EXECUTIVE SUMMARY OF THE CPR FOR THE CONGO HEALTH SERVICES DEVELOPMENT PROJECT.

Context

Activities planned under the PSDSS, would likely include some construction or extension of health facilities could entail significant social impact related to displacement of people and loss of socioeconomic activities. The present report presents a CPR for any displaced persons defining objectives, principles and procedures determining the land acquisitions and required compensation that might be required to carry out such facility construction.

Legal framework for the Resettlement and agreement with the WB’s OP 4.12

The land tenure system in Congo is regulated by Law n° 9-2004 of March 26, 2004 on the code of the national land tenure which is supplemented by Law n° 10-7004 26 the March 2004 which defines the general principles applicable to the land ownership in Congo. Moreover, land ownership provisions stipulated in the land tenure Law n° 11-2004 of bearing 26 March 2004 provides procedures for the appropriation of privately owned land for public use. The analysis, carried out in accordance with the need to comply with the Bank’s OP 4.12, identifies significant differences between national laws and private land appropriation procedures. Within the context of PSDSS any differences between national land tenure laws or compensation provisions and the provisions of the Bank's OP 4.12 would require that the latter be applied.

Eligibility for Compensation

Persons who legally own rights and own title deeds would have formal rights to land and other compensation. Persons who do not have formal rights or title deeds would stay on the land they occupy but could only receive aid for resettlement...

Estimation of the Number of affected persons and their needs

Physical infrastructure rehabilitation and extension would involve approximately 20 integrated health centers (CSI) which might entail potential resettlement, which could affect about 40 families (about 400 persons). It is estimated that half of the sites (10 CSI) might require the acquisition by privately owned land, especially in the rural zones. This would cover approximately 2.5 hectares.

Evaluation of Goods

An Appropriations Commission, coordinated by the Ministry of Land Reforms and Preservation of Public properties with members from a number of organizations, includes representatives of local concerned authorities and affected groups notably the pygmies and other disadvantaged groups.

Registration of Complaints and follow up
Reconciliation and Monitoring Commissions have been set up in affected communes to register complaints, oversee resolution of conflicts and follow up on resettlement compensation.
### Table n° 1

#### Requirements for Implementation Activities

<table>
<thead>
<tr>
<th>Institutions Involved</th>
<th>Responsibilities</th>
</tr>
</thead>
</table>
| Ministry of Land Reform and Preservation of Public Property | • Set up of Appropriations Commission  
• Declaration of Public Use Déclaration d’utilité publique  
• Coordination/supervision  
• Information and dissemination (CPR, PAR, etc.)  
• Mobilisation of funds for Resettlement compensations Mobilisation du financement de la compensation due à la réinstallation |
| District Mayor | • Set up of Reconciliation and Monitoring commissions  
• Information and dissemination (CPR, PAR, etc.) |
| Department of Social Affairs /Directorate General for Health MSASF. | • Coordination of the social aspects of the PSDSS  
• Interface between PSDSS and MRF |
| Appropriations Commission | • Evaluation of belongings and goods and of persons affected  
• Procedure for payment of compensations |
| Conciliation and Follow up Commissions | • Validation of the process for identifying and evaluating compensation to be paid.  
• Registration of complaints and counter claims  
• Payments in accordance with conflict resolution procedures.  
• Close monitoring of the process in each district and commune. |
| Social Science Consultants | • Socio-economic studies  
• Evaluation of stages, at midterm and final |

### Table n° 2

#### Estimation of Total Resettlement Costs

<table>
<thead>
<tr>
<th>Activity</th>
<th>Total Cost (CFAF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Need for land for displaced persons</td>
<td>50 000 000</td>
</tr>
<tr>
<td>Sensitization of all actors involved</td>
<td>5 000 000</td>
</tr>
<tr>
<td>Monthly follow up</td>
<td>5 000 000</td>
</tr>
<tr>
<td>Evaluation (compensation (other personal belongings, foodstuffs and displacements)</td>
<td>5 000 000</td>
</tr>
<tr>
<td>Unallocated</td>
<td>3 250 000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>68 250 000 FCFA</td>
</tr>
</tbody>
</table>