APPENDIX 1 – TERMS OF REFERENCE
RESSETLEMENT ACTION PLAN (RAP)
33 kV and 161 kV transmission line
Sierra Leone

TERMS OF REFERENCE

RESSETLEMENT ACTION PLAN: 33 kV TRANSMISSION LINES
KINGTOM 161kV SWITCHYARD TO WILBERFORCE & BLACKHALL ROAD SUBSTATIONS

Background

The Government of Sierra Leone has obtained a credit from the International Development Association (IDA) through PPF towards the overall improvement of electricity supply in the Western Area and intends to apply a portion of this loan towards assessment of the requirements necessary for a sustainable cost reduction programme to achieve financial viability of NPA by December 2004. There is a need for expansion of the Western Area T&D network as well as completion of the Western Area sub-transmission system. NPA also intends to purchase power from an Independent Power Producer (IPP) in excess of 10 MW. The Bumbana Hydro-Electric Plant (BHIEP) when completed would be integrated with the Western Area System.

Objective: Preparation of Resettlement Action Plan (RAP)

The primary objective of the project is to assist NPA to restore adequate and reliable supply of electricity to its customers at economic cost and with a high level of efficiency for future sector transformation. It will also support economic development in an environmentally sustainable way.

The World Bank policy on Involuntary Resettlement (4.12) requires that people who are adversely affected by project activities receive compensation to the extent that their livelihoods and standard of living is restored to at least a pre-project level. The major objective of the policy is to provide guidance on the appropriate procedures to adequately resettle and compensate project affected people. Therefore the consultant should access the World Bank’s policy and use the policy as the guiding instrument in preparation of the resettlement and compensation plan. The resettlement action plan will describe in detail the impact on each household and what compensation (resettlement) households are entitled to respectively. It will also describe in detail the financial, institutional and logistic procedures for implementing the RAP.

Scope of Services


Rules and regulations in most African countries do not recognize customary land tenure as being eligible for compensation should land be acquired for purposes of public interest. Land is considered government property and therefore customary land holdings or usufruct rights are not recognized in legal terms. This also accounts for Sierra Leone. The World Bank, however, stipulates that all affected people, whether they have legal title to the land or not, are entitled to compensation. Thus, also those people that are tenanting, borrowing, encroaching or squatting on land that does not legally belong to them will be considered eligible for...
compensation. Thus the consultant should review and compare the national legislation with the policies of the World Bank, identify gaps and differences and suggest how such differences may be resolved. It should be pointed out that in the World Bank, fully or partly financed projects, World Bank policies override national laws and regulations.

2. **Describe Institutional Arrangements**

Once the RAP has been prepared and approved, implementation of the plans should begin immediately. It is therefore important that an institutional arrangement which described in the RAP is in place and ready to take this responsibility. The arrangement should be described in the RAP in detail; the human resources it will require, the information technology which will be used, the methodology which will be applied, the logistical and financial means that will be available, etc. The CQSL’s current organizational arrangements for implementation and management of the 33 kV transmission line which RAP is yet to determine but will need to be separate but closely coordinated with the overall PWP Implementation Unit (PIU). This unit has presently no experience of planning and implementing resettlement and therefore it will be necessary to create a separate unit with such capacity. It will be useful to capitalize upon the experience in the Bumbuna operation and especially the resettlement unit, which will be created there. Furthermore, it is likely that it will be the same consultant who will prepare both the RAP for the 33 kV line as well as 161 kV line for Bumbuna.

3. **Address the following issues:**

- collect and analyse demographic and socio-economic data on population in project area
- create an efficient database as part of the resettlement/compensation methodology
- estimate the impact on people and property, land and crops; and access to forest and river resources
- define and describe eligibility criteria and compensation categories
- describe valuations of land, crops, buildings and all other property, including cultural property such as graves, sacred sites and monuments
- determine different income restoration strategies (including assistance in sustainable agricultural techniques)
- prepare individual/household/community compensation agreements in local languages
- describe the new resettlement area, including details on new houses, water supply etc.
- describe impact on host community if any
- describe the transfer and installation procedures, taking into account the planting/harvest cycle
- determine the complaints and grievance procedures
- identify the monitoring and evaluation indicators

4. **Public Consultation, Participation and Disclosure strategy**

A strategy for public consultation, information dissemination and disclosure of documents should be prepared for the transmission line RAP component. The local, national and international NGO community will play an important role in this process. While such strategies will be part of the overall Public Consultation and Disclosure (PCD) process for the entire project, they should also be part of and described in detail in the RAP. Culture sensitive principles and methodologies for interacting with the project affected people should be
clearly worked out during preparation of the RAP and all consultations should be carefully
documented. Disclosure of documents should be in public places, with summaries in local
languages. Timing of disclosure is critical in the project preparation process and the WB
requires that all safeguard documentation is disclosed in country and at the WB’s Infoshop,
before appraisal. In addition, the US Executive Director can abstain from voting on the
project at the Board presentation, if the safeguard documentation has not been disclosed 120
days prior to the Board date (the Pelosi Amendment).

Budget and Time table

A detailed budget should be prepared for all costs in association with implementation of the
RAP. The budget should include a breakdown of all costs, year by year, for all respective
categories of expenditure. A matrix should be included which shows the period of
implementation for all activities, in detail.

Period of Contract

The time required to prepare this RAP is approximately 2 months.

Reporting

A first draft of the RAP should be sent to NPA/GcSI and the donors for review. The
consultant will then prepare a second draft taking into account comments from all parties
concerned including the government and the Donors. The second draft will then be sent to the
government and the Donors for final review, after which it is expected that the RAP will be
approved. If that is not the case, the consultant will be required to revise the report anew.