	Responsible for project management component including social and environmental safeguards as well as technical aspects
Grievance Redress Committee	Receive/record/log/document, re-investigation and resolve all RUSLP related complaints
NGO	Appropriate partners/NGOs with capacity to provide the necessary technical backstopping to project implementation process

Actor	Role
Local councils/Ward Committees	WCs would be responsible for community mobilization, facilitating community planning, enumerations/ socio-economic surveys, and other community capacity building initiatives to support project implementations
PSC	The PSC will meet at least every quarter to resolve strategic issues affecting the Project execution, provide policy guidance, and review project implementation progress and results indicators

10.0 STAKEHOLDER CONSULTATION AND DISCLOSURE PLAN

The RPF, like any other safeguard instrument, is a public document, so its preparation was characterized by extensive stakeholder consultation and participation. Key project stakeholders consulted during the preparation of the RFP included Ministries, Departments and Agencies (MDAs), Local Councils, Private Organizations, Non- Governmental Organizations and local communities as detailed in Appendix 6. The meetings were held with these key stakeholders to key officials and opinion leaders to gauge their level of awareness and involvement with the project, concerns of project implementation, and to gather information on the role in the implementation of the project and the kind capacity needs required to aid the performance of the anticipated roles in the implementation of the project.

To this end, the RPF and its associated instruments, such as the RAP, must be treated as public documents that are accessible to the public throughout the project life cycle. The FDD shall be responsible for all disclosure of documents and must ensure that the RPF is published on the website of the Ministry of Finance and all other available channels of information disclosure including publishing in local languages in the various local communities. It will be published on the website of the Ministry of Finance and of relevant local municipalities. The FDD shall also present all documents such as the RPF and related documents to the Project Affected Persons (PAPs) in the process of land acquisition, particularly vulnerable groups, and project impact on their property and their rights must be explained. Hard copies of the documentation shall be available in the affected Local Councils for dissemination to affected communities and persons.

The FDD must ensure that affected persons participate throughout the development and implementation of resettlement activities and in the land acquisition process. They shall be consulted by the affected Local Councils and the Resettlement Committee and invited to participate in public meetings held by Local Councils from project inception stage through appraisal to implementation. The affected persons must also be provided with information on the project, its impacts and the proposed mitigation strategies and livelihood restoration activities. The information made public and provided to each affected household must also specify the cut-off dates for each sub-project, eligibility criteria and entitlements, modalities of compensation, and grievance redress procedures. The affected parties will be provided with an opportunity of presenting their ideas and suggestions as inputs into the planning and implementation of the resettlement activities. The affected persons must also be represented in the Resettlement Committee and any other committee to be established, which will ensure their participation in the decision-making process in various stages of the RAP process including during preparation and implementation. After completion of RAP, the PMU will commission a RAP audit and prepare a RAP

completion report to determine RAP is fully implemented and ROW freed as well as assess PAPs satisfaction with the process and results of the RAP.

10.1 Stakeholder Consultations Carried Out

Even though the project is still at the preparation stage, the World Bank RUSLP Team has already conducted three rounds of face-to-face and virtual engagements with different stakeholder groups pertaining to the project as presented in table 9 below:

Table 9: Summary of stakeholders consulted during RPF preparation

Name of Stakeholder Group	Topics for Discussion	Major concerns/issues and agreement
Fiscal Decentralization Department (MoF)	<ul style="list-style-type: none"> • Confirm RUSLP (components) role in RUSLP • Confirm key collaboration MDAs • Confirm key national laws/regulations governing project • Key capacity gaps/needs 	<ul style="list-style-type: none"> • High quality PMU staff who are adequately compensated for their demand roles. • FDD will need to hire two drivers as support from the project. • FDD needs support (Consultant) to help improve our documentation, records management and retrieval processes. • FDD recommends for thorough due diligence during site selection • Dual land ownership system could delay RAP implementation. • Litigation over issues disputes delays funds disbursement from World Bank • Capacity building support in new ESS especially on aspects related to land field site management
MLGRD	<ul style="list-style-type: none"> • Role in RUSLP • Key capacity gaps/needs • Confirm key stakeholders 	<ul style="list-style-type: none"> • Strong familiarity with ESS at national level • Capacity support in data collection, analysis and reporting, GIS based monitoring techniques to aid RAP implementation
Ministry of Lands		<ul style="list-style-type: none"> • Limited knowledge on new ESF and related RAP issues. • Refresher training on Land issues and Urban development training • Capacity support on GPS, GIS, data management and analysis. • Agree to provide oversight to E&S Officers engaged on RAP implementation
Freetown City Council Western Rural Council Bo city Council Kenema Council Makeni Council Koidu Council Bonthe Council Port Loko City Council	<ul style="list-style-type: none"> • Role in RUSLP • Key capacity gaps/needs • Confirm key stakeholders • Likely impacts-affected persons, land, structures, businesses, other livelihoods etc. 	<ul style="list-style-type: none"> • Engagement of land owing family and chiefdom council. • Assessment and management of Environment and social risk and impacts • Will lead in the field engagements with PAPs and implement RAP activities on the ground. • Requires capacity support on E&S frameworks and reporting requirements related to RAP • Logistical support such as GPS machines, cameras, Laptop computer, and motorbikes) to aid RAP activities.
Centre of Dialogue on Human Settlement and Poverty Alleviation (CODOHSAPA)	<ul style="list-style-type: none"> • Role in RUSLP • Key interest in project • Key capacity gaps/needs • Confirm key stakeholders 	<ul style="list-style-type: none"> • Express concerns about the likely impacts of project on such as loss of cultural values; sentimental attachment to the neighborhood, and the loss of proximity to livelihood source and other essential services • Proposed the conduct feasibility study to assess affected properties, prepare full cost of project including cost of affected properties and ensure the project fund is secured before execution commence so that compensation runs in tangent with commencement
Green Scenery		<ul style="list-style-type: none"> • Planting and growing/ stewarding trees in and around their land / property

Name of Stakeholder Group	Topics for Discussion	Major concerns/issues and agreement
Environmental Foundation for Africa (EFA)		<ul style="list-style-type: none"> • Anticipated complaints and grievances associated with the tree planting and growing component of the project. • Role of is though tree giveaways set-up through a distribution process linked to registered stewards who agree and consent to plant and grow. Through our planting area third party monitoring system through FCC Council structure FCC will engage stewards continually and address grievances as they arise.
50:50		<ul style="list-style-type: none"> • Impact of project on women • Avenues for lodging of complaints and grievances by women • The need to reform land tenure system to be inclusive of women views. • Information disclosure and consultation with women during project implementation including RAP • The need to be involved in GRM processes.
Rainbo Initiative		<ul style="list-style-type: none"> • GBV issues related to projects, • Mechanisms for GBV redress • Safeguarding and protection of vulnerable persons, girls and women during project implementation.

10.2 Consultation and Disclosure Requirements for the Resettlement Policy Framework

The main goal of stakeholder consultations under RPF/RAP preparation and implementation is to ensure inclusivity in the decision-making processes at every stage of the project preparation which will create an atmosphere of understanding that actively involves project-affected people and other stakeholders in a timely manner. It will also provide sufficient opportunity for the various stakeholder groups to voice their opinions and concerns that may influence project decisions during the project design, implementation, and closure stages.

Therefore, the resettlement instrument will be disclosed in compliance with World Bank's ESS 5 which states that:

“As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, it will be public disclosed across country and copies also deposited at selected locations for accessibility. The approved document will also be disclosed on the website of the World Bank.”

The consultations and Public Disclosure of the RPF will be undertaken by the PSU which will be organized as follows:

- Circulation of the draft RPF for comments to all relevant institutions (e.g. FDD, PSC, Ministry of Lands, Ministry of Environment Ministry of Works and Public Assets (MWPA), Environmental Protection Agency, and the World Bank etc.);
- Communication of comments to the Consultant for incorporation into a final RPF, together with World Bank comments; and
- Public Disclosure of final RPF (after reviewed and cleared by both GoSL & World Bank) both in-country (e.g. hard copies to be sent relevant District Councils, District EPA offices, project communities, community libraries) and at the World Bank and MoF websites. Twenty- one (21) days will be allowed for the public to submit their comments if any, on the document.

10.3 Stakeholder Consultation and Citizen Engagement Strategy

At each of the stages identified above, the PMU will ensure meaningful engagement and consultation and disclosure of project information to all relevant stakeholders. The disclosure and consultation activities will be designed along with some key guiding principles, including the following:

1. Consultations must be widely publicised particularly among the project affected stakeholders/communities, preferably 2 weeks prior to any meeting engagements
2. Ensure non-technical information summary is accessible prior to any event to ensure that people are informed of the assessment and conclusions before scheduled meetings
3. Location and timing of meetings must be designed to maximise stakeholder participation and availability
4. Information presented must be clear, and non-technical, and presented in all appropriate local languages where necessary
5. Engagements must be facilitated in ways that allow stakeholders to raise their views and concerns
6. Issues raised must be addressed, at the meetings or later.

Table 10: Stakeholder Engagement/Consultation Strategy

Key Activities	Target Stakeholders	Expected discussions and decisions	Mode of Engagement or Consultation	Responsibilities
Preparation of RPF/ project design and planning	<ul style="list-style-type: none"> Ministry of Finance-FDD, Local Councils, Affected Communities, Persons CSOs/NGOs World Bank Development Partners EPA 	<ul style="list-style-type: none"> Scope of activities proposed for sub-components. Institutional arrangements for project implementation (including roles and responsibilities) Confirmation of project stakeholders (including beneficiaries). Identification of activities from sub-components with potential resettlement related issues of concern. Potential resettlement related issues of concern from implementation the proposed projects and sub-projects Compliance with World Bank, EPA and MLHE requirements for project sub-components Strategies for mitigating the potential impacts and implementation of RAP 	<ul style="list-style-type: none"> One on one Interviews Local meetings Focus group meetings Field visits Sharing and review of relevant reports Email and phone calls 	FDD Local Councils
Screening process	FDD-PMU Local Councils Affected Communities Consultants	<ul style="list-style-type: none"> Scope of activities proposed for sub-components. Institutional arrangements for project implementation (including roles and responsibilities) Confirmation of project stakeholders (including beneficiaries). Identification of activities from sub-components with potential resettlement related issues of concern. Potential resettlement related issues of concern from implementation the proposed projects and sub-projects Compliance with World Bank, EPA and MLHE requirements for project sub-components Strategies for mitigating the potential impacts and implementation of RAP 	<ul style="list-style-type: none"> One on one Interviews Local meetings Focus group meetings Field visits Sharing and review of relevant reports Email and phone calls 	FDD Local Councils
Technical and financial feasibility study/ Preparation of project designs for sub-projects	FDD-PMU Local Councils Affected Communities Consultants	<ul style="list-style-type: none"> Scope of activities proposed for sub-components. Institutional arrangements for project implementation (including roles and responsibilities) Confirmation of project stakeholders (including beneficiaries). Identification of activities from sub-components with potential resettlement related issues of concern. Potential resettlement related issues of concern from implementation the proposed projects and sub-projects Compliance with World Bank, EPA and MLHE requirements for project sub-components Strategies for mitigating the potential impacts and implementation of RAP 	<ul style="list-style-type: none"> One on one Interviews Local meetings Focus group meetings Field visits Sharing and review of relevant reports Email and phone calls 	FDD Local Councils Consultants

Key Activities	Target Stakeholders	Expected discussions and decisions	Mode of Engagement or Consultation	Responsibilities
Resettlement and compensation planning	FDD-PMU Local Councils Affected Communities Consultants	<ul style="list-style-type: none"> • List of PAPs • Eligibility for compensation and entitlement • Schedule and procedures for resettlement and compensation payment • Institutional arrangement for RAP implementation • Grievance redress mechanism • Community awareness creation, notifications and support in the inventory of affected persons and compensation related issues. • Capacity building for stakeholders for the implementation of the RAP 	<ul style="list-style-type: none"> • One-on-one interviews • General meeting/ possible door to door sensitization. • Radio discussion • Sharing and review of relevant reports • Newspaper publications 	FDD-PMU, Local Councils Resettlement Committee
Implementation of RAP	FDD-PMU Local Councils Affected Communities Consultants	<ul style="list-style-type: none"> • List of PAPs • Eligibility for compensation and entitlement • Schedule and procedures for resettlement and compensation payment • Institutional arrangement for RAP implementation • Grievance redress mechanism • Community awareness creation, notifications and support in the inventory of affected persons and compensation related issues. • Capacity building for stakeholders for the implementation of the RAP 	<ul style="list-style-type: none"> • One-on-one interviews • General meeting/ possible door to door sensitization. • Radio discussion • Sharing and review of relevant reports • Newspaper publications 	FDD-PMU, Local Councils Resettlement Committee
Implementation of after-project community support activities (including monitoring)	FDD-PMU Local Councils Affected Communities Consultants	<ul style="list-style-type: none"> • Institutional arrangement for RAP implementation • Grievance redress mechanism • Capacity building for stakeholders for the implementation of the RAP 	<ul style="list-style-type: none"> • General meeting. • Workshops • Complaints desk • Sharing and review of relevant reports 	FDD-PMU, Local Councils Resettlement Committee
Development of an Environmental and social risk assessments and mitigation plans (ESIAs, RPF, ESCP, SEP, GBV Action)	Ministry of Lands, Housing and Environment, EPA, Office of National Security, Ministry of Labour and Social Security	Environmental and social risk assessments and mitigation	<ul style="list-style-type: none"> • One-on-one interviews • General meeting/ possible door to door sensitization. • Radio discussion • Sharing and review of relevant reports Newspaper publications 	FDD-PMU Local Councils

Key Activities	Target Stakeholders	Expected discussions and decisions	Mode of Engagement or Consultation	Responsibilities
Plan, Labor Management Procedure etc.)				
Disclosure of Environmental and social risk management plans	Media, EPA,	Environmental and social risk management plans	<ul style="list-style-type: none"> • One-on-one interviews • General meeting/ possible door to door sensitization. • Radio discussion • Sharing and review of relevant reports • Newspaper publications 	FDD-PMU Local Councils

11.0 MONITORING & EVALUATION ARRANGEMENTS

11.1 Overview of Monitoring and Evaluation Arrangements

Monitoring is a crucial element for the success of any resettlement project as it is important to accurately verify the information related to implementation of the Resettlement Plan and should be planned and costed as early as possible in the project. The monitoring will provide feedback to project management which will help keep the programs on schedule and successful.

Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation. Citizen engagement will be ensured by the development and implementation of a digital citizen engagement platform in which citizens can access the status of activities funded under the Project and provide feedback. This will be complemented by a continuous iterative beneficiary monitoring and regular social audit to allow the project to adjust the implementation approach on a real-time basis.

In order to comply with World Bank requirements, the overall internal monitoring procedures will include internal performance monitoring, Impact monitoring and external evaluation. An annual assessment will be the main tool to measure progress towards the implementation of the RAP. The annual assessment will be carried out by the PMU in line with the procedures established in the PIM and will be complemented by social audits to ensure objectivity. The results framework will be reviewed regularly and updated if necessary, during the annual reviews and the mid-term review, depending on adjustments and trends regarding the infrastructure and services supported by the project.

11.2 Purpose of Resettlement M&E

Monitoring and Evaluation are key components of the RPF. The general objectives are:

- i. Screening and identifying subproject activities that require the preparation of RAP;
- ii. Monitoring of specific situations or difficulties arising from implementation, and of the compliance with the objectives of the RPF and methods as set out in this RPF;
- iii. Evaluation of the impacts of the Resettlement/Compensation Actions on PAPs' livelihood, environment, local capacities, on economic development and local communities.

- iv. Monitoring aims to correct implementation methods during the course of the project, as required, while evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer-term perspective.

11.3 Internal Monitoring

11.3.1 Scope and Contents of Internal Monitoring

The PMU will be responsible for the internal monitoring which will address the following aspects:

- Social and economic monitoring: status of displaced or affected persons, status of individuals benefitting from the RUSLP activities, re-establishment of livelihoods of affected persons;
- Supervision of infrastructure and housing construction where relevant;
- Grievances and grievance management system;
- Implementation of consultation strategy;
- Assistance in livelihood restoration: agriculture, farming and business re-establishment and assistance.

11.3.2 Monitoring indicators

The Monitoring and Evaluation specialist together with the other Safeguards Specialists at the Project Steering Committee in collaboration with the Local Councils will ensure strict compliance with all the safeguards commitments and protocols put in place for the project. The following indicators shall be closely monitored, tracked and reported on at the time periods stipulated in the Project Results Measurement Framework.

1. Number of subprojects screened on environmental and social safeguard grounds.
2. Number of subprojects with RAPs;
3. Number of RAPs implemented according to schedule;
4. Number/frequency of safeguard supervision and annual Project reviews undertaken.
5. Numbers of households/individuals affected by the RUSLP Project activities;
6. Number of individuals physically or economically displaced;
7. Numbers of households/individuals benefitting from the RUSLP activities
8. Number of women benefitting from the RUSLP activities;
9. Number of youth (between the ages of 15 and 35 years benefitting from the RUSLP activities);
10. Number and sizes of individual family or stool lands acquired for the RUSLP activities;
11. Amounts of compensation paid;
12. Number of grievances filed

13. Number of grievances resolved.
14. Level of satisfaction with compensation received
15. Number of satisfactory RAP completion audits

11.3.3 Reporting

The internal monitoring unit (comprising of the Safeguards Specialist and the project M&E Specialist) will submit quarterly reports or as agreed to PMU. The report will at least cover status of compensation disbursement, nature of complaints, redress actions and follow-ups. An annual monitoring report will also be developed internally based on periodic reports.

11.4 Internal Evaluation

The PMU will be responsible for the internal evaluation of the RFP with the following objectives;

11.4.1 Objectives of Internal Evaluation

The evaluation has the following specific objectives:

- General assessment of the compliance of the implementation of resettlement activities with objectives and methods as set out in this RPF;
- Assessment of the compliance of the implementation of resettlement activities with laws, regulations and safeguard policies as stated above;
- Assessment of resettlement and compensation procedures as they have been implemented;
- Evaluation of the impact of the resettlement and compensation programs on incomes and standard of living, with focus on the “no worse-off if not better-off” requirement;
- Identification of actions to take as part of the on-going monitoring to improve the positive impacts of the program and mitigate its possible negative impacts, if any.

Evaluation of resettlement and compensation activities will be part of general assessment and review activities undertaken for the RUSLP activities as a whole by the PMU. Internal evaluation arrangements will be carried out for the implementation of RAPs.

11.5 External Monitoring and Evaluation

The supervision of safeguards implementation for the Project will be done by the FDD of the MoF as part of the overall project implementation in conjunction with the Social and Environmental Safeguards Specialists at the PMU, and relevant experts involved in environmental and social mitigation. World Bank supervision teams will also include environmental and social safeguards experts. It is recommended

that the PMU engages a local consultant to carry out external monitoring and evaluation of the RPF or any RAP developed and implemented under the RUSLP. The Independent External Evaluation (IEE) will be done soon after the completion of the RAP implementation.

The independent evaluation will determine:

- If compensation payments have been completed in a satisfactory manner;
- If there are improvements in livelihoods and well-being of PAPs; and
- If grievances or conflicts emanating from the RUSLP have been successfully resolved.

Several indicators will be used to measure these impacts. These include, among others,

- (i) a comparison of income levels of PAPS before-and-after the RPF and or RAP implementation;
- (ii) comparison of income levels of farmers/individuals benefitting from the RUSLP;
- (iii) Livelihoods and employment assistance offered under the RUSLP and other accessible alternative incomes;
- (iv) changes in standards of living/housing conditions of PAPs;
- (v) number of grievances and their status, time and quality of resolution;
- (vi) number of vulnerable people/groups identified and assisted and impact of resettlement assistance provided to them;
- (vii) number of demolitions if any after giving notice if any, and
- (viii) number of PAPs paid in a given period in comparison with what was planned.

11.6 Completion Audit

Upon completion of RAP implementation, an independent assessment will be conducted to determine whether the objectives of the resettlement instrument have been achieved. Evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer-term perspective. The completion audit will allow the Ministry of Finance, PMU, and other relevant stakeholders to verify that all resettlement/compensation related measures identified in the RPF and any RAP developed for that purpose were implemented or otherwise, and that compensation programs have been completed in compliance with ESS 5. The audit will also evaluate and ensure that the actions prescribed in the RPF and any RAP and implemented had the desired effect. The PMU will engage an independent consultant to carry out the completion audit. The completion audit is to be undertaken after completing implementation of the RAP.

12.0 BUDGETARY ARRANGEMENTS

12.1 Estimated Budget to Implement RPF

Table 11: Estimated Budget for RPF Implementation

Activity	Description	Item	Unit cost (US\$)	No.	Total Cost US\$
Screening report	Screening of subproject sites and preparation of TOR	Local travel, allowances, community engagements, stakeholder meetings, data capture and storage, reporting, etc	NA	NA	Done
Cost of Preparing/maintaining GRM	Setting up of the GRM framework, developing tools and outlining roles and responsibilities of implementing entities		NA	NA	5,000
Cost of sensitization and Implementing the GRM	To popularize the GRM among PAPs and general public, receive and register complaints, investigate and redress complaints, etc.	Local travel, allowances, community engagements, stakeholder meetings, IEC materials, data capture and storage, reporting, etc.	NA	NA	10,000
Awareness creation and Capacity building for MoF, project staff, PMU/ Local Councils	Training of project and project related staff on ESF requirements under the project	Technical assistance/Resource persons (for training), training materials, hall rental, food and refreshment	NA	NA	10,000
RPF disclosures	Production of document for distribution, disclosure in at least two widely circulated national newspapers, discussion with PAPs and other stakeholder engagements to share information	Printing, newspaper publication, local travel, media engagement, etc.	NA	NA	5,000
External M&E	To engage a local consultant who will be responsible for external monitoring and evaluation of the implementation of the RAP for the RUSLP.	Consultant's fees	NA	NA	30,000
Total Cost			NA	NA	60,000

12.2 Budget for Preparation and Implementation of RAPs

The Resettlement Action Plan is normally informed from the output from the Pre-feasibility study which determines the project's scope and the extent of the proposed works and its impact on affected communities. This information is not currently available for the three sites under the Neighborhood Upgrading, the three Markets to be upgraded in secondary cities, and Flood Mitigation interventions in at least two secondary cities, landfill site and the transfer station. The budget for RAP cannot be determined at this stage however, an outline of the indicative costs of resettlement and compensation is indicated below and will be derived from expenditure relating to (1) the preparation of the resettlement instrument, (2) relocation and transfer, (3) income losses and livelihood restoration plan, and (4) administrative

Table 12: Indicative outline of RAP Budget

No.	ITEM Description	QTY	Unit Cost (USD)	Total Cost (USD)
1.0	PREPARATORY PHASE COST			
1.1	Inventory of affected persons, assets and livelihoods			
1.2	Valuation fees (LVD or private valuer)			
1.3	Stakeholder Consultation			
1.4	Preparation of resettlement plans or compensation reports			
1.5	<i>Subtotal 1 (Preparatory phase cost)</i>			
2.0	COMPENSATION COST			
2.1	Compensation for permanent acquisition of land			
2.2	Compensation for temporary occupation of land			
2.3	Compensation for the destruction of standing crops			
2.4	Compensation for the destruction of permanent immovable structures			
2.5	Compensation for temporary displacement of moveable structures			
2.6	<i>Subtotal 2 (Compensation cost)</i>			

3.0	LIVELIHOOD RESTORATION /MITIGATION MEASURES COST			
3.1	Compensation for PAPs loss of income			
3.2	Compensation for businessperson loss of income			
3.3	Cost of special assistance to vulnerable groups			
3.4	<i>Subtotal 3 (Livelihood restoration/mitigation cost)</i>			
4.0	CAPACITY BUILDING & IMPLEMENTATION COST			
4.1	Capacity building for key stakeholders			
4.2	Disclosure of resettlement instrument			
4.5	Cost for compensation disbursement			
	Cost for RAP Completion Audit			
4.7	<i>Subtotal 4 (Capacity building & implementation cost)</i>			
5.0	TOTAL COST (addition of all subtotals 1&4)			
6.0	CONTINGENCY (5%-10% OF TOTAL COST)			
7.0	GRAND TOTAL COST (Total Cost + Contingency)			

12.3 Sources and Arrangements for funding

Considering the country's debt stress, and inability of the government to meet compensation requirement of the project. IDA resources will be used to pay compensation, land acquisition and resettlement related issues under the project.

APPENDICES

Appendix 1: Screening Checklist for Involuntary Resettlement

A PROJECT NAME				
1.	Project Location (Province, District, Town)			
2.	Safeguard officer filling Form			
3.	Date of Screening			
B DESCRIPTION OF ACTIVITY				
1.	Type of Activity (including objectives and outputs)			
2.	Land area to be taken by project activity, in hectares (include location coordinates)			
3.	Any existing property to be affected, and by how much (total, partial demolition etc.)			
4.	Any plans for construction, movement of earth, changes in land cover			
5.	Date of commencement and expected completion date and estimated cost			
C PRELIMINARY ENVIRONMENTAL INFORMATION				
		YES	NO	COMMENT
1.	Is there adjacent/nearby critical natural habitat?			
2.	Are there activities at the project site?			
3.	What is the current land use			
4.	Will the proposed activities have any impact on any ecosystem services, biodiversity issues or natural habitats?			
5.	Will there be restrictions or loss of access to community facilities or resources?			
6.	Will there be restrictions or loss of access to community facilities or resources?			
D PRELIMINARY SOCIAL INFORMATION				
		YES	NO	COMMENT
1.	Has there been litigation or complaints of any environmental nature directed against the proponent or subproject?			
2.	Will the subproject require the acquisition of land?			
3.	What is the status of the land holding required by the project (customary, lease, community lands, etc.)?			
4.	Is there evidence of land tenure status of landowners and/or occupants (affidavit, other documentation)?			
5.	Are there outstanding land disputes?			

6.	Has there been proper consultation with stakeholders?			
7.	Is there a grievance process identified for PAPs and is this easily accessible to these groups/individuals?			
8.	Will there be any changes to livelihoods?			
9.	What are the main issues associated with community benefits?			
10.	Will any restoration or compensation be required with Affected persons			
E IMPACT IDENTIFICATION AND CLASSIFICATION				
		Choose L, M or H	COMMENT	
1.	Livelihood	LOW (No livelihoods affected, short project duration and persons may revert to business activities immediately)		
		MEDIUM (Livelihoods affected, and persons may require some minimal assistance)		
		HIGH (Livelihoods affected, and compensation payments required)		
2.	Land tenure	LOW (No conflicts, disagreements around use of land)		
		MEDIUM (Process of land regularization and rights to natural resources being worked out with clear communication and grievance process in place)		
		HIGH (Land conflicts historically unresolved, community/ persons being evicted, settlers losing rights and no transparency or grievance redress available)		
F SUMMARY OF SITE SENSITIVITY				
		Tick appropriately		Comments
	[A]	HIGH		
	[B]	MEDIUM		
	[C]	LOW		
G IMPACT MITIGATION				

	Impact identified			
	Mitigation options			
H	DETERMINATION OF ENVIRONMENTAL CATEGORY BASED ON SCREENING			
			Tick appropriately	COMMENT
	[A]	REQUIRES RAP		
	[B]	REQUIRES PREPARATION OF ADDITIONAL E&S INFORMATION TO SUPPORT RPF		
	[C]	DOES NOT REQUIRE FURTHER ENVIRONMENTAL AND SOCIAL DUE DILIGENCE – REFER TO RPF		
	PREPARED BY:		
	DATE:		

Appendix 2: Framework for the Census of Affected Assets and Affected People

A. AFFECTED PLOT OR LAND FORM

Reference/GPS Coordinates:

Location: Region: District: Community/ Village:

Surface: Description of soil:

Crops:

Perennial Crops	1	Owner:
	2	Owner:
Annual Crops:	1	Owner:
	2	Owner:
Trees	1	Owner:
	2	Owner:

Structures: Owner
 Channels: Owner:
 Anti-erosive structures: Owner:
 Buildings: Owner:

Users:
 User 1: Surface used: Regime of tenure:
 User 2: Surface used: Regime of tenure:
 User 3: Surface used: Regime of tenure:
 User 4: Surface used: Regime of tenure:

Valuation proposal (details of calculation on attached sheet):

Crops:

Structures:

Proposed distribution of compensation:

User 1:
 User 2:
 User 3:
 User 4:

Date: Prepared By:

B. AFFECTED BUILDING FORM

Reference/ GPS Coordinates/Photograph number

Location: Region. District. Community/Village

Owner: Address:
 Description:
 Permanent Non-permanent
 Surface: Number of rooms:
 Walls: Material Condition
 Roof: Material Condition
 Floor: Material Condition
 Annexes outside: Latrine: Bathroom: Kitchen:
 Others: Additional features:

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

Valuation proposal (details of calculation on attached sheet):
 Proposed distribution of compensation:
 User 1:
 User 2:
 User 3:
 User 4:

Date: Prepared By:

C. AFFECTED HOUSEHOLD FORM

Household Reference:
 Location: Region: District: Village:
 Photograph numbers for each household member

Reference of Affected Asset:
 Type: Structure Plot Crop

Reference of Affected Asset Sheet:
 Location: Zone: Region:

Household Information:
 Head of Household: Name: Age: Sex:
 Identity Document: Type: Number:
 Composition of Household:
 Socio-Economic Information:
 Occupations:
 Head of Household:

Other members of Household:
 Number: Occupation:
 Number: Occupation:

Total Estimated Household Cash Income:
Education level of Household Members:

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

Proposed Compensation or Resettlement Package
Household's Wishes
Proposed Package

Proposed Livelihood Restoration or Assistance Package:
Household's Wishes
Proposed Package

Date: Prepared By:

Appendix 3: Compensation Claim and Commitment Form

COMPENSATION CLAIM & COMMITMENT FORM

Affected Person Information:

Name of claimant: Sex: Age:

Name of Representative/Contact Person:

Region: Town: Community/Suburb:

Affected property:

Total Compensation Due:

Affected property value (Leones)	Disturbance (Leones)	Livelihood assistance (Leones)	Other supplementary assistance necessary (Leones)	Total compensation as (Leones)
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Compensation Payment Commitment:

I,, having received the above total compensation amount for the land required/structures/crop(s) at the project site in question on(i.e. date of compensation payment), have agreed in principle to vacate or release the said land(s), for which compensation has been paid for the crops/structures/land thereon, on(agreed date when PAP should vacate or release the land).

Signature or Thumb print of claimant /recipient: Date:

Name of Administrator (MAFFS/Project Representative):
.....

Signature of Administrator:

Date:.....

Contact of Administrator:

Name of Witness: Signature of Witness
.....

Contact of Witness:

Appendix 4: Model Complaint Registration and Resolution Form

MODEL COMPLAINT REGISTRATION & RESOLUTION FORM-

Name (Complainant):

.....

ID Number (PAPs ID number if any):

Contact Information (house number/ mobile phone):.....

Nature of Grievance or Complaint:

Details of Grievance:

.....

.....

.....

.....

.....

.....

.....

Name (Receiver):

Signature:.....

Date:.....

Name (Filer): Signature.....

Date:.....

Relationship to Complainant (if different from Complainant):
.....

Review/Resolution Level 1 (District) Level 2 (Minist Level 3 (

Date of Conciliation Session:

.....

Was Filer/Complainant Present?: Yes No

Was field verification of complaint conducted? Yes No

Findings of field investigation:

.....

.....

.....

.....

Summary of Conciliation Session Discussion

Issues

.....

.....

.....

.....

Was agreement reached on the issues? Yes No

If agreement was reached, detail the agreement:

.....
.....
.....
.....
.....

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

.....
.....
.....
.....
.....

Signed (Conciliator):

Signed (Filer/Complainant):

Signed:

(Independent Observer e.g. Ward Committee representative/Opinion Leader)

Date:

Implementation of Agreement

Date of implementation:

.....

Feedback from Filer/Complainant: Satisfied Not Satisfied

If satisfied, sign off & date:

.....

(Filer/Complainant)

(Conciliator)

If not satisfied, recommendation/way forward:

.....
.....
.....

(Signature & date of Filer/Complainant)

(Signature & date of Conciliator)