

REPUBLIC OF GHANA



THE GULF OF GUINEA NORTHERN REGIONS SOCIAL COHESION PROJECT (SOCO)

RESETTLEMENT FRAMEWORK (RF)

DECEMBER 2021

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ABBREVIATIONS AND ACRONYMS

CBO	Community-Based Organisation
CE	Citizen Engagement
CDD	Community-Driven Development
CSO	Civil Society Organisation
DA	District Assembly
EI	Executive Instrument
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
E&S	Environmental and Social
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
GDP	Gross Domestic Product
ESS	Environmental and Social Standards
SOCO	Gulf of Guinea Northern Regions Social Cohesion Project
GoG	Government of Ghana
GM	Grievance Redress Mechanism
GSS	Ghana Statistical Service
IDA	International Development Association
IDP	Internally Displaced Persons
IPF	Investment Project Financing
LI	Legislative Instrument
LMC	Local Mediation Committee
LUSPA	Land Use and Spatial Planning Authority
LVD	Land Valuation Division
M&E	Monitoring and Evaluation
MTDP	Medium-Term Development Plan
MCA	Market Comparison Approach
MDAs	Ministries, Departments and Agencies
MLGDRD	Ministry of Local Government, Decentralisation and Rural Development
MMDAs	Metropolitan, Municipal and District Assemblies
MDAs	Municipal and District Assemblies
MoFA	Ministry of Food and Agriculture
MoF	Ministry of Finance
MoGCSP	Ministry of Gender, Children and Social Protection
NADMO	National Disaster Management Organization
NGO	Non-Governmental Organisation
OASL	Office of the Administrator of Stool Lands
PAP	Project Affected Person
PAH	Project Affected Household
PDO	Project Development Objective
PIU	Project Implementation Unit
PPD	Physical Planning Department
RAP	Resettlement Action Plan
RCC	Regional Coordinating Council
RoW	Right of Way
RF	Resettlement Framework
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
UCMS	Unified Case Management System
VTC	Valuation Technical Committee

GLOSSARY OF KEY TERMS

Asset: Any property owned by a person, group of persons or an institution/ agency.

Census: A field survey carried out to identify and determine the number of Project Affected Persons (PAPs) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement, and other measures emanating from consultations with affected communities and the local government institutions.

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

Compensation: The payment in kind, cash or other assets given in exchange for the acquisition of land or restriction on land use including fixed assets; and other assistance to rehabilitate or cushion the impacts from displacement.

Cost of disturbance: the reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land. This can either be determined and paid separately or factored into the valuation rate to be applied.

Cut-off Date: The date established by the Project as the deadline for entitlement to any form of compensation.

Economic Displacement: Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) which results from the construction or operation of a project or its associated facilities.

Eligibility: The criteria for qualification to receive benefits under a resettlement program.

Entitlements: The benefits set out in the resettlement instrument (RF, RP), including financial compensation; the right to participate in livelihood restoration programs; housing, house sites and service provision; and, transport and other short-term assistance required to resettle or relocate.

Full Replacement Cost: The method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs associated with asset replacement. In applying this method of valuation, depreciation of structures and assets are not considered.

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

Land Acquisition: This refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of

unoccupied or unutilized land whether the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. “Land” includes anything growing on or permanently affixed to land, such as crops, buildings, small structures, and other improvements, and appurtenant water bodies.

Livelihood: This refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

Market Value: the sum of money which the land might have been expected to realise if sold in the open market by a willing seller or to a willing buyer.

Physical Displacement: Loss of shelter, structures permanently affixed to land, crops, and other assets resulting from the acquisition of land or restrictions on land use associated with a project that requires the affected person(s) to move to another location.

Project: The Gulf of Guinea Northern Regions Social Cohesion Project

Project-Affected Person (PAP): A person that loses assets and/or usage rights and/or income generation capacities (e.g. land, structures, crops, businesses) because these assets/rights/capacities are located in land to be acquired or restricted or leased or used for needs of the Project, or a person who belongs to a household negatively impacted by the project.

Relocation: A process through which physically displaced individuals or households or communities are provided with compensation payment for their existing residential structures and assets and with livelihoods’ restoration support where required and move from the Project Area.

Resettlement: A process through which physically displaced persons are provided with replacement plots and residential structures at a designated site. Resettlement includes initiatives to restore and improve the living standards of those being resettled.

Resettlement Assistance: refers to activities that are usually provided during, and immediately after relocation, such as moving allowances, residential housing, or rentals or other assistance to make the transition smoother for affected households.

Stakeholders: Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

Vulnerable Persons: People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

EXECUTIVE SUMMARY

Introduction

The Government of Ghana (GoG) with the support of the World Bank is implementing the Gulf of Guinea Northern Regions Social Cohesion Project (SOCO, P175043) in the Northern, Savannah Upper East, Upper West, North-East and Oti regions of Ghana. The project is aimed at improving the socioeconomic resilience of communities in the target northern regions of the Gulf of Guinea countries exposed to conflict and climate risks. The government of Ghana is committed to complying with Ghanaian laws, and the World Bank Environmental and Social Standard 5 (ESS 5) on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

The purpose of developing a Resettlement Framework (RF) is to outline the framework and principles for the preparation and execution compensation/ relocation/resettlement and livelihood restoration for project affected persons. The RF principles and procedure will also allow for early and effective sharing of information to key stakeholders, and subsequent feedback and inputs, prior to development of one or more Resettlement Plans (RP) for subproject activities.

Project Rationale and Objective

Climate change, manifested in Ghana through: (i) rising temperatures, (ii) declining rainfall totals (iii) rising sea levels and (iv) high incidence of weather extremes and disasters, thus, threatens the livelihoods of the inhabitants in the target regions mentioned above. This also has food security implications for the country. Climate change is also expected to amplify the high variability in rainfall already experienced in the West African sub-region. The social implications of climate change may include - changes in land tenure arrangements and social relations, migration, and subsequent urban vulnerability.

The proposed regional approach involving Cote d'Ivoire, Ghana, Togo and Benin is expected to among others:

- Enable adoption of coherent and consistent approaches to prevent the common FCV spill-over effects
- Ensure a relatively consistent level of investment in connectivity and access to economic opportunity in each country.

The project Development objective is ***“To improve the socio-economic resilience of communities in the target northern regions of the Gulf of Guinea countries exposed to conflict and climate risks”***.

The Project will comprise five components as follows:

- Component 1: Community Resiliency and Inclusion
- Component 2: Capacity Building for Inclusive and Resilient Communities
- Component 3: Regional Coordination Platform and Dialogue
- Component 4: Project Management
- Component 5: Contingent Emergency Response Component

Potential Social Impacts

The SOCO is expected to have both positive and negative environmental and social impacts on assets, livelihoods and natural resources.

The potential positive social impacts include:

- Job Creation
- Skills Development
- Improvement of infrastructure and social facilities at pro-poor communities
- Female Empowerment
- Enhanced Institutional Capacity to Support decentralization

The potential negative social impacts include:

- Involuntary Resettlement
- Loss of Local economy jobs
- Loss of Economic and non-economic trees
- Change in land use and utilization of local resources
- Social conflict
- Loss of Cultural heritage
- Labour influx
- Occupational Health and Safety

Justification for the Resettlement Framework

The activities that have the potential to generate resettlement are mainly those linked to Component 1 of the Projet and involve rehabilitation, upgrading, and re-equipping of small community infrastructure including those related to improving connectivity infrastructure and promoting economic opportunities. This could include, but is not limited to:

- Construction of infrastructure to facilitate access to basic services
- Construction (rehabilitation, improvement and expansion) of rural roads
- Establishment of water supply infrastructure (hand-dug wells, etc.)
- Construction of small bridges/bridges, small irrigation canals
- Construction of off-grid electricity infrastructure
- Activities related to soil and water conservation measures
- Construction of flood control infrastructure
- Construction of community ponds/ponds
- Establishment of tree nurseries and reforestation
- The construction of public markets/market stalls
- Establishment of border security infrastructure (small lights, electricity, bridge, etc.)
- Gender-sensitive investments, such as the establishment of day care centers to support women's cross-border trade (with adequate attention to environmental and social safeguards)
- Income-generating activities (IGAs) and strategic investments in agriculture, livestock, fisheries, and agro-processing that can stimulate the local and territorial economy in the medium and long term
- Establishment of companies' labor camps

These activities have the potential to cause temporary economic and physical displacement through possible land acquisition and/or utilization of existing government land (the latter will be encouraged by the PIU), which may nevertheless be occupied by squatters, or both in which compensation and resettlement assistance may be required.

Objectives of the RF

The objectives of the RF are:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- Do not resort to forced eviction
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- 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.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant; and
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Legal Framework on land administration and resettlement related issues

The relevant national policies and laws regarding resettlement related land acquisition and compensation issues under this project include:

- The 1992 Constitution of the Republic of Ghana
- National Land Policy, 1999
- Land Act, 2020 (Act 1036)
- The State Lands Regulation of 1962 (LI 230)
- The Lands (Statutory Wayleaves) Act, 1963 (Act 186)
- The Lands (Statutory Wayleaves) Regulation of 1964 (LI 334)
- Lands Commission Act, 2008 (Act 767)
- Land Use and Spatial Planning Authority (LUPSA) Act, 2016 (Act 925)
- Office of the Administrator of Stool Lands Act, 1994 (Act 481)
- Alternative Dispute Resolutions Act, 2010 (Act 798)

The new Land Act, 2020 (Act 1036) repealed some earlier laws and they include the State Lands Act, 1962 (Act 125), Land Title Registration Law, 1986 (PNDCL 152), and the Administration of Lands Act 1962 (Act 123). The Act 1036 was passed as an addition to existing land laws and its purpose was to address particular and persistent challenges pertaining to the land sector in Ghana. The challenges include but are not limited to the use of private security (land guards), multiple sales of land, responsibility of landowners in land transactions, and the status of occupiers of land, among others.

Key land institutions/organisations that will be involved in land administration and or resettlement related activities in line with this RF include:

- Metropolitan/Municipal/District Assemblies (MMDAs) and its Physical Planning Department;
- Land Use and Spatial Planning Authority (LUSPA);

- Lands Commission;
- Ministry of Finance;
- Office of the Administrator of Stool Lands (OASL);
- Environmental Protection Agency (EPA);
- Traditional Authorities
- Non-governmental Organizations (NGO)/ Civil Society Organisation (CSO)/Community-Based Organisation (CBOs).

There are three types of land ownership in Ghana and these shall be taken into consideration in the acquisition of land for subprojects under the Project:

- Customary ownership;
- State ownership; and
- Split Ownership

There are two main types of land ownership/land tenure in Ghana: (1) Customary and (2) State land/Vested Lands

1. Customary ownership/tenure, which covers an estimated 80% of the total land area of Ghana. Under the customary tenure, land is communally owned by communities, clans, or families. Communities, clans, or families own land through allodial rights or usufructuary rights. Allodial rights refer to the original/first settlers of the land and usufructuary right refers to ownership acquired through decades of uninterrupted use of the land.
2. State Land Tenure/Vested lands is the second main type of land tenure and refers to lands acquired by the state and entrusted into the Lands Commission for management and administration.

Split ownership refers to individual or vested lands where the State takes over the legal incidents of ownership (the right to sell, lease, manage, collect rents, etc.) from the customary landowners and holds the land in trust for the land-owning community.

Applicable World Bank Environmental and Social Standards

The applicable World Bank Environmental and Social Standards for the preparation and implementation of this RF include:

- ESS 1- Environmental and Social Assessment -a screening will be carried out in order to determine whether a RP is needed.
- ESS 5 – Land Acquisition, Restrictions on Land use and Involuntary Resettlement; and
- ESS 10 - Stakeholder Engagement and Information Disclosure.

Proposed project resettlement /compensation policy and principles

Impacts from the implementation of the SOCO on land and/or people (land acquisition, restrictions on land use, physical displacement/resettlement, livelihood restoration of affected people) will be addressed in compliance with the Constitution of Ghana, with other Ghanaian regulations, and with the World Bank Environmental and Social Standard 5-Land Acquisition, Restrictions on Land use and Involuntary Resettlement. In the event of gaps or inconsistencies between Ghanaian laws and the World Bank Standards, the World Bank ESS 5 will be applicable.

Minimization of Displacement:

- The project will focus mainly on public lands or communal land or skin/stool lands vested in the traditional authorities.
- Wherever inhabited permanent dwellings/structures, or communal properties such as cemeteries, or religious places may potentially be affected by a component of a SOCO sub- project, the sub-project shall be reassessed to avoid any impact on such permanent dwellings or communal properties and to avoid displacement/relocation accordingly.
- Culturally sensitive sites such as cemeteries, sacred groves and shrines as much as possible will be avoided and not be relocated.

During inventory of project affected persons under SOCO, activities with impact on livelihoods or causing displacement of vulnerable persons will be identified in order for special assistance or measures to be put in place for those persons. Section 5.3 provides further details on the impacts and assistance for vulnerable groups.

Implementation Arrangements

The key actors responsible for the implementation of the resettlement activities are:

- Ministry of Local Government, Decentralization and Rural Development (MLGDRD)
- Environmental Protection Agency (EPA)
- Regional Lands Commission (Land Valuation Division/Survey and Mapping Division)
- Regional Coordinating Councils (RCCs)
- District Assemblies (Physical Planning Departments)
- External Consultants
- RP Management Team
- Traditional Authority
- Project Affected Persons (PAPs)
- Non-Governmental Organizations

The implementation activities will be under the overall guidance of the of the Ministry of Local Government, Decentralization and Rural Development (MLGDRD). Roles of the above implementers are detailed in this RF.

Disclosure

The RF will be disclosed in compliance with relevant Ghanaian regulations and the World Bank Standard. It will be disclosed at the offices of the Chief Director, MLGDRD, National, Regional and Zonal Offices of EPA, and offices of participating MMDAs and in English and local language. Finally, it will be disclosed on the websites of the MLGDRD, and on the World Bank's external website.

Grievance Redress Mechanism (GRM)

A GRM is a set of arrangements that allow local communities, employees, and other impacted stakeholders to file grievances with a project's implementer and seek redress when they see a negative impact as a result of the project's operations. It is a critical component of mitigating, managing, and resolving potential or actual negative consequences, as well as meeting international human rights duties and contributing to constructive relationships with the greater stakeholder community, particularly local communities, and employees.

Grievances and disputes that may arise during the implementation of the planned Project's operations may be related to the following (non-exhaustive list of) topics:

- Valuation of assets and compensation
- Disagreement on plot 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 or communities claim that the affected asset is theirs)
- Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members
- Where affected people opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them, proposed housing or resettlement plot characteristics. Agricultural potential is not adequate in their view)
- Issues related to voluntary land donation; and gender related issues including Gender Based Violence (GBV), SEA/SH at construction sites.

Project beneficiaries with disabilities should be able to use GM. It should be presented to these recipients in a clear and understandable manner (braille, simple and large font writings, infographics, audio or assisted). To guarantee efficient communication of the GM, consult with disability associations and service providers (schools for people with impairments). It is critical to raise awareness of the needs of people with disabilities among GM structures.

Monitoring and Evaluation

In accordance with the ESS-5, this RF proposes arrangements, for participatory monitoring of project activities. Therefore, monitoring and evaluation (M&E) reporting are key components of the Resettlement Framework. This will be done through implementation of continuous monitoring of implementation of resettlement plans including the way in which grievances are resolved. An annual performance audit may be conducted by the PIU if the need arises but an end of project evaluation and closure report would be prepared by the PIU.

A monitoring and evaluation plan will be prepared by the PIU to measure the underlisted main indicators:

- impacts on affected individuals, households, and communities to be maintained at their pre-project standard of living, and better;
- improvement of communities affected by the project; and
- management of disputes or conflicts. In order to measure these impacts, each RP identifies the specific indicators to be monitored; define how they will be measured on a regular basis; and identify key monitoring milestones (e.g. at mid- point of the RP implementation process). The detail and complexity of this plan will depend on the nature and extent of the resettlement that takes place.

The PIU will prepare quarterly RP implementation reports as a way of monitoring and ensuring the implementation of the RP. The PIU will engage an external consultant(s) to prepare an external audit on the implementation of the RP.

Implementation Schedule

The underlisted activities will determine the implementation schedule for the resettlement program:

- Preparation, approval and disclosure of RF

- Implementation of RF – Training and Workshops
- Confirmation of sub-project activities
- Screening of sub-project activities for resettlement related issues
- Preparation, approval and disclosure of RPs
- Implementation of RPs

Budget and Funding

The estimated budget for implementing the RF is approximately USD 182,700 which will cover the following key activities:

- Consultations and disclosure workshops
- Training and sensitization on screening under ESS 1, RF and WB ESS 5, grievance mechanism under ESS 10 for national, regional/ district stakeholders, traditional authorities/ communities;
- Awareness raising through radio discussions and adverts
- GRM activities; and
- M& E activities

The World Bank funds are not to be disburse against compensation and therefore the Government of Ghana will be responsible for providing the funds to pay of compensation under the SOCO.

1 INTRODUCTION

The Government of Ghana (GoG) through the Ministry of Local Government Decentralization and Rural Development (MLGDRD) in collaboration with the Ministry of Finance and the World Bank is preparing to implement the Gulf of Guinea Northern Regions and Social Cohesion Project (P175043). Within the target Gulf of Guinea countries (namely, Benin, Côte d'Ivoire, Ghana, and Togo), there is a growing realization of the risks posed by regional fragility, conflicts, and violence (FCV) dynamics and that regional cooperation is necessary in ensuring effective investments locally, but also to improve regional dialogues, to stem their further expansion. Thus, the proposed regional operation seeks to facilitate coordination of local investments especially around border areas, including cross-border investments, and information sharing across countries and support the adoption of coherent and consistent regional approaches to problems of connectivity, social exclusion and cohesion that are shared across the sub-region.

The project seeks to contribute to the prevention of conflict spillover by improving social and economic resilience of the target northern regions and to strengthening regional dialogue across the Gulf of Guinea countries.

Ghana economy has seen a gradual transformation in terms of the contribution of the various sectors to its GDP. The agricultural sector which used to be the leading contributor to the nation's GDP has now been overtaken by the service sector. Some scholars have argued that that structural change in Ghana's economy had been characterized by a decline in the agricultural sector's share in employment, but the released labour ended up in relatively low productivity and informal sectors. Hence, although structural change has contributed to productivity growth in Ghana, the impact has been largely muted. Despite the transformation seen in the sectoral contribution to GDP, agriculture remains the predominant preoccupation, especially of most inhabitants in the northern sector of Ghana.

Climate change, manifested in Ghana through: (i) rising temperatures, (ii) declining rainfall totals (iii) rising sea levels and (iv) high incidence of weather extremes and disasters, thus, threatens the livelihoods of the inhabitants of the country. This also has food security implications for the country. Climate change is also expected to amplify the high variability in rainfall already experienced in the West African sub-region. The social implications of climate change include - changes in land tenure arrangements and social relations, migration, and subsequent urban and rural vulnerability.

Similar to the other Gulf of Guinea countries, the vulnerability of the target regions in Ghana to climate change is further heightened by the historically low level of development (poor access to basic services and markets, higher average poverty rate, long periods of annual dry season, etc) and the frequent conflicts experienced by some communities. The agglomeration of these factors has the propensity to engender a feeling of neglect, and exclusion from the national development agenda, particularly among the youth. A vulnerability assessment was conducted as part of project preparation - based on a combination of publicly available and government data - to further target districts in the 6 northern regions of Ghana – Upper East, Northeast, Upper West, Northern, Savannah, and Oti - that are most vulnerable to FCV and climate risks.

It has been suggested that both the Islamic state group and their rivals in al-Qaeda have taken a strategic decision to make Africa their new priority after suffering setbacks in the Middle East. Social scientists (Gardener, 2021) have suggested that the existing conditions in the Gulf of

Guinea region, likely to be aggravated in the future by climate change, will make the youth susceptible to the proclaimed ideals of these insurgents if pragmatic steps are not taken to reverse the trend and prevent what has been forecasted.

Faced with this regional threat, a regional solution has been propounded. It has been suggested that a solely national response is more likely to create divergences across the sub-region in dealing with FCV spillovers from the Sahel especially when there are strong traditional and common cultural aspects that don't have "borders. The spillover of conflict into any one of the Gulf of Guinea countries significantly raises the risks of further instability for others and undermines prevention efforts in the region. It is on this basis that a regional approach has been proposed under this project.

The proposed regional approach involving Côte d'Ivoire, Ghana, Togo, and Benin is expected to among others:

- Enable adoption of coherent and consistent approaches to prevent the common FCV spill-over effects
- Ensure a relatively consistent level of investment in connectivity and access to economic opportunity in each country.

1.1 Project Description

Project Development Objective.

The project Development objective is to: "To improve the regional collaboration and socio-economic resilience of border-zone communities in the target northern regions of the Gulf of Guinea countries exposed to conflict and climate risks."

Project Components

The Gulf of Guinea Northern Regions Social Cohesion Project is community driven development project to be implemented for disadvantaged northern regions of Benin, Cote d'Ivoire, Ghana and Togo. The project will be implemented over a period of five (5) years.

The project has 5 components:

Component 1: Investing in Community Resiliency and Inclusion.

This component will finance local-level investments to promote community resilience and inclusion in border areas. Those community-level investments will be selected and implemented in collaboration with communities, local governments (LGs), and targeted groups who will have received training as part of Component 2. Local investments will be planned and implemented in an integrated manner, with the target areas' medium-term territorial development objective in mind. The component aims to support people in the target northern regions to fully participate in their local development activities and to create inclusive and resilient communities with enhanced access to economic opportunities by adapting a community-driven approach complemented by key data and relevant studies that take into account cross-border opportunities and challenges. There are three subcomponents:

Component 1.1: Community investments for strengthening local resilience and inclusion.

This subcomponent will finance community-level public infrastructure in vulnerable village clusters at or near border areas with the aim of preventing regional FCV risks and promoting positive spillovers. Eligible community subprojects include: connectivity (rural roads, culverts, cross-border security infrastructure etc); Wash, Sanitation and Hygiene (Climate-resilient water and sanitation structures, including water reservoirs and water sources, supply pipes, ponds,

community water supply system etc), natural resource management and climate adaptation (small irrigation canals, soil and water conservation measures, flood control structures, community pond, tree nurseries, afforestation etc), Energy and ICT (Energy-efficient off-grid electrification; information and communication technology (ICT)-based installations at the community etc.), Social (Rehabilitation or extension of pre-schools, primary school, literacy centers, and social centers etc).

Component 1.2: Strategic economic activity investments for local economic development.

This subcomponent aims to create short-term benefits to existing economic activities, but also to build longer-term economic sources of resilience by investing strategically in targeted local markets. The subcomponent will finance the rehabilitation of existing rural markets, as well as the development of economic activities (services, development of value chains, quality enhancement, aggregation, and so on) linked to the rehabilitation of these markets with the aim of generating local employment and income.

Component 1.3 Youth engagement and social cohesion activities.

This subcomponent will finance youth-identified social cohesion activities and/or cluster-level community infrastructure. The subcomponent will invest in (a) social cohesion activities and events as well as (b) the rehabilitation, upgrading and/or equipment of cluster-level community infrastructure—that are identified and prioritized by the youth.

Component 2: Building foundation and capacity for inclusive and resilient communities

This component will fund a variety of training and capacity-building activities aimed at strengthening the basis and capacity of local stakeholders, particularly in the following four areas: (a) identify and implement subprojects under Component 1, (b) build a foundation for a local economic ecosystem with a cross-border vision that can lead to medium- to long-term territorial development in the target northern region, (c) train targeted youth in border communities to participate in project activities, and (d) promote a better understanding and practice of social inclusion and cohesion.

Communities, LGs, community facilitators, local technical employees of line ministries and partners, as well as a few key national-level stakeholders, will benefit from this component. The component will cover the following types of training and capacity-building activities: Capacity building for community investments to strengthen local resilience and inclusion; Promotion of local economic development; Engaging youth in project-related and more publicly oriented activities to help inclusion and community cohesion; and Promotion of social cohesion and prevention of violence.

Component 3: Regional Coordination Platform and Dialogue

The goal of this component is to improve regional coordination among the four target nations in order to promote a coordinated response to FCV challenges in the Gulf of Guinea. The component will improve national capacity to engage in and co-lead regional dialogue, including advancing a shared vision of the subregion in existing regional institutions such as Economic Community of West African States (ECOWAS), where they will be able to engage and share this vision with border Sahel countries, the Community of Sahel-Saharan States (CEN-SAD), the West African Economic and Monetary Union (WAEMU), or the African Union, among others.

Specifically, it will fund the project's Regional Coordination Platform (RCP) under component 3, which will be built around three essential pillars: data collecting and analysis, knowledge generation, and discourse building. Data collecting operations are aimed at improving access to

high-quality data and information so that complicated regional and national FCV and climate dynamics can be better understood. Evidence-based analysis will be used to build regional/cross-border policies and inform project implementation through knowledge generating initiatives. The goal of dialogue-building activities is to strengthen regional collaboration by providing a stable and neutral platform for debate, coordination, and planning.

Activities will be implemented to mainstream climate fragility and risks, assisting countries in better understanding the climate change-security nexus and developing appropriate response plans. Other important regional issues, such as transhumance conflicts, cross-border trade, and economic opportunities (including "lessons learned" from the project's financed activities under components 1 and 2), will be shared and analyzed regionally as part of data and research activities, as well as regional dialogues among participating countries. Activities will be phased in order to improve coordination and implementation capabilities over time.

Component 4. Project Management

For the effective implementation of project activities, this component will assist project management and coordination at the regional, national, and subnational levels. The component covers project management areas such as planning, implementation, and technical oversight of program activities; management and monitoring of social and environmental safeguards; overall financial management (FM) and procurement; preparation of work plans, budgets, and progress reports; communication and public awareness campaigns; monitoring and evaluation (M&E) arrangements, including the setup of a management information system (MIS); Setting up and managing a project beneficiary feedback mechanism, as well as steps to improve openness and accountability, including the use of ICT platforms. The development and functioning of a Committee for Regional Coordination (CRC), and for each country - national steering committees (NSCs), and technical national and subnational committees would be aided by coordination activities. The component will fund CRC and PIU staffing costs, as well as national and regional operating expenditures such as equipment, vehicles, fuel, and office space; communications costs; and targeted national and regional capacity building efforts to improve overall project management.

Component 5: Contingent Emergency Response Component.

This zero-budget component will serve as a contingency funding mechanism that might be activated in the case of a natural or man-made disaster, as well as health crises such as pandemics, via a formal declaration of a national emergency or a formal request from the government. If a disaster or crisis occurs, monies from the unallocated expenditure category or other project components could be shifted to support emergency response expenditures.

1.2 Project Targeted Locations

In Ghana, the Gulf of Guinea Northern Regions Social Cohesion Project (SOCO) is likely to be implemented in sixty-three (63) districts located in six regions in the northern half of the country that are deemed eligible per the project objectives. These are – Upper East, Upper West, Savannah, North East, Northern, and the Oti Regions.

1.3 Justification for Resettlement Framework

As explained above, the project is structured around five (05) components designed to expand and build on portfolios related to community development projects (CDD), agriculture, women and youth inclusion and digital development for greater synergy and development effectiveness.

The activities and their specific locations to be carried out under this project are not yet known with precision. They will be known once the preliminary studies are carried out. However, it should be noted that the project activities that are likely to affect the local population, property and livelihoods are essentially related to Component 1.

The activities related to this component are those of rehabilitation, upgrading, and re-equipping of small community infrastructure including those related to improving connectivity infrastructure and promoting economic opportunities. This could include, but is not limited to:

- Construction of infrastructure to facilitate access to basic services
- Construction (rehabilitation, improvement and expansion) of rural roads
- Establishment of water supply infrastructure (hand-dug wells, etc.)
- Construction of small bridges/bridges, small irrigation canals
- Construction of off-grid electricity infrastructure
- Activities related to soil and water conservation measures
- Construction of flood control infrastructure
- Construction of community ponds/ponds
- Establishment of tree nurseries and reforestation
- The construction of public markets/market stalls
- Establishment of border security infrastructure (small lights, electricity, bridge, etc.)
- Gender-sensitive investments, such as the establishment of day care centers to support women's cross-border trade (with adequate attention to environmental and social safeguards)
- Income-generating activities (IGAs) and strategic investments in agriculture, livestock, fisheries, and agro-processing that can stimulate the local and territorial economy in the medium and long term
- Establishment of companies' labor camps

1.4 Objectives of the RF

The RF is prepared to clarify resettlement principles, mitigation measures, and organizational arrangements and design criteria to be applied for the preparation of resettlement plans for subproject activities when locations are identified during implementation

The specific objectives of the RF are:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- To avoid forced eviction
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- 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.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant; and

- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

1.5 Methodology employed during the preparation of the RF

Preparing of the Resettlement Framework applied both primary data (data from field visits) and secondary data including the World Bank Environmental and Social Framework, Draft Project Appraisal Documents, existing National Policies and legislations, etc.). Additionally, stakeholder and public consultation and focus group discussions have been conducted in selected District Assemblies and Communities. The following approach was adopted:

a) Desktop Review

This involved conducting review of existing relevant national legislation, policies, World Bank's Environmental and Social Framework (ESF), particularly ESS5, the Project Concept Paper and preparatory technical discussions held with the World Bank. These reviews provided information on the national legislations that regulate land related issues in the country, with reference to compulsory land acquisition and involuntary resettlement in ESS5. Primary sources of data that was collected from the field through field consultations and observations.

b) Consultation and Field Observations

As part of the RF preparation process, consultations were held with proposed project implementers, beneficiaries, community representative and other stakeholders. The consultations focused on project implementation and the mandate of the identified stakeholders, including communities at the local level. Consultations were held to gain an insight on land tenure system, grievance handling and how resettlement issues have been handled with respect to projects under the Medium-Term Development Plans (MTDPs) and what should be done to enhance incorporation of resettlement issues for projects that may fall under the SOCO and other future projects.

The Municipal and District Assemblies consulted included Sawla Tuna Kaliba , North East Gonja and East Gonja Municipal in the Savannah Region; Nadowli Kaleo, Lambusei and Sissala East Municipal in the Upper West Region; Garu, Builsa North and Bawku Municipal in the Upper East Region; West Mamprusi, Bunkpurugu Nakpanduri and Chereponi in the North East Region; Karaga, Kpandai and Nanton in the Northern Region; and Nkwanta North, Krachi Nchumuru and Jasikan in the Oti Region. Representatives from the respective DAs included District Social Welfare and Community Development Officers, Municipal and District Development Planning Officers, and District Works Engineers were engaged at the District Level. Two communities from each of the aforementioned districts were visited. At the community level, Traditional Authority Unit Committee members, Assembly members, opinion leaders and community members were consulted. Pictures and attendance of the public consultations are attached as Annex E.

c) Finalization of Framework

A draft RF was prepared and subjected to validation by the Technical Working Group for the Project. The revised RF was forwarded to the World Bank for review and subsequent approval.

Figure 1: Pictures of consultations with District Assemblies and Community Members



2 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

This RF will apply laws, legislation, policies, and regulations governing the use of land and other assets in Ghana and the World Bank's ESF particularly ESS 5. In case of any discrepancies between these set of standards, the World Bank's ESS 5 will prevail. The World Bank ESF and the national legal framework relevant to the preparation and implementation of the RF are described below to guide implementation of the Project.

2.1 Relevant National Policy and Legal Framework

The overall legal regime for land administration in Ghana consists of constitutional provisions, policy instruments, statutory enactments, judicial decisions, common law principles and customary laws and practices which have been enacted and developed over the years to regulate land rights generally. The legal and institutional framework in respect of land administration, land tenure, and land expropriation is complex but there are clear procedures for compensation. The relevant national policies and laws in relation to resettlement, land acquisition and compensation issues under this Project include:

- The 1992 Constitution of the Republic of Ghana
- National Land Policy, 1999
- The Land Act, 2020 (Act 1036)
- The State Lands Regulation of 1962 (LI 230)
- The Lands (Statutory Wayleaves) Act, 1963 (Act 186)
- The Lands (Statutory Wayleaves) Regulation of 1964 (LI 334)
- Lands Commission Act, 2008 (Act 767)
- Land Use and Spatial Planning Authority (LUPSA) Act, 2016 (Act 925)
- Office of the Administrator of Stool Lands Act, 1994 (Act 481)
- Alternative Dispute Resolutions Act, 2010 (Act 798)

The new Land Act, 2020 (Act 1036) repealed some earlier laws which include the State Lands Act, 1962 (Act 125), Land Title Registration Law, 1986 (PNDCL 152, and the Administration of Lands Act 1962 (Act 123). The Act 1036 was passed as an addition to existing land laws and its purpose was to address particular and persistent challenges pertaining to the land sector in Ghana. The challenges include but are not limited to the use of private security (land guards), multiple sales of land, responsibility of landowners in land transactions, and the status of occupiers of land, among others.

Each of the listed policies and legislation provide specific guidance in particular areas of land administration and management in Ghana. For instance, the 1992 Constitution of the Republic of Ghana provides the framework under which the Parliament of Ghana can make other enactments. The Lands Commission Act, 2008 (Act 767) establishes the Lands Commission. The Act 767 also dissolved the Survey Department, Land Valuation Board, Land Title Registry as separate entities and consolidated them into a single entity called the Lands Commission with four (4) Divisions of the Lands Commission namely, the Survey and Mapping Division, the Land Valuation Division, the Land Registration Division, and the Public and Vested Lands Management Division.

2.1.1 The 1992 Constitution of Ghana

The implementation of the proposed project may involve the expropriation of land/ property and/ or acquisition of right of way by the Government.

The Constitution of Ghana (1992) makes provision for citizens to own property and receive support from the state when that property is compulsorily acquired by the state; this is evident in Article 18 of the Constitution which states that *“Every person has the right to own property either alone or in association with others.”*

The Constitution also provides for individual property rights, the protection of those rights, and compensation from the government if it compulsorily acquires a person’s property. The right to acquire land is vested in the President, although land may only be acquired by the state if it is in the interest of defense and the public.

“No property of any description or interest in or right over any property shall be compulsorily taken possession of or acquired by the State unless the taking of possession or acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such manner as to promote the public benefit” (Article 20 (1)).

Article 20 (2) of the Constitution states that compulsory acquisition of property by the State shall only be made under a law which makes provision for:

- The prompt payment of fair and adequate compensation; and
- a right of access to the High Court by any person who has an interest in or right over the property whether direct or on appeal from any other authority, for the determination of his interest or right and the amount of compensation to which he is entitled.

Article 20 (3) the 1992 Constitution requires that where a compulsory acquisition or possession of land effected by the State involves displacement of any inhabitants, the State shall resettle the displaced inhabitants on suitable alternative land with due regard for their economic well-being and social and cultural values. The reasoning for the compulsory acquisition must also be clearly stated and must provide “reasonable justification for causing any hardship that may result to any person who has interest in or right over the property.” (Constitution, Article 20).

2.1.2 National Land Policy, 1999

The National Land Policy of 1999 provides guidelines and policy actions for land use (agriculture, forestry, extractive industry, settlement, and infrastructure). The Policy aims at enhancing conservation and environmental quality, thereby preserving options for present and future generations. The key objectives of the Land Policy, which are relevant to the Project, are the protection of the rights of landowners to receive adequate compensation for land acquired, the promotion of public awareness of the proposed project and their legal rights at all levels, and community participation in sustainable land management.

2.1.3 Land Act, 2020 (Act 1036)

The new Land Act, 2020 Act (1036) seeks to consolidate various land legislations into one enactment to provide a comprehensive statement in respect of the consolidated legislation. It also provides easy access to legislation on land and helps remove the overlaps and inconsistencies that

were associated with land legislation. Additionally, international best practices on land management were considered¹ and found expressions in the Act.

The Lands Act (Act 1036) of 2020 repealed the State Lands Act (Act 125) of 1962, Land Title Registration Act 1986 (PNDCL 152), and the Administration of Lands Act (Act 123) of 1962.

There are two main types of landownership/land tenure in Ghana: (1) Customary and (2) State land/Vested Lands.

1. Customary ownership/tenure, which covers an estimated 80% of the total land area of Ghana. Under the customary tenure, communities, clans, or families communally own land. Communities, clans, or families own land through allodial rights or usufructuary rights. Allodial rights refer to the original/first settlers of the land and usufructuary right refers to ownership acquired through decades of uninterrupted use of the land.
2. State Land Tenure/Vested lands is the second main type of land tenure and refers to lands acquired by the state and entrusted into the Lands Commission for management and administration.

The new Lands Act, 2020 (Act 1036) therefore identified and recognized these various interests guiding the acquisition of land and resettlement process.

The procedure for the compulsory acquisition guaranteed under the 1992 Constitution of Ghana is affirmed and elaborated in the Act 1036, from Sections 233 to 267, including notice to a person with interest in the land, surveying of the land, consultations with stakeholders including interested parties, publication of the consultation report by the Lands Commission with copies of the report made available to the respective traditional authority and district assembly. The acquisition takes effect from the date of publication of the Executive Instrument (EI).

The Lands Act (Act 1036) vests in the State the authority to compulsorily acquire land for public purposes via statutory declaration and publication of an Executive Instrument (EI) as indicated under Section 233 of Chapter Seven of the Lands Act. It stipulates that the State shall ensure the prompt payment of fair and adequate compensation for the acquisition of land following an expression of interest by the state that the parcel of land in question is to be used for the public interest. It also declares that the Lands Commission shall act on behalf of the State regarding the compulsory acquisition of land under the Act.

The new Act makes provision in Section 234 for the acquisition of land by means of purchase or gift. Section 235 provides that public lands shall be allocated for the purpose for which the land was acquired or for purposes of public interest. It further restricts Ministries, Departments and Agencies that are allocated public lands from creating or transferring an interest in the land allocated.

Section 236 of the Act prohibits unlawful occupation or sale of public lands and imposes a sanction for contravention of the prohibition. The sanctions provided under Act 1036 include imprisonment, fines or both. For example, the Act criminalizes the use of private security (land

¹ The outcomes from the Rio Summit on Sustainable Development, the Africa Union Declaration on Land Issues and Challenges, the recent United Nations Sustainable Development Goals, other various United Nations Conventions and World Bank Policy Guidelines. Recent guiding principles such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forest (VGGT) developed by the Food and Agricultural Organisation and the Land Governance Assessment Framework

guards) and a person who uses them commits an offence under section 12 and shall upon conviction be liable to a term of imprisonment of not less than ten years and not more than fifteen years. Section 30 permits the state to acquire allodial interest in land through gift, purchase or agreement. A person who unlawfully alienates public lands commits an offence and shall upon conviction be liable to a fine of not less than five thousand penalty units (GHC60,000) the equivalent of \$10,000 and not more than ten thousand penalty units (GHC120,000) the equivalent of \$20,000 at an exchange rate of \$1-Ghc6.

To comply with the dictates of the Constitution on payment of prompt, fair and adequate compensation, the Act requires that funds are made available for payment of compensation before acquisition process commences (Section 238). The Act also makes provision for the payment of interest on delayed compensation. The Act also acknowledges the various land interest holders in the payment of compensation.

Novel provisions include Sections 244 to 245, which impose an obligation on the Lands Commission to consult owners, occupiers, traditional authorities and community leaders of lands to be affected by the acquisition and to publish a report of the consultation. The sections also provide for a means for the disclosure of the consultation reports.

The law under Section 250 specifies the persons who may submit claims for the payment of compensation. This provision is intended to enable persons who have interest in land which is to be acquired to be aware of their rights to submit claims. The Act also provide a basis for the assessment of compensation (market value) under Section 255.

Section 258 in providing for fair and adequate compensation that protects the rights of a vulnerable claimant by ensuring that that claimant is adequately represented in the process of assessment of compensation. However, this clause is not entirely consistent with the World Bank Environmental and Social Framework (ESF) Environmental and Social Standard (ESS) 5, which appeals to the full replacement cost standard. This method aims to establish compensation sufficient to replace assets, plus the necessary transaction costs associated with replacing those assets. It also provides that where the assessment made by the Lands Commission is higher than that claimed by the claimant, the former should be paid.

Consistent with article 20(3) of the 1992 Constitution, detailed provisions have been made under clause 261 for resettlement of persons displaced by compulsory acquisition. Section 265 provides for the Resettlement of displaced Inhabitants and the preparation of a Land and Resettlement Plan.

2.1.4 The State Lands Regulation of 1962 (LI 230)

The State Lands Regulation of 1962 (LI 230) was enacted pursuant to Act 125 and provides general guidelines and directions for implementing the provisions of Act 125 regarding compulsory acquisition of land and consequential compensation. Regulation LI 230 calls for the establishment of Site Advisory Committees (SACs), which are technical bodies whose task it is to consider all requests for compulsory acquisition of lands and advise on the suitability of the lands for the intended projects. The SACs are composed of professionals from state land agencies, public work departments, and utilities. The recommendations of the SACs are forwarded to the Regional Minister for approval.

2.1.5 The Lands (Statutory Wayleaves) Act, 1963

The Lands (Statutory Wayleaves) Act, 1963 (Act 186) details the process involved in occupation of land for the purpose of the construction, installation and maintenance of works of public utility, and for the creation of Right-of-Ways (RoW) for such works. Where a RoW must be established in the public interest, the president may declare the land to be subject to such statutory wayleave. On publication of a wayleave instrument specifying the area required, and without further assurance, the land shall be deemed to be subject to wayleave. Once the property owner is served a copy of the Way leaves, he/she has three months from that date within which to make a compensation claim.

The key elements of this Act include the following:

- The owner/ occupier of the land must be formally notified at least a week in advance of the intent to enter, and be given at least 24-hour notice before actual entry;
- Any damage due to entry must be compensated in accord with the procedures established by the Minister unless the land is restored or replaced;
- In the case of highways, no compensation shall be paid, unless the land taken is more than one fifth of the total holdings of an affected person;
- Where a right of way must be established in the public interest, the President may declare the land to be subject to such statutory wayleave; and
- On publication of a wayleave instrument specifying the area required, and without further assurance, the land shall be deemed to be subject to wayleave. Compensation is then determined and paid, with the right of appeal in accordance with the Lands Act, 2020 (Act 1036).

2.1.6 The Lands (Statutory Wayleaves) Regulation of 1964 (LI334)

The Lands (Statutory Wayleaves) Regulation of 1964 (LI 334) provides that the State retains the power to compulsorily acquire any area of land for public use if necessary and pay prompt and appropriate compensation to the original owner(s) of said land. LI 334 also establishes provisions for Wayleave Selection Committees to determine the optimal routing and to ensure that the selected wayleaves are consistent with urban and rural planning. Occupiers of current RoWs have no right to compensation under Ghanaian law if they occupied the RoW after its formal declaration.

2.1.7 Lands Commission Act 2008, Act 767

The Lands Commission Act 2008 re-establishes the Lands Commission to integrate the operations of public service land institutions in order to secure effective and efficient land administration to provide for related matters. The objectives of the Commission include among others to:

- Promote the judicious use of land by the society and ensure that land use is in accordance with sustainable management principles and the maintenance of a sound eco-system; and
- Ensure that land development is effected in conformity with the nation's development goals.

Currently, the Commission has the following Divisions: Survey and Mapping; Land Registration; Land Valuation; and Public and Vested Lands Management.

2.1.8 Land Use and Spatial Planning Authority (LUPSA) Act 2016, Act 925

This Act revises and consolidates the laws on land use and spatial planning, provide for sustainable development of land and human settlements through a decentralised planning system, ensure judicious use of land in order to improve quality of life, promote health and safety in respect of human settlements and to regulate national, regional, district and local spatial planning, and generally to provide for spatial aspects of socio-economic development and for related matters. Section 104 (1a) provides for compensation of a person whose property is adversely affected by the operation of a scheme or by the execution of a work under a scheme under this Act.

2.1.9 Office of the Administrator of Stool Lands Act, 1994 (Act 481)

The OASL Act 1994, Act 481 establishes the Office of the Administrator of Stool Lands as enshrined in Article 267 (2) of the 1992 Constitution and it is responsible for establishment of stool land account for each stool, collection of rents and the disbursement of such revenues. The Administrator is charged with the management of stool lands and in accordance with the provisions in the 1992 Constitution, 10% of the gross revenue goes to the Administrator of Stool Lands for administrative expenses whilst the remainder is disbursed as follows:

- 25% to the stool through the traditional authority for the maintenance of the stool;
- 20% to the Traditional Authority;
- 55% to the District Assembly, within the area of authority of which the stool lands are situated.

2.1.10 Alternative Dispute Resolution Act 2010 (Act 798)

The purpose of the Act is to “...provide for the settlement of disputes by arbitration, mediation and customary arbitration, to establish an Alternative Dispute Resolution Centre and to provide for related matters.” The Act further defines Alternative Dispute Resolution “as the collective description of methods of resolving disputes otherwise than through the normal trial process” (Section 135). The ADR Act covers both domestic and international arbitration in Ghana and the enforcement of both domestic and foreign arbitral awards within the jurisdiction.

Under Section 1, Application, the Act applies to matters other than those that relate to

- the national or public interest;
- the environment;
- the enforcement and interpretation of the Constitution; or
- any other matter that by law cannot be settled by an alternative dispute resolution method.

The Land Act has introduced the use of Act 798 in Land Title Registration to replace the non-functional Title Adjudication Committees in order to speed up the registration process, disagreement over compensation payment and other dispute resolution provisions in the former Act.

2.2 World Bank Environmental and Social Framework (ESF)

According to the World Bank ESF, projects supported by the Bank through Investment Project Financing are required to meet the Environmental and Social Standards (ESS). These ESS are designed to help the borrower to manage the risks and impacts of a project, and improve environmental and social performance, through a risk and outcomes-based approach. Clients are required to manage environmental and social risks and impacts of the project throughout the project life cycle in a systematic manner, proportionate to the nature and scale of the project and the potential risks and impacts. In the context of the SOCO, the specific sites for the implementation of the sub-project activities have not been identified at this stage; this RF and an Environmental and Social Management Framework (ESMF) were prepared, as relevant management tools for the project. During implementation stage, site specific instruments such as a Resettlement Plans or Environment and Social Management Plan (ESMP) and Environmental and Social Impact Assessment (ESIA) will be prepared to mitigate risks associated with the sub-project activities.

2.2.1 ESS 5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlements

“Involuntary resettlement” refers to instances where 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. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

ESS 5 applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use:

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

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

2.2.2 ESS 10 - Stakeholder Engagement and Information Disclosure

This requires the proponent or client to engage with stakeholders throughout the project life cycle, from the preparation stage and during project implementation, and in a timeframe that enables meaningful consultations with stakeholders.

Resettlement related activities are expected to be planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected, and addressing and responding to grievances.

2.3 Land Administration and Institutional Framework

Key institutions/organisations that will be involved in land administration and or resettlement related activities in line with this RF include:

- Metropolitan/Municipal/District Assemblies (MMDAs) and its Physical Planning Department;
- Land Use and Spatial Planning Authority (LUSPA);
- Lands Commission;
- Ministry of Finance;
- Office of the Administrator of Stool Lands (OASL);
- Environmental Protection Agency (EPA);
- Traditional Authorities
- Non-governmental Organizations (NGO)/ Civil Society Organization (CSO)/Community-Based Organization (CBOs).
- Project Beneficiary Local Communities
- Project Affected Persons
- Members of Relevant Unit Committees/Area Councils

2.3.1 MMDAs and its Physical Planning Department

The Local Governance Act (Act 936), 2016, establishes and regulates the local government systems and gives authority to the Metropolitan, Municipal and District Assemblies (MMDAs) to exercise political and administrative power. The Act also empowers the MMDAs to provide guidance, give direction to, and supervise all other administrative authorities in their jurisdiction. These MMDAs are under the Ministry of Local Government, Decentralization and Rural Development (MLGDRD).

The MMDAs are mandated to initiate programmes for the development of basic infrastructure and provide municipal works and services as well as be responsible for the development, improvement and management of human settlements and the environment in the district.

2.3.2 Land Use and Spatial Planning Authority

The Land Use and Spatial Planning Authority (LUSPA) is responsible for sustainable development of land and human settlements through a decentralized planning system, and currently operates at the regional and district levels, with the responsibility for designing plans (planning schemes) and controlling settlements.

LUSPA, as a decentralized institution, forms part of the District Assembly structure as the Physical Planning Departments and at the regional level as the Regional Land use and Spatial Planning Authority.

The Physical Planning Departments which have the mandate to develop planning schemes and control settlements would lead the DAs in the land acquisition process.

2.3.3 Lands Commission

The Commission currently has the following Divisions:

- Public and Vested Lands Management
- Land Valuation
- Land Registration
- Survey and Mapping

Public and Vested Lands Management Division of the Lands Commission

The Public and Vested Lands Management Division of the Lands Commission is the principal land management organisation of the government. All public lands are vested in the President of Ghana and held in trust by him for the people of Ghana. The Public and Vested Lands Management Division manages all public land on behalf of the President. In each of the Sixteen 16)² regions of Ghana, the Regional Lands Commission, are responsible for managing public lands on behalf of government, its other mandates include among others providing:

- Advise the government and local authorities on policy matters, and to ensure that the development of individual parcels of land is consistent with area development plans; and
- Advise on and assist in the execution of a comprehensive programme of land title registration.

Three (3) out of the six newly created regions fall within the project target are and they are Savannah, North East and Oti regions. The Regional Lands Commissions of the parent regions administer and manage public lands in the newly created regions that yet to be served with the full complement of the Regional Lands Commission. In this regards the Regional Lands Commission for Northern Region will service Savannah and North East Regions while the Regional Lands Commission for Volta Region will service Oti Region. In addition, the Land Use and Spatial Planning Authority has decentralized land use planning to the local authorities and would be most relevant to the use of land for developmental purposes and for this project. Every district in Ghana has a Land Use Planning Committee led by the Physical Planning Officer the hitherto Town and Country Planning Officer.

The acquisition of any rights of exclusive possession over public lands would necessitate discussions with the relevant Regional Lands Commission for a lease over the selected site.

² The Commission is yet to establish branches in the six newly created regions which includes three of the targeted regions for the project.

Land Valuation Division (LVD)

It was established in 1986 (PNDC Law 42) as the Land Valuation Board (LVB). However, the LVB was brought under the Lands Commission as the Lands Valuation Division with the promulgation of the Lands Commission Act 2008, Act 767.

The LVD is responsible for all valuation services for the government. The LVDs' valuation for compensation is based on the market value approach for land and replacement value for houses and other properties damaged or destroyed due to compulsory acquisition. The enumeration approach is adopted for crops, and compensation is based on the economic life of tree crops such as cocoa, oil palm, citrus, etc. Under the current national laws, resettlement and compensation can be claimed as a right only by persons with recognizable interests in the acquired lands (Land Act, 2020 (Act 1036) Compensation will be required for lands acquired from customary authorities (stools, skins, clans and families), and individual or vested lands (or split ownership) where the state takes over the legal incidents of ownership (the right to sell, lease, manage, collect rents, etc) from the customary landowners and holds the land in trust for the land-owning community.

The LVD has offices in all previous ten (10no.) regions of Ghana (yet to create offices in the new 6 regions) and 44 district offices. The district offices are involved only in 'rating valuation' and that any valuation taking place has to be undertaken by the Regional offices which have certified valuers. The LVD also keep records of private sector certified valuers. The approval of the Valuation Report is done at the National level by a Valuation Technical Committee.

Land Registration Division of the Lands Commission

It was established in 1986 as the Title Registration Advisory Board under Section 10 of the Land Title Registration Act, 1986. However, it was brought under the Lands Commission as the Lands Registration Division with the promulgation of the Lands Commission Act 2008, Act 767. The Division ensures registration of title to land and other interests in land; maintains land registers that contains records of land and other interests in land; ensures registration of deeds and other instruments affecting land, among other functions.

Survey and Mapping Division of the Lands Commission

It was established in 1962 under the Survey Act 1962, Act 127 as the Survey Department. The Department was brought under the Lands Commission as the Survey and Mapping Division with the promulgation of the Lands Commission Act 2008, Act 767. The Division supervises, regulates and controls the surveys and demarcation of land for the purposes of land use and land registration. It also supervises, regulates, controls and certifies the production of maps. It is responsible for planning all national surveys and mapping among other functions.

2.3.4 Ministry of Finance/ Accountant Generals' Department

The Ministry of Finance is the agency that manages the central government's budget. It is responsible for releasing money to be paid to victims of projects undertaken by state agencies. On request from MLGDRD, the Ministry of Finance will authorize and release to MDA, the funds required to implement the RPs and pay supplementary assistance and compensation.

2.3.5 Environmental Protection Agency (EPA)

The EPA is established under the EPA Act, 1994 (Act 490) and is responsible for the protection of the environment and this include the human/ socioeconomic environment as well. The Agency is under the Ministry of Environment, Science, Technology and Innovation. Its functions include the following amongst others:

- Advise the Minister on the formulation of policies on all aspects of the environment and in particular make recommendations for the protection of the environment;
- Ensure compliance with any laid down environmental and social impact assessment procedures in the planning and execution of development projects, including compliance in respect of existing projects;
- Act in liaison and co-operation with government agencies, district assemblies and other bodies and institutions to generally protect the environment; and
- To promote effective planning in the management of the environment.

The EPA is the main government body for receiving and reviewing all Environmental and Social Impact Assessment reports. Currently, Resettlement Plan reports sent to the EPA for review are usually attached to the mainstream Environmental Impact Assessment (EIA) Reports as the mandate to review and approve government compensation rest with the Land Valuation Division of the Lands Commission. The EPA is yet to develop a general guideline or format for the preparation and review of a Resettlement Plans as it has done for the preparation of an EIA report. The EPA has offices in all the previous ten regions of Ghana and zonal offices which takes care of a cluster of districts. The EPA Act, 1994 (Act 490) and its Environmental Assessment Regulation, 1999 (L.I. 1652) require public hearing where the project affects large population of people, and the Agency has the power under the law to authorize social impact assessment, even though it is yet to develop specific guidelines for social impact assessment.

Metropolitan, Municipal and District Assemblies are mandated by the Environmental Assessment Regulation (LI 1652) to register and screen all developmental projects with the EPA.

2.3.6 Traditional Authorities

In the 1992 Constitution, chieftaincy together with its traditional councils is guaranteed and protected as an important institution in the country. This institution operates in tandem with the Ministry for Chieftaincy and Religious Affairs (MCRA), which is the official Ghanaian agency responsible the creation of linkages between the Government of Ghana and the traditional authorities in the country.

In Ghana land is owned predominantly by customary authorities (stools, skins, clans and families). Together they own about 78% of all lands while the State owns about 20% with the remaining 2% owned by the state and customary authorities in a form of partnership (split ownership), (Larbi W. O., 2008).

Article 267 (1) of the 1992 Constitution declares that all stool lands in the country shall vest in the appropriate stool on behalf of, and in trust of the subjects of the stool in accordance with customary law and usage. All revenue from stool lands are collected and disbursed by the Office of the Administrator of Stool Lands (OASL). The traditional authorities will be consulted in the identification of PAPs and acquisition of land for the sub-project.

2.3.7 Non-governmental Organizations (NGO)/ Civil Society Organisation (CSO)/Community-Based Organisation (CBOs)

In some cases, NGOs/CSOs can serve as the mouthpiece of the local people. They will participate in public hearings of ESIA's and RPs and in addressing the concerns of the communities. With regards to the implementation of the SOCO where resettlements and compensations are triggered, they will help with sensitization and awareness program regarding safeguards compliance. They will also help in the identification of vulnerable persons in the community. The role of the NGOs cannot be overemphasized since this is a Community-Driven Development Project.

2.4 Gaps between Ghana Regulations and World Bank Standards

There are significant gaps between Ghanaian regulations and World Bank requirements. These are summarized in Table 1.

Table 1: Comparison of Ghanaian Regulations with World Bank Requirements

TOPIC	GHANA LEGISLATION REQUIREMENT	WB REQUIREMENTS	GAPS FILLING PROCEDURES
Timing of Compensation Payment	Article 20 (2) of the 1992 Constitution and Section 233 of Lands Act (Act 1036) Of 2020 require that compulsory acquisition of property by the State shall only be made under a law which makes provision for: - (i) the prompt payment of fair and adequate compensation.	ESS 5 requires the provision, before displacement occurs, of compensation and other assistance required for relocation, as well as the preparation and allocation of resettlement land with appropriate facilities, where required. In particular, the taking of land and related property can only take place after the payment of compensation and, where applicable, the provision of resettlement land and travel allowances to the displaced.	The national legislation that provides for prompt compensation prior to resettlement will be complemented by the ESS 5, which provides for more conditions to be met before physical or economic, among them, resettlement assistance, the preparation and allocation of land, and relocation allowances.

TOPIC	GHANA LEGISLATION REQUIREMENT	WB REQUIREMENTS	GAPS FILLING PROCEDURES
Calculation of Compensation	<p>Article 20 of the 1992 Constitution of Ghana and Section 233 of the Lands Act (Act 1036) 2020) require that compensation should be fair and adequate.</p> <p>-Adequate requires that the Land Valuation Division of the Lands Commission determines the rate which should be Market Value, improvement to the land, damages sustained because of acquisition, cost associated with change of residence or business because of the acquisition, other costs as necessary (Sections 255 and 256 of Lands Act, 2020 (Act 1036)</p> <p>The various claims for which an expropriated owner may be compensated are: (i) market value of the land taken; or (ii) replacement value of the land taken; and (iii) cost of disturbance; and (iv) other damage (severance and injurious affection); or (v) grant land of equivalent value.</p>	<p>"Replacement cost" is the method of valuing assets to determine the amount sufficient to replace losses incurred and to cover transaction costs. Depreciation of infrastructure and production facilities should not be taken into account when applying this valuation method. For losses that are difficult to value or compensate for in monetary terms (e.g., access to public services, customers or suppliers; or to fishing, grazing or forest areas), an attempt is made to establish access to equivalent and culturally acceptable resources and income sources. Where national legislation does not provide for compensation at a level corresponding to the full replacement cost, compensation under national legislation is supplemented by additional measures to bridge the gap with the prevailing replacement cost.</p>	<p>Depending on the case, the competent national agencies (for land, crops or buildings) will be called upon to make the evaluations and weigh the proposals of the PAPs. However, the compensation standard will be the replacement cost.</p> <p>The national provisions for compensation will be supplemented by the criteria of the full replacement cost standard, including:</p> <ul style="list-style-type: none"> - The valuation method must determine the amount sufficient to replace the losses incurred and cover transaction costs - Depreciation is not included in the valuation of the property - When dealing with loss of access to public resources, an attempt is made to establish access to equivalent and culturally acceptable resources and income sources
Squatters	No provision. Squatters are deemed not to be eligible and therefore not entitled to any compensation. The Land	Persons who have no formal right or title to the land they occupy	ESS 5 will apply. People with no formal or customary rights, and no expectations to obtain them, are to be provided compensation for lost assets,

TOPIC	GHANA LEGISLATION REQUIREMENT	WB REQUIREMENTS	GAPS FILLING PROCEDURES
	Act criminalizes the occupation of public lands. (Section 236)	<p>are eligible for compensation.</p> <p>Such persons shall receive resettlement assistance in lieu of compensation for the land they occupy, and any other assistance necessary to achieve the objectives of ESS 5, provided that they have occupied the land in the project area before the cut-off date.</p> <p>Such support includes livelihoods' restoration and resettlement assistance.</p>	<p>except for land, and livelihoods' restoration plans or measures and resettlement assistance.</p> <p>Where required, assistance will be provided so that this type of PAPs can be relocate to locations they can legally stay in during reconstitution of livelihoods.</p>
Resettlement options	<p>In the event where inhabitants have to be displaced, the state is to resettle them on "suitable land with due regard for their economic well-being and social and cultural values". (1992 Constitution of Ghana, Article 20).</p> <p>Section 265 of Act 1036 Provides for the resettlement of displaced inhabitants and the Preparation of a Land and Resettlement Plan.</p>	<p>Land-based resettlement strategies should be preferred for displaced populations whose livelihoods are derived from land.</p> <p>The lack of suitable agricultural land must be proven and documented to the satisfaction of the Bank.</p> <p>Cash compensation for loss of assets is acceptable in cases where (a) livelihoods are derived from land resources, the land taken by the project represents only a small fraction of the affected assets and the remaining assets are economically viable;</p>	<p>National legislation will be complemented by ESS 5, which is more comprehensive. physically displaced PAPs are to be provided with housing sites at least equivalent to the old site.</p> <p>Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based (i.e. farmers, etc.)</p>

TOPIC	GHANA LEGISLATION REQUIREMENT	WB REQUIREMENTS	GAPS FILLING PROCEDURES
		(b) active markets exist for land, housing and labor, displaced persons use such markets, and there is an adequate supply of land and housing available; or (c) livelihoods are not based on land resources. Cash compensation will need to be sufficient to finance the replacement of lost land and other assets at full replacement cost in local markets.	
Resettlement Assistance	No specific provision with respect to additional assistance and monitoring.	Affected people are to be offered support after displacement, for a transition period	ESS 5 will apply, as National legislation is silent in this regard. Affected people are to be offered resettlement support to cover a transition period
Gender and Vulnerable Groups	The Land Act makes provision for legal and other expert assistance to vulnerable persons for assessing meaningful compensation (Section 258).	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women, children, indigenous peoples, and ethnic minorities	National legislation will be complemented by ESS 5. Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children.
Information and Consultation	A compulsory acquisition of land shall not be undertaken by the state without consultations with the persons of interest (The Lands Act (Act 1036, Section 244);	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning,	National legislation will be complemented by ESS 5, which is more comprehensive. displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to

TOPIC	GHANA LEGISLATION REQUIREMENT	WB REQUIREMENTS	GAPS FILLING PROCEDURES
	Statutory Wayleaves Act, 1963, Act 186)	implementing, and monitoring resettlement.	participate in planning, implementing, and monitoring resettlement.
Disclosure	A copy of the consultation reports shall be made available at the traditional authority and district assembly of the area and affected persons (Section 244 of Act 1036).	RF and subsequent resettlement instruments, such as RPs, should be submitted for public disclosure purposes	National legislation will be complemented by ESS 5, which is more Comprehensive. Resettlement Instrument prepared including RF will be submitted broadly for public disclosure purposes.
Grievance Mechanism (GM)	Use of Alternative Dispute Resolution (ADR) (Section 254 of Act 1036) and Access to Court of Law (Article 20 of 1992 Constitution of Ghana, and Section 254 of Act 1036)	A project level effective grievance mechanism for handling and following up complaints should be established, and PAPs should have easy access to this mechanism.	An accessible and efficient project level grievance mechanism that will address resettlement-related complaints will be available for PAPs. The Law Court and administrative resolution organs will be always available for PAPs, who do not need to finalize the process at the project level GM to have recourse to competent national bodies. Moreover, anonymous complaints will be admitted under the project GM.
Use of Resettlement Instrument	Section 265 of Act 1036 provides for the resettlement of displaced inhabitants and the preparation of a Land and Resettlement Plan.	ESS 5 provide the use of a RF and RPs for comprehensively addressing resettlement impacts.	The project will use RPs to address resettlement impacts as per ESS 5.

3 PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION

3.1 Principles

This RF applies to infrastructure, investments or activities to be undertaken under the Project which would cause physical displacement or lose of some, or all access to resources, and regardless of the total number affected, the severity of impact, and their legal status. The activities that have the potential to generate resettlement are mainly those linked to Component 1 of the Project and involve rehabilitation, upgrading, and re-equipping of small community infrastructure including those related to improving connectivity infrastructure and promoting economic opportunities. This could include, but is not limited to:

- Construction of infrastructure to facilitate access to basic services
- Construction (rehabilitation, improvement and expansion) of rural roads
- Establishment of water supply infrastructure (hand-dug wells, etc.)
- Construction of small bridges/bridges, small irrigation canals
- Construction of off-grid electricity infrastructure
- Activities related to soil and water conservation measures
- Construction of flood control infrastructure
- Construction of community ponds/ponds
- Establishment of tree nurseries and reforestation
- The construction of public markets/market stalls
- Establishment of border security infrastructure (small lights, electricity, bridge, etc.)
- Gender-sensitive investments, such as the establishment of day care centers to support women's cross-border trade (with adequate attention to environmental and social safeguards)
- Income-generating activities (IGAs) and strategic investments in agriculture, livestock, fisheries, and agro-processing that can stimulate the local and territorial economy in the medium and long term
- Establishment of companies' labor camps

This RF also applies to those with ill-defined or no title to the land, including squatters and encroachers.

Although the exact number and locations of the projects are unknown, the RF will provide a guidance to identifying the different categories of PAPs for the purposes of determining impacts.

Even if it is small-scale infrastructure, the civil works that the project can support are considerable in number.

Project Affected Persons will be informed of their rights under lands act 1036, EA 1999 (LI1652 and the Local Governance Act 2016 (Act 936) and this RF (and eventual RPs), and the PIU will offer them compensation at full replacement cost as stated in the entitlement matrix together with culturally appropriate development opportunities. Furthermore, PIU will identify the vulnerable members in these households, such as the aged or ill; women, children; widows and orphans, people living under poverty conditions, women; unemployed youth; persons living with disability, etc.

In the instance where the sub-project requires private land for any project infrastructure, site specific Resettlement Plans (RAPs) will be prepared as per the principles provided in this RF.

Principles to be followed during the RP preparation:

- All subprojects to be implemented under the Gulf of Guinea Northern Regions Social Cohesion Project must be screened
- All potential PAPs should be identified (through a census exercise) and informed about their options and rights pertaining to compensation for land and assets to be acquired by the sub- project(s);
- The start of the census would establish the cut-off date;
- PAPs must be consulted meaningfully about land acquisition and compensation and offered technical and financial options, including the most economically feasible alternatives; and
- PAPs should receive compensation at full replacement cost for losses of assets and access attributable to the sub-project and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods

Voluntary land donations

Considering the community-driven development approach of the project is significant, it may be proposed that part or all the land to be used by the project is donated on a voluntary basis without payment of full compensation. Such situations will be considered subject to prior Bank approval. In any case, the conditions foreseen in ESS5 should be verified. The following requirements will need to be demonstrated and documented:

- the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them;
- potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation;
- no household relocation is involved;
- the donor is expected to benefit directly from the project; and
- for community or collective land, donation can only occur with the consent of individuals using or occupying the land.
- All family members (including spouses) must be aware of the donation, in order to minimize the risks of women users of the land to be donated being passed over in decision-making on land donation and the risks of cross-generational conflicts being avoided. Individuals using or occupying community or collective lands must also be aware of the donation to minimize risks of settlers or migrants being passed over in decision-making on land donation.
- The PIU establishes that the land to be donated is free of encumbrances and encroachment and registers the donated land in an official land registry
- Any donated land that is not used for its agreed purpose is returned to the donor by the PIU in collaboration with the Lands Commission
- a transparent record of all consultations and agreements reached is kept.
- There is documentation of the land indicating clearly, the size, the location/situated, and signatories of the parties (consent).

A sample content for a voluntary land donation document and Memorandum of Understanding for the donation is attached as Annex A.

3.1.1 Screening

The purpose of the screening process is to:

- identify the type of potential environmental and social impacts;

- determine appropriate mitigation measures for activities with adverse impacts;
- incorporate mitigation measures into the sub-projects design;
- review and approve sub-projects proposals and to monitor environmental parameters during implementation.

The extent of environmental and social issues that may be required for the sub-projects prior to implementation will depend on the outcome of the screening process. This process shall include screening for possible resettlement impacts. The screening process will involve consultation with the local community members, to choose a site with the least environmental and social impacts, and the lowest chance of resettlement. The process will also ensure that sub-projects comply with the Country's Environmental Assessment Regulation (LI 1652). As already stated, there are two types of land tenure (Customary and State Lands/Vested Lands/Public Lands). The project may require the use of land under customary ownership and or state ownership. The lands act and other enactments provide procedures to be followed for the acquisition of lands, which the project would adhere in addition to guidance from the ESF and ESS5...

For each sub-project proposal, the District Assembly, led by the Development Planning Officer³ will carry out the screening process. A resettlement screening checklist has been attached as Annex B to ensure that the land selected for the sub-projects limits or prevents the acquisition of land from vulnerable members of the community. Figure 2 below provides the site-specific screening process for subproject activities when locations are identified during implementation.

³ The District Development Planning Officer is Secretary to the District Project Coordinating Unit and will be the focal person for the implementation of project activities.

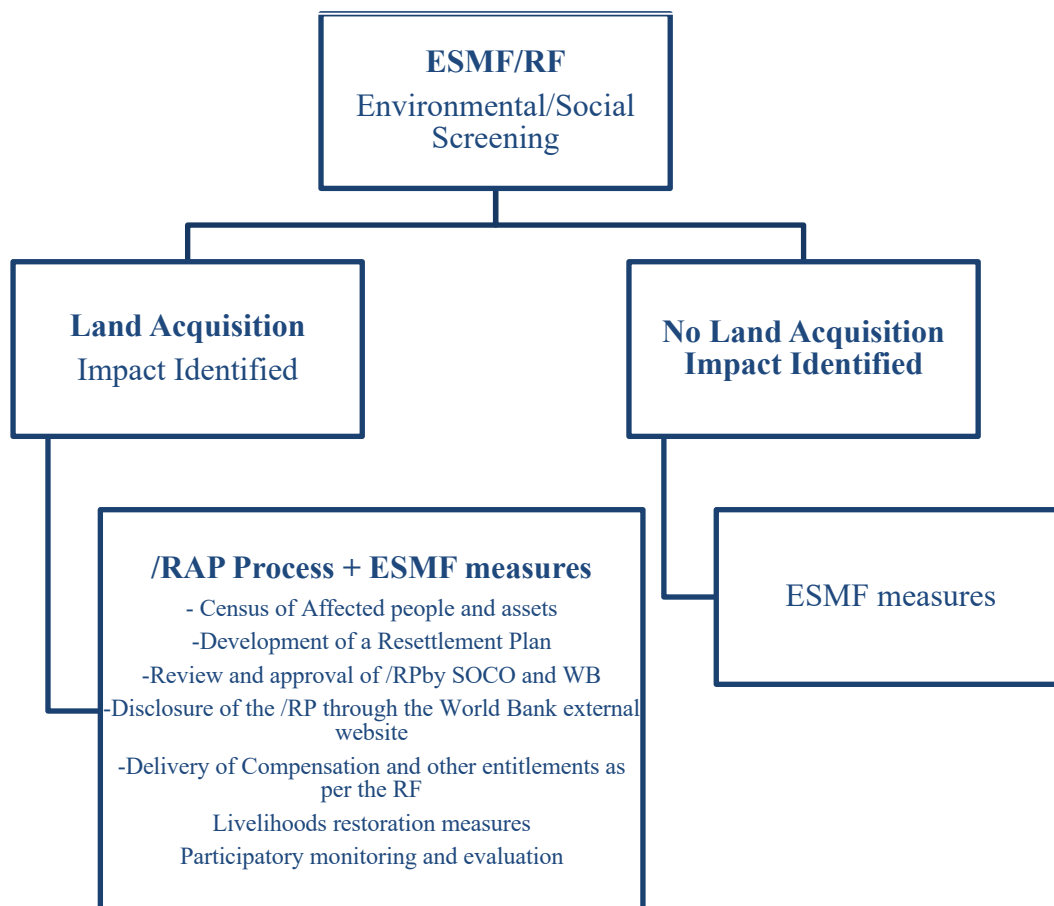


Figure 2: Resettlement Framework

3.1.2 Cut-off date

The cut-off date for determination of eligibility for compensation shall be set on the date of the census. The date should be broadly and adequately communicated to the people and to the local officials while conducting the household census and consultations. Thus, for example, any person who constructs a house or a structure in the right-of-way after the cut-off date will not be eligible for compensation. Compensation shall not be paid for any structures erected or crops and trees planted after the cut-off date. Cultivating land, constructing settlement in project affected areas after the cut-off date will not be eligible for compensation or for other resettlement support.

The cut-off date will be officially published and available to the public at the affected site after the census has been conducted via District Assembly and communal venues. Furthermore, the date will be disseminated throughout the project area at regular intervals in written (as appropriate), non-written forms and in relevant local languages. Additionally, the date will be adequately communicated to the community and the local officials through formal meetings as well as during conducting household surveys.

Since there is a time lapse between the cut-off date and the time actual productive investments (civil works, etc.) would start, the PIU will pay special attention to secure the sites from

speculative and opportunistic invasion once compensation is paid and PAPs have vacated the land as per ESS 5 provisions.

3.1.3 Census survey and baseline Socio-Economic Study (including Land and property Inventory)

Data must be collected to identify the persons who will be displaced, people eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits. The Census will:

- Provide initial information on the scale of resettlement to be undertaken;
- Identify gaps in information and give an indication of further socio-economic research needed to quantify losses to be compensated and, if required, to design appropriate development interventions; and
- The Census is a population tally to identify all PAPs and their dependents, and assets and that may be undertaken by a consultant contracted by MLGDRD or MMDAs.
- The Socio-Economic Survey will be accompanied by a Land and property Inventory to determine what assets will need to be compensated for during the resettlement process.

The census and baseline socio-economic study exercise will consolidate data gathering efforts both to economize on project resources and to minimize survey fatigue among the affected population.

3.1.4 Compensation

One fundamental principle of the World Bank Environmental Standard 5 on Land acquisition, restrictions on land use and involuntary resettlement is that project affected persons should not be made *worse-off, if not better off*, after the compensation or resettlement has taken place. The ESS 5 standard is of full replacement of lost assets. The compensation package will include loss of income or livelihood restoration assistance, and/or relocation assistance and livelihoods' restoration activities as appropriate.

Compensation principles will be as follows:

- Compensation shall be paid prior to displacement or entry on land;
- Compensation will be at replacement cost.

In the case of structures, the “full replacement value” includes the full cost of materials and labour required to reconstruct a building of similar surface and standing. In applying this method of valuation, depreciation of structures and assets are not taken into account. In other words, the affected person must be able to have their structure/property rebuilt in a different location as if it was not depreciated.

3.1.5 Loss of Income and livelihood restoration

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, in consistency with the Constitution of Ghana and with ESS 5 of the WB ESF. This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their livelihood sustainability.

Livelihood assistance or restoration measures will be designed and budgeted for in relevant resettlement instruments to be prepared such as RP and/or Livelihoods' Restoration Plan, depending upon the specific situation of the considered location, the affected persons, and their losses.

3.1.6 Vulnerable Persons

During inventory of project affected persons under SOCO, activities with impact on livelihoods or displacement of vulnerable persons will be identified in order for special assistance or measures to be put in place for them.

Vulnerable groups in this context are those who by virtue of sex, ethnicity, age, physical or mental disability, sickness, or economic disadvantage may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. Data from the field exercise identified vulnerable persons to include but not limited to:

- Disability: PAPs with physical and intellectual disability, i.e. PAPs who have impediment in seeing (blindness), walking, hearing, etc.
- Women (especially landless women);
- Small-scale traders especially women;
- Female-Headed Household with or without secure source of income: Female PAPs who are household heads (breadwinners) and are taking care of the household are considered vulnerable.
- Widows with no sustained means of support.
- Poverty: Households with incomes falling under the generally accepted indicator of poverty (Less than \$1.90 per day).
- Age: PAPs who are 70 years old and above with no sustained means of income are considered old and cannot work as they used to.
- Youth and children;
- Nomads; and
- Migrant farmers (without land title).

Assistance to Vulnerable People

The Resettlement Plan (RP) preparation shall identify vulnerable persons when project scope and activities are properly identified and confirmed. This stage is vital because often vulnerable people do not participate in community meetings (since most often they are shielded by the society and fronted by other individuals), and their disability/vulnerability may remain unknown. RP consultations should adopt inclusive methodologies and make sure vulnerable groups are consulted in an appropriate way, for instance, separately through focus groups or key informant interviews or without taking pictures.

The RP socioeconomic survey will outline the assistance to be provide to the vulnerable persons. This may take various forms depending on the circumstance of their vulnerability and needs. Assistance to vulnerable people may include but will not have to be limited to the following:

- Similar to all PAPs, the PIU will ensure they participate in financial literacy training especially for women and assistance in compensation payment procedures (e.g., going to the bank with PAP to cash the compensation cheque);
- Assistance in moving: providing vehicle, driver and assistance during moving;
- Ensuring migrant and settler farmers are included in the consultations regarding the RF/RP and compensation and have their share of the compensation and assist in finding alternative sites for farming and also set as an option to incorporate them into activities of the Project;
- Assistance in building: providing materials, workforce, or building houses;
- Health care if required at critical periods: moving and transition period;
- Each RP developed pursuant to this RF shall make precise provisions with respect to assistance to vulnerable groups, for example amongst assistance possibilities listed above; and
- Monitoring of vulnerable groups and continuation of assistance after resettlement and/or compensation, if required.

3.1.7 Community Involvement, Consultations and Sensitization

A participatory and inclusive approach will be adopted to initiate the compensation process. The consultations must start during the planning stages of each subproject when the technical designs are being developed, and at the land selection/screening stage. If the consultant or firm responsible of preparing the RP do not have proven experience on inclusive participation and consultation, the PIU will recruit separately the services of an expert or NGO who can support it. All consultations will be duly documented.

The process, therefore, will seek the involvement of PAPs throughout the RP preparation for identifying eligible PAPs, including women and vulnerable PAPs.

Communities to benefit from the SOCO will be informed of the project and likely project impacts and the extent of their involvement to ensure project success. Measures instituted to address negative project impacts if any should be well communicated to the communities.

3.2 Objectives of the resettlement/ compensation program

The main objectives of the resettlement related/ compensation program are to:

- ensure that project affected people are consulted and their concerns included in the resettlement/ relocation programme for implementation.
- ensure that project affected people are adequately compensated for loss of property or restrictions on the property use, e.g., land, crops and structure, or communal property.
- compensate the affected units and enterprises for their loss at full replacement cost.
- ensure that physically displaced persons are properly relocated or resettled.
- identify vulnerable groups including the elderly, physically challenged, women, children, poor people, and farmers among the project affected people and prescribe any special assistance they may require in terms of extra attention during the implementation of the programme.
- ensure that gender considerations are factored in the whole program and a significant proportion of individual beneficiaries are women.

- comply with both country and World Bank requirements on land acquisition, restrictions on land use and involuntary resettlement.

3.3 Regulatory Framework

Any impact of the SOCO on land and/ or people (land acquisition, restrictions on land use, physical displacement/ resettlement, livelihood restoration of affected people) will be addressed in compliance with the Constitution of Ghana, with other Ghanaian regulations, and with the World Bank Environmental and Social Standard 5 – Land Acquisition, Restrictions on Land use and Involuntary Resettlement. Where there are gaps or inconsistencies between Ghanaian laws and the World Bank Standards, this RF which is consistent with the World Bank ESS 5 will apply.

At an early stage, social and economic impacts/risks can be minimized through implementing the following key principles, among others:

- As far as possible ensure that involuntary resettlement and land acquisition is avoided or where it is necessary, is minimized, by exploring all viable alternatives;
- Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities are prepared and implemented by providing sufficient investment resources according to national regulations and World Bank policies;
- Avoiding displacement of people without a well-designed compensation and relocation process;
- Minimizing the number of PAPs, to the extent possible;
- Compensating for losses incurred and displaced incomes and livelihoods;
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their well-being;
- Ensure that sub-projects do not result in reduced access to resources;
- Not operating or causing restriction of access to legally designed parks and protected areas; and
- PAPs should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

4 SOCIOECONOMIC CHARACTERISTICS AND LAND TENURE IN GHANA

4.1 Location and Size

The sub-project component activities will be implemented across the five northern regions and the Oti Regions of the country. Ghana is situated on the west coast of Africa and lies within longitudes 3°5'W and 1° 10'E and latitudes 4°35'N and 11°N, with a total area of 238 540 km.² The country has a north south extent of about 670 km and a maximum east- west extent of about 560 km. It shares borders with Côte D'Ivoire to the west, Burkina Faso to the north, and Togo to the east. To the south are the Gulf of Guinea and the Atlantic Ocean. Currently, the country is divided into 16 administrative regions and 260 Metropolitan, Municipal and District Assemblies (MMDAs), the units of targeting for the Project.

4.2 Demographic Characteristics

Ghana's population figure from the 2021 PHC stands at 30.8 million. Overall, females make up 50.7% of the population and males 49.3%, giving a national sex ratio of 97 males for every 100 females. The average national household size of 3.6 persons with a population density of 129 persons per square kilometre (GSS 2021). The average household size in the North East Region is 6.0, the largest household size. Greater Accra Region is now the most populous region in Ghana, overtaking the Ashanti Region which has been the most populous region since 1970. Ashanti Region closely follows as the second most populous region. The least populous regions are Ahafo Region with 564,536 persons constituting 1.8 percent of the national population, Savannah Region, 649, 627 (2.1 percent); North East Region, 658903 (2.1 percent); and Oti region, 747,227 (2.4 percent) of the national population (GSS 2021⁴).

Ghana has a youthful population, thus consisting of a large proportion of children under 15 years, and a small proportion of elderly persons (65 years and older). The proportion of the population living in urban areas is 50.9 percent, with the level of urbanization varies from region to region in terms of ethnicity, Akans are the predominant ethnic group in Ghana (47.5%), followed by the Mole Dagbani (16.6%), the Ewe (13.9%) and Ga-Dangme (7.4%). The Mande forms the smallest ethnic group (1.1%) in Ghana. For religion, 71.2 percent of the population profess the Christian faith, followed by Islam (17.6%). Only a small proportion of the population either adhere to traditional religion (5.2%) or are not affiliated to any religion (5.3%).

Literacy in Ghana is quite high, with majority (74.1%) of the population 11 years and older being literate. A large proportion (67.1%) of the population can read and write in English. About one-fifth (20.1%) can read and write in the English language only while 53.7 percent of the population can read and write in at least one Ghanaian language (Ghana Statistical Service, 2012).

⁴ 2021 PHC Provisional Results(www.census2021.statsghana.gov.gh).

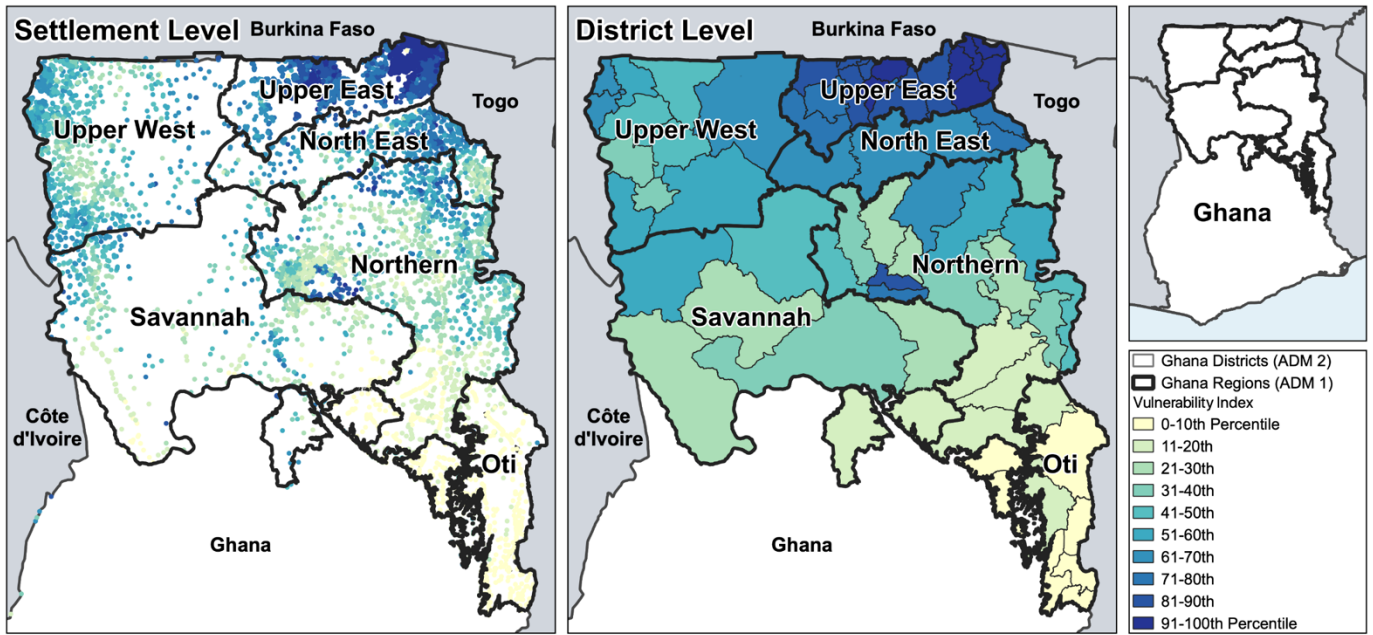


Figure 3: Map of Ghana showing targeted regions for the Project (Settlements (A) and Districts (B) in Ghana by decile of the summative vulnerability index. Ordered from least (yellow) to most (blue) vulnerable to climate change and conflict)

Source: ([Map and Regions in Ghana - Ghana Permanent Mission to the United Nations \(ghanamissionun.org\)](http://ghanamissionun.org))

4.3 Economic Characteristics

Of population aged 15 years and older, 71.1 percent are economically active and of these, most are employed in both the formal and informal sector (94.7%). Only 5.3 percent are unemployed. Females in this age group are more likely to be unemployed (5.8%) than males (4.8%). Most of the regions⁵ have relatively high proportions of economically active persons. However, the highest proportion of economically active persons is in the Brong-Ahafo Region (74.4%) and the lowest is in the Ashanti region (69.4%). The proportion of unemployed population is highest in Greater Accra (7.8%) and lowest in Upper East (2.8%).

About two-fifth (41.2%) of the economically active population aged 15 years and older are skilled agricultural, forestry and fishery workers. About 21 percent is also engaged as service and sales workers while 15.2 percent is craft and related trade workers. Skilled agricultural, forestry and fishery work remain the dominant occupation for both males (44.9%) and females (37.7%). However, a much higher proportion of females (31.7%) than males (10.2%) is engaged as service and sales work. This pattern is generally the same for most of the regions, with the three northern regions (Northern, 73.3%; Upper West, 72.3%; Upper East, 70.1%) having relatively high proportions of the economically active population engaged as skilled agricultural, forestry and fishery workers.

According to Ghana Statistical Service, 2015, there is a high concentration of poverty in the North Western part of Ghana. Though incidence in the districts of the South Western parts is very low, there are however, few districts with relatively high incidence. The concentration of poor persons is mainly observed in the northern than the southern districts of Ghana (Figures 4 and 5). Among the districts in Ghana, East Gonja in the Northern Region stands out as the district with most poor persons.

Districts in the Southern Ghana on the other hand show very low concentration of poor persons, there are few districts with a high number of poor persons, but these numbers cannot be compared to what pertains to districts in the northern part of Ghana. Aside poverty incidence rate and number of poor persons, high depth of poverty is marked in districts in the northern half of the country as well. Across the country, inequality exists but follows no pattern. The poverty mapping exercise has revealed a striking pattern that would not have been apparent. To reduce poverty in Ghana, households in the poorest districts in the northern part of the country would be targeted for the SOCO.

⁵ The Administrative Regions have been realigned from 10 to 16. The information provided in this Framework is for the previous 10 regions.

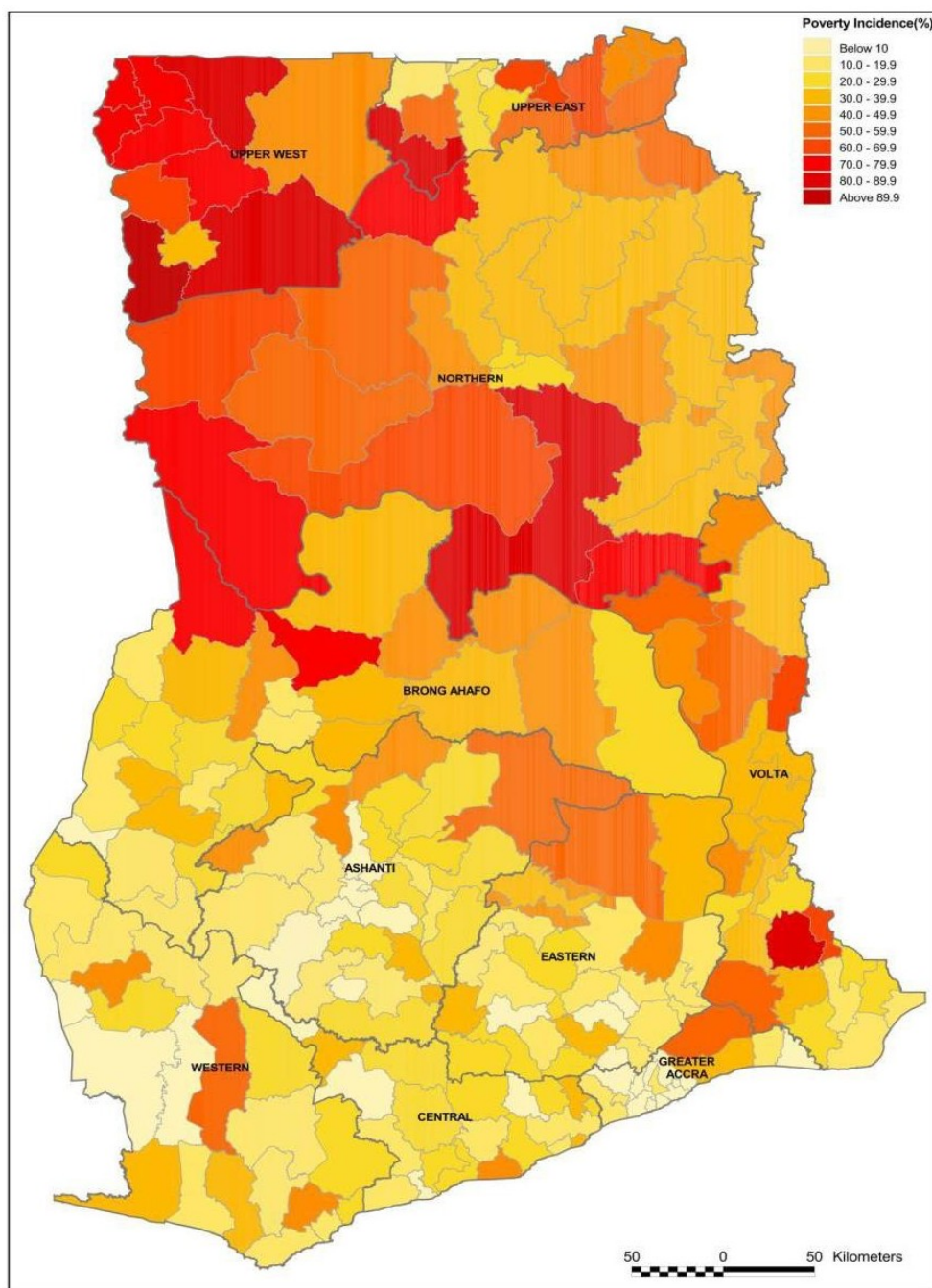


Figure 4: Incidence of Poverty in Ghana

Source: Ghana Statistical Service, 2015

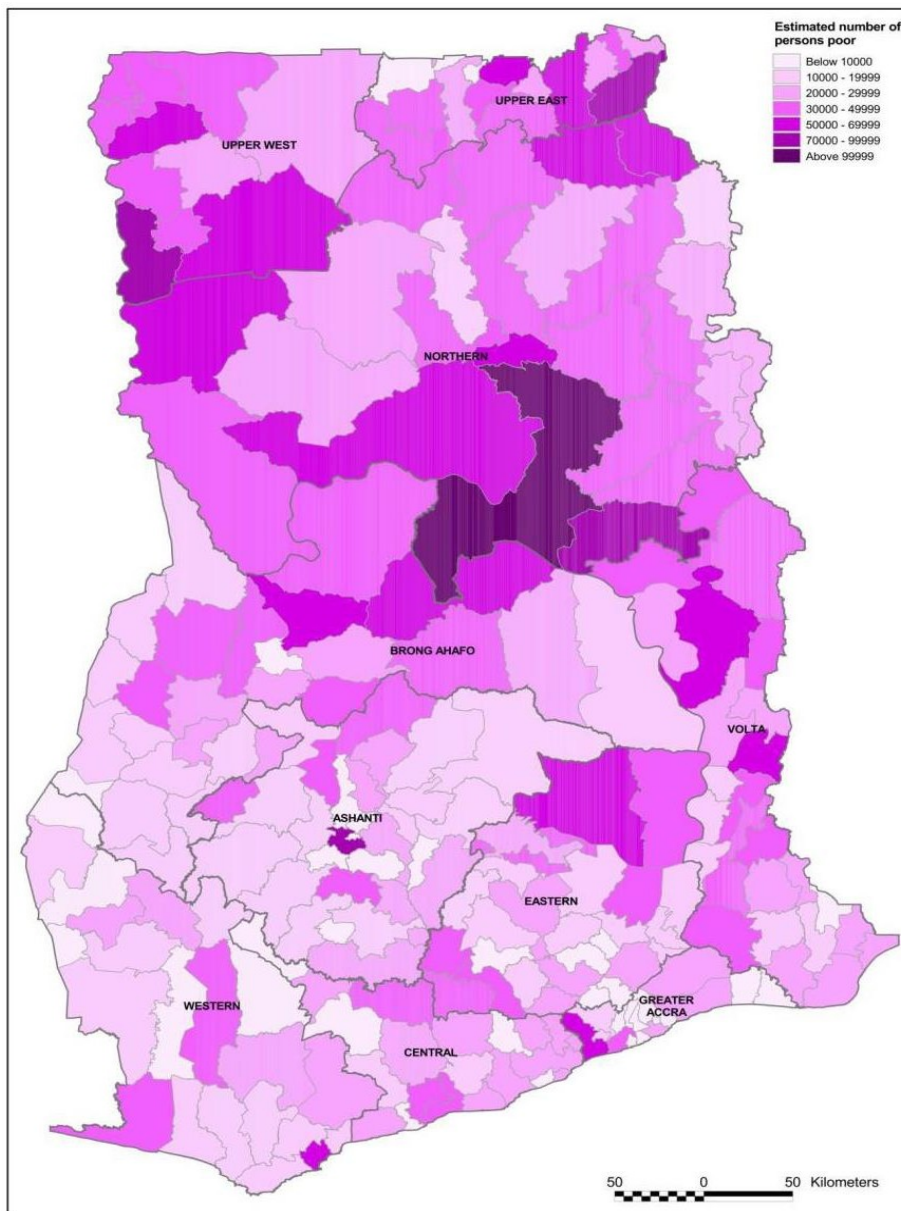


Figure 5: Estimated Number of Poor Persons in Ghana

Source: Ghana Statistical Service, 2015

4.4 Property and Land Rights in Ghana

The Constitution states that everyone has the right to own property, either individually or in conjunction with a group, and that “no person shall be subjected to interference with the privacy of his home, property, correspondence, or communication except in accordance with law and as may be necessary in a free and democratic society for public safety or the economic well-being of the country, for the protection of the rights and freedom to others.” (Constitution, Article 18). The two broad types of land ownership in Ghana, and the various land rights prescribed under the new land act (Act 1036) would be taken into consideration in the acquisition of land for sub-projects.)

4.4.1 Customary Ownership

The Act 1036 (2020) identified and recognized different types of customary ownership under which land can be held, which could be collective or individual. Under the bundle of rights⁶, the title holder is entitled to all the trees, minerals, stones, pebbles and any other objects in or under the soil, as well as the soil and sub-soil, except those reserved to the State by the Constitution, and those reserved for the state are minerals. The holder also has the right and power of alienation.

a) Allodial Title

This is the highest interest recognized by customary law. It is normally communally owned and is generally held or vested in the State or a Stool⁷ or skin, or clan or family or an individual. The owner of the allodial land holds this land under no restrictions or obligations other than those imposed by the law of Ghana. This interest may be acquired through compulsory acquisition, conquest, pioneer discovery and settlement, gift, purchase or agreement.

b) Customary Law Freehold

This refers to an interest which arises from a transaction under customary law. It is an absolute interest in land which is not subject to any proprietary obligations but subject to the cultural rights of the area where the land is situated. This is acquired through outright purchase, gift or inheritance from the allodial holding group. It is held in perpetuity and alienable without the consent of the to the allodial title holder. This interest cannot be held by non-citizen since 22nd August 1969.

⁶ The bundle of rights is a metaphor to explain the complexities of property ownership. Property law frequently use this conceptualization to describe "full" property ownership as a partition of various entitlements. While the bundle of rights concept is strongly rooted in common law, there are comparable ideas in civil law systems and religious law systems. National, sub-national, and municipal laws strongly influence what title owners can do with their property in terms of physical development. For instance, a titled owner can have the following rights:

- Possession (right to use and occupy)
- Legal title
- Mortgage
- Lease
- Sell
- Subdivide the property

⁷ The term “stool” includes a skin as well as a person or body of persons having control over skin or community land, as a representative of the particular community. The term stool is used in the southern and skin in the northern part of Ghana. Additionally, a “stool land” includes land or interests in or right over land controlled by a stool, skin or the head of the particular community, for the benefit of the subjects of that stool, skin or members of the community.

c) Common Law Freehold

Refers to an interest in land that arises from a transaction to which the rules of law, generally known as common law are applicable. It is of perpetual duration or for any other uncertain duration. It is held in inheritable and alienable and held free from obligations to any other person but subject to cultural rights of the area where the land is situated. This interest cannot be held by non-citizen since 22nd August, 1969.

d) Usufructuary Interest

This is an interest in land, which is acquired in the exercise of an inherent right by a subject or member of a stool or skin, of family or clan which holds the allodial title through the development of an unappropriated portion of the land by virtue of an expressed grant. It can also be acquired through settlement for a period of not less than fifty (50) years, with permission of the holder of an allodial title by non-indigenes⁸ or their descendants. This, however, does not hold if the settlement is on agreed terms. This interest is inheritable or alienable. Alienation to non-indigenes is subject to the written consent of the stool or skin, clan or family and the performance of established customary obligations. acquisition, if the holder abandons the land, or in rare circumstance where the holder denies the absolute title of the allodial owner.

e) Leasehold Interest

A lease is an interest in land for a duration which is certain or capable of being ascertained. This interest arises when an allodial title, customary law freehold, common law freehold or usufructuary interest holder conveys to another person an interest in land for a specifies term subject to terms and conditions. A lease does not exhaust the interest of the grantor in the land. It may, in the case of a sublease or an assignment, arise where the holder of a leasehold interest grants a sublease out of that interest or assign that interest.

f) Customary Tenancy

This refers to an interest in land which is created by contract. It arises where a stool or skin, or clan or family, or individual, which holds the allodial title, customary law freehold or usufructuary interest enters into an agreement with the other person to grant that other person an interest in land upon agreed terms and conditions. It may involve the payment of rent, the sharing of produce of a farm or physical partition or severance of the farmland.

4.4.2 State Ownership

State land is the land which the state has compulsorily acquired for public purposes or in the public interest, as specified in the Constitution. Under such ownership, the allodial rights become vested in the government, which thus allows the government to, for example, lease or allocate the land to state institutions, individuals, or organizations. Cadastral surveys are used to determine the boundaries of state lands. Where government compulsorily acquires land, prompt, adequate and fair compensation must be made for the acquisition. The procedure for compulsory acquisition is provided for in Sections 233 to 267 of the Land Act, 2020 (Act 1036).

⁸ Non-indigene means a person who, in accordance with customary law does not hail from a community or settlement or is not a subject of a stool or skin, or member of a clan or family which holds allodial title to land.

4.4.3 Vested Lands (Split Ownership)

Split ownership occurs when the State takes legal ownership of the land, but the customary owner retains the equitable interest in the land. Vesting only vests the allodial title in the state in trust for the entity holding the allodial title. All other interests in the land remain intact. Once those lands become de-vested, the Republic, acting through the President ceases to hold the allodial title to those lands. Invariably, these lands will become vested in the original allodial title holders before they were vested in the Republic.

The State, as the legal owner, thus has the right to sell, lease, manage, and collect rent on the land. Although vested lands are generally managed in the same way as State Lands, the boundaries are not determined through cadastral survey (which can lead to confusion with regard to land ownership), and often cover large expanses of land. The nature of the agreement between the state and the landowners will determine the customary owners equitable interest. Holding in trust includes the right to sell because the people have given whoever holds the land in trust the power to exercise that trust. However, the sale must be for the public interest in the case of vested lands, and in the case of customary land the sale must be in the interest of the stool, community, clan, or family.

5 POTENTIAL PROJECT IMPACTS ON ASSETS AND LIVELIHOODS AND PROPOSED MITIGATION MEASURES

5.1 Assessment of Environmental and Social Impacts

The SOCO is expected to have both positive and negative environmental and social impacts on assets, livelihoods and natural resources. The social and environmental impact of the project is more of beneficial in terms of improving living environment, creating livelihood support opportunities, youth empowerment and improving the quality of life of the vulnerable and disadvantage groups. The RF makes provision to minimize the negative impacts linked to resettlement.

Generally, involuntary loss of assets and properties are expected to be limited because the subprojects will mostly rehabilitate existing degraded infrastructure or, when construction of infrastructure is foreseen, it is expected it will be developed in State lands. In such cases, the investments should entail limited permanent economic and social displacement. The project will follow the mitigation hierarchy, i.e., avoid, minimize, mitigate and/or compensate potential impacts from the design to the implementation. Sub-project sites will be selected with a view to avoid private (customary) land take and, where unavoidable, the preferred approach will be to minimize adverse impacts on local communities and households and compensate and provide assistance as per ESS 5 standards.

There is no sufficient information to estimate the number of PAPs at this stage. However, based on an understanding of the social structure of rural, peri-urban communities and the nature of the component activities of (Upgrading, rehabilitation, and/or expansion of rural roads; cleaning, construction, or repair of culverts and other structures; cross-border security infrastructure, schools, social centers, etc.); the categories of persons most likely to be adversely impacted include but not limited to individuals, farmers, market women, school children, healthcare providers, hunters, pastoralists, landowners, traditional authorities and communities as a whole.

Women constitute majority of traders in the markets and would be the most exposed to temporary disturbances during upgrading/rehabilitation/construction. The upgrading/rehabilitation/construction of schools will affect children and that of clinics will affect healthcare providers.

Pastoralists will be most adversely affected for the upgrading/rehabilitation of community water sources. Particular attention would be paid to these differentiated risks and impacts.

The potential social benefits and negative impacts associated with the project include:

Potential Positive Social Impacts

- Job Creation
- Skills Development
- Improvement of infrastructure and social facilities at pro-poor communities
- Female Empowerment
- Enhanced Institutional Capacity to Support decentralization

Potential negative social impacts:

- Involuntary Resettlement (economic and social displacement)
- Loss of Economic and non-economic trees and crops
- Change in land use and utilization of local resources
- Social conflict
- Loss of Cultural heritage
- Labour influx but this will be low risk. The anticipated level of influx will most likely be negligible because of the level of expected community involvement in the rehabilitation/upgrading/construction of the small dimension infrastructure. The implementation of Ghana Social Opportunities Project (GSOP) and its successor project Ghana Productive Safety Net Project (GPSNP) provide useful lessons in this regard.
- Occupational Health and Safety
- Sexual exploitation and abuse / Sexual harassment (SEA / SH)
- Sexually transmitted diseases (STDs)

5.2 Mitigation Measures

The mitigation measures will consider issues such as (1) income levels of affected persons, (2) other non- monetary sources of livelihood, (3) constraints and opportunities for income generation, (4) number of persons not able to revert to previous occupation, and (5) existing skills of affected persons. Compensation for affected properties will be at full replacement cost. Baseline and follow-up surveys would be conducted to ensure that livelihood restoration for PAPs is met.

6 VALUATION, ELIGIBILITY AND ENTITLEMENTS

Under the SOCO, efforts will be made to minimize impacts on land, people and property, loss of livelihood, and access to resources due to the execution of sub-projects.

6.1 Valuation of Assets

6.1.1 Basis of Valuation

The basis of the valuation of any affected property under the SOCO will be in accordance with the requirements of the World Bank's ESS 5; the Constitution of Ghana and the Land Act, 2020.

6.1.2 Valuation Methods

Table 2 offers the general guideline for cost preparation and method for valuing affected assets/ properties under the SOCO. Valuation of affected properties will be at full replacement cost which is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement.

Land

With regards to land, "replacement cost" is defined as follows:

- For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
- For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

The Market Comparison Approach (MCA) will be adopted for the valuation of land if there is a vibrant and free land market. This 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 neighbourhood of the sites will be collected, compared, adjusted to take account of minor differences, and applied to arrive at the reported values. This ensures that the values obtained would be adequate to secure in-kind alternative land or cash compensation for the affected owners. Alternatively, where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs.

Structures

Regarding structures, "replacement cost" is defined as follows:

- For houses and other structures, it is:

- the market cost of the materials to build a replacement structure with an area and quality similar to, or better than those of the affected structure, or to repair a partially affected structure,
- plus the cost of transporting building materials to the construction site,
- plus the cost of any labour and contractors' fees,
- plus the cost of any registration and transfer taxes, where relevant.

The Replacement Cost Approach (RCA) will be adopted for the valuation of the structures. The RCA assumes that cost and value are related. It involves finding the estimate of the gross replacement cost of a structure which is the estimated cost of constructing a substitute structure, having the same gross area as that existing, at prices current at the relevant date, plus any other transaction cost.

For this valuation, the affected assets/structures and development will not be depreciated, and the value of salvage materials are not considered nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

Annual Crops

The Enumeration Approach will be adopted for the crops affected by the project. The Enumeration Approach involves estimating the loss of the affected crops. The cost will be assessed on the basis of annual average market prices, cost of labor, and represents the cost during a harvest. However, if the property is affected for more than one year, the RP will establish a second payment should be paid to the PAP to compensate the impossibility of using the land and/or carrying out agricultural activities.

Methods used by the Land Valuation Division to calculate rates are disclosed to the affected persons. Valuation rates that correspond to ESS 5 standards will be applied under the SOCO to meet the "full replacement cost" requirements under the World Bank standards. Realistic valuation rates for the crops will be derived by applying appropriate depreciation, inflationary, labour and production cost factors to the prevailing LVD rates to ensure that the rates are in harmony with the full replacement cost/ value requirements.

The Land Valuation Division revises the rates periodically every other year.

Alternatively, realistic rates could also be derived through new calculations based on sound valuation principles and methods. Crops to be valued will generally be categorized into annual and perennial crops. Valuation of annual crops will be done by measuring the area planted and affected before destruction. Government scales will be used as a reference, but they may be completed by field documented research on market prices.

Perennial crops, as trees

- Productive fruit trees: the compensation is evaluated taking into account the average annual production of the different species and the market prices for the harvests of mature trees; the replacement cost integrates the costs of development, labor costs, and maintenance, until the first yield at pre-resettlement productive capacity.
- Fruit trees that are not yet productive: in this case, the compensation is for the cost of acquiring and replacing young trees, including the labor cost.

Livelihood/ Supplementary Assistance and Disturbance Cost

Loss of income for farmers/ businesses will be estimated from net monthly/ annual profit of the farm/ business verified by an assessment of visible or documented stocks and activities. In addition to the compensation, a disturbance cost will be determined and paid as allowances or factored into the valuation rate as appropriate in line with the Land Act, 2020. The Act defines disturbance includes the inconvenience suffered by an occupier of land who has to relocate as a result of the compulsory acquisition or temporary occupation of land by the Republic.

The disturbance cost will be determined during RP preparation by the UPI, who may be supported by a resettlement expert consultant, and the results of the socioeconomic surveys. The documented or estimated cost of losses incurred by the PAP due to involuntary resettlement will be considered during all the period where disturbance takes place. The disturbance estimation will also consider the cost of salvaging and transporting items, and other possible resettlement assistance as required.

Table 2: General guidelines and methods for resettlement and compensation preparation

ITEM	TYPES	METHOD
Loss of land	Communal and public lands with community infrastructure (roads, road crossings, clinics, churches, power, water and telecommunication facilities)	<ul style="list-style-type: none">• Compensation to owners/operators for infrastructure replacement (restoration to original condition)• Prompt allocation of land for reconstruction of community infrastructure, including labor and materials• Compensation for reconstruction or reconnection to water supply/sanitation and electricity• Support to find new operating sites if necessary
	Private Lands, including customary ownership with allodial right, usufructuary right and whether communally owned by stool, community, clan, family or individual	<ul style="list-style-type: none">• Compensation for the parcel at full replacement value applied at the prevailing market rate. Transaction costs are covered.• Additional accompanying measures (relocation assistance, land preparation for next season's crops, or any other related investments).• Proposal of non-land options if displaced persons choose this option or if there is not enough land available• Economic rehabilitation if income is affected.

ITEM	TYPES	METHOD
		<ul style="list-style-type: none"> Recognized customary and formal owners of cultivated land will have the following compensation and assistance: <ol style="list-style-type: none"> 1. Replacement of equivalent land within an acceptable distance of the individual's residence 2. Developments on the land are eligible for compensation at full replacement value, taking into account market values for structures and materials, or replacement on resettlement land.
Informal occupants of land or squatters	<p>Loss of cultivated land without formal title or customary recognition (squatter)</p> <p>Be the recognized occupant of a parcel without formal or customary title before the cut-off date</p>	<ul style="list-style-type: none"> Resettlement assistance in lieu of compensation for the land they occupy and property they lose, and any other assistance to achieve the objectives set forth in ESS 5 Lease of land for a transitional period that allows for the reconstitution of the PAP's livelihood and under legal conditions Improvements are eligible for replacement cost compensation, taking into account market values for structures and materials, or based on replacement cost if temporary resettlement land is provided Accompanying measures such as relocation aid/assistance, training/capacity building to improve the living conditions of PAPs. Right to recover assets and materials
Buildings, Structures	Any type of structure, e.g., mud houses with thatch roofing/ sandcrete block houses, etc.	<p>For buildings: cost of materials and labor in the local market on a replacement cost basis.</p> <p>Building owners are eligible for compensation for lost buildings such as huts, houses, granaries, latrines, enclosures, etc., even if the building is on a parcel of land that</p>

ITEM	TYPES	METHOD
		<p>is occupied without title or not recognized by customary law (e.g., informal occupants in slums).</p> <p>Compensation will consider the type of house and its size, for example, in relation to the durability of the structure.</p> <p>Removal allowance</p>
Farm Crops	Annual and perennial crops	<p>For annual crops: The calculation of the amount of compensation for crop products is based on the price (e.g., per kilo, bag or other) on the local market during the lean season and the average yield per hectare of the crop. Labor costs are included in the calculation.</p> <p>For perennial crops: The calculation of the full replacement value requires that not only the product of the crop in one year be considered, but also the cost of setting up the plantation (seedlings, labor, fertilizer, etc.), as well as the income lost during the years required to set up the perennial plantation, which varies according to the species.</p> <p>Support for agricultural training to maximize their chances of improving their living conditions.</p>
Vegetable gardens	<p>These are working vegetable gardens for daily use.</p> <p>This compensation measure is all the more important as it concerns rural women who are part of the vulnerable groups.</p>	<p>Until a replacement garden begins to bear fruit, the family displaced by a project will have to purchase these items on the market. Therefore, replacement costs will be calculated based on the average amount that an ordinary village resident spends purchasing these items per year per adult in the local market.</p> <p>Commercial gardens will be compensated in accordance with local prices per cultivated plot of land (e.g., planting bed).</p> <p>Compensation for crops must take into account not only the current year's crops, but also those of the transition period (the need for field products between the date of resettlement and the next harvest). For the improvement or maintenance of living standards, compensation will take into account the needs of the affected people (e.g., 300 kg of cereals per person per year according to FAO standards).</p>

ITEM	TYPES	METHOD
Cultural Resources	Sacred Groves, Cemeteries, Shrines	<ul style="list-style-type: none"> • First option is avoidance. • Relocation method would be used when avoidance is impossible (for instance, due to the investment required design, as in a road) based on community-driven selected project • Consultation with and acceptable to the traditional authorities or community leaders.
Loss of Income and Livelihood	Farming, formal or informal economic activities	<p>Compensation for loss of income incurred during the period required to re-establish operations at an alternate site, plus support for relocation to new sites.</p> <p>Assistance in finding a legal and viable alternative site during the period when farm/business is not operating until operating at pre-resettlement capacity again.</p>
Disturbance Allowance	The reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land	Compensation for loss of income incurred during the disturbance period required as per declared or informal revenues (determined as per the socioeconomic survey)
Vulnerable PAPs	Allowances for vulnerable PAPs will be established	Assessing the different types of vulnerabilities and propose relevant compensation or assistance based, for instance, on national standards as minimum monthly wage

6.1.3 Valuation Responsibility

The Valuation Division which is the government's statutorily accredited valuation body will be responsible for valuation under this project. The Regional Valuation officers from the Lands Valuation Division will be engaged to value affected assets/ properties based on the replacement cost principle. Certified private valuers may also be engaged where necessary or if required to assist the process (this will be subject to review and approval by the Land Valuation Technical Committee).

6.2 Eligibility Criteria

According to ESS 5 of the World Bank Environmental and Social Framework, the criteria for determining eligibility for compensation, resettlement, and rehabilitation assistance measures for persons to be displaced, are based on the following:

- a. Persons that have formal legal rights to land, including customary and traditional; and religious land rights recognized under the laws of Ghana. This class of people includes those holding leasehold land, freehold land and land held within the family or passed on through generations.
- b. Persons who do not have formal legal rights to land or assets at the time the census begins; but have a recognized claim of use to such land or ownership of assets through the national and traditional laws of Ghana. This class of people includes those that come from outside the country and have been given land by the local dignitaries to settle, and/or to occupy.
- c. Persons who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from. This class of people includes encroachers and illegal occupants/squatters.

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 as “squatters” will be entitled to Project assistance as long as they are present on site at the cut-off date. In other words, the absence of a legal title to land or other assets is not, in itself a bar to compensation for lost assets or to resettlement assistance.

The Project through the Ministry of Local Government Decentralization and Rural Development (MLGDRD) in collaboration with the Ministry of Finance (MoF) will provide compensation to all affected people eligible for compensation based on nature or category of their losses for example physical assets or income and cut-off-date.

Displaced or affected persons in the Project would be classified as persons or groups:

- Who have formal legal rights to land or assets (including customary and traditional rights recognised under the law;
- Who do not have formal legal rights to land or assets at the time the census begins, but have a claim to land or assets that is recognized or recognizable under national law; or
- Who have no recognizable legal right or claim to the land or assets they occupy or use for their livelihoods. This class of people includes encroachers and illegal occupants/squatters.

The cut-off-date for eligibility will be the date of the census survey and socio-economic study.

The project investments may involve the donation of community or collective land. In these cases, the PIU will make sure that such act only occurs with the consent of individuals using

or occupying the land. Such consent should not be forced. If, after consultations, consent is not reached, collective land will be compensated as established in the entitlements' matrix.

When the land to be used by the project is donated on a voluntary basis without payment of full compensation this may be acceptable subject to prior Bank approval, providing the PIU demonstrates that:

- a. the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them;
- b. potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation;
- c. the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels;
- d. no household relocation is involved;
- e. the donor is expected to benefit directly from the project; and
- f. for community or collective land, donation can only occur with the consent of individuals using or occupying the land.

The PIU will maintain a transparent record of all consultations and agreements reached.

However, this RF has made provision for any new land take that may arise under the project if necessary. The three different land asset types identified for use under the project are:

- State-owned or public land;
- Communal land; and
- Privately-owned land.

Based on an understanding of the social structure of the rural communities and the nature of sub- components, it is possible to suggest that the most likely affected persons will comprise both individuals, farmers, landowners, traditional authorities and communities as a whole.

6.3 Entitlement

Table 3 hereunder presents the matrix of entitlements for the different categories of impacts, likely to be encountered. The entitlement could be in the form of replacement of assets if possible, cash compensation, livelihood assistance, relocation assistance or as agreed between the parties involved. The principle of the valuation for such entitlements is the full replacement cost approach.

State-owned land and communal land would be allocated freely; however, the MMDAs and beneficiary communities would be expected to pay for any affected property or structure or crop belonging to an individual or group on these lands. Communal and public lands will be prioritized for the infrastructural intervention.

Table 3: Entitlement Matrix

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
Land	Permanent acquisition of private land, including customary tenure	Landowner (individual, household, stool/skin) Landowner (individual, household, stool/stool)	Person with formal legal right to land/without formal legal right to land but have claims to property (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country).	Replacement of land taken, or payment for the land taken based according to the replacement cost standard and the loss of income Land-for land compensation for people whose livelihoods are derived from the land Provision of resettlement parcel/site and/or housing with adequate facilities Compensation for all lost assets at replacement cost Transaction costs are covered Proposal of non-land options if displaced persons choose this option or if there is not enough land available
			Person with formal legal right to land/without formal legal right to land but have claims to property (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country)	Economic rehabilitation if incomes are affected -the measures depend on the severity of the negative impact Necessary assistance prior to relocation where appropriate Additional accompanying measures (relocation assistance, land preparation for

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
	Communal and public lands with community infrastructure (roads, road crossings, clinics, churches, power, water and telecommunication facilities)		<p>compensation to owners/operators for infrastructure replacement (restoration to original condition)</p> <p>prompt allocation of land for reconstruction of community infrastructure, including labor and materials</p> <p>compensation for reconstruction or reconnection to water supply/sanitation and electricity</p> <p>support to find new operating sites if necessary</p>	<p>next season's crops, or any other related investments).</p> <p>Support to find new operating sites if necessary</p> <p>Recognized customary and formal owners of cultivated land will have the following compensation and assistance:</p> <p>Replacement of equivalent land within an acceptable distance of the individual's residence</p> <p>Developments on the land are eligible for compensation at full replacement value, taking into account market values for structures and materials, or replacement on resettlement land</p>
	Informal occupants of land or squatters		<p>Loss of cultivated land without formal title or customary recognition (squatter)</p> <p>Be the recognized occupant of a parcel without formal or customary title before the cut-off date</p>	<p>Resettlement assistance in lieu of compensation for the land they occupy and property they lose, and any other assistance to achieve the objectives set forth in ESS 5</p> <p>Lease of land for a transitional period that allows for the reconstitution of the PAP's livelihood and under legal conditions</p> <p>Improvements are eligible for replacement cost compensation, taking into account market values for structures and materials, or based on replacement cost if temporary resettlement land is provided</p> <p>Accompanying measures such as relocation aid/assistance, training/capacity building to improve the living conditions of PAPs.</p>
	Loss of access to resources (grazing land, wood, herbs, etc.) due to restrictions access to land	Tenant or farmer	Have legal right or recognizable claim to the use of the resources	

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
				Right to recover assets and materials
Crops	Annual crops	Landowner/ tenant/ or farmer	Have grown the affected crop irrespective of land ownership.	The calculation of the full replacement value requires evaluating not only the production in one year, but to considering the cost of setting up the plantation (trees or plants, tillage, fertilizer, etc.), as well as the income lost during the years necessary for the installation of the plantation, which varies according to the species.
	Perennial crops (for example, fruits and nuts)	Landowner/ tenant/ or farmer	Have grown the affected crop irrespective of land ownership.	Valuation of annual crops will be done by measuring the area planted and affected before destruction. The calculation of the amount of compensation for crop products is based on the price (e.g., per kilo, bag, or other) on the farm gate price and the average yield per hectare of the crop. Disturbance cost is also included in the calculations Crops are not paid for if the land-taking was carried out during the agricultural production season and the crops' owner is able to obtain its harvest.
	Vegetable gardens		These are working vegetable gardens for daily use.	Until a replacement garden begins to bear fruit, the family displaced by a project will have to purchase these items on the market. Therefore, replacement costs will be

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
			This compensation measure is all the more important as it concerns rural women who are part of the vulnerable groups.	calculated based on the average amount that an ordinary village resident spends purchasing these items per year per adult in the local market. Commercial gardens will be compensated in accordance with local prices per cultivated plot of land (e.g., planting bed). Compensation for crops must take into account not only the current year's crops, but also those of the transition period (the need for field products between the date of resettlement and the next harvest). For the improvement or maintenance of living standards, compensation will take into account the needs of the affected people (e.g., 300 kg of cereals per person per year according to FAO standards).
Structures	Destruction of permanent immovable structures	Owner	Confirmed owner (with evidence) of affected structure irrespective of land ownership	Compensation at replacement cost and assistance or relocation support Compensation will take into account the type of house and its size; for example, in relation to the durability of the structure Replacement housing should meet minimum community standards of quality and safety Compensation will be either in kind or in cash. If cash, the compensation should take into account market values for the structures and materials Transaction costs will be covered where relevant. Removal allowance

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
		Occupant	Tenant and squatters	<p>Owners are eligible for compensation for lost buildings such as huts, houses, granaries, latrines, enclosures, etc., even if the building is on a parcel of land occupied without title or not recognized by customary law (e.g., informal occupants in slums).</p> <p>For structures: cost of materials and labor in the local market on a replacement cost basis. Compensation will take into account the type of house and its size; for example, in relation to the durability of the structure</p> <p>Temporary replacement housing should be provided while livelihoods are being restored in a place where PAPs can stay legally and that meets minimum community standards of quality and safety</p> <p>Compensation will be either in kind or in cash. If cash, the compensation should take into account non depreciated market values for the structures and materials.</p> <p>Removal allowance</p>
	Temporary displacement of moveable structure	Owner/ Tenant	Confirmed owner (with evidence) of affected structure irrespective of land ownership or tenant	<p>Cost of displacing the affected structure</p> <p>Cost of moving the affected structure back to project affected land</p> <p>Disturbance allowance of 10% of what?</p>
Livelihoods	Agriculture	Farmer(s) as distinct from affected plot owner(s), farm hands	PAPs have been using affected land for agriculture irrespective of ownership situation (includes squatters)	For annual crops: The calculation of the amount of compensation for crop products is based on the price (e.g., per kilo, bag or other) on the local market during the lean season and the average yield per hectare of

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
	Businesses	Businessperson as distinct from owner of structure, assistant, or apprentice	PAP has been operating business on project affected land irrespective of ownership (includes squatters)	the crop. Labor costs are included in the calculation. For perennial crops: The calculation of the full replacement value requires that not only the product of the crop in one year be considered, but also the cost of setting up the plantation (seedlings, labor, fertilizer, etc.), as well as the income lost during the years required to set up the perennial plantation, which varies according to the species. Support for agricultural training to maximize their chances of improving their living conditions. Economic rehabilitation if incomes are affected -the measures depend on the severity of the negative impact (example: relocation to other grazing fields or access to similar communal resource areas) Compensation for loss of income incurred during the period required to re-establish operations at an alternate site, plus support for relocation to new sites. Assistance in finding a legal and viable alternative site during the period when farm/business is not operating until operating at pre-resettlement capacity again.
Vulnerable PAPs		User of communal resources	User of such resources (individuals/communities)	

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
	Vulnerable PAPs		Allowances for vulnerable PAPs will be established	assessing the different types of vulnerabilities and propose relevant compensation or assistance based, for instance, on national standards as minimum monthly wage
	Cultural Resources		Sacred Groves, Cemeteries, Shrines	First option is avoidance. Relocation method would be used when avoidance is impossible (for instance, due to the investment required design, as in a road) based on community-driven selected project Consultation with and acceptable to the traditional authorities or community leaders.

7 ORGANISATIONAL ARRANGEMENTS, IMPLEMENTATION AND PROCEDURE FOR DELIVERY OF ENTITLEMENTS

7.1 Institutional Arrangements and Responsibilities

The institutional arrangement for Gulf of Guinea Northern Regions Social Cohesion Project will be framed within the overall arrangement set in the SOCO Strategy of the Government. The implementation of the program will be fully streamlined into the existing government structure at the National, Regional, District and Community levels. The actors that have a role in the implementation of resettlement activities in Ghana is as follows:

- Ministry of Finance
- Ministry of Local Government, Decentralisation and Rural Development (MLGDRD)
- Project Implementation Unit, MLGDRD
- Environmental Protection Agency
- National and Regional Lands Commission (Land Valuation Division/Survey and Mapping Division)
- Regional Coordinating Councils
- District Assemblies (Physical Planning Departments)
- Traditional Authority
- Communities
- External Consultants
- PAPs
- Non-Governmental Organization/Civil Society Organization/Community Based Organizations (NG)/CSO/CBO)

All these actors have particular role to play in one-way or the other but not simultaneously. For instance, the Ministry of Finance has a role in transferring funds for compensation, the MLGDRD will work out formula for compensation payment and the overall coordination of implementation of the RF and the Regional Lands Commissions will determine the compensation rate.

The roles or responsibilities of these actors in the resettlement program implementation are provided in the Table 4 and institutions to be involved with sub-project activities provided in Table 5 below.

Table 4: Institutional Arrangements and Responsibilities

Institution	Role in RP Implementation
Ministry of Local Government, Decentralization and Rural Development (MLGDRD) PIU	<p>Oversight responsibility in the implementation of project activities</p> <p>Monitor project to ensure land acquisition and resettlement activities are adhered as stipulated in the RF and subsequent RPs</p> <p>Validation of screened sub-project</p> <p>procurement of consultant for RP preparation</p> <p>Clearance of safeguards instruments with the world bank</p> <p>prior review of safeguards instruments</p> <p>RP disclosure</p> <p>RP implementation</p> <p>monitor RP implementation</p> <p>RP completion audit</p> <p>Build capacity of implementing agencies on the RP preparation and implementation process</p> <p>Liaise with the world bank to build capacity of implementing agencies on the ESF</p>
Ministry of Finance	Provide finance for compensation payment to PAPs
Environmental Protection Agency (EPA)	Responsible for regulating the environment through the mandatory requirement for registration of undertakings, and conduct of ESIA in accordance with the EPA Act 1994 (Act 490) and LI 1652
Regional Lands Commission	Responsible for effective and efficient land administration. Valuation of land and properties and compensation assessment.
Regional Coordinating Offices	<p>Provide technical backstopping and monitoring to the implementing MMDAs.</p> <p>Monitor land acquisition process and resettlement activities of MMDAs</p> <p>Disclosing RF/ RP instruments</p>
Metropolitan, Municipal and District Assemblies (Physical Planning Departments - PPD)	<p>Responsible for the Implementation of the Project.</p> <p>Land Acquisition for Sub-Project Implementation</p> <p>Implementation of Resettlement Measures, including Payment of Compensation and other Resettlement Assistance</p>
Traditional Authority	<p>Proposal of land for sub-project implementation</p> <p>Assist in the preparation of RPs</p>
Communities	<p>proposal of land for sub-project implementation</p> <p>assist in the preparation of RPs</p>
NGO	<p>Monitor RP implementation</p> <p>Grievance monitoring</p> <p>Support in social accountability</p> <p>Help in public hearings of ESIAS and RPS</p>

Institution	Role in RP Implementation
	Validate compensations, help with sensitization and awareness program regarding safeguards compliance. Help in the identification of vulnerable persons in the community.
RP Management Teams	The RP management teams will be directly responsible for the implementation of the RP the teams to be set up will include: relocation/resettlement implementation committee – responsible for relocation of PAPs where appropriate monitoring and evaluation team – responsible for monitoring the successful implementation of the RP and project.
PAPs	Assist and actively participate in the preparation of RPs receipt of compensation and resettlement assistance
Contractor	Contractor engaged by the project shall be responsible for: Civil works reinstatement of affected properties for which cash or direct compensation was not made to the pap as indicated in their Bills of Quantities.

The project will bring together a network of stakeholders for implementation. It is therefore necessary to establish clarity regarding their roles, responsibilities, and accountabilities. The project SEP establishes systems and mechanisms for consultation and ensuring coordination for achieving the objectives of RF and overall Project objective.

Table 5: Sub-project Implementation Process and Institutions Involved

Task	Institution(s) Responsible
A. Involuntary Resettlement	
Sub-Project Screening	MLGDRD, MMDAs and Communities
Approval of Sub-project and Screening Reports	World Bank
Preliminary Assessment of Resettlement issues	MLGDRD, MMDAs and Communities
Assessment of the need for Rerouting / Re-Siting certain Sub-Project components in case they affect inhabited dwellings, landed assets or other critical sites	MLGDRD, MMDAs and Communities
Confirm need for resettlement/ compensation actions	MLGDRD, MMDAs and Communities
Prepare RP for National and World Bank approval	MLGDRD, MMDAs (with the consultation of LVD)/ External Consultants (with the consultation of LVD) and Communities/ PAPs

Task	Institution(s) Responsible
Review Resettlement Plans	MLGDRD, EPA, MMDAs
Grievance Mechanism	MLGDRD, NGO/CBO/CSO, Regional Land Valuation Division, MMDAs, Communities.
World Bank reviews and clears RPs	World Bank
Public Consultations (before and during RP preparation) and disclosure of RPS (in- country and World Bank External Website)	MLGDRD, EPA, LVD, MMDAs, WB and Communities
Use Resettlement Plans to comply with the process required to undertake land acquisition and compensation payment	MLGDRD, Regional Land Valuation Division, MMDAs, Communities
Budgeting of Costs	MLGDRD, MMDAs
Payment of Compensation	MLGDRD, MMDAs, NGO/CBO/CSO, LVD
Grievance Mechanism	MLGDRD, NGO/CBO/CSO, Regional Land Valuation Division, MMDAs, Communities.
Incorporate social risk and impacts identified during subproject appraisal and their mitigation measures as clauses in Contract	MLGDRD and MMDAs

7.2 Resources, Technical Support and Capacity Enhancement

The PIU will have an Environmental and/or Social Safeguard Specialist (ESSS) with the required expertise and profile to deal with resettlement/ compensation related issues. Compliance with World Bank ESF requirements needs some capacity building at both the national and regional/district levels. A training workshop is proposed as part of this RF and/or during RP implementation after project approval.

7.3 Priority Tasks and Preparation and Review of RPs

As soon as SOCO sub-projects are determined in sufficient details, preliminary screening or assessment of resettlement/ compensation related issues should be carried out to confirm: (i) if land acquisition is involved; (ii) type of land to be impacted and identification of impacted people; (iii) assets and livelihoods to be impacted, (iv) identification of vulnerable PAPs.

Consequently, the required RP and/or Livelihoods' Restoration Plan would be prepared by the project, approved by the World Bank and implemented by the MMDAs. Sample outline for the preparation of RP is captured in Annex C1 and C2, respectively.

The Terms of Reference for the needed RP (See Annex C3 for Sample) to be prepared by the MLGDRD and the MDAs in consultation with the World Bank or by a Consultant to be engaged for that purpose.

7.4 Resettlement Planning Process

The resettlement planning and compensation process shall involve several steps to be carried out in accordance with the measures set out in SOCO RPs. The key ones include:

7.4.1 Land Access/ Acquisition Procedure and Compensation

The project activities will involve use of bare land allocated by the communities for public use. As a result, the problems of both private treaty and compulsory acquisition, as well as the precarious nature of issues regarding land acquisition may not arise under this project. However, prior to the use or acquiring the land, due diligence approach will be followed by carrying out private consultations with the aim of achieving the following:

- Identifying the rightful owners
- Identification of the boundaries
- Current occupants
- Nature of property to be affected due to the project activities
- Negotiation of compensation and resettlement (if need be)

This procedure will reduce resentment to the project and elicit the required co-operation from the project-affected persons, and compliance to the ESS 5 to reduce the negative effects of the project.

7.4.2 Engagement of impacted communities and PAPs

Participation of the local communities will be an on-going process throughout resettlement planning. PAPs will be informed by MMDAs during the identification of sub-projects and consulted with as part of the screening process. The subsequent socio-economic survey would record all relevant information about PAPs and ensure that this is accurately reflected in the RPs to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation have been carried out satisfactorily.

Notification will occur at various stages of the resettlement planning. Notification includes discussing the desire to acquire land for sub-projects, discussing alternatives and options, discussing compensation arrangements, and discussing grievance mechanisms designated for the project, together with landowners. The cut-off date for affected property enumeration and valuation for compensation payment will be disclosed to affected parties and stakeholders as part of the notification process. The types of compensation or entitlements will also be clearly explained to PAPs.

7.5 Procedure for Delivery of Entitlements

Entitlements for Project-Affected People (PAP) would range from cash payments and/or building materials, provision of new structures, to non-cash compensation for other lost properties in accordance with the identification of the impact on their property.

The Land Valuation Technical Committee would review the compensation determination to ensure transparency and adherence to the policy, subject to World Bank's approval. Based on the final decision on the exact position of the site and its dimensions, the approved entitlements or amounts would be communicated to the implementing agency or unit for delivery or payment to the beneficiaries. Compensation would be paid before the owners/occupiers are made to vacate their properties for commencement of construction or works.

The MLGDRD would ensure that no construction begins until project-affected persons have been resettled if physical relocation is needed and/or received their compensations (according to World Bank ESS 5). All compensation, whether cash payments and/or non-cash or structure provisions, would be given to project-affected persons prior to any request for vacation of land/property and before commencement of construction.

Compensation and resettlement would be funded from the budget of the Ministry of Local Government, Decentralisation and Rural Development (through the MMDAs) like any other activity eligible under the projects' administrative and financial management rules and manuals. The compensation process which would involve several steps would be in accordance with the individual project site resettlement plans. The compensation process would incorporate the following:

7.5.1 Involvement of Public Sector Agencies

Institutions such as the EPA, MMDAs and their Physical Planning Departments will be involved in the process of resettlement and their roles clearly spelled out.

7.5.2 Notification of land resource holders

The user or his representative will be informed through both a formal notification in writing and by verbal notification delivered in the presence of all stakeholders or their representative.

7.5.3 Documentation of Holdings and Assets

The MMDAs and LVD Offices would arrange meetings with affected individuals, or households or community to discuss the compensation process. For each individual or household or community affected, officers of the implementing agency and LVD will compile a compensation dossier containing necessary personal information on, the affected party and those that s/he claims as household members, total land holdings, inventory of assets affected, and information for monitoring their future situation. This information will be confirmed and witnessed by District/Municipal Assemblies. Dossiers will be kept current and will include documentation of community lands used. This is necessary because it is one way in which an individual can be monitored over time. All claims and assets will be documented in writing.

7.5.4 Agreement on Compensation and Preparation of Contracts

All types of compensation will be explained to the individual or household or community or group. A property evaluation team comprising the Landowner(s)/ property owners, the Local Community, Area Council, District Assembly with the support of the Regional Lands Commission and Land Valuation offices will draw up a contract listing all properties to be affected and land to be used, and the types of compensation (cash and/ or in-kind) selected. A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract will be read aloud (in local language) in the presence of the affected party and other stakeholders such as the Assemblyman/ woman or representatives of traditional authorities prior to signing.

7.5.1 Compensation Payments and Related Considerations

Compensation payments will be made for affected properties in the presence of the affected party and officials of the Districts and a representative of the Traditional authority or EPA or NGO. The MLGDRD (through the participating MMDAs) would be responsible for compensations payment for affected assets and investments, including land, buildings, economic trees, crops, etc., according to the provisions of the resettlement plan.

Individual and household compensation will be made in either cash, in kind and/or through assistance. Every effort will be made to instill the importance of accepting in-kind compensation if feasible.

Making compensation payments erases some issues regarding inflation, security, and timing. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur; thus market prices shall be monitored within the time period that compensation is being paid to allow for adjustments in compensation values as necessary.

The question of security, especially for people who will be receiving cash compensation payment, needs to be addressed by beneficiary community, NGO or the compensation payment team. The Project will work closely with local banks and micro- finance institutions to encourage the use of their facilities, which will positively impact financial inclusion of affected persons and the growth of the local economies. The time and place for in-kind compensation payments shall be decided upon by each recipient in consultation with the MMDAs and beneficiary communities.

7.5.1 Time Frame

Considering the potentially low scale and scope of resettlement issues that would arise, the processing of compensation application for payment by the government would be expedited over an average maximum period of one month. An additional two weeks will be allowed for exceptional circumstances where there could be some complexities or challenges. To ensure this

happens, government will make the necessary budgetary provisions and ensure its timely allocation.

No construction will begin until project-affected people have been resettled if physical relocation is necessary and/ or received their full compensation (according to World Bank ESS 5). Additionally, the property owners shall be given adequate notice of not less than one month after payment of compensation to vacate affected assets and relocate depending on the nature of relocation or resettlement.

8 PUBLIC CONSULTATION, DISCLOSURE AND GRIEVANCE MANAGEMENT

8.1 Public Consultation

Public consultations have been carried out during the preparation of the RF for the SOCO. Considering the consultations that were carried out during the preparation of the project Environmental and Social Management Framework (ESMF) and the SOCO Stakeholder Engagement Plan (SEP), this RF sought to review and deepen consultations to share the project information, identify project resettlement risk and receive feedback to improve the design of the project and the RF and RP preparation and implementation. The consultations were held with key representative stakeholders at the national, regional, district and community levels.

The MLGDRD at the national has formed a Technical Working Group with key stakeholders such as the Ministry of Finance, Ministry of Food and Agriculture, Ministry of the Interior, Ministry of Youth and Sports, Ministry of Gender, Children and Social Protection, National Disaster Management Organization (NADMO), Ghana Immigration Service, Northern Development Authority (NDA), Ministry of Foreign Affairs and Regional Integration and National Development Planning Commission (NDPC).

Three Municipal and District Assemblies (MDAs) from each targeted region was consulted in the preparation of this RF. These included Sawla Tuna Kalba, North East Gonja, East Gonja Municipal, Sissala East Municipal, Lambussie Karni, Bawku Municipal, Garu, Builsa North, Nadowli Kaleo, Bunkpurugu Nakpanduri, West Mamprusi, Chereponi, Karaga, Nanton, Kpandai Nkwanta North, Krachi Nchumuru and Jasikan District the community level, Traditional Authorities, Area Council and Unit Committee members, Opinion Leaders, women, persons with disability and community members were consulted.

Some of the issues discussed were:

- Internal screening of developmental projects to identify the environmental and social risks
- Land tenure/ownership systems in the Districts
- Acquisition of land for projects. Whether land is acquired voluntarily or involuntarily
- Information sharing and Disclosure measures available at the District
- Monitoring and Evaluation of projects
- Identified vulnerable in the society
- Safeguards management capacity of Districts
- Grievance redress mechanisms available at the districts

Annex D of this RF provides a summary of the key findings of consultations, pictures and attendance of persons engaged.

8.2 RF Disclosure

The RF would be disclosed in compliance with relevant Ghanaian regulations and the World Bank ESS 10. It would be disclosed at the offices of the Chief Director, MLGDRD, National, Regional and Zonal Offices of EPA, and offices of participating MMDAs and in English and local language. Finally, it will be disclosed at the websites of the MLGDRD, and the World Bank's external website.

Consultations during resettlement planning and implementation: Consultations with stakeholders including PAPs will be an integral part in the RP preparation, implementation and monitoring processes. Consultations will happen in local language where possible; gender and vulnerable groups specific consultations will be held as appropriate. The consultation process will ensure the participation of the youth, and groups at risk of exclusion. RP would also be disclosed at the various district offices, website of the Project and local communities in a form that is understood and accessible and the World Bank's external website.

8.3 Grievance Redress Mechanism

The main objective of a Grievance Redress Mechanism (GRM) is to assist an entity to resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. Specifically, it provides a transparent and credible process for fair, effective and lasting outcomes. It also builds trust and cooperation as an integral component of broader community/citizen engagement that facilitates corrective actions. Specifically, the GM:

- Provides affected people with avenues for making a complaint or resolving any dispute that may arise during the implementation of projects;
- Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants.
- Provide access to judicial or administrative remedies;
- Allows for anonymous complaints; and
- Provide a register for recording and tracking complaints and actions taken.

The involvement of multiple stakeholders and implementing agencies under the proposed project could lead to complaints, misunderstandings, conflicts and disputes. The project will provide a GM that will provide all direct and indirect beneficiaries, service providers and other stakeholders the opportunity to raise their concerns and/or ask for information. Stakeholders will be informed of the GM in place, as well as the measures put in place to protect them against any reprisal for its use. This will be done during sensitisation activities and other interactions with stakeholders.

8.3.1 Rationale

A GM is a set of arrangements that allow local communities, employees, and other impacted stakeholders to file grievances with a project's implementer and seek redress when they see a negative impact as a result of the project's operations. It is a critical component of mitigating, managing, and resolving potential or actual negative consequences, as well as meeting international human rights duties and contributing to constructive relationships with the greater stakeholder community, particularly local communities, and employees.

Complaints, misunderstandings, disagreements, and disputes may arise because of land access, acquisition, and project operations that may affect other individuals, groups, or community holdings. As a result, a grievance procedure would be required to give a platform for all disgruntled parties to air their grievances.

PAPs will be able to file complaints about census inclusion, eligibility, and the temporary or permanent loss of their property, assets, or sources of income, as well as their compensation, through a project-specific grievance resolution process that will be established/strengthened. During the formation and implementation of the grievance process, the project will guarantee that it is gender sensitive. It will ensure that women are represented on the GM committee, and that the GM responds to grievances from both men and women, as well as vulnerable groups, in an equitable manner. It is crucial to stress, however, that the Project's grievance redress method does not supplant existing legal processes.

The procedures, which will be based on consensus, will strive to resolve difficulties swiftly to expedite the receipt of entitlements without resorting to costly and time-consuming legal action. As part of the project's beneficiary community awareness operations, information about the GM and the procedures in place to protect PAPs from any retaliation for using it would be made available. Community gatherings with diverse organizations, local radio talks, public education campaigns, and community monitoring visits will all be important activities.

8.3.2 Potential grievances/disputes

Grievance processes are essential to ensure that PAPs can raise complaints or concerns without charge and with the assurance that the matter will be resolved quickly and satisfactorily. Grievances will be actively addressed and tracked to ensure that they are resolved, and appropriate actions are taken. A clear timetable for resolving grievances will be established, ensuring that they are addressed in a timely and appropriate manner, with corrective steps taken, and the complainant notified of the outcome.

Grievances and disputes that may develop during the implementation of the planned Project's operations may be related to the following topics.:

- Targeting
- Valuation of assets and compensation
- Disagreement on plot 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 or communities claim that the affected asset is theirs)
- Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members
- Where affected people opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them, proposed housing or resettlement plot characteristics. Agricultural potential is not adequate in their view)
- Issues related to voluntary land donation; and gender related issues including Gender Based Violence (GBV), SEA/SH at construction sites.

8.3.3 Grievance Mechanism Structure

This proposed Gulf of Guinea Project will adopt a similar structure to the GM of the Ghana Productive Safety Net Project 2 (GPSNP 2, P175588) which uses and consolidates the Single Window Citizen Engagement Service (SWCES) established under Ghana Social Opportunities Project and scaled up during GPSNP for grievance redress. The SWCES commenced operationalization in December 2017 and provides a centralized channel for all beneficiaries of the programs and other stakeholders to raise grievances, report malpractices, and request information on all social programs for free. This has been operationalized through the creation of the ‘Helpline of Hope’ Call Center that hosts toll-free phone lines and SMS. A key pillar of the single window system is an integrated Unified Case Management System (UCMS), which provides a single platform for citizens to log, manage, monitor, and escalate their grievances as well as to disseminate relevant information. The SWCES team has engaged the following since its inception:

- Training of Social Welfare Officers and other stakeholders such as officials of the Domestic Violence and Victim Support Unit under the Ghana Police Service, Traditional Authorities, NGOs in 10 regions of the country;
- Public Information Campaigns about the SWCES at markets and lorry stations in Accra;
- Training of Case Management Officers of social protection programs on the UCMS and how to track and resolve cases;
- Engagement between the team from the Helpline of Hope call centre and telecommunication organizations such as Vodafone, MTN and Airtel/TIGO, to discuss the possibility of migrating from IP PBX to Integrated System Destination Network (ISDN), to allow more calls to be made on the system simultaneously.

The Help Line of Hope offers the opportunity to also receive cases outside SP programs, including reporting gender-related cases. It is envisaged that alongside the GPSNP2, the Gulf of Guinea Project will also support the decentralization of the SWCES to all the 6 regions of the targeted areas and also become a national single entry point for PIU and implementing partners.

Under the GPSNP and with this Gulf of Guinea Project, the SWCES is being extended to the district level through preparation of manuals, rules and guidelines to define the roles and responsibilities of Community Facilitators (CF), District Planning Coordinating Units (DPCUs), and District Social Welfare and Community Development Officers in the receipt, follow-up, and resolution of cases. Hence, mirroring GPSNP 2, case resolution on this Gulf of Guinea Project will rest with the SWCES national team, supported by decentralized staff who will have the following functions: (a) raising awareness on GMs (including for gender-based violence (GBV)); (b) lodging grievances on behalf of beneficiaries or other community stakeholders; (c) following up on cases or making additional inquiries as requested by the SP programs; (d) supporting the communication of outcomes of cases to complainants as appropriate, and (e) following up on unresolved cases. Steps followed by the SWCES are:

- Receive and register grievances or complaints
- Acknowledge, assess and assign (Acknowledge receipt of grievance, outline how grievance will be processed, assess eligibility and assign responsibility)
- Propose response
- Agreement on response
- If agreement is reached, implement agreement
- If agreement is not reached, review case
- If no agreement is reached, then the case can be referred to the law courts

The Grievance Focal Person receiving the complaint shall respect the complainant's wishes, choices, rights, and dignity when receiving a grievance/during the intake process. The Grievance Focal Person must obtain their permission of the complainant to exchange basic data for monitoring data. In order for the complainant to consent to submit a complaint, he or she must be given clear and basic information on how the system works, the possible results, the timetables, the types of support that can be provided, and so on, so that they can make an informed decision. In GBV or SEA/SH instances, it's critical to make the complainant's/ survivor's access to the complaints process as simple and secure as feasible, and for their anonymity/ confidentiality to be kept. No more than three aspects of the GBV occurrence should be requested or recorded by the Focal Person:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning);
- The age of the survivor.
- If, to the best of their knowledge, the perpetrator was associated with the project.

The GM shall also receive, register, and address concerns and complaints related to SEA / SH in a safe and confidential manner, with specific entry points for survivors and ensure a referral system to provide assistance to survivors as required, through identified GBV service providers in the Project area. Provision of assistance to survivors of SEA / SH for medical care, psychosocial support and legal assistance by way of referral to relevant SEA/SH service providers in the Project area within 48 hours. The reporting of SEA / SH cases shall be based on the principle of confidentiality and security of the survivor's identity and shall be kept in a secure location with limited access.

8.3.4 Recommended Grievance Redress Time Frame

As much as possible, the SWCES uses electronic data collection and recording tools to reduce the costs of reporting, expand the capacity to monitor, and improve communication flows from the community level to the national level. The UCMS thus allows data to be captured electronically and for smooth compilation of reports. The table below generally presents the recommended time frames for addressing grievances or disputes received related to SP Programs.

Table 6: Proposed GM Time Frame

STEP	PROCESS	TIME FRAME
First Tier: Project Level- Grievance Redress Team/ Local Mediation Committee		
1	Receive and register grievance	within 24 hours
2	Acknowledge, assess grievance, and assign responsibility	within 24 hours
3	Discuss and determine redress action (Development of response)	Within 2 Days
4	Implementation of redress action or response if agreement is reached	Within 3 days
	Initiate a grievance review process if no agreement is reached at the first instance	Within 24 hours

STEP	PROCESS	TIME FRAME
5	Verify the redress action	Within 5 days of first grievance registration
6	Close grievance	within 24 hours after step 5
Second Tier: Municipal Assembly Level- Public Relations and Complaints Committee		
7	Initiate and complete grievance review and resolution process if no agreement is reached at the first instance by the effort of the Grievance Redress Team	Within 3 Days from date of receipt at review level
Third Tier: Ministry Level – Social Accountability Unit		
8	Initiate and complete grievance review and resolution process if no agreement is reached at the second instance by the effort of the PRCC at the Municipal Assembly	within 5 Days from date of receipt at Ministry level
Court of Law		
9	Grievance taken to court by complainant	Unknown

8.3.5 Promotion of the GM

Communications on the GM structure and procedures will be part of the proposed project overall communications strategy. Meetings, monthly information pamphlets and posters detailing the GM process in languages understood by employees, and one-on-one meetings during recruitment will be used to spread information on the many routes to report grievances, complaints, and concerns. Inside each working location, such posters will be displayed, and suggestion boxes will also be available. Meetings will be held at least once a quarter, with notifications posted on bulletin boards.

Project beneficiaries with disabilities should be able to use GM. It should be presented to these recipients in a clear and understandable manner (braille, simple and large font writings, infographics, audio or assisted). To guarantee efficient communication of the GM, consult with disability associations and service providers (schools for people with impairments). It is critical to raise awareness of the needs of people with disabilities among GM structures.

8.3.6 Grievance Documentation and Reporting

The UCMS is designed to capture data on all cases received and resolved. Resolved and escalated grievances/cases are documented daily in the system with unique IDs generated for the assigned Case Management Officer. Cases received are then directed to the relevant programs for resolution and the process for resolution subsequently tracked. Monthly case/ grievance reports are generated from the system by the Case Management Officer and reports shared with the Project Coordinator to inform management decisions. Quarterly reports are also be generated and reported to the MoF as part of the project's Progress Reporting to the World Bank. Periodic reports are generated within a reasonable time frame for stakeholders, as appropriate, upon request.

9 PARTICIPATORY MONITORING & EVALUATION AND REPORTING

9.1 General Objective

The World Bank ESS-5 specifies that RF document should review arrangements, for participatory monitoring of project activities as they relate to (beneficial and adverse) impacts on persons within the project impact area, and for monitoring the effectiveness of measures taken to improve (or at minimum restore) incomes, livelihoods and living standards. Therefore, monitoring and evaluation (M&E) reporting are key components of the Resettlement Framework. This will be done through implementation of continuous monitoring, and periodic performance audit & evaluation in line with ESMF and overall project M&E program.

Throughout implementation, the SOCO will be required to carry out social risk management monitoring to ensure that the Project brings intended benefits, while ensuring that potential adverse environmental and social impacts are avoided or minimized. The arrangements for monitoring the resettlement and compensation activities will fit into the overall monitoring program for the entire SOCO, which will fall under the overall responsibility of MLGDRD.

To assess whether the goals of the resettlement and compensation plan are being met, a Monitoring and Evaluation Plan (MEP) will be required. It will indicate parameters to be monitored, milestones to be instituted and provide resources including responsible persons or institutions to carry out the monitoring activities.

The main indicators that the MEP will measure include:

- impacts on affected individuals, households, and communities to be maintained at their pre-project standard of living, and better;
- improvement of communities affected by the project; and
- management of disputes or conflicts.

In order to measure these impacts, the RP identifies the specific indicators to be monitored; define how they will be measured on a regular basis; and identify key monitoring milestones (e.g. at mid-point of the RP implementation process). The detail and complexity of this plan will depend on the nature and extent of the resettlement that takes place.

The Ministry will institute an administrative reporting system, that:

- alerts MMDAs about the necessity and procedures for land acquisition for the project activities and the need to incorporate land acquisition, resettlement, loss of assets and impact on livelihood provisions in the design of technical specifications and budget;
- provides timely information about the asset valuation and negotiation process;
- maintains records of any complaints and appeals that require resolution;
- documents timely completion of project resettlement obligations (i.e. payment of the agreed- upon sums, construction of new structures, etc.) for all permanent and temporary losses, as well as unanticipated, additional construction damage; and
- updates the database with respect to changes that occur on the ground as resettlement and compensation activities are being implemented

- Documents timely completion of project resettlement obligations (i.e. payment of the agreed- upon sums, construction of new structures, etc.) for all permanent and temporary losses, as well as unanticipated, additional construction damage; and
- Updates the database with respect to changes that occur on the ground as resettlement and compensation activities are being implemented

Periodic monitoring will be carried out in order to determine whether the PAPs have been paid in full and before implementation of the sub-project activities; and whether the PAPs enjoy the same or higher standard of living than before. The objective of the periodic monitoring is to ensure that a final evaluation, in order to determine if affected people have been paid in full and before implementation of the investment project, and if the people who were affected by the SOCO's investment project have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are actually poorer than before.

9.2 Reporting Requirement and Documentation

9.2.1 Reporting Requirement

Monitoring reports of the RF/RP implementation will be prepared for the following tasks: internal monitoring, expert monitoring, completion audit and compensation. The Participating MMDAs will report to the PIU for them will prepare regular quarterly) performance monitoring report. This report requirement will be effected at the commencement of any activities related to resettlement. These reports will summarize information that is collected and compiled in the quarterly narrative status and compensation disbursement reports and highlights key issues that have taken place. The quarterly report will be submitted to key stakeholders including the World Bank.

9.2.2 Documentation

The following records shall be documented by the Project:

- All disclosed Instruments
- Minutes of all consultation and disclosure meetings and workshops (including pictures where feasible)
- Sub-project Environmental and Social screening reports/forms
- EPA permits
- RP/ Compensation Reports
- New resettlement issues not anticipated during preparation
- Site meetings, any meeting that discusses key project issues
- Changes in decisions regarding resettlement related matters
- Land lease agreement or MOU for voluntary land donations
- Grievance records
- E&S field visit reports, etc.

9.3 Annual Performance and Completion Audit

An Annual Performance Audit would be carried out once a year, preferably by independent consultants to be hired by the Ministry, in order to ensure that RPs are being implemented in compliance with this Resettlement Framework, and that compensation payments have been carried out satisfactorily. The audit would also ascertain the impact of Voluntary Land Donation (VLD). The audit report would be submitted to the Ministry and to the World Bank for clearance.

The MLGDRD would engage another independent consultant to undertake an evaluation of RP's physical inputs to ensure and assess whether the outcome of RP implemented throughout the project cycle, complies with the World Bank Environment and Social standards 5- Land

Acquisition, Restrictions on Land Use and Involuntary Resettlement, and the national legal requirement related to expropriation of landholding and payments of compensation. The completion audit shall be undertaken after the completion of the project. The audit shall verify that all physical inputs committed in the RP have been delivered and all services provided. It shall evaluate whether the mitigation measures prescribed in the RF/RP have the desired effect. The completion audit should bring to closure project's liability for resettlement and its related activities

9.4 Indicators

Several objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social wellbeing. Monitoring indicators to be used for the RP will have to be developed to respond to specific site conditions. As a general guide, Table 7 provides a set of indicators which can be used to facilitate the monitoring procedure.

Table 7: Indicators for Monitoring and Evaluating RF/RPs

ACTIVITY/ACTION	BASIS OF INDICATORS	RESPONSIBLE
Sub-project identification and screening	<ul style="list-style-type: none"> Have all sub-projects been screened for E&S risk? How many sub-projects require the preparation of follow up RPs after E&S screening? How many sub-project RPs have been prepared and disclosed? 	MLGDRD&MMDAs
Budget and Time Frame	<ul style="list-style-type: none"> Have all land acquisition and resettlement teams been appointed and mobilized for work on schedule? Are resettlement implementation activities being achieved against implementation plan? Are funds for resettlement being allocated to resettlement agencies on timely and adequate manner? Have funds been disbursed according to RP? Has all land been acquired and occupied in time for project implementation? 	MLGDRD&MMDAs
Delivery Entitlements	<ul style="list-style-type: none"> Have all affected persons received entitlements according to numbers and categories? Have the affected persons received payments on time? Have all replacement land plots or contracts been provided? Are income and livelihood restoration activities being implemented as set out in the income restoration plan and have they been improved or at least correspond to the actual baseline as per the socioeconomic survey? Are the affected persons able to access cultural sites and activities? Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production? 	MLGDRD&MMDAs

ACTIVITY/ACTION	BASIS OF INDICATORS	RESPONSIBLE
Consultation, Grievance and Special Issues	<ul style="list-style-type: none"> • Have Consultations Taken Place as Scheduled Including Meetings, Groups, and Community Activities? • How Many Affected Persons Know Their Entitlements? • Have Any Affected Persons Used the Grievance Redress Procedures? • How many complaints have been received? • Have conflicts been resolved within a stipulated time? • What were the outcomes? 	MLGDRD&MMDAS
Voluntary Land Donations	<ul style="list-style-type: none"> • Number of subprojects requiring VLD • What is the size of land donated for each subproject? • Number of consultations held • Number of land donations processed and documented • Delivery of entitlement or assistance in compliance with the terms and conditions for VLD, if any 	MLGDRD&MMDAs
Benefit Monitoring	<ul style="list-style-type: none"> • What changes have occurred in patterns of occupation, production and resource use compared to the pre- project situation? • What changes have occurred in income and expenditure pattern compared to pre-project situation? • What changes have taken place in key social and cultural parameters relating to living standards? • What have been the changes in cost of living compared to pre-project situation? • What changes have occurred for vulnerable groups? 	MLGDRD&MMDAs

10 IMPLEMENTATION SCHEDULE, BUDGET, AND FUNDING

10.1 Implementation Schedule

Upon completion of screening by the PIU of selected sub-projects within the beneficiary MMDAs of potential involuntary resettlement, for each sub-project that triggers the ESS 5, a detailed implementation schedule of the various activities to be undertaken will be included in each sub-project's Resettlement Plan (RP). Likewise, each sub-project resettlement schedule will be coordinated with applicable civil works schedules. Payment of compensation and provision for other rehabilitation entitlements (in-cash or in-kind), and relocation, if that is the case, will be completed at least one month prior to the scheduled start-up date of works at the respective work site.

The implementation schedule will be determined by the following major activities:

- Preparation, approval and disclosure of RF
- Implementation of RF – Training and Workshops
- Confirmation of sub-project activities
- Screening of sub-project activities for resettlement related issues
- Preparation, approval and disclosure of RPs
- Implementation of RPs

10.2 Estimated Budget for RF Implementation

The estimated budget for implementing the RF is presented in Table 8.

Table 8: Estimated Budget for RF Implementation

ACTIVITY	DESCRIPTION	ITEM	UNIT COST (US\$)	QTY	TOTAL COST (US\$)
Consultations and disclosure	Community, district, regional and national Consultations	Workshops	6,000	6	36,000.00
Training and sensitization on RF and WB ESS5	National stakeholders	Workshop	5,000.00	1	5,000.00
	MMDA/ regional stakeholders	Workshop	10,000.00	5	50,000.00
	Traditional authorities, communities, CFS	Community sensitizations	Lump Sum	-	30,000.00
Awareness raising of PAPs and government authorities	Radio discussions	Local FM stations	Lump Sum	-	5,000.00
	Advertisements	National dailies	Lump Sum	-	8,000.00

ACTIVITY	DESCRIPTION	ITEM	UNIT COST (US\$)	QTY	TOTAL COST (US\$)
Grievance Mechanism	Formation and training of community grievance committees and GM awareness	-	Lump sum	-	10,000.00
Monitoring and Evaluation	RP Implementation monitoring and evaluation	Fieldwork	Lump sum	-	30,000.00
Sub-total					174,000.00
Contingency (approximately 5%)					8,700.00
Total					182,700.00

10.3 Budget for Preparation and Implementation of RPs

The budget would be developed from the specific social assessment studies and mitigation/livelihood restoration measures to be developed. It will cover resettlement activities including compensation cost for affected assets. The cost will be derived from expenditures relating to: (1) the preparation of the resettlement/compensation action plan, (2) relocation and transfer, (3) income and means of livelihood restoration plan (will be prepared separately), and (4) administrative costs (5) M&E costs, (6) GM, (7) consultations and disclosure, and (8) contingency.

A template for the preparation of budgets to prepare and implement RPs is provided as Annex F. This cost of preparing the instruments would be borne by the Project, whilst the cost of implementing the RP would be borne by the implementing District. This has been the practice under the MLGDRD for World Bank projects and this project would rely on that establishment.

10.4 Arrangements for Funding

Compensation and land access or acquisition (if necessary) will be funded by Government of Ghana. Fund channeling arrangements are to be determined by the MLGDRD and the MMDAs, and methods of payment to affected persons must be described in the RP

11 REFERENCES

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12 ANNEXES

12.1 ANNEX A1: Sample Contents of Voluntary Land Donations Documentation

Format of land donation database

1. Landowner (name, address, literacy level, formal or customary ownership)
2. Purpose and context of voluntary land donation
3. Duration of voluntary land donation
4. Title, status, address and dimensions (length, width and total area) of land to be voluntarily donated
5. Current use of land to be donated
6. Proportion/percentage of total land owned by landowner
7. Site map and photos of land to be donated
8. Names and dated signatures of landowner, of head of village, and of witnesses
9. Designation of record keeping procedures
10. Designation of disclosure procedures (ex: Notification on community information board, in community media, on Project Website, etc.)
11. Designation of applicable grievance mechanism(s).

Annex A2: Sample Memorandum of Understanding (MoU) for Land Donation
.....DISTRICT ASSEMBLY

MEMORANDUM OF UNDERSTANDING

BETWEEN

.....
(Beneficiary Community)

and

.....
(Landowner(s)/Donor(s))

Date of Agreement:.....

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN

.....
(Beneficiary Community)
AND

.....
(INSERT NAME OF Donor (s))

IN RESPECT OF
DONATION OF PARCEL OF LAND FOR (name subproject)

1.0 BACKGROUND

The Gulf of Guinea Northern Regions Social Cohesion Project (SOCO) has been set up to

.....

1.1 Rational for the Sub-project Implementation

.....

1.2 Purpose of the MOU

This Memorandum of Understanding (“MOU”) has been prepared by the..... (*Name of District Assembly*). The purpose of this MOU is to memorialize an agreement between Landowner/donor and the community for the piece of land provided the community for the (*Name of subproject*) (the “Project”). The project may be undertaken over a period of up to (**State subproject duration**) starting from the date of(**Month and year**).

2.0 PARTIES

(i) Landowner /Donor of Land (Refers to either Chief, Tindana, Head of Family/clan etc.)

.....

(ii) Name of Participating Community/Group (in the following called Tenant)

.....

(iii) Name of District Assembly / Region

.....

(iv) Name of NGO/CSO/CBO which will witness or facilitating the transaction

.....

3.0 LOCATION OF LAND DONATED FOR THE PROJECT

The Land is situated at..... (state the location of the land). The site is bounded in the North by.....; in the South

by.....; in the East

by.....

.....and, in the West by.....and has

GPS co-ordinates as follows:.....

.....

The land covers an approximate area ofhectares (Ha).

(Please attach copy of site plan as appendix 1)

4.0 USER CLAUSE

The Land shall be used exclusively for the Development of (state sub-project).

5.0 CONDITIONS AND TERMS OF THE MOU

5.1 Land acquisition Negotiations

Negotiations for the land acquisition shall be between the landowner(s)/Donors of land and the Community with the District Assembly supervising and the NGO/CSO/CBO facilitating the process.

5.2 Benefit Sharing Principle

This shall be agreed on between both parties.

5.3 Signatories to Community's Account (This shall be applied where applicable)

The community share of the dividend or benefit arising from the return on investment shall be put into an escrow account with representatives of the community and the District Assembly as signatories to the account.

5.4 Initial Tenure of the MOU

The parcel of land provided for this sub-project shall be for an initial tenure term ofyears (NB: state number of years using 35 years as a guide for the minimum)

5.5 Renewal of Tenure

At the expiration of the initial term, the agreement may be renewed for a further period ofyears (NB state number of years using fifteen (15) years as a guide for the maximum) as and when necessary.

6.0 COMMENCEMENT

This agreement shall commence from.....

7.0 RESPONSIBILITIES OF PARTIES

The parties to this MOU have agreed on the following responsibilities

7.1 Landowner(s)/Donor (s) of Land Responsibility

- i) Landowner (s)/ Donor(s) shall ensure that(insert name of community) has quiet enjoyment of the term hereby assured and agreed upon
- ii) Landlord(s) /Donor (s) to be responsible for all actions relating to title and ownership of the land that shall arise in future in respect of the tenant's possession of the land.

7.2 Insert name of Maintenance Organization/ Institution

Theshall:

- (i) Be responsible for the management of the site for which the (*name of sub-project*) is situated.

lead the beneficiary community to protect and maintain (*name of sub-project*) created.

7.3 The(Beneficiary) Community

- (i) members of the community shall not undertake harmful actions that could jeopardize the (*name of sub-project*)
- (ii) When necessary, the community shall provide communal labour to help maintain the facility.

7.4 District Assembly

To act as facilitator between landowner (s)/Donor of land and participating communities/Groups in respect of securing the parcel of land and provide technical assistance in the maintenance of the facility.

8.0 PERPETUITY CLAUSE

In this Agreement, unless expressly stated, any reference to the parties shall include a reference to their heirs, personal representatives, successors and assigns where the context so admits or requires.

9.0 TERMINATION CLAUSE

- i. This Agreement may NOT be terminated by either party before the expiration of the term
- ii. However, any default by any party of the terms of the Lease Agreement shall constitute breach and the party or parties not in default shall give written notice to the party in breach and if within 6 months of this notice the breach is not stopped, then the party will be deemed to have been in willful default and the affected party shall take steps to have the rights redressed.

10.0 DISPUTE RESOLUTION

- i. The Grievance Mechanism for the SOCO will be used in the resolution of all disputes emerging from this agreement.
- ii. Aggrieved parties however, have the right to revert to the Law Courts if they are not satisfied with the outcome of the in (i).

11.0 ADJUSTMENT TO THE MOU

This MOU will be re-evaluated as and when necessary and any adjustments can be added as an addendum to the MOU if agreed by all parties.

12.0 SIGNATORIES TO THE MOU

The following key stakeholders/actors have signed the MOU -

12.1 Landowner(s)/Donor(s) and their Witnesses

Signed by Landowner(s)/Donor(s) of Land or Representatives

Name.....Signature/thumb print.....Date.....

Name.....Signature/thumb print.....Date.....

After the foregoing had been read over and interpreted to them in the local language by:
(Insert name of Interpreter)Title/Position.....Contact Address
(Tel/Email.....)

(NB: When they seemed perfectly to understand the provisions thereof and purports before causing their signature or right-hand thumbprint to be hereunto affixed in the presence of two witnesses. (Attach photographs of Landowner(s)/Donors of land and participating community representatives and District Assembly representatives who participated in the negotiation and signing ceremony and minutes of the meeting)

1. Signature	2. Signature
(Witness of Donors of land)	(Witness of Donors of Land)
Name.....	Name
Contact.....	Contact.....

12.2 Community Representatives

Signed by representatives of Participating Community

Name.....Signature/Thump print.....Date.....

Name.....Signature/Thump print.....Date.....

Witnessed by (Assemblyman or Unit Committee Chairman):

Name.....Signature.....

Position/Title..... Contact.....Date.....

13.3 Other Witnesses

Witnessed by (Representative of NGO/CSO/CBO in-charge of the facilitation):

(i)Name:

Position / Title..... Signature.....

Contact:.....Date :.....

(ii)Name:

.....

Position / Title..... Signature.....

Contact:.....Date

:.....

Witnessed By: (Representative of District Assembly

Name.....

(MCE or his /her representative)

Signature/stamp

Position/Title.....Date

Annex B: Screening checklist for Involuntary Resettlement

Preliminary Social and Land Information

	Yes	No	Provide Comments
Will the subproject lead to acquisition of land?			
Will the Project lead to permanent acquisition of the land			
Is the land owed or being used by any vulnerable person/member of the community?*			
Will the project lead to temporary occupation of the land or use of the land for a limited time frame?			
What is the estimated permanent/temporary structures that will be affected?			
How many individuals, and organisations will be affected?			
What is the status [AND SIZE AND LOCATION?] of the land holding required by the project (customary, lease, community lands)			
Is there evidence of land tenure status of land owners and/or occupants (affidavit, other)			
Are there outstanding land disputes?			
Has there been proper consultation with stakeholders?			
Based on available sources, consultations with local community/ authorities, local knowledge and / or observations, could the project alter any cultural heritage site?			
Will the project result in the physical displacement of people?			
Will the project result in the permanent removal or damage or demolition of structures or buildings?			
Will the project result in the temporary removal or relocation of structures?			
Will the project affect or block access to homes, businesses, companies, farms, forest or any assets in general?			
Will the project result in the permanent or temporary loss or damage to standing crops, fruit or economic trees?			
Will the project result in the loss of income of affected farmers or business persons?			
Will the project affect farmlands that have been cleared but not cultivated?			
Will any restoration or compensation be required with?			
What is an estimated compensation that has to be paid?			
What safeguards instrument(s) will have to be prepared?			

**** Use of land from vulnerable members of the community will only be on voluntary basis. This donation will be subject to the approval of the World Bank and Land Voluntary Donation criteria set out in the RF.**

Annex C: Involuntary Resettlement Instruments

C1: INDICATIVE OUTLINE OF A RESETTLEMENT PLAN (RP)

(Reference: World Bank ESS 5).

1. Description of the sub-project and of its potential land impacts
 - 1.1 General description of the project and identification of the project area
 - 1.2 Potential impacts. Identification of
 - 1.2.1 Project component or activities that give rise to resettlement;
 - 1.2.2 Zone of impact of such component or activities;
 - 1.2.3 Alternatives considered to avoid or minimize resettlement; and
 - 1.2.4 Mechanisms established to minimize resettlement, to the extent possible, during project implementation.
2. Objectives. The main objectives of the resettlement plan
3. Socio-economic studies and census of affected assets and affected livelihoods. The findings of socio- economic studies and census to be conducted with the involvement of potentially displaced people include:
 - 3.1. Type of impacted lands and nature of ownership
- 3.1 Standard characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- 3.2 The magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic.
- 3.3 Information on vulnerable groups for whom special provisions may have to be made;
- 3.4 Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
- 3.5 Other studies describing the following
 - 3.5.1 Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
 - 3.5.2 The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
 - 3.5.3 Public infrastructure and social services that will be affected; and

- 3.5.4 Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, Non-Governmental Organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
4. Legal and Institutional Framework.
 - 4.1 Summary of the information included in this RF
 - 4.2 Local legal specificities if any
 - 4.3 Local institutional specificities
 - 4.3.1 Identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;
 - 4.3.2 Assessment of the institutional capacity of such agencies and NGOs; and
5. Eligibility and entitlements. Based on the definitions and categorization in this RF (see entitlement matrix), definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
6. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
7. Resettlement measures:
 - 7.1 Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy.
 - 7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation of those selected.
 - 7.3 Legal arrangements for regularizing tenure and transferring titles to PAPs.
 - 7.4 Housing, infrastructure, and social services.
 - 7.5 Environmental protection and management.
 - 7.6 Community participation. Involvement of PAPs and host communities
 - 7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities
 - 7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in the RF
8. Grievance mechanism. Based on the principle mechanisms described in this RF, description of affordable and accessible procedures for grievance resolution .
9. Institutional arrangements required for the implementation of the RP. The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and

carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

10. Implementation schedule. Based on the template presented in the RF, present an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. Costs and budget. Tables showing itemized cost estimates for all resettlement activities (see Annex C of this RF), including special assistance to vulnerable persons and other contingencies.
12. Monitoring and evaluation. Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent 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 the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

C2: TORs for the RP Preparation

1.0 Introduction

2.0 Background to the Project

SOCO is prepared under the World Bank Environmental and Social Framework. The Environment and Social risks of the project is Moderate. Eight out of the ten standards relevant for this project are:

- ESS 1: Assessment and Management of Environmental and Impacts;
- ESS 2: Labour & Working Conditions;
- ESS 3: Resource Efficiency and Pollution Prevention and Management;
- ESS 4: Community Health and Safety;
- ESS 5: Land Acquisition, Restrictions on Land use and Involuntary Resettlement;
- ESS 6: 'Biodiversity Conservation and Sustainable Management of Living Natural Resources;
- ESS 8: Cultural Heritage
- ESS10: Stakeholder Engagement and Information Disclosure

ESS 1 (Environmental Assessment) and ESS 5 (Land Acquisition and Restrictions on Land Access and Involuntary Resettlement) require resettlement instruments to be prepared when specific subproject sites are identified during implementation mainly due to activities.

At the time of project preparation, the exact locations for these infrastructural activities were unknown. Consequently, an Environmental and Social Management Framework (ESMF) and a Resettlement Framework (RF) were prepared to guide the project in mitigating environment and social risks. These two frameworks were disclosed in XXXXX. Once the exact location of subprojects are known the frameworks require the implementing agency to screen the sub-project prior to implementation of the subproject.

The purpose of the screening is to enable an identification of potential social concerns likely to arise as a result of implementation of the sub-project. Action Plans are required where potential adverse social and environmental risks are identified from the screening report to prevent, avoid, mitigate or effectively manage site-specific impacts.

In seeking to implement sub-projects, **the.....District Assembly intends** to comply with these

frameworks and all relevant national environmental laws. The terms of reference have been developed for the purpose of selecting a consultant to prepare **a Resettlement Plan (RP)** for the *(Insert name of sub-project)*.

(Insert detailed description of sub-project location and results of screening.)

3.0 Objectives of the Assignment

The specific objective of the RP preparation exercise is to assess the potential land requirements of subcomponent 1.1 and its associated social risks and impacts. The exercise will:

a) assess the potential social risks and impacts and b) prepare site specific RP for the subproject activities under component 2. The RP shall be prepared and implemented in fulfilment of

objective and requirements stated in the Environmental and Social Standard 5 (ESS 5) and compulsory land acquisition procedures of the Government of Ghana.

The RP will provide the procedures that the project will follow and measures to be taken to mitigate social risks and impacts associated with permanent and/or temporary land acquisition, compensate for losses, and provide development benefits to persons and communities affected by subcomponent 1.1 activities.

4.0 Scope of Work

The assignment will take place in (insert sub-project location).

The scope of work for the assignment for the RP includes but not limited to the following:

The project social risk is moderate using the World Bank E&S risk classification tool. The preparation of the RP will be guided by the Environmental and Social Standard- 5 (ESS-5) and Government of Ghana laws on compulsory acquisition. The scope and level of work involved in the preparation of the RP shall be proportionate to the project's potential environmental and social risks and impacts.

The RP Consultant working closely with the Project will deliver quality RP report that provides:

- *Description of the project:* General description of the affected areas.
- *Potential Impacts:* Identification of the: (i) components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.
- *Objectives:* The main objectives of the RP should be described in relation to the component subcomponent 1.1 interventions.
- *Census and Baseline Socio-economic studies:* The findings of socio-economic studies to be conducted with the involvement of potentially affected people will be needed. These generally include the results of a census of the PAPs covering:
 - Current occupants of the affected area as a basis for design of the RP and cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
 - Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population (information should be disaggregated by sex);
 - Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
 - Information on groups or persons in a situation of vulnerability, for whom special provisions may have to be made; and
 - Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement (disaggregated by sex), and to measure impacts (or changes) in their livelihood and living conditions.

- Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area (disaggregated by sex);
 - Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
 - Public infrastructure and social services that will be affected; and
 - Social and cultural characteristics of affected communities along the corridor, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
- *Legal Framework:* The analysis of the legal and institutional framework in GoG. This should cover the following:
 - Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc.;
 - Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RP for the interventions;
 - Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc. related to displacement and resettlement, and environmental laws and social welfare legislation;
 - Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
 - Gaps, if any, between local laws covering resettlement and the ESS-5, and the mechanisms for addressing such gaps; and
 - Legal steps necessary to ensure the effective implementation of RP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc. and which are specific to the sub-projects.
 - Analysis on the impact of the legal framework on women's land ownership.
 - *Institutional Framework:* The institutional framework governing RP implementation generally covers:
 - Agencies and offices responsible for resettlement activities and civil society groups/NGOs that may have a role in RP implementation;
 - Institutional capacities of these agencies, offices, and civil society groups in carrying out RP implementation, monitoring, and evaluation; and
 - Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

- *Eligibility criteria and compensation:* The consultant will undertake the following:
 - **Establish criteria for determining the resettlement eligibility of affected households:** Eligibility criteria must be advantageous to women and other vulnerable groups, including those without legal title to assets. The eligibility criteria will be disclosed to affected communities and other project stakeholders. Feedback from the disclosure process will be used in the delivery of compensation and or livelihood restoration.
- **Prepare an entitlements matrix listing all likely impacts.** It will identify:
 - all categories of affected persons,
 - all types of loss associated with each category, and
 - all types of compensation and assistance to which each category is entitled.
- **Prepare standards for compensation and livelihood restoration:** Prepare a formula for setting full replacement costs for assets lost, including land. Establish options for culturally acceptable replacements for lost services, cultural sites, common property, or access to resources for subsistence, income, or cultural activities.
- **Prepare options for relocation and income restoration:** These will build on the existing social, economic, and cultural parameters both of displaced persons and of host communities. Provide for relocation costs, lost income, and income support during transition. Where appropriate, prepare relocation plans including selection and preparation of relocation sites. Make provisions for landownership, tenure and transfer, and access to resources.
- Where incomes must be restored, provide for needs assessment, employment generation, and credit disbursement: Where affected persons are to change their occupation, provide for training and vocational support mechanisms. Review the likely environmental impact of the resettlement process and build in plans to mitigate any adverse environmental effects.
- Make special provision for vulnerable groups.
 - *Valuation of and compensation for losses:* The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).
 - *Resettlement Measures:* A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the resettlement objectives. Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation: If a resettlement site is an option, describe the alternative relocation sites as follows:

- Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;

- Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- Legal arrangements for recognizing (or regularizing) tenure and transferring titles to re-settlers.
- *Environmental protection and management.* A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).
- *Community Participation:* Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of PAPs and host communities, should include:
 - Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;
 - Summary of the consultations and how PAPs' views were taken into account in preparing the resettlement plan; and
 - Review of resettlement alternatives presented, and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
 - Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including, ethnic minorities, landless, children and youth, and women) are adequately represented.
- Consultations should cover measures to mitigate the impact of resettlement on any host communities, including:
- Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
- Conflict resolution involving PAPs and other stakeholders; and
- Livelihood restoration and any additional services.

Grievance procedures: The RP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms.

RP implementation responsibilities: The RP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover (i) delivery of RP compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in RP implementation; and (iii) measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RP

components (e.g. community-based livelihood restoration; participatory monitoring; etc. where applicable).

Implementation Schedule: An implementation schedule covering all RP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to PAPs and hosts and a clearly defined closing date. The schedule should indicate how the RP activities are linked to the implementation of the overall project.

Costs and budget: The RP should provide detailed (itemized) cost estimates for all RP activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

Monitoring and evaluation: Arrangements for monitoring of RP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RP outcomes and impacts on PAPs' livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RP activities; involvement of PAPs in the monitoring process; evaluation of the impact of RP activities over a reasonable period after resettlement and compensation and using the results of RP impact monitoring to guide subsequent implementation.

5.0 Method of Assignment

The method to be adopted for carrying out the assignment must be participatory and include:

- Development of tools for consultation and data gathering including guided questions, focused group discussion and stakeholder map showing the different stakeholders interested and affected by the project; and
- Consultation of various interested individuals and groups especially project affected persons (PAPs).
 - *Use of technology in asset surveys:* Technology can play a key role in carrying out a sound asset survey as part of the preparation of a resettlement plan. The consultant is advised to make use of GPS and satellite imagery during the RP preparation.

6.0 Outputs

The outputs of the assignment are:

- i. A stakeholder map
- ii. Tools for consultation with project affected persons and other stakeholders
- iii. A final RP including items i & ii above and annexes.

7.0 Timeframe

The assignment will commence immediately on signing of the contract and will be carried-out within 1- month duration. The consultant will report to **the District Coordinating Director of the Assembly**. The consultant will be expected to work in close collaboration with the contractor's Focal Person.

DELIVERABLES AND TIMING

Inception Report: Inception report shall be delivered within XXX after signing of contract providing detailed work plan and indicators of performance. This will be discussed by consultant, client and other experts to ensure quality of final outcome. XXXX copies and MS Word and PDF version of the report shall be submitted to the client.

Draft Report: This will be submitted to the client for review and comments raised, incorporated into the revised version. XXX copies shall be submitted to the client. In addition, there shall be MS Word and PDF version. This will be delivered xxxx weeks after submission of the inception report.

Final Report: The final report should include a concise Executive Summary and should have all annexes and bibliography and the dissemination/disclosure plan. This will be delivered XXX weeks after submission of draft report.

REPORTING

The Consultant will report directly to the XXXX at the XXXXXX.

8.0 Qualifications

The consultant shall possess a minimum of a Masters' degree in environmental studies or social sciences with at least 5 years post-qualification experience in environmental and social risk management s or environmental and social assessment. The consultant must have a good knowledge of the World Bank Safeguards policies/ESF, social protection and procedures as well as national environmental policies, legislation and procedures. Knowledge of the local language would be an advantage.

The Consultant must have experience in preparation of RPs for infrastructure projects such as xxxxx. The consultants must have competency and documented experience in environmental and social analyses and development of operational action plans.

9.0 Clients Inputs

The client will provide all relevant information and documents that will enable the consultants to carry out their duties. The client will also facilitate the organization of consultation meetings with PAPs and stakeholders as part of the disclosure activities and will be responsible for the disclosure of the RP.

C4: Indicative Resettlement Plan Outline

The followings are the indicative ‘Table of Contents’ that the consultant should follow while preparing and finalizing the RP:

Table of Contents

List of Figures

List of Tables

Definitions Abbreviations

Executive Summary CHAPTER ONE: INTRODUCTION

- Background Understanding
- Aim and Objectives of the RP
- Justification for the preparation of a RP
- RP Methodology

CHAPTER TWO: DESCRIPTION OF THE PROJECT ENVIRONMENT AND BASELINE STUDIES

- Description of the project State
- Description of the project location
- Socio-Economic Baseline Conditions of Project Affected Persons (PAPs)

CHAPTER THREE: POLICY LEGAL AND REGULATORY FRAMEWORK

CHAPTER FOUR: IDENTIFICATION OF PROJECT IMPACTS AND PROJECT AFFECTED PERSONS

- Introduction
- Impact Reduction Measures Undertaken
- Positive Impacts of the project
- Negative Impact of the Project
- Entitlement and Eligibility
 - Entitlement Matrix for the PAPs
 - Description of Eligibility Criteria for Defining Various Categories of PAPs
- The Valuation methodology
- Inventory of affected assets/structures in the project area
- Census of Project Affected Persons (PAPs)
- Compensation and Resettlement Assistance
- Analysis of Impacts and Income Restoration Measures for Vulnerable Group/PAPs
- Performance Indicator for Assessing Income Restoration
- Proof of Eligibility
- Duration for Civil Works
- Cut-Off Date

CHAPTER FIVE: GRIEVANCE REDRESS MECHANISMS

CHAPTER SIX: BUDGET AND FINANCING PLAN

- Introduction
- Financing plan
- Procedure for Delivering of Entitlements
- RP Compensation Process
- Compensation Payment Administration
- Resettlement Implementation Linkage to Civil Works

CHAPTER SEVEN: INSTITUTIONAL ARRANGEMENTS- ROLES AND RESPONSIBILITIES

CHAPTER SEVEN: ASSETS VALUATION METHODS

CHAPTER NINE: TIMETABLE OF EVENTS

- Timetable for the Resettlement Plan
- Training and Capacity Needs

CHAPTER TEN: MONITORING AND EVALUATION

- Overview
- Internal Monitoring
- Independent Monitoring
- Monitoring Indicators
- Implementation Schedule

CHAPTER ELEVEN: STAKEHOLDERS CONSULTATION

- Method and participation
- Choice and Right
- Concerns and resolutions

REFERENCES

ANNEX A: LIST OF PROJECT AFFECTED PERSONS AND THEIR COMPENSATION

ANNEX B: COST DERIVATION TABLE FOR AFFECTED STRUCTURES AND LANDED PROPERTY

ANNEX C: COST DERIVATION TABLE FOR [AFFECTED] CASH CROPS/ECONOMIC TREES

ANNEX D: TERMS OF REFERENCE

ANNEX E: NOTICE OF CUTE-OFF DATE

ANNEX G: CONSULTATION ATTENDANCE LIST/VIDEOS/PHOTOS ANNEX F: MONITORING INDICATOR FOR THE PERFORMANCE OF RP

Annex D: Summary of Engagements with MMDAs and Communities

Table 9: D1- Summary of Engagement with Nanton District Assembly in the Northern Region

Date: 14th September, 2021	
Issues Discussed	Responses
How are sub-projects selected?	<i>Projects are selected through a Community Action Plan (CAP). These needs are then prioritized into the Medium-Term Development Plan (MTDP).</i>
Are sub-projects screened to assess the environmental and social risks?	<i>Yes. This is done in collaboration with the EPA. The EPA has screening forms that is usually filled out by the Assembly. The Authority will subsequently conduct a field validation to ascertain the information provided on the forms by the DA.</i>
Are there any challenges in sub-project registration with EPA for environmental screening and clearance?	<i>The major challenge is the high registration fees charged by EPA. The District in some instances, does not have the funds to pay for the registration and thus delays the process.</i> <i>The DA suggested if the Project can make provision for the registration of sub-project as part of project expenditure.</i>
At what stage of the project is information shared with the community/beneficiaries? a) Planning b) implementation c) completion	<i>Members of the community are engaged by the DA throughout the project implementation (planning to completion).</i>
How is the information shared or disclosed?	<i>Information on developmental projects is shared or disclosed through:</i> <ul style="list-style-type: none"> • <i>Community entry procedure</i> • <i>Information Service Van announcements</i> • <i>Notice board of the DA</i> • <i>Town Durbars</i> • <i>Sensitization programs</i> • <i>Media (Radio)</i>
How is the land acquired for Assembly projects? Through voluntary or involuntary donation?	<i>Land is acquired by the DA for development project through Voluntary donation. The chiefs provide the land freely to the Assembly.</i>
When land is acquired voluntarily, is there any form of consideration?	<i>No considerations are given.</i>
When land is acquired involuntarily, is it conducted in collaboration with the Lands Commission?	<i>No involuntary land acquisition has been undertaken at the Assembly.</i>

What is the land tenure system /ownership practiced in the District?	<i>Land is owned by sub-chief</i>
Do women have access to own land?	<i>Woman can only access land through the assistance of a man relation</i>
Has the MMDA implemented any project that required involuntary resettlement?	<i>No</i>
Was compensation paid in cash, kind, training or through livelihood restoration? Was compensation paid from the District Assembly's Internally Granted Funds or was paid by central Government?	<i>N/A</i>
Do you have any safeguards person at the MMDA?	<i>Yes. The Planning Officer performs this role but needs more training in safeguards management.</i>
Who are the vulnerable in the community and what special measures are put in place for them during resettlement activity or developmental interventions?	<i>Persons With Disabilities, the Poor, Women and Orphans</i>
What is the grievance medium at the communities?	<i>Grievances from the communities on projects are usually channeled through the Assemblyman and members of the Unit committee.</i>
Is the Public Relations and Complaints Committee function and how effective are they in the resolution of escalated cases from the communities?	<i>They are functional. The committee conducts investigation on cases and mediate between aggrieved parties.</i>
What M&E systems are in place for monitoring projects?	<i>The DA has a standing Committee for monitoring projects on monthly basis. A joint departmental monitoring is also conducted every quarter.</i>

Table 10: D2 - Summary of Consultations with Jasikan District Assembly

Date: 22nd September, 2021	
Issues Discussed	Responses
How are sub-projects selected?	<i>Projects are selected through a Community Action Plan (CAP). These needs are then prioritized into the Medium-Term Development Plan (MTDP).</i>
Are sub-projects screened to assess the environmental and social risks?	<i>Yes. The environmental and social screening is conducted with the guidance of the EPA.</i>
Are there any challenges in sub-project registration with EPA for environmental screening and clearance?	<i>High registration charges by the EPA.</i>

At what stage of the project is information shared with the community/beneficiaries? a) Planning b) implementation c) completion	<i>The community is engaged from the planning through to the completion stage for all DA projects.</i>
How is the information shared or disclosed?	<i>Information on developmental projects is shared or disclosed through:</i> <ul style="list-style-type: none"> • Notice board of the DA • Town Durbars • Gongon beater • Community entry procedure • Information Service Van announcements • Sensitization programs • Media (Radio)
How is the land acquired for Assembly projects? Through voluntary or involuntary donation?	<i>The community voluntarily provides land to the DA for projects.</i>
When land is acquired voluntarily, is there any form of consideration?	<i>The DA has to provide some customary token to the land owner for the donation of the land.</i>
When land is acquired involuntarily, is it conducted in collaboration with the Lands Commission?	<i>No involuntary land acquisition has being undertaken at the Assembly.</i>
What is the land tenure system /ownership practiced in the District?	<i>Land is owned by chiefs and families.</i>
Do women have access to own land?	<i>Yes</i>
Has the MMDA implemented any project that required involuntary resettlement?	<i>No</i>
Was compensation paid in cash, kind, training or through livelihood restoration? Was compensation paid from the District Assembly's Internally Granted Funds or was paid by central Government?	<i>N/A</i>
Do you have any safeguards person at the MMDA?	<i>Yes. The Planning Officer and Municipal Works Engineer performs this role but need more training in safeguards management.</i>
Who are the vulnerable in the community and what special measures are put in place for them during resettlement activity or developmental interventions?	<i>Persons With Disabilities, the Poor, Women and Orphans</i>
What is the grievance medium at the communities?	<i>Grievances from the communities on projects are usually channeled through the Assemblyman and members of the Unit committee.</i>

Is the Public Relations and Complaints Committee function and how effective are they in the resolution of escalated cases from the communities?	<i>They are functional. They undertake investigations on cases and mediate between aggrieved parties.</i>
What M&E systems are in place for monitoring projects?	<i>The DA conducts monitoring on adhoc and quarterly basis.</i>

Table 11: D3 - Summary of Consultations with West Mamprusi Municipal Assembly

Date: 24th September, 2021	
Issues Discussed	Responses
How are sub-projects selected?	<i>Projects are selected through a Community Action Plan (CAP). These needs are then prioritized into the Medium-Term Development Plan (MTDP) and implemented as and when funds are available. Most of the activities implemented in this Municipality are committee lead.</i>
Are sub-projects screened to assess the environmental and social risks?	<i>Yes. Permits are obtained from EPA. This done in collaboration with the EPA.</i>
Are there any challenges in sub-project registration with EPA for environmental screening and clearance?	<i>No. The EPA leads the screening process. The DA want to build their capacity in the completion of the Form 1A. The cost of the registration is incorporated into the project cost.</i>
At what stage of the project is information shared with the community/beneficiaries? a) Planning b) implementation c) completion	<i>Throughout the stages</i>
How is the information shared or disclosed?	<i>Information on developmental projects is shared or disclosed through:</i> <ul style="list-style-type: none"> • Notice board of the DA • Town Hall meeting • Sensitization programs (done on adhoc basis sue to lack of funds) • website • Media (Radio)
How is the land acquired for Assembly projects? Through voluntary or involuntary donation?	<i>Land is acquired by the DA for development project through Voluntary donation. The chiefs provide the land freely to the Assembly.</i>
When land is acquired voluntarily, is there any form of consideration?	<i>No considerations are given.</i>

When land is acquired involuntarily, is it conducted in collaboration with the Lands Commission?	<i>No involuntary land acquisition has been undertaken at the Assembly.</i>
What is the land tenure system /ownership practiced in the District?	<i>The chief oversees the allocation of the land but the land is owed by families. Land is not sold in most of the communities in the DA.</i>
Do women have access to own land?	<i>Woman can only access land through the assistance of a man relation.</i>
Has the MMDA implemented any project that required involuntary resettlement?	<i>No</i>
Was compensation paid in cash, kind, training or through livelihood restoration? Was compensation paid from the District Assembly's Internally Granted Funds or was paid by central Government?	<i>N/A</i>
Do you have any safeguards person at the MMDA?	<i>Yes. The Planning Officer performs this role but needs more training in safeguards management.</i>
Who are the vulnerable in the community and what special measures are put in place for them during resettlement activity or developmental interventions?	<i>Persons With Disabilities, Aged and Women</i>
What is the grievance medium at the communities?	<i>Grievances from the communities on projects are usually channeled through the Assemblyman and members of the Unit committee.</i>
Is the Public Relations and Complaints Committee function and how effective are they in the resolution of escalated cases from the communities.	<i>They are functional. The committee does not meet regularly as required due to lack of funds and inadequate referral cases.</i>
What M&E systems are in place for monitoring projects?	<i>The DA conducts occasional monitoring due to lack of funds. They suggested that monitoring cost should be incorporated into the project cost. A joint monitoring exercise is held quarterly. This is headed by the MCD. The committee comprise of Heads of all the departments, CSO representatives, Traditional Council representative.</i>

Table 12: D4 - Summary of Consultations with Builsa North Municipal Assembly

Date: 18th September, 2021	
Issues Discussed	Responses
How are sub-projects selected?	<i>Projects are selected through a Community Action Plan (CAP). These needs are then prioritized into the Medium-Term Development Plan (MTDP).</i>

Are sub-projects screened to assess the environmental and social risks?	<i>Yes. This done in collaboration with the EPA. The EPA has screening forms that is usually filled out by the Assembly. Screening is also done based on project requirement.</i>
Are there any challenges in sub-project registration with EPA for environmental screening and clearance?	<i>The major challenge is the high registration fees charged by EPA.</i>
At what stage of the project is information shared with the community/beneficiaries? a) Planning b) implementation c) completion	<i>At all stages of the project</i>
How is the information shared or disclosed?	<i>Information on developmental projects is shared or disclosed through:</i> <ul style="list-style-type: none"> • <i>Assemblyman (main medium)</i> • <i>Community Entry</i> • <i>Town Durbars</i> • <i>Sensitization programs</i>
How is the land acquired for Assembly projects? Through voluntary or involuntary donation?	<i>Land is acquired by the DA for development project through Voluntary donation. The chiefs provide the land freely to the Assembly.</i> <i>The donations are not documented.</i>
When land is acquired voluntarily, is there any form of consideration?	<i>Customary obligations are performed by given cola.</i>
When land is acquired involuntarily, is it conducted in collaboration with the Lands Commission?	<i>No involuntary land acquisition has been undertaken at the Assembly.</i>
What is the land tenure system /ownership practiced in the District?	<i>Land is owned by Chief and families. Land conflict have emerged in the Municipality in recent times due to ownership issues.</i>
Do women have access to own land?	<i>No. They, however, have access to only degradable land.</i>
Has the MMDA implemented any project that required involuntary resettlement?	<i>No</i>
Was compensation paid in cash, kind, training or through livelihood restoration? Was compensation paid from the District Assembly's Internally Granted Funds or was paid by central Government?	<i>N/A</i>
Do you have any safeguards person at the MMDA?	<i>Yes. The Planning Officer performs this role but needs more training in safeguards management.</i>

Who are the vulnerable in the community and what special measures are put in place for them during resettlement activity or developmental interventions?	<i>Persons With Disabilities, the Aged, Women and Orphans</i>
What is the grievance medium at the communities?	<i>Grievances from the communities on projects are usually channeled through the Assemblyman and members of the Unit committee.</i>
Is the Public Relations and Complaints Committee function and how effective are they in the resolution of escalated cases from the communities?	<i>They are functional. The committee conducts investigation on cases and mediate between aggrieved parties.</i>
What M&E systems are in place for monitoring projects?	<i>The DA has a standing Committee for monitoring projects on monthly basis. A joint departmental monitoring is also conducted every quarter.</i>

Table 13: D5 - Summary of Consultations with North-East Regional Coordinating Unit

Date: 24th September, 2021	
Issues Discussed	Responses
What mandate and M&E systems are in place for monitoring projects?	<p><i>Coordinate built capacity and provide backstopping to the Assemblies.</i></p> <p><i>The Regional Planning Coordinating Unit (heads of the various RCC departments) undertake quarterly monitoring activities. This is based on the District Assembly Performance Assessment Tool (DPAT). Key indicator monitored includes the EPA permits of the Assemblies and the safeguards indicators in the assessment tool.</i></p>
What are your challenges?	<i>The main challenge is funding. The RCC does not generate any funds and thus relies solely on GoG budgetary allocations.</i>

Annex E: Pictures and Attendance Sheets from the Field Visits

Figure 6: Consultation with members of the Kpalwega Community in Bawku Municipal



Figure 7: Consultation with Officials of the Bawku Municipal Assembly



Figure 8: Consultation with officials of the Upper East Regional Coordinating Council



Figure 9: Consultation with Zieng community members in Nanton District



Figure 10: Consultation with officials of the Nanton District Assembly



Figure 11: Consultation with members of Abrewanko Community



Figure 12: Consultation with members of Kalijisa in Builsa North Assembly



Figure 13: Consultation with the REPO for North East RCC



Figure 14: Consultation with members of Boglini Community in Northern Region



Figure 15: Consultation with the Unit Committee members and Opinion leaders of

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH Kpalwega

DATE: 16 SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	NAME EMAIL	PHONE NO.	SIGNATURE
1.	John Anasah		Mbawin Ayale	Sumaila Sadat	
2.	Moro Amalsum		Haruna Amina	Amadu Kamile	
3.	Asamba Ernestina		cecilia Jambida	Ibrahim Taha	
4.	Asugri Mariama		Musah Anabzu	Sturorbaie	
5.	Jambeidu Setu		Adam Seiba	Akuka Saibu	
6.	Razak Elumatu		John Yakubu	Anyesigi Benard	
7.	Anaba meel		Seidu Agaton	Musah Raseed	
8.	Karim Elizabeth		Akuka Sali	Maxwell Gogina	
9.	Osman Amina		Muhammed Asoma	Zeinabu Ali	
10.	Karim Hawa		Akuka Ayaaba	Lizi Ali	

Elvis Agomah (Assemblyman) Iddrisu Zulaya Amina Awudu
Saadia Ibrahim Amina Azuobu
Basira Issaka Awini Azuoba

Figure 16: Sample of attendance Sign Sheet for Kpalwega Community

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH Bawku Municipal

DATE: 15 SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	Alhaji Mohammed Issahaka	Bawku M.A	musahakut42@gmail.com	024456842	
2.	Issahaka Mohammed Amin	BMA	ammin020032003@gmail.com	0242264833	
3.	Joseph A. Azuntaba	SDPO/BMA	jawins84@gmail.com	0244437272	
4.	Amigra Linus A.	MPPD/BMA	amiglinus@gmail.com	0246924278	
5.	George Anaboo	B.M.A	anabansobila@gmail.com	0208257191	
6.	Issahaka Awaabu	B.M.A	munniatibulani41@gmail.com	0242153852	
7.	Mohari Joseph B.	PSDO	joseph.mohari@gmail.com	024402789	
8.	Bassey Eric Batuu	MBO-BMA	batuerric7@gmail.com	03416219	
9.	Abubakar W.A. Bala	MPO-BMA	billabubakar@gmail.com	0243758724	
10.	Pearl Vornawor	MLGDRD	pearl.vornawor@mlgdrd.gov.gh	0200670030	

Figure 17: Sample of attendance Sign Sheet for Bawku Municipal Assembly

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH UPPER EAST R.C.C.

DATE: 16.....SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	Athaji Mahamady A. Azenko	NERCC	maazankai@yahoo.com	0244706609	
2.	A. Al-Hassan Ibrahim	NERCC	16991bra@gmail.com	0244082287	
3.	Solomon A. Kambey	NERCC	kambeyso@gmail.com	0246426612	
4.	Abu Shaiibu	COMM. DEV.	shaiibuabu140@yahoo.com	0244545057	
5.	Emmanuel K. Badza	GPSNP-BZCO	emmanuel.badza@gpsnp.gov.gh	0244013559	
6.	Muizilewa Saaka	NERCC	smuizilewa@gmail.com	0207403006	
7.	Pearl Vomquoor	MLGDRD	pearl.vomquoor@mlgdrd.gov.gh	0206690020	
8.	Emmanuel A. Monte	MLGDRD	montealosse@gmail.com	0244409080	
9.					
10.					

Figure 18: Sample of attendance Sign Sheet for Upper East RCC

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH ZIENG COMMUNITY NANTON DISTRICT

DATE: WEDNESDAY 15TH.....SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	Abdulai Umar	Zieng		0245507887	
2.	Aminu Sulemana	Zieng		0245800173	
3.	Haruna Hussein	Zieng		0240996842	
4.	Abdulai Issahaka	Zieng	Nachin Kpana (Sub-Chief)	0247567177	
5.	Mohammed Baishu	Zieng		0247627929	
6.	Issahaka Abdulai	Zieng	Nachin Naa (Youth Leader)	0247648064	
7.	Abdulai Shiraz	Zieng		0243377794	
8.	Haruna Abdul Rahim	Zieng	harunabulrahim@gmail.com	024072444	
9.	Inusah Hussein Cheno	Zieng	hussainusah352@gmail.com	0242588681	
10.	Mubakari Mohammed Kamil	Zieng	mubakari.kamil@gmail.com Unit com. member	0249648258	

Figure 19: Sample of community attendance sign sheet for Nanton District

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH LESSENI Community

DATE: FRIDAY, 17TH.....SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	KWAKU SEI ABRAHAM	TRANSPORT		0544732699 0544732699	
2.	AKUNFE ABU	FARMER		6245793861	
3.	NCHOANE SEI	FARMER		0549002286	
4.	TIMOTHY YANE	FARMER		0547696001	
5.	GEORGE MBIMADONG	Retiree Ede		054959268	
6.	NLO BANA	FARMER		0245193388	
7.	KNAME MAMEBE	FARMER		0553991422	
8.	ESTHER MBIMADONG	FARMER		0547077891	
9.	JAMES NDELEYI	FARMER		0248282079	
10.	MBIMADONG Olu MICHAEL	FARMER	Olumichael74@gmail.com	0547677891	

Figure 20: Sample of Lesseni community attendance sign sheet

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH ABREWANKOR Community

DATE: 18.....SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	PAYAL ISEC-BAN	Abrewankor Nch		0594901255	
2.	Nyarko Benedict	Abrewankor Nch		0246842689	
3.	Agnes Kumah	Abrewankor Nch		0546386982	
4.	Gyafour Akwasi	Abrewankor Nch			
5.	Gyafour Daniel	Abrewankor Nch		0550712864	
6.	Nyarko David	Abrewankor Nch		0555177720	
7.	Akosua Addeh	Abrewankor Nch		0246842689	
8.	Nkpektor Emilia	Abrewankor Nch		0548772569	
9.	Akosua Sophia	Abrewankor Nch		0246842689	
10.	Akosua Sowku	Abrewankor Nch		0555177720	
11.	Attah Justice			0243607870	

Figure 21: Sample of Abrewankor community attendance sign sheet

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH BODADA COMMUNITY

DATE:SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	POSITION EMAIL	PHONE NO.	SIGNATURE
1.	GEORGE-K. BOAMPONG	Bodada City	STOOD CLERK	0546603732	<i>[Signature]</i>
2.	JOHN NKETIA	Bodada	Unit Ctee Chairman	0246631713	<i>[Signature]</i>
3.	Paul Nyarko	"	Unit Ctee Org. Sec.	0540766309	<i>[Signature]</i>
4.	JAMES ADDY	"	R/C Church Sec.	0244108688	<i>[Signature]</i>
5.	Augustine Alagbe	"	Catechist	0244780779	<i>[Signature]</i>
6.	Francis Ofari	"	R.C. Church President	0249235888	<i>[Signature]</i>
7.	Joseph Kelly Adjanteh	"	Elder R.C	0246285672	<i>[Signature]</i>
8.	Akpania Francisca	"	Asafoalse Sakyerebea III	0248133005	<i>[Signature]</i>
9.	John Omado	"	City Project officer	0542598560	<i>[Signature]</i>
10.	Hon. Theodore Babie	"	Assembly member	0247287513	<i>[Signature]</i>

Figure 22: Sample of Badada community attendance sign sheet

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH Salaga District Assembly

DATE: 16thSEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	Mohammed Rufe	East Ghana MA	hudaufa03@yahoo.com	0243104049	<i>[Signature]</i>
2.	Ibrahim Salifu	EGMA	ibnizaf@gmail.com	0243914734	<i>[Signature]</i>
3.	George E. Azigh	EGMA	georgeazigh	0242731983	<i>[Signature]</i>
4.	ABDUL AZIZ HALEEM	EGMA	ntutahaleem@yahoo.com	0541115111	<i>[Signature]</i>
5.	Sonah A. Patience	EGMA	patienceid34@gmail.com	0540635350	<i>[Signature]</i>
6.	ALHASSAN MOHAMMED SARIM	EGMA	alhasseem14@gmail.com	0248445504	<i>[Signature]</i>
7.	Shadrack Mensah	MLGDRD	shadrackmensah@yahoo.com	0242804773	<i>[Signature]</i>
8.	Emmanuel Salomoni Timbalal	MLGDRD	salomoniemmanuel@gmail.com	0244872607	<i>[Signature]</i>
9.	Yusuf Abdul-Rahim	EGMA	rahimyusuf@gmail.com	0540360102	<i>[Signature]</i>
10.	Mohammed S. Sefran	EGMA	saraisefran@gmail.com	0244817555	<i>[Signature]</i>

Figure 23: Sample of community attendance sign sheet for Salaga District

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH Nadowli-Kaleo District Assembly
 DATE: 22nd SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	Adamu Wale	NKDA	adamuwale390@gmail.com	0244174066	[Signature]
2.	MUMUNI RASHEED	NKDA	Rashington10@yahoo.com	0207721831	[Signature]
3.	Abubakar, Baba Osman	NKDA/IAH	osmangondah@yahoo.com	0048765541	[Signature]
4.	Veronica Togbe	NKDA	Verotogbenivur@gmail.com	0545460384	[Signature]
5.	Gemmie Adama Betty	NKDA	gemmieadambetty@gmail.com	0208255338	[Signature]
6.	Karbo S. Bruno	PPD/NKDA	Karbobruno@gmail.com	0247576823	[Signature]
7.	Ali Achuli	NKDA	abulachuli83@yahoo.com	0204189001	[Signature]
8.	Labush Eugene	NKDA	labushwic@yahoo.com	0243386716	[Signature]
9.	Tiemah Allanfoy	NKDA	tiemahallanfoy9@gmail.com	0205134474	[Signature]
10.	Ali Osman	NKDA	ali.osman.4746894@gmail.com	0547846894	[Signature]

Figure 24: Sample of community attendance sign sheet for Nadowli-Kaleo District Assembly

MINISTRY OF LOCAL GOVERNMENT, DECENTRALIZATION AND RURAL DEVELOPMENT (MLGDRD)
PROPOSED GULF OF GUINEA LAGGING REGIONS SOCIAL COHESION PROJECT (GGLRSCP)
FIELD DATA COLLECTION

MEETING WITH Kpandai District Assembly
 DATE: 17 Sept 2021 SEPTEMBER, 2021

ATTENDANCE SHEET

NO.	NAME	INSTITUTION	EMAIL	PHONE NO.	SIGNATURE
1.	Damma S. Mumuni	KPDA	dammaz205@yahoo.com	0249860424	[Signature]
2.	Mustapha M. Kamil	KPDA/DCO	kamustapha20@yahoo.com	0242164407	[Signature]
3.	Athassan D. Athassan	KPDA/DCO	athassand20@gmail.com	0246572404	[Signature]
4.	Baba Ibrahim B.	KPDA/DCO	bababrahim475@gmail.com	0244885495	[Signature]
5.	Ibrahim Ayuba	KPDA/DCO	ibrahimayuba@gmail.com	0242888847	[Signature]
6.	Kemba Solomon	KPDA	KembaSolomon71@gmail.com	0244068393	[Signature]
7.	Abdulai A. Farquy	KPDA	nasarab1977@gmail.com	0244663004	[Signature]
8.	Abdullah Shivar	KPDA		0200158726	[Signature]
9.					
10.					

Figure 25: Sample of community attendance sign sheet for Kpandai District Assembly

Appendix F: Template for the Preparation of Budgets to Prepare and Implement RPs

#	ITEM	GHS
1.0	PREPARATORY PHASE COST	
1.1	INVENTORY OF AFFECTED PERSONS, ASSETS AND LIVELIHOODS	
1.2	VALUATION FEES (LVD OR PRIVATE VALUER)	
1.3	PREPARATION OF RESETTLEMENT PLANS OR COMPENSATION REPORTS	
1.4	<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 DESTRUCTION OF STANDING CROPS	
2.4	COMPENSATION FOR DESTRUCTION OF PERMANENT IMMOVEABLE 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 FARMERS/ LOSS OF INCOME	
3.2	COMPENSATION FOR BUSINESSPERSONS/ LOSS OF INCOME	
3.3	COST OF SPECIAL ASSISTANCE TO VULNERABLE PERSONS	
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	OVERHEAD COST FOR COMPENSATION DISBURSEMENT/GRIEVANCE REDRESS/MONITORING & EVALUATION	
4.3	LEGAL FEES (IN CASE OF COURT DISPUTE)	
4.4	<i>SUBTOTAL 4 (CAPACITY BUILDING & IMPLEMENTATION COST)</i>	
5.0	TOTAL COST (ADDITION OF ALL SUBTOTALS)	
6.0	CONTINGENCY (5%-10% OF TOTAL COST)	
7.0	GRAND TOTAL COST (TOTAL COST + CONTINGENCY)	

