Ministry of Sanitation and Water Resources

GAMA Sanitation and Water Project (Gamaswap)

Construction of Road Culverts/Drains in Gama

Final Abbreviated Resettlement Action Plan (ARAP) for the Construction of Agbobga Road Culverts

July 2017
MINISTRY OF SANITATION AND WATER RESOURCES (MSWR)

GAMA SANITATION AND WATER PROJECT (GAMASWAP)

CONSTRUCTION OF ROAD CULVERTS/DRAINS IN GAMA

FINAL ABBREVIATED RESETTLEMENT ACTON PLAN (ARAP) FOR THE CONSTRUCTION OF AGBOGBA ROAD CULVERTS

July 2017
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GLOSSARY OF KEY TERMS

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.

Cut-off Date: The date established by the Project as the deadline for entitlement to compensation, also known as the Moratorium Date. Persons entering the Project Area after the Cut-Off Date are not eligible for compensation and/or resettlement assistance.

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.

Entitlements: The benefits set out in the resettlement instrument (e.g. ARAP, RAP etc), 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. In applying this method of valuation, depreciation of structures and assets should not be taken into account.

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.

Physical Displacement: Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.

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 leased or within right-of-way for needs of the Project. Not all PAPs are displaced due to the Project, but all are potentially affected either in assets they hold or use or access to their property, or in their ability to maintain their livelihood.

Relocation: A process through which physically displaced households are provided with a one-time compensation either in cash or in kind for their existing residential structures and move from the Project Area.

Resettlement: A process through which physically displaced households 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.

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

The construction of the two road culverts at Agbogba under the GAMA Project falls under the Ga East Municipal Assembly.

The Agbogba project will affect three (3no.) people and four properties. Temporary land occupation (right of ways for the works) is required under this project. No communal properties such as church or mosque or school buildings etc, or cultural sensitive sites such as cemeteries or shrines will be affected.

For affected crops, only a portion of a nearby plantain farm will be affected due to the temporary diversion of the stream. The affected structures include relocation of an HDPE water pipeline serving a resident and a culvert on a nearby side drain providing access to some downstream residences. No business or commercial activity will be affected.

The total Compensation for the full replacement cost for affected properties for the Agbogba culverts construction under the GAMA Drain and Culverts Project is estimated at Ten Thousand, Four Hundred and Fifty-Two Cedis and Fifty Pesewas (Gh¢10,452.50) as at the cut of date of April 6, 2017. The total reinstatement cost component is Gh¢9,000, whiles the amount to be paid directly to the PAPs is Gh¢1,452.50.

Amounts of Gh¢2,000 and Gh¢522.63 have been estimated for the activities of the ARAP management teams to oversee the implementation of the ARAP (i.e. Compensation disbursement team, Grievance redress team, and monitoring and evaluation team) and contingencies respectively. The total cost estimate for the implementation of the ARAP including direct compensation payments to PAPs, reinstatement works to be carried out by the contractor, budget for the ARAP implementation teams and contingency is Gh¢12,975.13.

This ARAP will ensure compliance with the World Bank Safeguard Policy on involuntary resettlement (OP 4.12) and the national laws as well as consistency with the RPF for the GAMA Projects. Where differences exist between national laws and World Bank policy, the World Bank policy will be applied.
1.0 INTRODUCTION

The Government of Ghana (GoG) has received financing from the World Bank towards the cost of implementation of the Greater Accra Metropolitan Area (GAMA) Sanitation and Water Project (GAMA S&W Project). The objective of the GAMA S&W Project is to increase access to improved sanitation and improved water supply in the GAMA, with emphasis on low-income communities and to strengthen management of environmental sanitation in the GAMA.

The GAMA Project supports eleven Municipal and Metropolitan Assemblies spread across the Greater Accra Region. The project has four components:

- **Component 1** - Provision of water and environmental sanitation services to priority low income areas of GAMA;
- **Component 2** - Improvement and expansion of the water distribution network in the GAMA;
- **Component 3** - Improvement and expansion of waste water and faecal sludge collection, transportation and treatment in GAMA; and
- **Component 4** - Institutional Strengthening.

The Government, through the Ministry of Sanitation and Water Resources (MSWR) intends to apply part of the GAMA S&W Project funds to undertake emergency priority drainage interventions to alleviate the situation in flood prone areas. Over the years, floods have claimed several lives, loss of property and disrupted economic activities resulting from the lack of adequate capacity of road culverts to discharge storm water from streams and communities. The floods often resulted in inundating the entire roads.

The Ministry of Sanitation and Water Resources, in seeking to address the flood risk situation on the drains is committed to complying with Ghanaian laws on land acquisition/compensation issues, and the World Bank Safeguard Policy on Involuntary Resettlement, OP. 4.12 and Environmental Assessment Policy OP 4.01. The Project’s Environmental and Social Management Framework (ESMF), and the Resettlement Policy Framework (RPF) documents guide the management of the environmental and social issues of the GAMA Project.

This report represents the final Abbreviated Resettlement Action Plan (ARAP) for the construction of road culverts at Agbogba within the Ga East Municipality. The report takes into consideration comments from both the client and the World Bank on the draft ARAP as well as an earlier composite ARAP for all the five drains/culverts (at Agbogba, Dome-Kwabenya, Kaneshie First Light, Gbawe and Mallam Junction) submitted to the client in December 2016.

An Environmental and Social Management Plan (ESMP) for the construction of the Agbogba culverts has been prepared to take care of how to mitigate environmental/social impacts of the project that will not be addressed under this ARAP instrument.
1.1 Purpose of the ARAP

The purpose of the ARAP is to ensure that the proposed culvert construction at Agbogba addresses potential impacts that will involve land-take, relocation or resettlement, and loss of livelihood of affected people in line with the World Bank Operational Policy on Involuntary resettlement, OP 4.12.

1.2 Objective of the Assignment

The objectives of the assignment include:

(i) Prepare an Abbreviated Resettlement Action Plan (ARAP) that is consistent in policy and context to the laws, regulations, and procedures adopted by the Government of Ghana and the World Bank’s operational policy on Involuntary Resettlement (OP 4.12) covering displacement, resettlement, and livelihood restoration;

(ii) Conduct consultations with identified project affected persons (PAPS), based on a census of the affected sites;

(iii) Complete a baseline socio-economic survey of the PAPS and host communities;

(iv) Establish local decision making bodies that will be part of the ARAP implementation of the valuation and compensation approaches; and

(v) Develop in a participatory manner a grievance redress mechanism to be covered in the ARAP.

1.3 Scope of Work of the Assignment as provided in the Terms of Reference (ToR)

The scope of work for the assignment for the ARAP preparation include the following:

- Description of location of each project activity
- Description of each project activity and subcomponents.
- Describe the baseline characteristics of each proposed project activity area including land use, physical infrastructure, quality of the living environment, cultural setting, economic and livelihoods activities of people.
- Assess the potential negative impacts related to any land take as a result of the project activities, that could lead to relocation or resettlement or negative effects on livelihoods of affected people- provide indication of the magnitude, distribution, duration and who will be affected. Describe negative impacts on health and social well-being; quality of the living environment; infrastructure, economic material well-being, family and community, and gender relations. Describe the subproject components or activities that have potential to generate the impacts.
- Conduct census survey of displaced persons, and valuation of assets: This involves carrying out of socio-economic census and survey of affected people and assets as well as identifies different types of impacts and establish cut off dates, and methods for the valuation of assets and livelihoods, etc. The socio-economic census should be conducted in participatory manner with the involvement of the potential affected people.
• Description and a matrix of compensation and other resettlement assistance to be provided. This describe the type of compensation to be paid to the different affected people (land, assets, livelihoods, temporary or permanent relocation, etc.)

• Identify existing legal and policy framework for land acquisition and differences between National and World Bank Policies: Describe applicable and relevant legal and policy issues for land acquisition in Ghana and describe any differences between the World Bank and Ghana policies.

• Identify Institutional arrangements for example who will be responsible for release of funding to pay for compensation to project affected persons, and who will be in charge of ensuring that all affected persons have been duly compensated.

• Establish a local decision making body who will be part of the implementation of valuation and compensation approaches.

• Develop Grievance Redress Mechanism in a participatory manner: Describe a grievance redress system that will allow aggrieved persons to seek for redress should they have any issues in the compensation and/or relocation measures implementation.

• Arrangements for ARAP monitoring including indicators and implementation: Indicate how the implementation of the Abbreviated Resettlement Action Plan (ARAP) will be monitored and provide the key monitoring indicators.

• Time table: Provide a timetable for implementation of the ARAP, the time for the Project Affected Persons (PAPs), to leave the sites after full payment of all compensation.

• Budget for the implementation of the ARAP: Provide what the actual budget should be. The budget should include activities of the grievance redress.

• Disclosure of the ARAP documents: Provide disclosure plan for the ARAP document at local, national and international levels.

• Annexes: Include technical design drawings of the undertakings from the Engineer; include photographs showing consultation meetings and record of people and institutions consulted (include photos and minutes), issues discussed and responses given by the stakeholders, including the project affected persons, local communities, NGOs and relevant government agencies; and incorporate these into the ARAP.

1.4 Methodology

The methodology and approach for the preparation of the ARAP involved the following:

• Review of project design documents and baseline study report.

• Review of relevant national and World Bank Safeguard Policy on Involuntary Resettlement.

• Field visits on the following dates:
  o November 2, 2016 – carried out baseline studies and physical inspection of the drain corridor and informed identified PAPs about the Project.
  o November 24, 2016 – carried out field survey of affected properties and socio-economic survey of PAPs and inform the PAPs about the Project and ARAP.
February 3, 2017 – carried out physical inspection of the drain corridor with the Contractor, the PCU Safeguard Specialist and a PAP to confirm the affected drain corridor and project area of influence and informed the identified PAPs about the Project and the ARAP.

April 4, 2017 – visited the site and met with the available PAPs and provided information on the Project/ARAP, and discussed the access route issue and options available.

April 6, 2017 – visited the site and met a nearby resident to discuss the alternative access route options and whether he will allow the use of his compound as an access route option.

- Consultations with identified key stakeholders from November 2016 to April 2017 (especially project affected persons, Weruw Consulting Engineering, the Project Contractor, Municipal Assembly officials, PCU Safeguard specialist, nearby residents/shop owners, National Communication Authority/Telcos. Section 10 provides details of the stakeholder consultations carried out.

- Disclosure of the compensation payable and Grievance Redress Chapter of the ARAP to the PAPs in June 2017.

1.5 This Report

In developing this ARAP, close attention was paid to the World Bank Safeguard Policy on Involuntary Resettlement, the GAMA RPF and ARAP/RAP experiences from the Ghana Urban Water Project. The major sections of the ARAP include:

1. Executive Summary
2. Introduction
3. Description of Project
4. Baseline Characteristics of the Project Areas and Potential Negative Impacts
5. Legal and Administrative Framework
6. Principles and Objectives of the ARAP
7. Census and Socio-economic Condition of PAPs
8. Eligibility and Entitlements
9. Vulnerable Groups/Persons
10. Valuation of Assets and Compensation Measures
11. Consultation and Disclosure
12. Grievance Redress Process
13. ARAP Implementation Plan
14. Monitoring and Evaluation
15. Estimated Cost For ARAP Implementation and Funding of ARAP
16. Annexes
2.0 DESCRIPTION OF THE PROJECT

2.1 The Project Location

The road culverts are located at Agbogba-Ashongman in the Ga East Municipality. The locations of the culverts are shown in Figure 2-1 and the detail location descriptions are provided in Table 2-1.

Table 2-1: Description of project locations

<table>
<thead>
<tr>
<th>Sub-Project</th>
<th>Administrative District</th>
<th>Location Description</th>
<th>Project Community</th>
<th>GPS location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction of 2no. culverts</td>
<td>Ga East Municipality</td>
<td>Agbogba–Ashongman Islamic School Junction</td>
<td>Ashongman</td>
<td>(5°42'2.32&quot;N,0°12'25.54&quot;W)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gold Avenue School-Ashongman Road</td>
<td>Ashongman</td>
<td>(5°41’44.26&quot;N,0°12'27.47&quot;W)</td>
</tr>
</tbody>
</table>

2.2 Project Designs

The layout drawing is shown in Figure 2-2. The proposed culverts to be constructed at Agbogba will comprise of the following:

I. Double Cell Box culvert 12.0mx4.0mx2.0m (near the Islamic School Junction); and
II. Double Cell Box culvert 12.0mx4.0mx 2.0m (near the Gold Avenue School).

2.3 Brief Description of the Proposed Activities/Works at the Project Sites

The major project works/ activities to be carried out at the various project sites include:

- Site clearance and removal of vegetation and obstacles within RoW;
- Transport of construction materials and equipment to and from sites;
- Excavation of land and drain to remove existing box culverts, waste, earth materials and debris using heavy duty equipment;
- Cutting of a section of the access road;
- Concrete works;
- Traffic diversion and management;
- Waste generation and disposal; and
- Reinstatement of affected properties such as side drain/culvert, and roads.
Figure 2-1: Location Map for GAMA Culverts/Drains
Figure 2-2: Project Drawings

D: Agbogba-Ashongman Islamic School Culvert
2.4 Equipment and Machinery/Raw Materials

The main equipment for the project are listed below:

- Concrete mixer;
- Excavator;
- Backhoe;
- Tipper truck;
- Water storage tanks;
- Light duty vehicles;
- PPEs such as Goggles, hand gloves, safety boots; and
- First Aid Kit/Box.

The main raw materials to be used include sand, cement, chippings, water, nails, iron rods, and accessories.

2.5 Manpower

About 17 construction workers will be engaged on the culvert near the Gold Avenue School, and these include supervisors, artisans and labourers. All the contractor workers will be Ghanaians. No work-camp has been or will be constructed at the site for both construction workers. All the workers will come from their various residents at different locations in Accra.

2.6 Project Duration and Management

The construction of the Agbogba-Ashongman culverts will each take about 3 months to complete. The first culvert on the Agbogba-Ashongman main road near the Islamic school junction has been constructed, whiles the second culvert near the Gold Avenue School is yet to start. The contractor is Royal House Company and the Engineering/Supervising Consultant is Weruw Consulting. Construction activities were put on hold to enable preparation of the ESMP and ARAP to guide project implementation.
3.0 BASELINE CHARACTERISTICS OF PROJECT AREAS AND POTENTIAL NEGATIVE IMPACTS

3.1 Overview of the beneficiary municipality

<table>
<thead>
<tr>
<th>Key characteristics (2010 Census)</th>
<th>Beneficiary Municipality: Ga East Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Capital</td>
<td>Abokobi</td>
</tr>
<tr>
<td>Population</td>
<td>147,742. Males constitute 49.4% and Females represent 50.6%.</td>
</tr>
<tr>
<td>Land area</td>
<td>85.7 km$^2$</td>
</tr>
<tr>
<td>Dominant Religion</td>
<td>Christianity (90.9%), Islamic (5.3%) and 2.6% percent of the population belong to no religion.</td>
</tr>
<tr>
<td>Dominant ethnic group</td>
<td>Akans seem to have a slight majority over Gas and Ewes in that order.</td>
</tr>
<tr>
<td>Households</td>
<td>144,863</td>
</tr>
<tr>
<td>Average household size</td>
<td>4.0</td>
</tr>
<tr>
<td>Sanitation/Toilet Facilities</td>
<td>About 42.9% of households use the WC and another 22.7% use the pit latrine as toilet facility. Public toilet (13.6%), KVIP (11.8%) and those who use no facilities or resort to the use of bush/beach/field forms 8.2%.</td>
</tr>
<tr>
<td>Waste disposal</td>
<td>About 50.9% of households use the collection method to dispose of their solid waste and another 24.6% of households dispose of solid waste by burning. The most widely used method of liquid waste disposal in the Municipal is throwing of liquid waste onto compound (33.5%). On the other hand, throwing of liquid waste into the gutter constitutes 14.9 percent.</td>
</tr>
<tr>
<td>Topography and elevation</td>
<td>The average elevation of the Dome-Kwabenya area is 65m, whiles the elevation around the Agbogba-Abokobi area is 70m.</td>
</tr>
<tr>
<td>Geology and soil characteristics</td>
<td>The soil types that exist is the Nyigbenya, Haatso Complex Association located at Agbogba, Haatso, Kwabenya, Taifa and Dome. It is well drained red, sandy clay loam to clay with abundant rough stone and quartz gravel.</td>
</tr>
<tr>
<td>Drainage</td>
<td>The proposed Agbogba and Dome Culverts falls within the Odaw-Korle-Chemu catchment, which covers an area of 250 km$^2$ and passes through the most urbanised spaces of Accra.</td>
</tr>
<tr>
<td>Encroachment of flood plains</td>
<td>Properties commonly found within the flood plains of the affected drains at Agbogba and Dome areas are mainly crop farms, residential houses, toilet facilities, fence walls, small and movable structures used for commercial activities, washing bays, mechanics</td>
</tr>
</tbody>
</table>
3.2 Characteristics of the Project Area of Influence of the Agbogba Ashongman Drain/Culvert

3.2.1 Agbogba – Islamic School Road Culvert

The following activities or facilities occur around the project site:

- Washing bay (i.e. Divine Washing Bay);
- Fallow land;
- Roadside shops;
- Chop bar; and
- Toilet facilities.

The project area is a largely residential with light commercial activities. The stream/drain, which has the proposed culvert is a natural drain that usually over flows its banks during the peak period of the major rainy season in June/July. The stream course and banks are overgrown with weeds impeding free flow of stream and the small nature of the existing culvert usually gets blocked by solid wastes carried by the stream. The Agbogba road is one of the major roads in the Ga East Municipality, which connects to the Ga East Municipal capital, Abokobi. The section of the road from the Agbogba Township to the road/drain culvert under construction at the Islamic School, has been recently asphalted and it is suggested that due to the culvert construction, the asphalting work could not be continued through old Ashongman to Abokobi.

There are solid waste materials mainly polythene materials/rubber in the drain around the old culvert section. Toilet facilities mainly pit latrines can be seen dotted along the banks of the drain. There are roadside shops engaged in the sale of provisions (groceries), plastic wares and food.

During the field visit on November 2, 2016, the proposed culvert had been constructed and vehicles now use it but the paved surface of the road is yet to be restored. The consultant could not identify any affected property during the field visit. During construction of the drain, traffic was diverted through an untarred road linking the road in front of Gold Avenue School. The diverted road according to the Municipal Works Engineer of the Ga East Municipal Assembly received some grading and laterite improvement to ensure smooth flow of traffic. The contractor has some of its movable concrete drain structures, which has to be removed from the site. Plates 3-1 to 3-3 show some photographs of the project area.
Plate 3-1: Newly constructed culvert and the existing old culvert

Plate 3-2: Some facilities and activities near the project site at Agbogba-Islamic School road culvert
3.2.2 Agbogba-Ashongman-Gold Avenue School Road Culvert

The same stream, which crosses the Agbogba–Islamic School road also cross the Gold Avenue School road as previously shown in Figure 2-1. The Agbogba-Ashongman - Gold Avenue School road is untarred and was used as a detour during the construction of the Agbogba-Islamic School road culvert. This project site is largely a residential area. The surrounding activities or facilities at the project area include:

- Farm (mainly maize and plantain);
- Residential facilities;
- Access road to residences;
- HDPE residential water service line;
- Electric pole supply electricity to nearby residences; and
- Wayside mechanics.

There is a residential water service line that passes through the existing culvert. Consultation with the contractor indicates that the plantain farm will be affected as a result temporary diversion of the stream that will be done to ensure smooth construction of the drain culvert. The stream diversion is temporary to enable construction of the culvert and after which the stream will be re-routed through its original course through the new culvert. The wayside mechanics behind the plantain farm will not be affected. The contractor is yet to start work on this culvert. Plates 3-4 to 3-6 show some photographs of the project area.
Plate 3-4: Agbogba-Gold Avenue Drain

Plate 3-5: A section of plantain farm likely to be affected by culvert construction
3.3 Potential Negative Impacts on Assets, Livelihoods and Access Routes

The implementation of the Project will require temporary land occupation. No communal properties such as church buildings or mosque or school buildings etc, nor cultural sensitive sites such as cemeteries or shrines will be affected. The potential negative impacts on assets, livelihoods and access routes are provided in the tables below.

Table 3-1: Construction of Road/Drains Culverts under Ga East Municipal Assembly

<table>
<thead>
<tr>
<th>Ga East Municipal Drains/Road Culverts</th>
<th>Potential Impact on Assets, Livelihoods and Access Routes</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Temporary Land Occupation</td>
<td>Crops</td>
</tr>
<tr>
<td>Culvert near Gold Avenue School</td>
<td>Yes</td>
<td>Yes. Nearby plantain farm.</td>
</tr>
</tbody>
</table>
4.0 LEGAL AND ADMINISTRATIVE FRAMEWORK

The construction of the road culverts/drains in GAMA will be done according to Ghanaian Law and World Bank Safeguard policies. The Project is designed to avoid permanent land acquisition and resettlement.

4.1 National Regulatory Framework

The relevant national laws and legislation particularly relevant to resettlement and compensation issues as related to the project include the following:

- The State Lands Act 1962, Act 125;
- The Lands (Statutory Wayleaves) Act, 1963; and

4.1.1 The Constitution of Ghana and the Protection of Individual Property

Displacement of people

The Project has taken note of Clause 3 of Article 20, which states that:

"Where a compulsory acquisition or possession of land effected by the State in accordance with clause (1) of this article 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."

Article 20 of the 1992 Constitution of Ghana provides for the protection from deprivation of property unless such acquisition is made in the interest of defence, public safety, public order, public morality, town and country planning, or the development or utilisation of property to promote public interest.

Under the same Article 20 of the Constitution, such compulsory acquisition of property by the State should be made under a law which makes provision for prompt payment of fair and adequate compensation as well as a right of access to a High Court by any person who has interest in or right over the property for the determination of his interest or right and the amount of compensation to which he is entitled.

4.1.2 The State Lands Act, 1962

The State Lands Act, 1962 (Act 125) vests in the President of the Republic the authority to acquire land for the public interest via an executive instrument. In addition, the State Lands Act, 1962, details the different elements to be taken into consideration when calculating compensation include cost of disturbance, market value, replacement value and cost for any other damage. These components are to guide the valuation expert and the resettlement expert to ensure that the PAP receives a fair compensation and is not made worse off.
4.1.3  **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 for such works. 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 to a Tribunal established by the President, in parallel with the Lands Act, 1962.

4.1.4  **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.

4.2  **Overview of Land Tenure and Ownership in Ghana**

4.2.1  **Interests in land**

Ghanaian law recognizes a number of interests in land including the following four interests in land:

1) Allodial interest is the highest interest recognized by customary law. It is equivalent to freehold. Allodial titles are normally vested in stools or skins, and also in families or group or individuals.

2) Customary law freehold is a perpetual interest vested in members of the community that holds the allodial title. Customary law freehold implies that the holder can occupy the land and derive economic use of it (usufructuary interest) in perpetuity.

3) Common law freehold is an interest that results from the outright sale or gift of land to a non-member of the community that holds the allodial title by the custodian of this title.
4) Leasehold is a right to occupy and develop the land granted for a certain period (residential development; up to 99 years for Ghanaian citizens and 50 years for non-Ghanaian), usually against the payment of a rent.

4.2.2 Forms of land ownership in Ghana

Land ownership and tenure in Ghana is governed by a system of common law and customary land law, from which have emerged the following categories of landholdings:

- Customary owned (managed by a custodian together with a council of principal elders);
  - Stool/skin lands (is vested in the stool/skin)
  - Family/clan lands (land is vested in the family or clan)
- State (public) owned (are lands specifically acquired by the Government under an enactment); and Customary owned but State managed land (owned by the traditional authorities but managed by the State, and is also known as vested land).

4.3 Administrative Framework

The key government institutions responsible for administration of resettlement and compensation issues under this GAMA Projects include:

- Ministry of Sanitation and Water Resources;
- Ga East Municipal Assembly;
- Lands Commission; and
- Environmental Protection Agency.

4.3.1 Municipal Assembly

The current local government structure or the district assembly system is established by two main Acts, namely Act 936 and Act 480. Both Act 936 and Act 480 designate the District/ Municipal/ Metropolitan Assembly as the planning authority, charged with the overall development of the district. Both Acts provide that local people (communities) must participate in the formulation of the District Development Plan.

A key feature of this Assembly System is the involvement of communities or zones who elect their representatives (Assemblymen) to the Assembly. The structure of the Assembly comprises Unit Committees, which are usually formed at the community levels, and the Urban/Town/Area Councils.

The relevant Assembly for this GAMA Project at Agbogba is the Ga East Municipal Assembly, with Abokobi as its capital. As a beneficiary MMA of the GAMA Sanitation and Water Project, the GEMA is the relevant local government authority to oversee the successful implementation of the Agbogba culvert construction project. The GEMA has a GAMA Project Implementation Team (at the Assembly, led by a GAMA Project Coordinator) to coordinate the GAMA subproject activities at the local level and to liaise and provide feedback on progress of implementation between the GEMA and the PCU and then to the
Ministry of Sanitation and Water Resources. Consequently, under this drain culvert subproject implementation, the GEMA will be playing key ARAP Implementation roles which include Grievance Redress Committee, Compensation Disbursement Team and ARAP implementation monitoring.

4.3.2 Lands Commission

Public and Vested Lands Division
The Public and Vested Lands Management Division of the Lands Commission (established by the Lands Commission Act, 2008, Act 767) is the principal land management organisation of the government. All public land is vested in the President of Ghana and held in trust 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 ten regions of Ghana, there is the Regional Lands Commission, which performs the functions of the Lands Commission. In addition to managing public lands on behalf of government, other mandates include:

♦ 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.

Land Valuation Division
The Land Valuation Division (LVD) was established in 1986 (PNDC Law 42) as Land Valuation Board (LVB), through a merger of valuation divisions operating within different ministries. However, the LVB was brought under the Lands Commission as the Lands Valuation Division (LVD) with the promulgation of the new Lands Commission Act 2008, Act 767. The LVD is responsible for all valuation services for the government, including assessing compensation to be paid as a result of land acquisition or damage to an asset in view of a government project. The Division set rates for crops, which are applicable nation-wide.

The LVD has offices in all the ten (10no.) regions of Ghana and 44 district offices. The district offices are involved only in ‘rating valuation’ and that any valuation has to be undertaken by the Regional offices which have certified valuers. The LVD also keep records of private sector certified valuers.

Survey and Mapping Division
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.
4.3.3 **Environmental Protection Agency (EPA)**

The EPA established under the EPA Act, 1994 (Act 490) is responsible for the protection of the environment and this include the human environment as well. Its functions include 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 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 main stream Environmental Impact Assessment (EIA) Report. The Agency is yet to develop a general guideline or format for the preparation of a Resettlement Plan as it has done for the preparation of an EIA.

The EPA has offices in all the ten (10no.) regions of Ghana. The Agency has three offices in GAMA including the Accra East Region with the office located in Tema, Accra West Region with the office located in Amasaman, and Accra Metro office with the office located in the EPA Head office.

4.4 **World Bank Safeguard Policy on Involuntary Resettlement, OP. 4.12**

The World Bank’s safeguard policy on involuntary resettlement, OP 4.12, (April 2013) is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to natural resources, may take place as a result of the project. It includes requirements that:

a) Involuntary resettlement should be avoided where feasible, or minimised, exploring all viable alternative project designs.

b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

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

According to OP 4.12, the resettlement plan should include measures to ensure that the displaced persons are:
a) informed about their options and rights pertaining to resettlement;
b) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
c) provided prompt and effective compensation at full replacement cost for losses of assets attributed directly to the project.

If the impacts include physical relocation, the resettlement plan should include measures to ensure that the displaced persons are:
1) Provided assistance (such as moving allowances) during relocation; and
2) Provided with residential housing, or housing sites, or as required, agricultural sites for which a combination of productive potential, location advantages, and other factors is at least equivalent to the advantages of the old site.

Where necessary to achieve the objectives of the policy, the resettlement plan also should include measures to ensure that displaced persons are:
a) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and
b) provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training, or job opportunities.

4.5 Comparison between Ghanaian Regulations and World Bank Safeguard Policy OP 4.12

There are significant differences between Ghanaian regulations and World Bank requirements. These are summarized in Table 4-1. The GAMA Project will comply with both Ghanaian regulations and World Bank Policy but where there are differences in the requirements, the provisions that secures the highest protection for the affected persons will be applied. Thus, the World Bank requirements will apply, which are deemed to provide higher standards for the environment and poverty reduction.
## Table 4-1: Comparison of Ghanaian Regulations with World Bank Policy, OP 4.12

<table>
<thead>
<tr>
<th>Topic</th>
<th>Ghanaian legislation requirement</th>
<th>World Bank Policy, OP 4.12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timing of compensation payment</td>
<td>Prompt <em>(1992 Constitution of Ghana, Article 20)</em></td>
<td>Prior to displacement</td>
</tr>
<tr>
<td>Calculation of compensation</td>
<td>-Fair and adequate <em>(1992 Constitution of Ghana, Article 20)</em></td>
<td>Full replacement cost</td>
</tr>
<tr>
<td></td>
<td>-Market value, replacement value, cost of disturbance, other damage <em>(State Lands Act 1962, Act 125)</em></td>
<td></td>
</tr>
<tr>
<td>Squatters</td>
<td>No provision. Are deemed not to be eligible</td>
<td>Are to be provided resettlement assistance (but no compensation for land)</td>
</tr>
<tr>
<td>Resettlement/Displacement</td>
<td>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”. <em>(1992 Constitution of Ghana, Article 20)</em></td>
<td>Affected people who are physically displaced are to be provided with residential housing, or housing sites, or, as required, agricultural sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.</td>
</tr>
<tr>
<td>Resettlement/relocation assistance</td>
<td>No specific provision with respect to additional assistance and monitoring.</td>
<td>Affected people are to be offered support after displacement, for a transition period.</td>
</tr>
<tr>
<td>Vulnerable groups</td>
<td>No specific provision</td>
<td>Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, and ethnic minorities.</td>
</tr>
<tr>
<td>Information and consultation</td>
<td>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 <em>(The Lands (Statutory Wayleaves) Act, 1963, Act 186)</em></td>
<td>Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.</td>
</tr>
<tr>
<td>Disclosure</td>
<td>No specific provision</td>
<td>RPF or RAP should be submitted for public (in-country and infoshop) disclosure purposes</td>
</tr>
<tr>
<td>Grievance</td>
<td>Access to Court of Law <em>(1992 Constitution of Ghana, Article 20)</em></td>
<td>Appropriate and accessible grievance mechanisms to be established</td>
</tr>
<tr>
<td>Use of resettlement instrument</td>
<td>No clear provision</td>
<td>Use RPF, RAP, ARP, process framework</td>
</tr>
</tbody>
</table>
4.6 Project Measures to ensure compliance with World Bank Policy

In general, the Ghanaian laws and regulations make provision for resettlement framework, including land and Right of Way (RoW) acquisition and compensation matters. However, there are some differences between World Bank guidelines and Ghanaian laws as indicated above.

In order to harmonize such differences and ensure that the criteria used to determine compensations to project affected people satisfies the World Bank requirements as well as the national laws, a Resettlement Policy Framework (RPF) was developed for the GAMA Projects in February 2013 to guide the assessment of all resettlement related issues under the GAMA Projects.

This ARAP ensures compliance with the World Bank Safeguard Policy on involuntary resettlement (OP 4.12) and the national laws as well as consistency with the RPF for the GAMA Projects. Where differences existed between national laws and World Bank policy, the World Bank policy was applied in such cases as provided in the RPF as well as this ARAP. Therefore, adequate measures have been taken in the RPF and this ARAP to ensure compliance with the World Bank Safeguard Policy OP 4.12.
5.0 PRINCIPLES AND OBJECTIVES OF THE ARAP

5.1 Principles

The principles of the ARAP are the basic fundamental requirements that underpins the preparation and implementation of resettlement.

5.1.1 Minimization of Displacement

In line with the WB Policy 4.12, the proposed Project will minimize displacement through the following measures:

- No dwellings, settlements or households will be involuntarily relocated and no resettlement will take place, and the design will avoid any destruction of settlement. The project has been designed so that only structures within RoW of drains may be affected by project development.
- For the affected structures and crops, reinstatement and compensation packages will be proposed.
- Alternative access route to residential areas will be maintained to ensure that residents to be affected by the side drain culvert will have access to their homes during the construction period.
- The project will ensure that affected utility service lines will be re-aligned to ensure continuation of the activity or service that it renders.

5.1.2 Cut-off Date – Eligibility – 6th April, 2017

The objective of the cut-off date is to establish a deadline date for which project affected persons qualify for entitlement to compensation. Persons entering the Project Area after the Cut-Off Date are not eligible for compensation and/or resettlement assistance.

To ensure compliance with Ghanaian legal requirements and WB safeguard policy OP 4.12, the Valuation Expert together with the consultant carried out a field measurement of project affected properties on 24th November 2016 at the project sites.

The consultant engaged the affected persons on the resettlement/compensation processes and solicited their concerns to inform the preparation of the ARAP on 2nd November 2016, 3rd February 2017, 4th April 2017, and 6th April 2017. A final field survey and assessment was carried out on 6th April 2017.

Persons who encroach on the project areas after the cut-off date of 6th April, 2017 are not entitled to or expected to receive any form of compensation unless their claims are investigated and found justified by the Grievance Redress Process put in place as part of this Report.
5.1.3 Community Information and Sensitization

The Project will create a platform using local meetings to periodically engage the local community/residents around the project site on relevant project information, construction activities and likely project impacts and the resettlement/compensation programme to ensure project success. Measures instituted to address negative project impacts will be communicated to the communities.

5.1.4 Income and Livelihood Restoration

One paramount principle of the World Bank Safeguard Policy is that where people are affected by land-take, the aim of compensation must be that they should be “no worse-off if not better off” after the compensation arrangement has taken place. Fortunately, the construction of the Agbogba-Ashongman culvert at the Gold Avenue School will not affect any business or commercial activities of the PAPs.

5.1.5 Asset Valuation and Compensation

Valuation of affected properties is based on Full Replacement Cost approach. Compensation principles shall be as follows:

- Compensation shall be paid prior to displacement / destruction of asset;
- Compensation will be at full replacement value; and
- Concrete pavements or structures that could be reinstated by the contractor will be factored into the contractor’s cost estimates.

By contrast with the depreciated or net value of a structure, the “replacement value” includes the full cost of materials and labour required to reconstruct a structure of similar surface and standing. In other words, the affected persons must be able to have their structure rebuilt using the compensation paid for the old structure.

5.1.6 Grievance Mechanisms

The objective or purpose of the Grievance Redress Procedure is to address and resolve grievances or complaints from affected persons promptly, fairly, and in a manner that is, to the extent possible, acceptable to all parties. The following principles will guide the process:

- meaningful information and consultation to take place before the process leading to displacement is launched in each particular location concerned; and
- a specific grievance registration and processing mechanism will be put in place.
5.2 Objectives of the resettlement/compensation programme

The main objectives of the resettlement related/compensation programme are as follows:

- To ensure that project affected people are consulted and their concerns included in the resettlement/compensation programme for implementation;
- To ensure that project affected people are adequately compensated for loss of crops and structures (either farming or business/residential structure or communal property);
- To compensate the affected units and enterprises for their loss at full replacement cost;
- To ensure that utility service lines including water/electricity/communication lines are relocated without damage.
- To identify vulnerable groups including the elderly, physically challenged, women heads etc among the project affected people and prescribe any special assistance they may require in terms of extra attention during the implementation of the programme; and
- To meet both national regulatory and WB requirements.
6.0 CENSUS AND SOCIO-ECONOMIC CONDITION OF PAPS

In order to appreciate the social impacts of the GAMA Drains Project requiring a resettlement related or compensation measures, a census and socio-economic condition of the PAPs were established. An initial enumeration of the affected persons and properties was undertaken on 2\textsuperscript{nd} and 24\textsuperscript{th} November, 2016 and confirmed on 4\textsuperscript{th} and 6\textsuperscript{th} April, 2017 during the field survey exercises. The methodology for the collection of the socio-economic information included interviews with affected persons, consultations with other stakeholders and relevant literature review.

6.1 Inventory of Affected Persons and Properties

6.1.1 Summary of Inventory of PAPs

Table 6-1 provides a summary of the inventory of affected persons. Three (3no.) persons will be affected under the Agbogba culvert construction project near the Gold Avenue School. Four properties will be affected in all as provided in Table 6-2.

<table>
<thead>
<tr>
<th>Ga East Municipal</th>
<th>No. of PAPs with Movable properties or properties that can be relocated only</th>
<th>No. of PAPs with Immovable properties only</th>
<th>No. of PAPs with both movable and unmovable properties</th>
<th>No. of PAPs affected by loss of income</th>
<th>Total No. of PAPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agbogba Ashongman Culverts/Drains</td>
<td>1no.</td>
<td>1no</td>
<td>1no</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

The Full list of persons affected and their entitlements can be found at the GAMA Project Office, Institute of Local Government Studies, Ogbojo, Madina New Road, Accra. Tel: 0302 514739/40
6.1.2 Detailed Description of Impacts

The project impacts and properties are described in Table 6-2 below.

<table>
<thead>
<tr>
<th>No.</th>
<th>Property Type</th>
<th>Description</th>
<th>Condition</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>culvert</td>
<td>A reinforced concrete culvert on a road side drain providing access to residences</td>
<td>Good</td>
<td>Demolition</td>
</tr>
<tr>
<td></td>
<td>Residential water line</td>
<td>HDPE water pipeline located in drain channel</td>
<td>Good</td>
<td>Realignment/Relocation</td>
</tr>
<tr>
<td>2</td>
<td>Heaps of stones and sand</td>
<td>2no. heaps of stones and a heap of sand on the alternative access route</td>
<td>Good</td>
<td>Relocation</td>
</tr>
<tr>
<td>3</td>
<td>Plantain farm</td>
<td>Plantain farm near drain with some matured.</td>
<td>Good</td>
<td>Destruction</td>
</tr>
</tbody>
</table>
6.2 Infrastructure of Institutions and Utility Service Providers

The NCA/Telcos have confirmed from the project information provided by the Engineering Consultant that no telecommunication line will be affected at the culvert near the Gold Avenue School. The ECG pole near the project site supplying electricity to the nearby residents can be avoided and therefore will not be affected. A residential water service line will require re-alignment during construction of the culvert/drain.

6.3 Occupation of PAPs and Livelihood Issues

Generally, the occupation or work of the residents/PAPs include:

- Development planner;
- Drivers;
- Businessmen; and
- Artisans (e.g. mason).

No business or commercial activity will be affected as a result of the implementation of the project. The livelihoods of the PAPs will not be affected and therefore no loss of income will occur to the PAPs.
7.0 ELIGIBILITY AND ENTITLEMENTS

7.1 Eligibility Criteria

According to the Resettlement Policy Framework (RPF) for the GAMA Sanitation & Water Projects, any person who suffers loss of or damage to an asset or loss of access to productive resources, as a result of the implementation of Sanitation and Water Project will be considered eligible for compensation and/or resettlement assistance, provided the damage or loss is induced by the project and satisfies the conditions of the cut-off date. This is consistent with the laws of Ghana and the World Bank Policy. For instance, provisions under paragraph 15 of the World Bank’s Operational Policy 4.12 suggest the following three criteria for eligibility under the GAMA Project:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and
- Those who have no recognizable legal rights or claim to the land they are occupying.

7.2 Matrix of Entitlements

Table 7-1 presents the matrix of entitlements for the different categories of impacts to be encountered under the Project.

<table>
<thead>
<tr>
<th>Affected Assets</th>
<th>Type of impact</th>
<th>Entitled units</th>
<th>Eligibility criteria</th>
<th>Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crops</td>
<td>Destruction of standing crops</td>
<td>Owner of crop</td>
<td>Have grown the affected crop/economic plants (regardless of related plot ownership)</td>
<td>1. Cash compensation for standing crops not harvested prior to land entry, counted at cut-off date and negotiated based on realistic crop rates 2. Disturbance allowance (10%)</td>
</tr>
<tr>
<td>Structures</td>
<td>Destruction of immovable structures</td>
<td>Owner</td>
<td>Use the affected structure</td>
<td>1. Compensation for the actual value of the structure 2. Disturbance allowance (10%) where appropriate.</td>
</tr>
<tr>
<td></td>
<td>Temporary relocation of movable structures</td>
<td>Owner</td>
<td>Use the affected structure</td>
<td>1. Cost of displacing the affected structure 2. Cost of moving the affected structure back to project affected land where necessary 3. Disturbance allowance (10%)</td>
</tr>
</tbody>
</table>
8.0 VULNERABLE GROUPS/PERSONS

8.1 Identification of vulnerable groups/farmers

Vulnerable groups are those project-affected persons at risk of becoming more vulnerable due to the relocation/displacement and compensation process. Vulnerable people include, but not limited to:

- disabled persons/physically challenged, whether mentally or physically;
- the elderly- from 70 years and must be frail;
- widows;
- children – below 18 years; and
- independent female heads of households/families.

8.2 Assistance to Vulnerable Persons

Members of vulnerable groups may require special or supplementary assistance because they are less able to cope with the physical and/or economic displacement than the affected population in general. Assistance to vulnerable people may take the following forms, depending upon vulnerable persons’ requests and needs:

- Assistance in the compensation payment procedure (e.g. going to the bank with the person to cash the compensation cheque);
- Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery;
- Reinstatement of damaged properties to be carried out by the contractor to take the burden of such work off the affected vulnerable person;
- Assistance in moving: providing vehicle, driver and assistance at the moving stage; and
- Health care if required at critical periods: moving and transition period.

8.3 Identification of vulnerable persons during the inventory

There was no project-affected person that is a child (i.e. below 18 years), or frail elderly persons above 70 years or physically challenged according to the age data provided by the affected persons during the survey. There were no female household heads or widows recorded.

The GEMA ARAP Management Team will continue to look out for or identify vulnerable PAPs since vulnerability is a condition and any PAP could become vulnerable based upon the criteria given above especially with regard to disability.
9.0 VALUATION OF ASSETS AND COMPENSATION MEASURES

The purpose of this valuation exercise is to assess the Total Compensation Payable as part of the Assessment of Resettlement Issues under the GAMA Agbogba culverts construction. The scope of the valuation covers all structures and crops/economic trees within the project sites. Disruptions to businesses/livelihoods was considered as far as it may be appropriate for payment of compensation for the period of disruption of business/livelihood.

9.1 Basis of Valuation and Compensation Description

The bases of this valuation are derived from the World Bank’s Involuntary Resettlement Policy, OP 4.12; Section 4(1) of the State Lands Act, Act 125; the Resettlement Policy Framework prepared for the GAMA Project in February 2013; and Section 20 of the 1992 Fourth Republican Constitution of Ghana.

In this context, the compensation is the amount required, so far as money can do so, to put the owner or user of a land or building in the same position as if his/her use and enjoyment has not been disrupted. In other words, it is based on the principle of “Full Replacement Cost or Equivalent Re-instatement”.

The Compensation due comprises in general, the cost of repair or replacement, disturbance to the owner/user of the land and/or building and in cases of commercial usage, an amount representing loss of livelihood for the period of the disruption.

9.2 Valuation Method and Rates

**Land**

No permanent land acquisition is required for the road culvert construction. The land required for the project is a right-of-way or buffer zone requirement for the drains/streams.

**Structures**

The Replacement Cost Approach (RCA) was adopted for the valuation of the structures. The RCA is based on the assumption 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. For the purpose of this valuation, the structures and development were not depreciated.

**Crops**

The Enumeration Approach was adopted for the crops affected by the project. The Enumeration Approach involves taking census of the affected crops and applying a realistic crop rate. The enumeration is by the area of the affect farm or number of affected trees/plants in the farm. The official
Land Valuation Division crop rates was revised in 2014. The Land Valuation Division does not disclose the methods used to calculate crop rates and is kept confidential.

However, realistic valuation rate for affected crops was derived by applying appropriate inflationary, labour and production cost factors to the prevailing 2014 LVD rates to ensure that the rates are in harmony with the full replacement cost/value requirements of the World Bank standards. **Annex 1** shows 2014 LVD rates for some crops.

### 9.3 Disturbance Allowance

In addition to the value of the affected property/crop as assessed using the replacement value principle, a disturbance allowance of 10% of the assessed property was applied as per the entitlement matrix to affected persons where appropriate.

Cost of disturbance is one of the components to be considered when determining compensation for PAPs as provided in the State Lands Act 1962. However, the LVD does not provide specific breakdown or constituents for the various components of the LVD rates or values for public consumption. As a result, the consultant used experience from the Ghana Urban Water Project (2006 to 2010), which was financed by the World Bank, where 10% was generally agreed upon by stakeholders and included in the RPF and applied during the preparation of the ARAPs and RAPs.

### 9.4 Livelihood Assistance/Loss of Income

There is no loss of income for PAPs under the Agbogba-Ashongman road culvert construction.

### 9.5 Valuation Opinion

Having taken cognisance of the relevant value indicators like type of property, the extent and effect of impact, economic and institutional factors, amongst others, and having adopted the Market Value/ Full Replacement Cost Approach, the total Compensation for the full replacement cost for affected properties for the Agbogba–Ashongman culverts construction under the GAMA Drain and Culverts Project is estimated at **Ten Thousand, Four Hundred and Fifty-Two Cedis and Fifty Pesewas (GH¢10,452.50)** as at the cut of date of April 6, 2017. The total reinstatement cost component is **GH¢9,000**, whiles the amount to be paid directly to the PAPs is **GH¢1,452.50**.

**Annex 2** provides the certificate of value.

### 9.6 Compensation Payment Procedures

Cash compensation will be paid for loss of standing crops. Where feasible the contractor will reinstate in cases of demolishing of structures/properties (e.g. culverts, fence walls, concrete pavements) and
relocation of temporary structures such as heap of stones or sand, otherwise cash compensation will be paid. Compensation will be paid prior to the affected person vacating the land or property.

Each eligible affected person will sign a compensation claim form (as shown in Annex 3) together with the authorized project representative. The compensation claim form clarifies mutual commitments as follows:

- On the project side: commitment to pay the agreed compensation, including all its components (e.g. disturbance, loss of income where appropriate);
- On the affected person’s side: commitment to vacate the land by the agreed date.

9.7 Compensation Disbursement Team and Mandate

The Compensation Disbursement Team will include:

- the GEMA GAMA Project Coordinator
- A representative of the PCU/MSWR;
- Municipal Finance Officer and
- A representative of the Ministry of Finance.

The compensation disbursement team will be responsible for the payment of compensation to project affected persons in line with the valuation report. The team will ensure that all PAPs identified in the valuation report are paid their full compensation due them.

9.8 Cost for Compensation Disbursement Team Activities

A lump sum of Ghc500 has been estimated for the activities of the Compensation disbursement team. The team can use one day for compensation disbursement to affected individuals.
10.0 CONSULTATIONS AND DISCLOSURE

10.1 Consultations with Affected Persons and key institutions

The main objective of the stakeholder engagement is to discuss and provide relevant information on the proposed GAMA drains/culvert construction in Ga East Municipality and it specifically seeks to achieve the following objectives:
- To provide information about the proposed project/scope of works to stakeholders;
- To educate stakeholders and affected persons on the need for the proposed project;
- To provide opportunities to stakeholders and affected persons to discuss their opinions and concerns;
- To manage expectations and misconceptions regarding the project;
- To discuss the significance of the initial environmental and social impacts identified and anticipated;
- To discuss the ARAP/compensation principles and processes; and
- To inform the process of developing the ARAP management teams.

10.2 Stakeholder Identification

The stakeholder identification was based on issues related to the project scope of works and the geopolitical and traditional setting of the project as well as project area of influence. The main considerations in the stakeholder group selection process were:
- Relevant regulatory institutions;
- Relevant local government authorities;
- Project affected groups/communities/people; and
- Government agencies which may be involved or have direct interest (e.g. road/utility agencies).

The consultations with project affected persons and other stakeholders identified issues of concern, which will be taken into consideration during the implementation of the resettlement related issues. The Table below provide details of the stakeholder engagement.

10.2.1 Matrix of Key Concerns from PAPs/Nearby Shop Operators and Responses where applicable

<table>
<thead>
<tr>
<th>No.</th>
<th>Concerns/Comments from PAP/Stakeholders</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nearby shop-owners and chop-bar operator indicated that during the construction of the culvert, no private properties were affected or destroyed. However, concerns were expressed on the lack of dust control on the untarred road used due to the diversion.</td>
<td>This road culvert has been already constructed. However, the project will ensure that dust control during the construction of the Gold Avenue road culvert is carried out on any untarred diversion road.</td>
</tr>
<tr>
<td>2</td>
<td>The Works Engineer of the Ga East Municipal Assembly</td>
<td>-</td>
</tr>
<tr>
<td>No.</td>
<td>Concerns/Comments from PAP/Stakeholders</td>
<td>Responses</td>
</tr>
<tr>
<td>-----</td>
<td>---------------------------------------</td>
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</tr>
<tr>
<td></td>
<td>confirmed improvement of the diverted road through regrading.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Road diversions signs were provided according to the contractor and some residents.</td>
<td>-</td>
</tr>
<tr>
<td>4</td>
<td>The Agbogba road from the intersection of the Haatso-Atomic road to the Islamic School was asphalted in October 2016. The local residents expect that when the culvert is completed, the remaining sections of the road will also be asphalted to ensure smooth movement of vehicles.</td>
<td>According to the Engineering Consultant, a road contractor has been engaged to carry out asphalt works on the Agbogba-Ashongman-Abokobi road. The asphalt works have been carried out to the Ashongman Islamic school junction. The road contractor is expected to resume the asphalting work after completion of the culvert work. No provision for reinstatement cost has been made because the contractor carrying out the asphalting work will repair and asphalt the damaged section and make appropriate claims as part of its work.</td>
</tr>
<tr>
<td>5</td>
<td>The operators of the nearby washing bay expect that the contractor will remove or relocate the unused concrete drain formworks near the washing bay.</td>
<td>The contractor has been made aware by the Environmental Consultant to remove or relocate the unused concrete drain formworks near the washing bay and has agreed to remove them when suspension of work is lifted after completion of the ARAP and ESMP.</td>
</tr>
<tr>
<td>6</td>
<td>The Assemblyman expressed concern about the lack of adequate information to the local community on the project before and during implementation.</td>
<td>The preparation and implementation of the ESMP will involve the local community and will serve as a good platform to provide information to the people.</td>
</tr>
<tr>
<td>7</td>
<td>A member of the Unit Committee for the Agbogba Electoral Area, expressed concern about the lack of footbridge for pedestrians during the construction of the culvert and the behavior of the contractor refusing to take advice in that regard.</td>
<td>The project will ensure that this does not occur with the construction of the Gold Avenue road culvert. There is a grievance redress process in the ESMP and any grievance or issue with the behaviour or activity of the contractor can be reported through the</td>
</tr>
<tr>
<td>No.</td>
<td>Concerns/Comments from PAP/Stakeholders</td>
<td>Responses</td>
</tr>
<tr>
<td>-----</td>
<td>----------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>grievance process membership of which includes the local Assemblyman.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Agbogba-Ashongman Culverts – Gold Avenue School Road Culvert</strong></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>This road is un tarred and became very busy during the construction of the Islamic school road culvert. According to some people selling along the road, there was no dust control measures put in place.</td>
<td>Dust control measures are required to be implemented by the contractor and it has been captured in the ESMP under the construction of the Gold Avenue School road culvert.</td>
</tr>
<tr>
<td>9</td>
<td>The diversion of the drain to enable construction of this road culvert near Gold Avenue School will affect a nearby plantain farm. Will appropriate compensation be paid for the destruction of the plantain farm?</td>
<td>Appropriate compensation will be paid. This will be captured in the ARAP for the Agbogba road culvert construction project. This consultation will help to identify the owner of the plantain farm and valuation of the farm will be done later.</td>
</tr>
<tr>
<td>10</td>
<td>During a meeting of the contractor and the nearby wayside mechanics behind the plantain farm, the contractor confirmed that the wayside mechanics will not be affected by the construction activities and will therefore not require any relocation.</td>
<td>-</td>
</tr>
<tr>
<td>11</td>
<td>The nearby residents expects the contractor to ensure that the electric pole and nearby access via culvert to the residences are protected and secured.</td>
<td>The electric pole will not be affected and will not be relocated. However, the nearby culvert may be affected and therefore provision for reinstatement by the contractor will be provided for in the ARAP and ESMP. An alternative access behind the Gold Avenue School fence wall will be used by residents if current access route via the side culvert is blocked or affected. According to a taxi driver, this proposed alternative access route was the original access route used by residents in the area until the creation of the culvert over the road side drain to provide a short access route for the residents.</td>
</tr>
<tr>
<td>12</td>
<td>The residents expect the contractor to control dust on the diversion road during the construction of the Gold Avenue</td>
<td>Dust control measures are required to be implemented by the contractor and it</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>No.</th>
<th>Concerns/Comments from PAP/Stakeholders</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>A Landlord indicated that he cannot allow his compound to be used as one of the alternative access routes because of the presence of water supply well fitted with pump and installed behind the fence wall close to the drain and the electricity pole.</td>
<td>-</td>
</tr>
<tr>
<td>14</td>
<td>Officials of the Gold Avenue School have indicated their support for the project and are willing to discuss the use of the access route behind their fence wall should part of their fence wall have to be removed or demolished to increase the road space.</td>
<td>Well noted.</td>
</tr>
<tr>
<td>15</td>
<td>Officials of the Gold Avenue School: Adequate road warning signs should be provided at all relevant points or locations.</td>
<td>The contractor is required to provide adequate road warning signs for ease of traffic and public safety.</td>
</tr>
<tr>
<td>16</td>
<td>Owner of the heaps of stones and sand on the proposed alternative access route: I will facilitate relocation of the stones and sand to my compound to allow for the use of the access route.</td>
<td>The contractor will also be required to assist with his equipment for the relocation of the stones and sand. This provision will be captured in the ARAP.</td>
</tr>
<tr>
<td>17</td>
<td>Residents are concerned about the quality of the construction work as well as reinstatement works to be carried out by the contractor for the side culvert leading to the residences. A resident indicated that he will get in touch with the PCU to ensure that good quality work is done.</td>
<td>The contractor will be supervised to do good quality work.</td>
</tr>
<tr>
<td>18</td>
<td>Notification and awareness creation The project-affected people want information on when the construction work will start on the culvert in question. They should be provided with information on the contractor’s work schedule before commencement of construction activities.</td>
<td>Local community meetings and the media will be used to inform the people about commencement of work and the contractor work schedule.</td>
</tr>
</tbody>
</table>

**10.2.2 Consultations with the contractor**

Gold Avenue School road culvert and Agbogba-Ashongman-Islamic School Road culvert
The contractor for the Ga East culverts, Royal House Company Limited, indicated that diversion of the drain at the Gold Avenue School will affect the plantain farm but the wayside mechanics will not be affected.

According to the contractor, it is possible to avoid the electric pole but could not confirm whether the construction activities will affect the culvert on the side drain providing access to the nearby residences.

The contractor confirmed that the unused concrete drain formworks left near the washing bay at the culvert near the Islamic school junction will be relocated after resumption of work. The contractor also indicated that dust control measures were not budgeted for during the construction of the first culvert but will be discussed with the PCU/Municipal Assembly to ensure construction of the culvert near the Gold Avenue School takes care of dust control on diversion roads.

The contractor will not construct a work-camp at the site. However, store-room for storage of key construction materials that cannot be kept in the open may be acquired or constructed in the project area if possible.

Below is evidence of consultation:

Meeting with the contractor team at the project site – 2/11/2016
Meeting with Mr. Abeiku Arthur (a PAP), Contractor site engineer and the PCU Safeguard Specialist at the project site to discuss affected properties and alternative route options – 3/02/2017

Meeting with the Headmaster of Gold Avenue School- 4/04/2017
10.3 Disclosure

10.3.1 What has been done

Disclosure of RPF
A Resettlement Policy Framework (RPF) was prepared for the GAMA Projects in February 2013 and it was approved by the World Bank and disclosed as part of the World Bank requirements at the World Bank Infoshop.

Information on cut-off dates
The PAPs have been directly informed and are aware about the project and the cut-off date. This was done during the enumeration of affected persons/properties on November 24, 2016 and April 4, 2017. This is to ensure that no new construction or improvements are made on the affected property and also no new entrants are allowed on the site for compensation purposes after the final field valuation on 6th April, 2017.

Other Relevant information to PAPs/elected local Assemblyman
The PAPs have been informed about the valuation methods, measures for loss of income if applicable to their circumstances, and grievance redress issues. The PAPs have been informed that compensation due them will be paid before their properties are destroyed and or before the contractor resumes work except in cases where affected properties have to be reinstated. The PAPs and the elected local Assemblyman have also been informed about the formation of a Grievance Redress Committee at the
GEMA and the avenues available to them to ensure that their grievances are addressed. The representative of the PAPs have been nominated by the affected persons to serve as a member of the Grievance Redress Committee.

**Disclosure of compensation payable and Grievance Redress Chapter of the ARAP to PAPs**

As part of the in-country disclosure process, the Consultant has disclosed the compensation payable and the Grievance Redress Chapter of the ARAP to the PAPs. A copy each of the PAPs compensation profile and the Grievance Redress Chapter of the ARAP was handed out to the PAP and the necessary explanation and clarification provided to the PAPs and comments from the PAPs noted on the signed-off sheet. The PAPs signed off for having agreed to the compensation figures and received these relevant documents. Each PAP was informed about the actual cash compensation amount to be paid to him or her and the reinstatement component to be carried out by the contractor.

10.3.2 What needs to be done

**ARAP Disclosure**

The World Bank (WB) requires that the ARAP be submitted for public disclosure purposes. The disclosure will take the form of in-country as well as World Bank infoshop disclosures.

**In-country Disclosure Process**

The PCU will submit copies of the ARAP to the World Bank Task Team Leader (TTL) of the GAMA Project for clearance. The PCU will then ensure that copies of the cleared ARAP or extracts of the cleared ARAP (core report without annexes) are sent to the GEMA to enable the PAPs, and other stakeholders such as Assemblymen and NGOs in the project area access the document. A public notice of the ARAP disclosure will be placed at the Assembly premises and in the national dailies (e.g. Daily Graphic and Ghanaian Times) to notify the public/PAPs about where the ARAP documents can be accessed.

**Duration of in-country Disclosure**

In view of the fact that the impacts are considered to be of relatively low magnitude and the compensations appear straightforward, a maximum of 7 days (from date of public notification) would be allowed for receipt of public comments from the in-country disclosure.

**Public response to in-country Disclosure**

The PCU will collate feedback from the in-country disclosure and relay them to the consultant to be incorporated into the final ARAP.

**Infoshop Disclosure**

Copies of the draft final ARAP will be submitted in electronic form to the World Bank for its disclosure the Bank’s infoshop for further comments if any.
11.0 GRIEVANCE REDRESS PROCESS

Grievance redress mechanism (GRM) is the institutions, instruments, methods, and processes by which a resolution to a grievance is sought and provided. The objective or purpose of the Grievance Redress Procedure is to address and resolve grievances or complaints from affected persons promptly, fairly, and in a manner that is, to the extent possible, acceptable to all parties. It is intended to use alternative ways to resolve complaints/disputes/conflicts arising out of the implementation of the ARAP in an amicable way and to avoid or minimise litigation.

The consultations of project affected persons and other key stakeholders will ensure that their concerns are taken care of during project implementation and would help minimize disputes or conflicts arising from implementation of any project activity. Nevertheless, avenues have been created for project affected persons to express a grievance against any resettlement or compensation related issue or procedures, or directly against improper construction activities.

11.1 Potential grievances/disputes

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

- Mistakes in inventorying or valuing properties;
- Disagreement on property boundaries, either between the affected person and the expropriation agency or between two neighbours;
- Disputed ownership of a given asset (two or more affected people claim that the affected asset is theirs);
- Disagreement on asset valuation methods;
- Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members; and
- Disagreement with the computation of the supplementary or resettlement assistance or transportation cost.
- Claims by people who relocated on their own after receiving notification from the respective Assemblies about the project and the likelihood of impact on their activities.

11.2 Redress Mechanism

The general steps of the grievance process comprise:

- Registration of complaints;
- Determining and implementing the redress action;
- Verifying the redress action; and
- Monitoring and Evaluation.
Registration of complaints
Complaints can be lodged verbally or in writing or phone call to the GAMA Project Coordinator at the Municipal Assembly. The elected local Assemblyman for the area can also receive complaints from PAPs (because the Assemblyman lives within the community and may be closer to the PAPs and some PAPs prefer to route their complaints through the Assemblyman and avoid undue transport and time cost to the Assembly) and ensure that such complaints reach the GAMA Project Coordinator at the Assembly. The GAMA Project Coordinator shall receive all complaints and shall officially log these complaints in a dedicated log-book for that purpose. The GAMA Project Coordinator will inform the team leader for the grievance redress committee within 24 hours on any complaint lodged. A sample grievance redress form to guide the logging and resolution of complaints is provided in Annex 4.

Determining and implementing the redress action
When a grievance/dispute is recorded as per above-mentioned registration procedures, the grievance redress team will be called into action, and mediation meetings will be organized with interested parties. Minutes of meetings will be recorded.

The grievance redress team will determine the redress action in consultation with the complainant if necessary. Otherwise, the grievance redress team will communicate to the complainant on the acknowledgement of the grievance, the redress action proposed and the timeframe for implementation. The proposed redress action and the timeframe in which it is to be implemented will be discussed within 3 working days of receipt of the grievance. The grievance issue will be resolved within 5 working days of receipt of complaints.

Verifying the redress action
The grievance redress team will visit the affected property site or get in touch with the complainant to confirm that the redress action is carried out. If the complainant is not satisfied with the outcome of the redress action, additional steps will be taken to resolve the issue or reach an amicable agreement. Verification will be completed within 7 days of the execution of the redress action.

Monitoring and Evaluation
The Monitoring and Evaluation Team will monitor the activities of the Grievance Redress Team to ensure that complaints and grievances lodged by PAPs are followed-up and resolved amicably as much as possible.

11.3 Membership and Function of Grievance Redress Team/Committee
The Grievance Redress Committee/Team will include the following:
- the Municipal Coordinating Director will chair the Committee;
- the GEMA GAMA Project Coordinator;
• the elected local Assemblyman; and
• A representative of the PAPs.

In addition to the main function of resolving grievances, disputes, complaints and conflicts, the Grievance Redress Team will also
i. ensure smooth implementation of the ARAP;
ii. establish dialogue with the PAPs; and
iii. ensure that their concerns and suggestions are incorporated and implemented during the project.

11.4 Additional Steps and Court of Law

If the complainant is not satisfied with the decision of the grievance redress team, he/she can bring it to the attention of the Chief Director at the Ministry of Sanitation and Water Resources, or the GAMA PCU Coordinator will draw the attention of the Chief Director at the MSWR about the unresolved grievance. The Chief Director at the Ministry will mediate on the issue within 5 days from the date of receipt of such a decision by the Ministry. If such a time line is not possible, the Chief Director should inform the PCU accordingly giving reasons and possible new date.

If the complainant remains dissatisfied with the mediation effort of the Ministry, the complainant has the option to pursue appropriate recourse via judicial process in Ghana. The Constitution allows any aggrieved person the right of access to Court of law. However, noting that court cases can be cumbersome and time consuming, all effort must be made to reach amicable settlement with the affected person(s).

11.5 Cost for Grievance Redress Activities

A lump sum of Ghc800 has been estimated to take care of the activities of the Grievance Redress Team. The line items involved in this cost are mainly transport allowance for the PAP representative to attend meetings at the Assembly, fuel for field verifications by the team and lunch for members for extended meeting hours and during field verifications.
12.0 ARAP IMPLEMENTATION PLAN

The ARAP Implementation Plan identifies the relevant institutions involved with the implementation of the ARAP, their roles and responsibilities and provides for indicative timelines for implementation of the ARAP.

12.1 Institutional Arrangement

The main institutions concerned with the implementation of the GAMA Project as well as the resettlement/compensation related activities including reinstatement works are provided in Table 12-1. The ARAP implementation activities will be under the overall guidance of the office of the Project Coordination Unit (PCU) of GAMA. Figure 12-1 shows the Safeguard Management Structure put in place to ensure that safeguard issues are addressed during the construction phase, and Figure 12-2 shows the ARAP Implementation Structure.

Table 12-1: Institutional Roles and Responsibilities

<table>
<thead>
<tr>
<th>No.</th>
<th>Institution</th>
<th>Role/Responsibility Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ministry of Sanitation and Water Resources (MSWR)</td>
<td>The Ministry hosting and responsible for the implementation of the GAMA Projects in general and acts on behalf of the Government of Ghana in all aspects of the GAMA Projects.</td>
</tr>
<tr>
<td>2</td>
<td>Ministry of Finance and Economic Planning</td>
<td>The Ministry responsible to provide funds for compensation payments to PAPs on behalf of the Government of Ghana, and will contribute a representative to the compensation disbursement team at the Municipal/Metropolitan Assembly level.</td>
</tr>
<tr>
<td>3</td>
<td>Lands Commission (Land Valuation Division)</td>
<td>Will be invited to review and confirm value of affected properties and confirmation of land/property boundaries when the need arises especially during disputes or grievance redress issues concerning project affected persons. The Grievance Redress Team should invite the Lands Commission as expert to assist in resolving disputes requiring the expertise of the Commission.</td>
</tr>
<tr>
<td>4</td>
<td>Project Coordination Unit (PCU)</td>
<td>The PCU is responsible for the successful implementation of the GAMA Projects by engaging appropriate contractors and consultants for the execution of the projects. Will have oversight responsibility for the ARAP implementation. The PCU has a Safeguard Specialist who is responsible of ensuring that safeguard issues and documentations are taken care of in all the GAMA Projects.</td>
</tr>
<tr>
<td>5</td>
<td>Municipal Assembly – Ga East Municipal Assembly</td>
<td>Ga East Municipal Assembly is the beneficiary local government authority where the projects are being implemented. Will be directly involved with the ARAP implementation and will have representations in the three</td>
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</tr>
<tr>
<td><strong>ARAP Management Teams</strong>, namely Compensation Disbursement Team, Grievance Redress Team, and Monitoring and Evaluation Team. The Assembly also has a GAMA Project Coordinator to serve as a first point of contact for the project at the Assembly and other relevant institutions or stakeholders.</td>
<td><strong>Engineering/Supervising Consultant for the Drains/Culvert Projects</strong></td>
<td>The Engineering Consultant, Weruw Consulting Engineering, engaged by the PCU to supervise the work of the contractor responsible for the Agbogba drains/culverts. The consultant will have a representation in the ARAP Management Teams, i.e. Monitoring and Evaluation Team.</td>
</tr>
<tr>
<td><strong>ARAP Management Teams</strong></td>
<td><strong>The ARAP Management Teams will be directly responsible for the implementation of the ARAP. The teams to be set up in each beneficiary Municipal/Metropolitan Assembly include:</strong>  - Compensation Disbursement Team – responsible for payment of compensation to PAPs where appropriate  - Grievance Redress Team – responsible for registering and addressing disputes/complaints  - Monitoring and Evaluation Team – responsible for monitoring the successful implementation of the ARAP</td>
<td><strong>Project Contractor - Royal House Company Limited</strong></td>
</tr>
<tr>
<td><strong>The contractor engaged by the PCU for the construction of the culverts. The contractor will be responsible for reinstatement works. That is, the contractor shall be mandated to reinstate affected properties for which cash or direct compensation was not made to the PAP. Example, the side culvert to be affected will have to be reinstated by the contractor.</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Figure 12-1: Safeguard Management Structure for Project Implementation

Figure 12-2: ARAP Implementation Structure
12.2 Implementation Programme and Timetable

The table below shows the general implementation programme for the various tasks identified under the resettlement/compensation related programme.

<table>
<thead>
<tr>
<th>Table 12-2: Implementation Programme and Timetable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Main tasks</strong></td>
</tr>
<tr>
<td><strong>Preparation Stage</strong></td>
</tr>
<tr>
<td>Initial notification of PAPs about the project in line with Ghanaian laws</td>
</tr>
<tr>
<td>Site Inspections to identify resettlement related issues</td>
</tr>
<tr>
<td>Consultations with PAPs and other Stakeholders on resettlement and compensation issues</td>
</tr>
<tr>
<td>Literature review, inventory of affected persons and properties and valuation of properties</td>
</tr>
<tr>
<td>Census of affected persons</td>
</tr>
<tr>
<td>Socio-economic survey of PAPs</td>
</tr>
<tr>
<td>Field valuation of properties</td>
</tr>
<tr>
<td>Preparation of draft Report</td>
</tr>
<tr>
<td>Finalization of draft Report</td>
</tr>
<tr>
<td>Final ARAP preparation and disclosure of</td>
</tr>
<tr>
<td>Implementation Stage</td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td><strong>Disclosure of Report</strong></td>
</tr>
<tr>
<td><strong>Formation of ARAP Management Teams</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Compensation payment</strong></td>
</tr>
<tr>
<td><strong>Vacation of project sites by PAPs</strong></td>
</tr>
<tr>
<td><strong>Resumption of construction activities</strong></td>
</tr>
<tr>
<td><strong>Relocation or realignment of HDPE water service line by contractor</strong></td>
</tr>
<tr>
<td><strong>Grievance Redress</strong></td>
</tr>
<tr>
<td><strong>Reinstatement works</strong></td>
</tr>
<tr>
<td><strong>Monitoring and Evaluation</strong></td>
</tr>
<tr>
<td><strong>ARAP Completion</strong></td>
</tr>
<tr>
<td>Report</td>
</tr>
<tr>
<td>--------</td>
</tr>
<tr>
<td>Report after payment of direct compensation to affected persons</td>
</tr>
<tr>
<td>Prepare completion report after reinstatement of affected properties</td>
</tr>
</tbody>
</table>

**July 2017.**
13.0 MONITORING AND EVALUATION

The monitoring and evaluation measures put in place are to ensure that the implementation of the resettlement actions is carried out in accordance with the requirements under this ARAP. The monitoring and evaluation will be the main mechanism to alert the PCU of any delays and problems and these activities will help measure the extent to which the main objectives of the ARAP have been achieved.

The ARAP monitoring and evaluation measures will have two components and these include:
- Performance/Internal monitoring; and
- ARAP completion audit or end evaluation.

13.1 Performance/Internal Monitoring

The purpose of the Internal monitoring is to help identify implementation deviations from the ARAP requirements and challenges and provide corrective and redirection measures to ensure that the ARAP requirements are adhered to during ARAP and project implementation periods.

13.1.1 Responsibility and Functions

The monitoring and evaluation team will be responsible for the internal monitoring of the ARAP implementation programme to ensure that the compensation disbursement team, the grievance redress team as well as the contractor follow the schedule and comply with the principles of the ARAP.

The functions of the monitoring and evaluation team is to:
- Ensure that actions and commitments described in this ARAP are being implemented;
- Ensure that eligible people to be affected by the project receive their full compensation;
- Ensure that complaints and grievances lodged by PAPs are followed-up and resolved;
- Ensure that the contractor does not destroy properties beyond or above what has been compensated for or valued for compensation;
- Ensure that reinstatement works are carried out by the contractor as agreed;
- Provide the PCU with feedback on the resettlement/compensation implementation;
- Alert the PCU of any delays or problems associated with the activities of the compensation disbursement team, grievance redress team and the contractor
- Provide completion reports on compensation disbursement and reinstatement works.

13.1.2 Methodology and Procedure

The monitoring and evaluation team will use the following methods and procedures to accomplish its functions:
- Visit the project affected areas periodically so as to interact with the PAPs and gauge the level of community/affected persons’ satisfaction with regard to resettlement/compensation issues;
♦ Participate in the periodic site/project meetings to report on progress of the resettlement/compensation actions and reinstatement works;
♦ Have meetings with the compensation disbursement and grievance redress teams to assess delays and challenges associated with their activities;
♦ Review the grievance redress log book/file compiled by the grievance redress team to assess the number of complaints received and progress with their resolution; and
♦ Document and report on all findings to the PCU.

13.1.3 Monitoring Indicators

The monitoring indicators will include but not limited to:
♦ Amount of compensation or resettlement assistance paid;
♦ Number of PAPs available and received or signed for the compensation amount;
♦ Number of Representatives of PAPs who received compensation on behalf of PAPs;
♦ Date of payment, payee of the compensations and date of resumption of construction activities;
♦ Construction timelines/duration and any extensions;
♦ Type of affected property and whether it was fully or partially impacted during the construction period;
♦ Number of reinstatement works executed;
♦ Number of grievances registered and number of grievances resolved by the grievance redress team;
♦ Number of unresolved complaints;
♦ Frequency of meetings of the grievance redress team; and
♦ Adherence to procedures by the compensation disbursement and grievance redress teams.

13.1.4 Reporting

The monitoring and evaluation team will submit the following reports to the PCU:
• Monthly Progress Report – to provide status of all its activities carried out in the specified month and findings made and recommendations;
• Completion report on compensation disbursement status– to be prepared and submitted one week after the compensation disbursement team has completed payment of compensation;
• Completion report on reinstatement status – to be prepared and submitted one week after the contractor has completed its construction works and before the contractor receives his final payment.

The completion report for reinstatement should be prepared after the contractor has confirmed completion of all reinstatement works. This report should inform the PCU prior to making final payment to the contractor. The contractor will be required to rectify or reinstate any poor reinstatement work identified in the completion report on reinstatement works.
The completion report would draw out the objectives, lessons learnt and any outstanding compensation or reinstatement issues. This is not an evaluation but a status report on the ARAP when implementation has been completed.

13.1.5 **Membership of the Monitoring and Evaluation Team**

The proposed membership of the monitoring and evaluation team will include:
- the Municipal Works Engineer, will serve as chairperson;
- the elected local Assemblyman;
- Monitoring & Evaluation Specialist at the PCU; and
- Weruw Consulting Engineering, the Supervising Consultant for the Project.

13.2 **Completion Audit**

The World Bank Safeguard Policy, OP 4.12 states that upon completion of the project, the project proponent oversees an assessment to determine whether the objectives of the resettlement instrument have been achieved. Evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer-term perspective.

The completion audit will allow the GAMA-PCU and the GEMA, and other relevant stakeholders to verify that all resettlement measures identified in the ARAP were implemented or otherwise, and that compensation and reinstatement works have been completed in compliance with OP 4.12. The audit will also evaluate that the actions prescribed in the ARAP and implemented had the desired effect.

**Responsibility and Timeframe**

The GAMA-PCU will engage a local consultant or auditor to carry out the completion audit. The completion audit is to be undertaken after completion of all ARAP as well as construction activities including reinstatement works.

13.3 **ARAP Monitoring & Evaluation Cost**

A lump sum of Ghc 700 has been estimated to take care of the activities of the monitoring and evaluation team.
14.0 ESTIMATED COST FOR ARAP IMPLEMENTATION AND FUNDING OF ARAP

14.1 Estimated Cost for ARAP Implementation

The cost estimates for the implementation of the ARAP including direct compensation payments to PAPs, reinstatement works to be carried out by the contractors and budget for the ARAP implementation teams for the construction of the Agbogba-Ashongman culvert near the Gold Avenue School is GH¢12,975.13, and the details are presented in Table 14-1.

<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
<th>Estimated Cost/ GH¢</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Compensation to be paid to PAPs</td>
<td>1,452.50</td>
<td>Amount directly going to the PAPs and to be provided by the Ghana Government</td>
</tr>
<tr>
<td>2</td>
<td>Reinstatement cost component</td>
<td>9,000.00</td>
<td>Contractor to carry out reinstatement works prior to making claim. Cost to be borne by the Project.</td>
</tr>
<tr>
<td>3</td>
<td>Subtotal</td>
<td>10,452.50</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Budget for ARAP Implementation Teams</td>
<td>2,000.00</td>
<td>A lump sum provision to be provided by the Ghana Government</td>
</tr>
<tr>
<td>5</td>
<td>Contingency (5% of No.3)</td>
<td>522.63</td>
<td>To be provided by the Ghana Government.</td>
</tr>
<tr>
<td>6</td>
<td>Total for ARAP Implementation</td>
<td>12,975.13</td>
<td>Estimated cost for the implementation of the ARAP for Agbogba-Ashongman culvert construction</td>
</tr>
</tbody>
</table>

14.2 Funding

The Ghana Government through the Ministry of Finance will provide funds for the payment of the direct compensation to project affected persons, which is estimated at GH¢1,452.50 as well as the budget for the ARAP Implementation Teams and contingencies which are GH¢2,000.00 and GH¢522.63 respectively, as shown previously in Table 14-1.

The estimated reinstatement cost of GH¢9,000 will be borne by the Project but will not be given upfront to the contractor. However, the contractor is required to reinstate the affected properties and submit claims for payment as appropriate to the PCU as part of works carried out under the contract.
## ANNEXES

<table>
<thead>
<tr>
<th>Annex</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annex 1</td>
<td>2014 LVD Rates for some crops</td>
</tr>
<tr>
<td>Annex 2</td>
<td>Certification of Value</td>
</tr>
<tr>
<td>Annex 3</td>
<td>Compensation Claim Form</td>
</tr>
<tr>
<td>Annex 4</td>
<td>Grievance Redress Sample Form</td>
</tr>
</tbody>
</table>
## Annex 1 2014 LVD Rates for Some Crops

<table>
<thead>
<tr>
<th>Crops</th>
<th>Seedlings</th>
<th>Quarter Grown</th>
<th>Half Grown</th>
<th>Matured</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LVD Rate 2014 (GH¢ / Unit)</td>
<td>LVD Rate 2014 (GH¢ / Unit)</td>
<td>LVD Rate 2014 (GH¢ / Unit)</td>
<td>LVD Rate 2014 (GH¢ / Unit)</td>
</tr>
<tr>
<td>Plantain</td>
<td>2.64</td>
<td>3.96</td>
<td>5.28</td>
<td>6.60</td>
</tr>
<tr>
<td>Pawpaw</td>
<td>0.35</td>
<td>1.29</td>
<td>1.82</td>
<td>2.24</td>
</tr>
<tr>
<td>Mango</td>
<td>3.88</td>
<td>14.35</td>
<td>20.22</td>
<td>24.89</td>
</tr>
<tr>
<td>Orange</td>
<td>3.88</td>
<td>14.35</td>
<td>20.22</td>
<td>24.89</td>
</tr>
</tbody>
</table>
ANNEX 2    CERTIFICATION OF VALUE

This is to certify that we have inspected all the properties described in this Valuation Report for the construction of the Agbogba-Ashongman Culvert near the Gold Avenue School under the proposed GAMA Drains and Culverts Project in the Ga East Municipality. The appraisal has been conducted in an objective manner in accordance with the Code of Professional Ethics of the Ghana Institution of Surveyors (GhIS) to which we are affiliated.

To the best of our knowledge and belief, the statements of fact contained in this Valuation Report and upon which opinions herewith are based are true and correct. We declare that we do not have any present or prospective interest in the subject property and have no personal bias with respect to the properties involved.

In our professionally considered opinion, having regard to the legal, physical, economic and institutional factors, the affected properties in the surveyed area have been assigned the following values as at the date of valuation:

<table>
<thead>
<tr>
<th>AGBOGBA-ASHONMAN CULVERT CONSTRUCTION UNDER GA EAST MUNICIPAL ASSEMBLY (GEMA)</th>
<th>Compensation Cost Description</th>
<th>Full Replacement Cost (GH¢)</th>
<th>Reinstatement Cost Component (GH¢)</th>
<th>Compensation to be paid to PAPs (GH¢)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structural Cost</td>
<td>9,900.00</td>
<td>9,000.00</td>
<td>900.00</td>
<td></td>
</tr>
<tr>
<td>Crop Cost</td>
<td>552.50</td>
<td>0.00</td>
<td>552.50</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>10,452.50</td>
<td>9,000.00</td>
<td>1,452.50</td>
<td></td>
</tr>
</tbody>
</table>

Prepared by:

_Surv. Emmanuel Ampiauw_
[Principal Valuer]
For: Property Appraisal & Investment Consult
Date: 06 July 2017

_In collaboration with_

Emmanuel Acquah, MSc
Principal Consultant/Resettlement Expert
For: SAL Consult Ltd
Date: 06 July 2017
ANNEX 3 COMPENSATION CLAIM FORM

CONSTRUCTION OF DRAINS/CULVERTS UNDER THE GAMA PROJECT

-COMPENSATION CLAIM AND COMMITMENT FORM FOR CROPS-

Affected Person Information:

Name of Claimant: ................................................................. Sex: ................. Age: ..............

Name of Authorised Representative: ..........................................................................................

Current Abode: .................................................................

Total Compensation Due:

<table>
<thead>
<tr>
<th>Location of Farm</th>
<th>Value of Affected Crop(s) / (Ghc)</th>
<th>Disturbance Allowance / (Ghc)</th>
<th>Other Assistance if any (Ghc)</th>
<th>Total compensation (Ghc)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Compensation Payment Commitment:

I, ................................................................., having received the above total compensation amount for the crops within the project area in question on ...................................................(i.e. date of compensation payment), have agreed in principle to vacate the said project area, for which compensation has been paid for the crops thereon, on .................................................................(agreed date when owner of crop/farmer should vacate the affected project area).

Signature or Thumb print of claimant /recipient: .................................................................

Contact of claimant/ recipient: ......................................................... Date: .................................

Name of Administrator (PCU Representative): .................................................................

Signature of Administrator: ................................................................. Date: .................................

Contact of Administrator: .................................................................
CONSTRUCTION OF DRAINS/CULVERTS UNDER THE GAMA PROJECT

-COMPENSATION CLAIM AND COMMITMENT FORM FOR STRUCTURES-

Affected Person Information:

Name of Claimant: ....................................................................................... Sex: ...................... Age: .........................

Name of Authorised Representative: ...........................................................................................................

Current Abode: .................................................................

Total Compensation Due:

<table>
<thead>
<tr>
<th>Location of structure</th>
<th>Value of Affected Structure(s) / (Ghc)</th>
<th>Disturbance Allowance (Ghc)</th>
<th>Livelihood Assistance if applicable (Ghc)</th>
<th>Other Assurances if any (Ghc)</th>
<th>Total compensation (Ghc)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Compensation Payment Commitment:

I, ................................................................., having received the above total compensation amount for the above structure(s) and other applicable assistance on .................................................................(date of compensation payment), have agreed in principle to vacate the project site/land(s), for which compensation has been paid, on .................................................................(agreed date when affected person should vacate the affected area/land).

Signature or Thumb print of claimant /recipient: .................................................................

Contact of claimant/ recipient: ................................................................. Date: .................................................................

Name of Administrator (PCU Representative): .................................................................

Signature of Administrator: ................................................................. Date: .................................................................

Contact of Administrator: .................................................................
ANNEX 4 GRIEVANCE REDRESS SAMPLE FORM
CONSTRUCTION OF DRAINS/CULVERTS UNDER THE GAMA PROJECT

- GRIEVANCE AND RESOLUTION FORM FOR THE ARAP IMPLEMENTATION -

Name (Filer of Complaint): .................................................................
ID Number (PAPs ID number): ..........................................................
Contact Information (house number/ mobile phone): ..............................
Nature of Grievance or Complaint: ....................................................

<table>
<thead>
<tr>
<th>Date</th>
<th>Individuals Contacted</th>
<th>Summary of Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature: ................................................................. Date: .................................
Signed (Filer of Complaint): ..........................................................

Name of Person Filing Complaint (if different from Filer): .................................
Position or Relationship to Filer: ..........................................................

Review/Resolution
Date of Conciliation Session: ..........................................................
Was Filer Present?: Yes No
Was field verification of complaint conducted? Yes No
Findings of field investigation: ..........................................................

Summary of Conciliation Session Discussion: ..........................................................

Issues: ..........................................................
Was agreement reached on the issues? Yes No
If agreement was reached, detail the agreement below:
If agreement was not reached, specify the points of disagreement below:

Signed (Conciliator): ................................................................. Signed (Filer): ..........................................................
Signed: ..........................................................
(Independent Observer)
Date: .................................