RESETTLEMENT ACTION PLAN
(RAP)
(Final Report)

For

NGUZU EDDA (AFIKPO SOUTH LOCAL GOVERNMENT HEADQUARTERS) GULLY EROSION
INTERVENTION SITE, EBONYI STATE

UNDER

THE NIGERIA EROSION & WATERSHED MANAGEMENT PROJECT
(NEWMAP)
WORLD BANK ASSISTED

By

EBONYI STATE -NIGERIA EROSION & WATERSHED MANAGEMENT PROJECT
(EBS-NEWMAP)
ABAKALIKI, EBONYI STATE

August, 2014
## RAP Basic Data/Information

<table>
<thead>
<tr>
<th>No.</th>
<th>Subject</th>
<th>Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Intervention Site</td>
<td>NGUZU EDDA Erosion Gully Site,</td>
</tr>
<tr>
<td>2</td>
<td>Need for RAP</td>
<td>Work involves displacement of office buildings</td>
</tr>
<tr>
<td>3</td>
<td>Nature of Civil Works</td>
<td>stabilization or rehabilitation in and around Erosion Gully site</td>
</tr>
<tr>
<td></td>
<td>Zone of Impact</td>
<td>15m offset from the gully edge but to be reduced to 5m during actual work It is envisaged by the Engineers that this will further be reduced to 5m as the main zone of impact and only assets within this zone shall be considered as affected, as the case may be from the final designs</td>
</tr>
<tr>
<td>4</td>
<td>Benefit of the Intervention</td>
<td>Improved erosion management and gully rehabilitation with reduced loss of infrastructure including roads, houses, agricultural land and productivity, reduced siltation in rivers leading to less flooding and the preservation of the water systems for improved access to domestic water supply.</td>
</tr>
<tr>
<td>5</td>
<td>Negative Impact</td>
<td>Nevertheless, a census to identify those that could be potentially affected and eligible for assistance has been carried out. The inventory revealed only one PAP – the Local Government Council</td>
</tr>
<tr>
<td>6</td>
<td>Type of Losses</td>
<td>Structures (buildings) and agricultural resources Within 15m setback from gully edge three structures will be affected. However no Structures will be affected by the intervention works within 5m.</td>
</tr>
<tr>
<td>7</td>
<td>Impact Mitigation</td>
<td>Prudence approach to stabilisation efforts will reduce level of impact on identified structures. Damaged assets to be compensated at replacement value</td>
</tr>
<tr>
<td>8</td>
<td>Census Cut-Off Date</td>
<td>March 25, 2013</td>
</tr>
<tr>
<td>9</td>
<td>RAP Implementation Cost</td>
<td>SPMU implements with support from Federal Ministry of Environment and other relevant Federal and state MDAs and World Bank. RAP implementation committee shall include representatives of the local government, local communities and PAPs, Site committees, trade Union/CBOs, lands and survey with support from the Social Livelihoods Officer (Social Safeguard Specialist) of SPMU</td>
</tr>
<tr>
<td>10</td>
<td>Grievance Procedures</td>
<td>Community head –as Chairman of the Committee, Site Committee member, PAPs Representative, local government, elected representative of the community at the LG, Affected local government Land officer and SPMU as members shall be formed to hear complaints and facilitate solutions so as to promote dispute settlement through mediation to reduce litigation.</td>
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<td>ARAP</td>
<td>Abbreviated Resettlement Action Plan</td>
</tr>
<tr>
<td>BP</td>
<td>Bank Policy</td>
</tr>
<tr>
<td>CBO</td>
<td>Community Based Organization</td>
</tr>
<tr>
<td>CLO</td>
<td>Community Liaison Officer</td>
</tr>
<tr>
<td>CSO</td>
<td>Community Support Organizations</td>
</tr>
<tr>
<td>DaLA</td>
<td>Damage and Loss Assessment</td>
</tr>
<tr>
<td>EA</td>
<td>Environmental Assessment</td>
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<tr>
<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<td>EMP</td>
<td>Environmental Management Plan</td>
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<td>Environmental and Social Impact Assessment</td>
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<td>ESMF</td>
<td>Environmental and Social Management Framework</td>
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<td>ESMP</td>
<td>Environmental and Social Management Plan</td>
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<td>FGD</td>
<td>Focus Group Discussion</td>
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<td>FGN</td>
<td>Federal Government of Nigeria</td>
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<td>FMENV</td>
<td>Federal Ministry of Environment</td>
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<tr>
<td>FSLC</td>
<td>First School Leaving Certificate</td>
</tr>
<tr>
<td>GCE</td>
<td>General Certificate in Education</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GIS</td>
<td>Geographic Information System</td>
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<tr>
<td>IDA</td>
<td>International Development Association</td>
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<tr>
<td>LB</td>
<td>Land Bureau</td>
</tr>
<tr>
<td>LGA</td>
<td>Local Government Area</td>
</tr>
<tr>
<td>LRC</td>
<td>Local Resettlement Committee</td>
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<tr>
<td>LVO</td>
<td>Land Valuation Office</td>
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<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
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<tr>
<td>MDAs</td>
<td>Ministries, Departments &amp; Agencies</td>
</tr>
<tr>
<td>MDG</td>
<td>Millennium Development Goals</td>
</tr>
<tr>
<td>MIGA</td>
<td>Multilateral Guarantee Agency</td>
</tr>
<tr>
<td>MOE</td>
<td>State Ministry of Environment</td>
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<tr>
<td>NGOs</td>
<td>Non Governmental Organizations</td>
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<tr>
<td>OD</td>
<td>Operational Directives (of the World Bank)</td>
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<td>OM</td>
<td>Operational Manual</td>
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<td>Operational Policies (of the World Bank)</td>
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<td>OSH</td>
<td>Occupational Safety and Health</td>
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<td>PAPs</td>
<td>Project Affected Persons</td>
</tr>
<tr>
<td>PID</td>
<td>Project Information Document</td>
</tr>
<tr>
<td>PMU</td>
<td>Project Management Unit</td>
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<tr>
<td>PPUD</td>
<td>Physical Planning and Urban Development</td>
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<td>PWD</td>
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<td>RIT</td>
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<td>STDs</td>
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UNITS OF MEASURE

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<tr>
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<td>ha</td>
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<tr>
<td>2</td>
<td>m</td>
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<tr>
<td>3</td>
<td>m²</td>
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<td>5</td>
<td>km</td>
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<tr>
<td>6</td>
<td>km²</td>
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<tr>
<td>7</td>
<td>t</td>
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<tr>
<td>8</td>
<td>yr</td>
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### Definitions of Key Terms

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<th>Word/Term</th>
<th>Definition</th>
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<tr>
<td>1</td>
<td>Compensation</td>
<td>Payment in cash or kind for an asset to be acquired or affected by a project at replacement cost.</td>
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<td>2</td>
<td>Cut-off-date</td>
<td>The date after which PAPs will NOT be considered eligible for compensation, i.e. they are not included in the list of PAPs as defined by the socio-economic survey.</td>
</tr>
</tbody>
</table>
| 3    | Displaced Persons          | Affected persons by a project through land acquisition, relocation, or loss of incomes and includes any person, household, firms, or public or private institutions who as a result of a project would have their;  
   (i) Standard of living adversely affected;  
   (ii) Right, title or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest and grazing land) or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily adversely affected; or  
   (iii) Business, occupation, place of work, residence, habitat or access to forest or community resources adversely affected, with or without displacement. |
| 4    | Economically-Displaced Persons | Those affected persons who are affected in way that they loose incomes from crops, land, businesses etc.                                      |
| 5    | Encroachers                | Those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project. |
| 6    | Entitlement                | The range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and relocation which are due to /business restoration which are due to PAPs, depending on the type and degree nature of their losses, to restore their social and economic base. |
| 7    | Full Cost of Resettlement  | Compensation based on the present value of replacement of the lost asset, resource or income without taking into account depreciation.         |
| 8    | Household                  | Is the unit which includes all members living under the authority of a household head, they are both family members and other dependants. Under the Land Act, a household would be members of the family whose consent would be required in case of alienation or undertaking any transaction on the family residential land. These members should ordinarily reside on the land. These members typically include the household head, one or several spouses, children and other members of the larger family, tenants, and employee. |
| 9    | Income Restoration         | The measures required to ensure that PAPs have the resources to at least restore, if not improve, their livelihoods.                         |
| 10   | Indigenous peoples         | The people indigenous to an area and include ethnic minorities as defined by World Bank Operational Policy on Indigenous Peoples (OP 4.10).         |
| 11   | Involuntary Resettlement   | When the affected party does not have the option to remain in place even though he/she may prefer to move away. In some cases, people do move voluntarily but their willingness to move spontaneously must be carefully verified.  
   Refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition. Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that result in displacement.  
   This occurs in cases of:  
   (i) lawful expropriation or restrictions on land use based on eminent domain: and  
   (ii) Negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail. |
<p>| 12   | Land acquisition           | The process whereby a person or household is involuntarily alienated from all or part of the land s/he owns or possesses, to the ownership and possession of a project for public purposes, in return for fair compensation. |
| 13   | Land-Owner                 | An individual/household/institution recognized as owning land either by customary tenure, freehold tenure, or leasehold including customary occupants of former public land. |
| 14   | Market Value               | Appropriate compensation figures so that the affected population is able to restore their |</p>
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| 23 | Resettlement Impacts | The direct physical and socio-economic impacts of resettlement activities in the project and host areas. Refers not just to the physical displacement of people, but also covers taking land that results in the relocation or loss of shelter, loss of assets or access to assets, and/or Loss of sources of income or means of livelihood (OP 4.12, paragraph 3)...

24 Resettlement Policy Framework

A resettlement policy framework is required for projects with subprojects or multiple components that cannot be identified before project approval. This instrument may also be appropriate where there are valid reasons for delaying the implementation of the resettlement, provided that the implementing party provides an appropriate and concrete commitment for its future implementation. The policy framework should be consistent with the principles and objectives of OP 4.12 of the World Bank.

25 Socio-economic survey

The census of PAHs/ PAPs of potentially affected people, which is prepared through a detailed survey based on actual data collected.

26 Sharecropper

An individual/household occupying land under a private agreement with the owner for purpose of agricultural use.

27 Tenant

An individual/household/institution occupying land or space in a home under a private agreement with the owner whereby the right of occupancy is paid for in cash to the owner.

28 Vulnerable

Any people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement i.e.; female-headed households with dependents; disabled household heads; poor households; landless elderly households with no means of support; households without security of tenure; and Ethnic minorities.
EXECUTIVE SUMMARY

ES 1 Introduction
The Government of Nigeria is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), which is financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria. NEWMAP finances activities implemented by States and activities implemented by the Federal government. The project currently includes 7 states, namely Anambra, Abia, Cross River, Edo, Enugu, Ebonyi, and Imo.

The development objective of NEWMAP is: to rehabilitate degraded lands and reduce longer-term erosion vulnerability in targeted areas emboldened in four components namely:
- Component 1 - Erosion and Catchment Management Investments
- Component 2 - Erosion and Catchment Management Institutions and Information Services
- Component 3 - Climate Change Agenda Support
- Component 4 - Project Management

As one of the participating States, Ebonyi State NEWMAP piloted by the State Project Management Unit, intends to carry out some civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around the Nguzu Edda Erosion Gully Site in Afikpo South Local Government Area, Ebonyi State as well as small works in the small watershed where the gully formed and expanded.

The intervention involves stabilization or rehabilitation in and around the gully itself. This civil work could result in the acquisition of land or displacement of families, business or public infrastructure, thus triggering the World Bank OP/BP 4.12 – Involuntary Resettlement.

To address the social and environmental safeguards concerns, at the national level, two instruments were prepared, namely: an Environmental and Social Management Framework (ESMF) and a Resettlement Policy Framework (RPF) which complements each other. The RPF addresses potential adverse social impacts that might stem from resettlement of people affected by the project, whereas the ESMF addresses other possible harmful social and environmental effects of the project.

This RAP and the ESMP which were prepared paripassu and directed at translating the ESMF and RPF into specific costed, measurable, and monitorable actions for specific intervention sites.

ES 2 Justification for the RAP
The RAP identified the potential Project Affected Persons (PAPs) and engaged them in participatory discussions regarding the plan in order to adequately compensate them for their losses.

The scoping of the intervention site revealed that less than 200 persons shall be displaced; and in line with the World Bank Involuntary Resettlement Policy, OP 4.12, this RAP is prepared for managing the potential impacts/displacement.

ES 3 Objectives of RAP
Specifically, the RAP is designed to:
- Identify and assess the human impact of the proposed works at the erosion gully site and
- Prepare an Action Plan to be implemented in coordination with the civil works in line with World Bank Policy and Nigeria policies and laws.

ES 4 Site Description
The erosion ravaged site to be rehabilitated is located in Nguzu Edda, a suburban in Edda Clan in Afikpo South Local Government Area. The site is located within the administrative headquarters of the Afikpo South Local Government Area, which lies on Coordinates 5.751N° and 7.826E°.
The Local Government Headquarters is located on a spur, with narrow valleys which could have provided pathways for run-offs and over time. The gully erosions site has two active and extensive gullies heads with an average depth of 22.5m and length of 610m and a total Catchments Area of 0.648 km$^2$. The administrative blocks of the Local Government Council have already collapsed into the gully and more are under serious threat. Urgent intervention is therefore needed at the site to salvage the environment, save lives, property and government infrastructure and to restore the people’s confidence in Government.

The proposed civil works include stone revetment to reclaim and protect road way and reinforcement of exposed soil surface to stop scouring action of flow velocity with chute channel, stilling basin, apron and installation of rip-rap and gabions mattress at some areas of the gully as the case may be.

**ES 5 Legal Framework for Land Acquisition**

The legal framework for land acquisition in Nigeria is the Land Use Act of 1978, reviewed under Cap 202, 1990. The relevant World Bank Operational Policy (OP 4.12), which addresses land acquisition and involuntary resettlement was reviewed. The differences between the Land Use Act and the Bank’s OP 4.12 are mostly in rehabilitation measures, which are neither proscribed nor mandated in the Act.

Thus it is noted in this RAP that in the course of the project implementation in the event of any divergence between the Laws in Nigeria and that of the Bank’s OP 4.12, the more beneficial to the project affected persons shall take precedence in the implementation of this RAP.

**ES 6 Census Cut-Off Date**

The established cut off-date to record the PAPs along the gully erosion corridor of work was March 25, 2013, which was made known to the vendors and/or communities during the stakeholders meeting. In the event of project delay for more than two years, then there will be need to update the socio-economic survey that was carried out for this RAP.

**ES 7 Impacts of Proposed Work**

Positively, the major benefits will occur in the form of Improved erosion management and gully rehabilitation which will provide, inter alia, reduced loss of infrastructure including roads, houses, agricultural land and productivity, reduced siltation in rivers leading to less flooding and the preservation of the water systems for improved access to domestic water supply.

Negatively, it will impact on the social life of people though this is greatly reduced as only 15m offset from the gully edge was taken as the zone of impact and work. Furthermore depending on the approach to the stabilisation efforts, impact to identified structures shall be avoided. Nevertheless, a census to identify those that could be potentially affected and eligible for assistance has been carried out and only one PAP – the Local Government Council as an entity was identified. Based on inventory, only the local government as an entity is affected.

**ES 8 Mitigation**

In order to adequately mitigate the negative impacts on the PAPs, the costs of the damage to the assets were calculated by generating market value and estimates for how much it would cost to replace or repair affected asset based on the replacement value - the amount sufficient to replace lost assets and cover transaction costs (over the period until the assets are recovered). Unit costs were primarily calculated using information from the local markets. A Register has been prepared for the new PAPs with regard to their losses and compensation.

**ES 9 Public Participation**

Public participation in this RAP included consultations and communications. Consultation included a two-way process in which ideas about the project and concerns of stakeholders and the project designers were shared and considered mutually by affected populations and other stakeholders. Communication included the dissemination of information of NEWMAP activities to the concerned public about the project and other relevant issues.
Relevant stakeholders, namely relevant local government officials, Community leaders and other opinion leaders in the communities, PAPs and other individual people, etc, were met. At the meetings the overview of the project and appreciation of RAP and other related information were presented to the stakeholders. Furthermore, the challenges that could emanate from the implementation of the project and the support needed from all parties to ensure effective project and successful implementation were also discussed.

**ES 10 Resettlement of PAPs and Livelihood Restoration**

The PAPs have agreed to the various resettlement packages which will enable them find alternative or other locations in places of their choices for relocation and thus move out of the setbacks of the gully corridor. This is seen to improve their means of livelihood or restore to it to pre-impact status.

Technical support will be provided by the community liaison and support professionals, Site committee/associations and individuals to identify and develop suitable, market driven livelihood options in relation to those people most affected by gully erosion/intervention works, the poorest in the community, and women.

**ES 11 RAP Coordination and Implementation**

The implementation of the RAPs shall require close collaboration among all the stakeholders with a mutual understanding struck at the beginning. The institutional arrangement has been pragmatically designed to involve relevant Stakeholders with the SPMU as the project implementer. Federal Ministry of Environment as well as other relevant Federal and state MDAs and World Bank concerned with erosion and watershed management shall be involved as designed in the arrangement for implementation. Also the RAP implementation committee made up of representatives of the local government, local communities and PAPs, Site committees, trade Union/CBOs, lands and survey with support from the social Safeguard Specialist of the SPMU shall ensure adequate handling of the resettlement issues.

No civil works contracts for the proposed rehabilitation work shall be initiated unless land free of any encumbrance is made available. The major component tasks and schedule for the RAP implementation have been developed in the RAP.

**ES 12 Strengthening Organizational Capability**

Based on the interaction with the relevant stakeholders, assessment and determination of the characteristics of all project affected persons (PAPs), valuation of assets to be compensated as well as the assessment of the institutional capacities of the different parties involved in the RAP implementation, areas of awareness creation and training/capacity building have been identified generally as outlined in Table below. It is the responsibility of Social Safeguard Officer to ensure that all identified stakeholders are trained accordingly.

**ES 13 Budget Estimate**

The total cost implication for the implementation of the RAP is N6,550,000.00 (Six Million, Five hundred and fifty thousand Naira) only in the Table below. This sum is expected to cover compensation assets affected and additional mitigations for livelihood restoration measures, coordination of additional mitigations, grievance management and compensation commission.

In addition, a provision of 10% of this total budget for contingencies such as inflation that shall be allowed and added to the current budget.

SPMU is the source of this fund for the payment of the necessary compensations and mitigation measures and overall implementation of the RAP.
**Budget Estimate for the RAP Implementation**

<table>
<thead>
<tr>
<th>S/N</th>
<th>ITEM</th>
<th>COST (N)</th>
<th>Total</th>
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<tr>
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<td>Compensation for Land/Structures</td>
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<td></td>
<td>Agricultural resources</td>
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<td><strong>Sub-total</strong></td>
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<tr>
<td>B</td>
<td>ADDITIONAL MITIGATIONS</td>
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</tr>
<tr>
<td>B1</td>
<td>Livelihood restoration measures/Assistance</td>
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</tr>
<tr>
<td>B2</td>
<td>Grievance management</td>
<td>350,000.00</td>
<td></td>
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<tr>
<td></td>
<td><strong>Sub-total</strong></td>
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<td>1,850,000.00</td>
</tr>
<tr>
<td>C</td>
<td>IMPLEMENTATION COSTS</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Compensation Commission &amp; NGO witness</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Capacity building/Institutional Strengthening</td>
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<td></td>
<td>Disclosure and management</td>
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<tr>
<td>D</td>
<td><strong>Total</strong></td>
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<td></td>
</tr>
<tr>
<td>E</td>
<td>+ Contingencies 10%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ES 14 Grievance Redress Mechanism**

The likelihood of dispute is much reduced because the PAPs and other relevant stakeholders have been consulted. Nevertheless, in the event of any dispute, a conflict resolution mechanism has been designed for the RAP implementation. This mechanism makes the judicial system the least desirable and last resort to redress the issues if informal conciliation does not resolve the matter.

After due interaction with the PAPs and relevant stakeholders the following persons have been suggested as those to constitute the GRC: Community head – as Chairman of the Committee, Site Committee member, PAPs Representative, local government, elected representative of the community at the LG, Affected local government Land officer and SPMU as members shall be formed to hear complaints and facilitate solutions so as to promote dispute settlement through mediation to reduce litigation.

**ES 15 Monitoring and Evaluation**

In order to successfully complete the resettlement management as per the implementation schedule and compliance with the policy and entitlement framework, there would be need for monitoring and evaluation of the RAP implementation. Monitoring and evaluation will be a continuous process and will include internal and external monitoring. SPMU shall play a key role in reporting the progress of implementation as well as compliance to the World Bank.

**ES 16 Disclosure** The RAP shall be disclosed in-country to the general public for review and comment before it is approved by the Bank at designated locations and in World Bank InfoShop
CHAPTER ONE  GENERAL BACKGROUND

1.1 Background
The Government of Nigeria is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), which is financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria. NEWMAP finances activities implemented by States and activities implemented by the Federal government. The project currently includes 7 states, namely Anambra, Abia, Cross River, Edo, Enugu, Ebonyi, and Imo.

The lead agency at the Federal level is the Federal Ministry of Environment (FME), Department of Erosion, Flood and Coastal Zone Management. State and local governments, local communities and CSOs are or will be involved in the project, given that the project is a multi-sector operation involving MDAs concerned with water resources management, public works, agriculture, regional and town planning, earth and natural resources information, and disaster risk management.

The development objective of NEWMAP is: to rehabilitate degraded lands and reduce longer-term erosion vulnerability in targeted areas.

Ebonyi State, as one of the participating States, intends to carry out some civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around one of the gully erosions priority sites. The site is located right in the premises of the Afikpo South L.G.A in Nguzu Edda. The proposed work activities at the site known as Nguzu Edda Gully erosion site have been identified to trigger involuntary resettlements because of the nature, location and scope.

To this end, Ebonyi State Nigeria Erosion and Watershed Management Project (EBONYI NEWMAP) assigned Eugene Itua, a Consultant the task of preparing a Resettlement Action Plan (RAP) that will assist to mitigate the social impacts that could arise in the course of the project implementation.

1.2 The Need for a Resettlement Action Plan for the Proposed Project.
The proposed project triggers World Bank (WB)'s Operational Policy, OP 4.12 on Involuntary Resettlement in that it requires acquisition of land as well as restrictions of access in areas bordering the gully edges.

For WB supported projects, any project that causes displacement of any sort must be subjected to the requirements of its Operational Policy, OP 4.12, on Involuntary Resettlement. It is pursuance to this that this RAP was prepared as part of the World Bank's Environmental and Social Safeguard Policies.

The RAP identified the potential Project Affected Persons (PAPs) and engaged them in participatory discussions regarding the plan in order to adequately compensate them for their losses. The scoping of the intervention site revealed that less than 200 persons shall be displaced and based on the understanding of the key stakeholders who will give concurrence and in the light of the level of due diligence that has been taken in the preparation of the NEWMAP safeguard document, RAP has been adopted.

1.3 This RAP and other Safeguard Instruments Triggered by the Project
Generally, the objective of the World Bank’s Environmental and Social Safeguard Policies is to prevent and mitigate undue harm to people and their environment in the development process. These policies provide guidelines for bank and borrower staff in the identification, preparation, and implementation of programmes and projects. Safeguard policies have often provided a platform for the participation of stakeholders in project design, and have been an important instrument for building ownership among local populations.

As part of the preparatory stage of the NEWMAP, two national instruments a Resettlement Policy Framework (RPF) and an Environmental and Social Management Framework (ESMF) were prepared. The RPF addresses potential adverse social impacts that might stem from resettlement of people affected by the project, whereas the ESMF addresses other possible harmful social and environmental effects of the project.
The focus of each of these relevant safeguard instruments and their triggers which have been prepared or undergoing preparation are outlined in Appendix 1. Suffice it to say that these 'triggers' help translate the two national framework into specific costed, measurable, and monitorable actions for each specific intervention sites.

Nevertheless, it should be noted that this RAP identifies the specific impacts in relation to the Project Affected Persons (PAPs) across the different points along the Gully Corridor were the proposed work is to be carried out. It identifies the full range of people affected by the proposed work and justifies their displacement after consideration of alternatives that would minimize or avoid displacement as well as suggests possible ways by which the impacts on PAPs could best be mitigated.

1.4 Objective of the RAP
The fundamental objective of project resettlement action planning is to avoid resettlement issues whenever feasible, or, when resettlement is unavoidable to minimize its extent and to explore all viable alternatives. Where land acquisition and involuntary resettlement are unavoidable, resettlement and compensation activities are carried out in a manner that provides sufficient opportunity for the people affected to participate in the planning and implementation of the operation. Further, if incomes are adversely affected, adequate investment is required to give the persons displaced by the project the opportunity to at least restore their income-earning capacity.

Specifically, the RAP is designed to:
- Identify and assess the human impact of the proposed works at the erosion gully Site described in Section 1.5 below, and
- Prepare an Action Plan to be implemented in coordination with the civil works in line with World Bank Policy and Nigeria policies and laws.

1.5 Scope and Task of the RAP
The RAP covers the NGUZU EDDA Erosion gully intervention site in the secretariat premises of the Afikpo Local Government council. It specifically covers area where the main civil works shall take place as is currently captured by the engineering designs.

The scope of work for the RAP assignment covers the following elements/tasks, consistent with the provisions described in OP 4.12, paras. 2 and 4 and presented in the TOR for the RAP:
1. A brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a Resettlement Action Plan is required;
2. Legal analysis and framework, reviewing the Nigerian laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
3. Conducting a census and declaring a cutoff date;
4. Estimate population displacement and categories of displaced persons, to the extent feasible;
5. Eligibility criteria for defining various categories of displaced persons;
6. Valuation of affected assets -- both natural and built assets -- ; Compensation and assistance are to be based on the overall principle that affected people shall not suffer net losses as a result of the project;
7. A description of possible mechanisms for transitional costs (such as moving expenses) and for restoring livelihoods where they are adversely affected;
8. Organizational procedures for delivery of entitlements, a description of the implementation process, linking resettlement planning and implementation to both civil works and livelihood strategies;
9. A description of grievance and redress mechanisms that takes into account the need for (a) registration of grievances; (b) prompt and transparent action on grievances; (c) due process; (d) opportunity for appeal; and (e) avoidance of legal proceedings to the extent possible;
10. A description of the arrangements for funding resettlement including the preparation and review of cost estimates, the flow of funds, and the contingency arrangements;
11. Development of institutional matrix that clearly identifies all the agencies, public or private, that will be involved in the resettlement project, their respective roles, the budget allocated to each and the legal arrangements to be made;
12. A description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
13. A description of the processes of monitoring, verification and evaluation required for effective implementation of the resettlement process.

1.6 Guiding Principles for the RAP
In order to ensure that the RAP complies with international best practice, the following shall be the guiding principles:
- Resettlement must be avoided or minimized
- Genuine consultation must take place
- Establishment of a pre-resettlement baseline data
- Assistance in relocation must be made available
- A fair and equitable set of compensation options must be negotiated
- Resettlement must take place as a development opportunity that ensures that PAPS benefit
- Vulnerable social groups must be specifically catered for
- Resettlement must be seen as an upfront project cost
- An independent monitoring and grievance procedure must be in place
- World bank’s operational procedure on forced resettlement must apply

1.7 Approach/Methodology of RAP Preparation
The strategy/methodology for the preparation of the RAP took into cognizance the Terms of Reference and/Scope of Work defined in the Request for Proposals for this RAP. This RAP was prepared in accordance with applicable World Bank safeguard policies and Nigerian guidelines/laws. The distinct phases for preparing the proposed RAP include: Literature review; Public Consultation, Data Gathering/ Census Identification of potential impacts; e.g. for baseline conditions, institutional arrangement, capacity, etc. are outlined in Appendix 1.2

1.8 This RAP Reporting Format
This RAP is concise and includes only significant social/economic and resettlement issues. Essentially, it covers the following relevant Chapters:
Chapter One General Background
Chapter Two NEWMAP Project Components and Description of Site Intervention
Chapter Three Census and Socio-Economic Survey
Chapter Four Impact of the Project
Chapter Five Existing Legal Framework
Chapter Six Valuation and Compensation and Other Resettlement Assistance
Chapter Seven Public Participation and Consultations
Chapter Eight RAP Implementation - Institutional Arrangement
Chapter Nine Grievance Redress Mechanisms
Chapter Ten Monitoring and Evaluation

CHAPTER TWO NEWMAP PROJECT COMPONENTS AND DESCRIPTION OF INTERVENTION SITE

2.0 Introduction
This Chapter highlights the overall components of NEWMAP and a brief description of the proposed intervention at the specific intervention site.
2.1 The NEWMAP Components
The overall development objective of NEWMAP rehabilitation of degraded lands and reduction of longer-term erosion vulnerability in targeted areas is hoped to be achieved through the following four components: Component 1 - Erosion and Catchment Management Investments, Component 2 - Erosion and Catchment Management Institutions and Information Services, Component 3 - Climate Change Agenda Support and Component 4 - Project Management.

2.2 Participating States in NEWMAP Gully Erosions Interventions
In the Federation, NEWMAP currently includes 7 states, namely Anambra, Abia, Cross River, Edo, Enugu, Ebonyi, and Imo as indicated in Map 2.1-2.2.

2.3 Priority Intervention Locations in Ebonyi State
The first site ravaged by the gully erosion that shall be rehabilitated is the one located in Nguzu Edda, a suburban in Edda Clan in Afikpo South Local Government Area (Maps 1.3-1.4). The site is located within the administrative headquarters of the Afikpo South Local Government Area, which lies on Coordinates 5.751N° and 7.826E°.

The Local Government Headquarters is located on a spur, with narrow valleys which could have provided pathways for run-offs and overtime (Plate 2.1).

Plate 2.1: Typical Scene of the Gully Erosion in Proposed Intervention Site
The gully erosion site has two active and extensive gullies heads with an average depth of 22.5m and length of 610m and a total Catchments Area of 0.648 km$^2$. The Local Government Headquarters is isolated and located in a rural-like setting. There is no development around the immediate vicinity other than the existing natural vegetation or cashew trees which adorn the premises.

There are two (2) entrances into the Local Government Headquarters; both of them are in a very bad shape because of the effect of run-off water which is causing shift erosion along the two roads.

On the premises of the local government secretariat are the following buildings.

a. 1 No. Education Building having basement floor and Ground floor
b. 1 No. Circular shaped corpers’ office (for NYSC Corpers)
c. 1 No. Office Block hosting the Civil Defence Corps, Education Office, National Population Commission and Immunization Offices
d. 1 No. Administrative Block hosting the office of the Executive Chairman and having a basement floor too
e. 1 No. Political Block which has already been overtaken by the gully and has been abandoned.
f. 2 Nos. Old Administrative Building connected with a well-designed corridor and referred to as building F1 and F2 in this report.
g. 1 No. National Population Commission Block
h. 1 No. Office Block hosting the Radio Room, Payroll Unit, NULGE Office, and H.O.D Works Office
i. 1 No. Office Block hosting among other offices, the Internal Audit, Adult Education Office and PHC Co-ordinators Office.

Furthermore, at the centre of the compound is the statue of the “Unknown Soldier” which is beautified with compound curves and flowers. There is also a Solar Panel Bay near the Civil Defence Block (which supplies electricity to the building).

Other than the civil defence block which is being used skeletally, no other structure is in use. Due to the very active nature of the gully erosion which has jeopardized the safety of lives in the local government secretariat and hampered other socio-economic and administrative activities in the area; the Secretariat has been relocated to higher grounds within the Nguzu Edda Community.

It is worthy to note that some of the administrative blocks of the Local Government Council have already collapsed into the gully and more are under serious threat (Plates 2.2). Urgent intervention is...
therefore needed at the site to salvage the environment, save lives, property and government infrastructure and to restore the people’s confidence in Government.

However, in the course of the rehabilitation work, some of the structures still standing shall be affected.

2.5 The Proposed Activities at the Intervention Site
The proposed activity works involves small-sized civil works such as construction of infrastructure and/or stabilization or rehabilitation. The proposed activities include stone revetment to reclaim and protect and reinforcement of exposed soil surface to stop scouring action of flow velocity as indicated in the Engineering Design layout in Fig 2.1.

Fig.2.1: Engineering Design Site Layout for the Intervention at the Gully Site

CHAPTER THREE
CENSUS AND SOCIO-ECONOMIC SURVEY
3.0 Introduction
This Chapter presents the socio-economic conditions of the community where the intervention work is to take place. It is premised on the socio-economic survey of the community members. The survey, per se, had several primary objectives which include to:

- Inform the community members and affected population about the proposed intervention work
- Announce the cut off-date for capturing those affected by the proposed project who are along the zone of impact
- Obtain feedback from the affected population about the intervention work
- Establish the social profile of the affected population along the corridor
- Identify the affected households and individuals
- Identify vulnerable individuals or groups
- Record all assets and impacts within the ROW (setback from edge of gully)

3.1 Census Cut-Off Date
The cut-off date was declared on March 25, 2013, after which no newly arrived persons will be eligible for resettlement benefits. Due to the nature of the gully intervention site and the host community, the cut-off date was announced during site tours meetings, at and through the local government office, by members of the site committee and at the palace of the traditional ruler whose cabinet members were to disseminate the information to their immediate community members. These methods were considered most effective in the light of the peculiar situation of the various project sites and to avoid opportunistic invasion.

The Census cut-off date refers to the date after which PAPs will NOT be considered eligible for compensation, i.e. they are not included in the list of PAPs as defined before the socio-economic survey of the PAPs ended. The establishment of a cut-off date was required to prevent opportunistic invasions/rush migration into the chosen proposed sites thereby posing a risk to the intervention work. Such opportunistic invasions could be by individual encroachers, and persons making improvements to their assets who will not be compensated after the cut-off date. This is especially more so bearing in mind the time period between the cut-off date and the time actual work could start, and that only after PAPs have been compensated according to the requirements of this RAP. Nevertheless, if works are not initiated two years or more elapse after declaration of a cut-off date, a new/updated census and evaluation of properties/assets must be carried out.

3.2 Data Analyses and Interpretation
Specifically, the following thematic socio-economic indicators were included in the survey: gender, age distribution; marital status; nature of trade/occupation of vendor/PAPS; income category, etc. The data analysis and interpretation focus on the socio-demographic background information of respondents, identified Project Affected Persons (PAPs) and/or vendors along the corridor.

3.2.1 Analysis of Persons (Respondents) Interviewed
A total of 50 questionnaires were administered to community members including identified Project Affected Persons across the length of the gully corridor. The respondent refers to any person considered to live or do businesses in the communities (Ebiri, Nguzu-Edda and some other numbering quarters) who may not necessary be affected. Project affected persons are those actually affected by the project. It is important to note that the impact of project activities on the sources of livelihood of PAPs along the gully corridor vary among them. While some are directly affected (those within 15m from the edge of the gully), others are not such as those within general watershed area).

The response of those met or to whom questionnaires were administered provided an average idea of the prevailing situation in the proposed project area. Therefore, it is believed that the information provided by these categories of people are accurate about the businesses they represent/operate or property/asset they own or represent and the general information.

3.2.2 Age and Sex of Respondents
Fig. 3.1 depicts the age distribution of the respondents. The study revealed that most (43%) of the respondents age were within the age bracket of 46-55 years old, 21% of the respondent age are above 65 years of age, the age bracket of 56-65 recorded was 16% and 36-45 years are 10% while those in the age bracket of 26-35 years old are 8% only. Only 2% of the respondent fall within 18-25 years old, while there was no respondent found within the age bracket of less than 18 years of age. 81% of the identified persons were males, while the remaining 19% are females.

![Sex of Respondent](image)

**Fig 3.1 Age Distribution and Sex of Respondents**

### 3.2.3 Marital Status and No. of Children of Respondent

Fig 3.2 shows that the majority of the respondents in the studied communities are married (79.31%), while 6.9% are single. The remaining 13.79% are either widow/widowers.

Household size refers to the total number of persons living together as a family unit sharing basic facilities such as shelter, kitchen and so on (Ohwofasa, 2010). The study revealed that respondents who claimed that they were with no child, wife or husband account for 19%, 21% of the respondents have between 1 and 2 members and those with 3 and 4 members account for 24%, while 22% of the respondents have between 5 and 6 members. Some (14%) of the respondents have more than six or more members. It could be inferred that not all respondents interviewed were with children but over 18 years old.

![Marital Status Of Respondents](image)

![Household size of Respondent](image)

**Fig 3.2: Marital Status and No. of Children of Respondent**

### 3.2.4 Religion of Respondents

88% of the respondents are Christians while the remaining 12% are traditional worshippers. There was no Muslim respondent found along the corridor (Fig. 3.3).
3.2.5 Educational Attainment of the Respondents
The evaluation as shown in Fig 3.4 revealed that majority (73%) of the identified vendors had secondary education, 18% had primary education while 9% had tertiary education. None of the Vendors had no formal education.

3.2.6 Distribution of Respondents by Occupation and Income
Project affected persons were classified into different types of business they do. Figure 3.5 below shows that majority (75%) of the PAPs in this community are predominantly farmers, while 8% of the PAPs are civil servant, 4% trades to makes ends meet then the remaining (13%) do other business such as Artisans(which is another primary occupation here), carpenter, etc. According to Figure 3.6, 31.58% of the respondents earning below 15,000, while 26.32% of them earn between 15,000 and 30,000.28.95% of the respondents are average income earners, earning between 30,001 and 60,000. The High income earners i.e. >60,000 are 13.16%.
3.2.7 Awareness of Proposed Reclamation Work

Many (94%) of the respondents are aware that work is about to start on the gully corridor and see it as welcome development while the remaining 6% are not aware. (fig 3.7)

![Respondents Awareness](image)

Fig 3.7: Respondents Awareness of Proposed Reclamation Work

3.2.8 Provision of Space for the Gully Reclamation

Majority gave their consent and are willing to vacate their site or shift backward for the gully reclamation, few of them are not sure whether they will vacate their site if there is no alternative (fig 3.8). It is noteworthy that none of these respondents are actually affected in any way as only the Local Government Council is affected.

![Will you be ready to volunteer your space for this project?](image)

Fig. 3.8: Response on Desirability of Proposed Work

3.2.9 Conflict Resolution among PAPs

While Court is seen as good to settle most issues (9%), as many as 91% of the respondents consider informal reconciliation with community leaders as the best with less acrimony (fig 3.9).

3.2.10 Forms of Compensation Preferred by Respondents

The respondent preferred measures aimed at restoring their living conditions are as depicted in figure 3.10; majority placed support for cash grant (72.99%), while the remaining support type are provision of new plot for other economic purposes (5.41%), respondents that preferred training for self employment accounted for 2.7% and provision of agricultural plot accounted for 18.9% (Fig. 3.10).

![Preferred ways of Conflict Resolution](image)

![Respondents Preferred Form of Compensation](image)

Fig:3.9: Respond way of conflict Resolution Fig: 3.10: Preferred form of compensation
CHAPTER FOUR   IMPACT OF THE INTERVENTION WORK

4.1 Introduction
This Chapter presents the impact the intervention work will induce along the gully area within a setback of 15m from the edge of the gully.

4.2 Minimization of Resettlement
To minimize negative impacts the following have been taken into consideration in this project:

- A full opportunity for involvement of all stakeholders, especially the direct stakeholders provided through public participation and engagement of the stakeholder community members. This afforded the concerned stakeholders the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts.
- The setback on the erosion corridor was made known to the stakeholders to be 15m and that in the event of work in such locations all affected properties are to be removed by their owners to give the required right of way for the work.
- A cut-off date was made known to the community after which no PAPs will be compensated.
- The members of the community and LGA agreed to cooperate and support the successful execution of the project.
- The members of the community assured SPMU that they would continue to support in the implementation of the policy to better their lots and thus promised to play their role at ensuring the successful completion of the project.

4.3 Land acquisition along the corridor
The erosion site rehabilitation activity is not envisaged to acquire new land. If at all, acquisition will not extend beyond the required space for remedial works within the 15m set back from the edge of the gully and area that will serve as camp, where equipment and materials will be stored and used. And this shall be carefully selected to avoid impacting on any social means of people. Although there are some assets within these setbacks in within the local government secretariat, the proposed rehabilitation will be managed to avoid or at least reduce interference with any of the structures.

4.4 Benefit of the Project
The major benefits will occur in the form of improved erosion management and gully rehabilitation which will provide for:

- Reduced loss of infrastructure including roads, houses, etc.
- Reduced loss of agricultural land and productivity from soil loss caused by surface erosion.
- Reduced risks of floods (due to reduced siltation)
- Progressively restored vegetative cover, improved environmental conditions and more humid local microclimates. This results in increased vegetation cover for wildlife and carbon sequestration.
- Environmental improvements due to land stabilization measures which preserve the landscape and biodiversity.

4.5 Negative Impact of the Project
Besides the local government structure that shall be affected, no other asset shall be impacted by the project. A census to identify those affected and eligible for assistance has been carried out.

4.6 Identification and Categorization of Loss and Impact
Based on the inventory carried out, the potential PAPs were identified as well as their losses as summarized in Table 4.1.
### Table 4.1: Type of Assets Affected

<table>
<thead>
<tr>
<th>S/No</th>
<th>Asset Type</th>
<th>Loss Type</th>
<th>NO</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td><strong>Physical Assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land</td>
<td>Land (vacant)</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Structures</td>
<td>Main Buildings/Structures</td>
<td>3</td>
<td>Permanent</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ancillary Buildings</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fence walls</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shops, kiosks etc</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Others- e.g. pavements, concrete kerbs, concrete wells or reservoirs, etc</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>2</strong></td>
<td><strong>Income and Livelihood</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Impact on accommodation</td>
<td>Loss of Business/Office</td>
<td>0</td>
<td>Already vacated</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Loss of Residential</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Loss of Accommodation or Room</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Others, specify</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

### 4.7 Number and Type of Affected Persons

One government entity (Afikpo South Local Government) has been identified as Project Affected Person (PAP) The affected assets include structures in the form of buildings which are three in number (Table 4.2).

### 4.8 Impact on Agricultural Resources (Crops)

There are no agricultural resources that shall be impacted.

### 4.9 Impact on Utilities

There are no utilities identified within the setback that could be affected in the course of work or that will constitute hindrance to project activities.

### 4.10 Impact on Social Networks

No social network that involved traditional place of dwelling, business activities will be disrupted in the course of the remedial works.

### 4.11 Cultural Property (Archaeological and cultural sites)

No cultural property or site of archaeological interest has been identified to be affected except one shrine that was identified along the corridor.

### 4.12 Impact on Vulnerable Group

There are no vulnerable persons to be impacted. The various groups considered vulnerable due to their inability to cope with and participate in decision making with regard to resettlement in the course of work were not identified.

### 4.13 Potential Relocation Areas

As at the time of the preparation of this ARAP, the Local Government Administrative Secretariat has already been relocated to a different location in the community. Only the Civil Defence office was still being used, albeit skeletally. The structure being used shall not be impacted by the proposed remedial work.
Table 4.2: Project Affected Asset in the LGA Complex

<table>
<thead>
<tr>
<th>Name*</th>
<th>Total land holding</th>
<th>Land use type</th>
<th>Structure(s) Affected</th>
<th>Roof</th>
<th>ceiling</th>
<th>windows</th>
<th>doors</th>
<th>floor</th>
<th>wall</th>
<th>Distance to gully</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Political Block E</td>
<td>266.57m²</td>
<td>offices</td>
<td>Admin block</td>
<td>Corrugated iron sheets placed on wooden trusses</td>
<td>Asbestos sheets placed on wooden noggin</td>
<td>Louvre blades placed on wooden frames</td>
<td>Wooden panel painted with gloss paint</td>
<td>Cement screed</td>
<td>Block work plastered and painted internally and externally.</td>
<td>-5 m²</td>
</tr>
<tr>
<td>Old Admin Block F2</td>
<td>276.27m²</td>
<td>offices</td>
<td>Political offices</td>
<td>Corrugated iron sheet</td>
<td>Asbestos ceiling board</td>
<td>Louvre Blades. With anti burglary device and roof rafter</td>
<td>Wooden panel</td>
<td>Cement Screed</td>
<td>Block work</td>
<td>5m to the wall and 10m to the middle but the other extreme is a bit distanced from the gully.</td>
</tr>
<tr>
<td>A Twin Section Of Admin Block F1</td>
<td>220.64m²</td>
<td>OFFICE S</td>
<td>Admin block</td>
<td>Corrugated iron sheet</td>
<td>Asbestos ceiling board</td>
<td>Louvre blade</td>
<td>Wooden panel</td>
<td>Cement screed</td>
<td>Block work</td>
<td>Not affected but is joined to F2 but a passage that make it look like one building from a distance.</td>
</tr>
</tbody>
</table>

*All these Office buildings have been deserted*
CHAPTER FIVE  EXISTING LEGAL FRAMEWORK

5.1 Introduction
This CHAPTER provides a brief review of the applicable local laws, regulations, policies and procedures on land acquisition and resettlement. Essentially, here, consideration is given to the Nigeria’s Land Use Act (LUA) of 1978 and the World Bank Policy on involuntary resettlement OP4.12 as the main instrument guiding the entire process.

In understanding the existing legal framework, reference should be made to the national instrument - Resettlement Policy Framework - which was prepared for the entire NEWMAP for the participating States. Adequate attention was given to the relevant legal instruments (Legal Basis for Land Acquisition and Resettlement in Nigeria and World Bank Policy on Involuntary Resettlement (OP.4.12)).

5.2 Nigeria Land Use Act and Bank OP4.12 – A Comparison
The law relating to land administration in Nigeria is wide and varied; entitlements for payment of compensation are essentially based on right of ownership. The Bank's OP4.12 is fundamentally different from this and states that affected persons are entitled to some form of compensation whether or not they have legal title if they occupy the land by or before the cut-off date as indicated.

Based on this comparison, entitlement matrix presented in this RAP is designed to assist the process by bridging the gaps between requirements under Nigeria Law and the World Bank OP4.12.

In comparison and bridging the gaps between the requirements under Nigeria Law and the World Bank OP4.12 (Table 4.1), it is emphasized that the higher of the two standards/instruments (the more beneficial to the project affected persons) should be followed as it also satisfies the requirements of the lesser standard.

Table 5.1: Land Use Act and World Bank OP 4.12 - A Comparison

<table>
<thead>
<tr>
<th>Issue</th>
<th>Nigerian Law</th>
<th>World Bank OP 4.12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Owners: Statutory Rights</td>
<td>Cash compensation based on market value</td>
<td>Preference for land-for-land compensation. If not, cash at full replacement value, including transfer costs</td>
</tr>
<tr>
<td>Land Owners: Customary Rights</td>
<td>Cash compensation for land improvements; compensation in kind with other village/district land</td>
<td>Preference for land-for-land compensation, land of equal or equivalent value. If not, cash at full replacement value, including transfer costs</td>
</tr>
<tr>
<td>Land: Tenants</td>
<td>Compensation based on the value of residual rights held under the tenancy agreement. Entitled to compensation based upon the amount of rights they hold upon land.</td>
<td>Compensation based on value of residual rights held under the tenancy agreement, plus disturbance allowances, Are entitled to some form of compensation whatever the legal recognition of their occupancy.</td>
</tr>
<tr>
<td>Agricultural land users</td>
<td>No compensation for land; compensation for standing crops according to values established from time to time by State governments. Not entitled to compensation for land, entitled to compensation for crops.</td>
<td>Compensation in kind or cash for value of land; compensation at full replacement value for lost crops and economic trees and perennials, fully verifying or updating state lists of values, Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels at least.</td>
</tr>
<tr>
<td>Owners of structures</td>
<td>Cash compensation based on market values, taking account of depreciation (Cash compensation based on market value for Owners of &quot;Non-permanent&quot; Buildings)</td>
<td>In-kind compensation or cash at full replacement value including labor, relocation expenses, and transfer costs. Added disturbance allowances .Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of &quot;Non-permanent&quot; Buildings</td>
</tr>
</tbody>
</table>

Cash Compensation is based on Cash compensation based on market values, taking account of

In-kind compensation or cash at full replacement value including labor, relocation expenses, and transfer costs. Added disturbance allowances .Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of "Non-permanent" Buildings
<table>
<thead>
<tr>
<th>Losers of livelihoods (farmers, business people, employees)</th>
<th>Key objective is restoration of capacity to generate incomes at least at levels prior to losses. Programs of assistance to achieve this objective. Compensation for periods of lost income.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grievance procedure</td>
<td>The grievance mechanism will be set up as early as possible in the process, to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons and/or members of host communities, including a recourse mechanism designed to resolve disputes in an impartial manner. The grievance mechanism, process, or procedure should address concerns promptly and effectively, using an understandable and transparent process that is culturally appropriate and readily accessible to all segments of the affected communities, at no cost and without retribution.</td>
</tr>
<tr>
<td>Rejection of Compensation</td>
<td>Where compensation to an affected person in accordance with an approved resettlement plan has been offered, but the offer has been rejected, the taking of land and related assets may only proceed if the project owner has deposited funds equal to the amount offered as compensation plus 10 percent in a secure form of escrow or other interest-bearing deposit satisfying the Bank’s fiduciary requirements. The project owner must also provide a means satisfactory to the Bank for resolving the dispute concerning the offer of compensation in a timely and equitable manner.</td>
</tr>
</tbody>
</table>

Adapted from the Resettlement Policy Framework for the Project, April, 2006, Revised April 2013

### 5.3 Entitlement Matrix for Various Categories of PAPs

Based on the comparison between Land Law in the Federal Government of Nigeria and Bank OP4.12, an entitlement matrix has been designed (Table 5.2). This bridges the gaps between the requirements under Nigeria Law and the World Bank OP4.12 and ensures that the higher of the two standards is followed, since the requirements of the lesser standard are also satisfied. The missing values in the entitlement matrix will be determined at the time the resettlement plans ([A]RAPs) are being negotiated and prepared.

<table>
<thead>
<tr>
<th>Type of Loss</th>
<th>Entitled Person</th>
<th>Description of Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Damage to land (such as abutting sub-project site) 2.1. By excavation etc. from borrows for earth for construction. 2.2 By severance of agricultural holding</td>
<td>2.1. (a) Legal owner/s (b) Village/s or clan/s with customary ownership 2.2. (a) Legal owner/s (b) Village/s or clan/s with customary ownership</td>
<td>2. 1 (a) &amp; (b) Restoration of land to pre-construction condition or cash compensation at prevailing rates for necessary bulldozer/tractor hours to restoring level and/or truckloads of earth for fill 2.2 Provision of water course to connect severed segment with source of water</td>
</tr>
<tr>
<td>4. Permanent loss of Structures 4.1 Offices, Residential and commercial structures</td>
<td>4.1. (a) Owners of the structures whether or not the land on which the structure stands is legally occupied</td>
<td>4.1. (a) Cash compensation for loss of built-up structures at full replacement costs Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure. In case of relocation, transfer allowance to...</td>
</tr>
</tbody>
</table>
Type of Loss | Entitled Person | Description of Entitlement
---|---|---
(b) Renters | cover cost of Shifting (transport plus loading/unloading) the effects and materials will be paid on actual cost basis or on current market rates. (b) One-time cash assistance equivalent to 4 months rent moving to alternate premise. Transfer allowance to cover cost of shifting (transport plus loading/unloading) personal effects paid on actual cost basis or on current market rates.
4.2. Cultural, Religious, and community structures /facilities School, church, water channels, pathways, and other community structures/installations | 4.2. Community | 4.2. Complete rehabilitation/restoration by the Project; or, Cash compensation for restoring affected cultural/community structures and installations, to the recognized patron/custodian.
5. Special provision for vulnerable APs 5.1 Restablishing and/or enhancing livelihood | 5.1 Women headed households, disabled or elderly persons and the landless | 5. Needs based special assistance to be provided either in cash or in kind.
Unanticipated adverse impact due to project intervention or associated activity | The Project team will deal with any unanticipated consequences of the Project during and after project implementation in the light and spirit of the principle of the entitlement matrix.

5.4 Eligibility Criteria
There are three basic categories of eligibility for resettlement benefits:

i) Persons holding legal title (or the equivalent in customary-law) to the land they occupy or use to derive their livelihood. This shall be entitled to receive compensation for their assets at replacement value.

ii) Persons lacking title but with legal rights that can ratified by recognized legal process, e.g. heirs to an estate.

iii) Persons with no legal or legitimate claim to the land they occupy or use.

Those having legitimate rights shall receive assistance to regularize their status and shall be treated just as those having legal rights.

Persons having no legal rights to land under law may not be compensated for the land they occupy but they are entitled to compensation for other assets (e.g. housing) and to receive assistance. In practice, this may mean that squatters and other non-legal occupants receive the same entitlement as those having legal rights.

The census carried out has enabled the identification of those affected and eligible for assistance and the nature of assistance.

The entitlements, as the case may be consist of replacement housing, replacement land, building lots, or cash compensation. Under Bank Policy, cash compensation is only appropriate when there is an active market in land or housing and where such assets are actually available for purchase. Communal rights to land and other assets are recognized. Clans, lineages and other community property have been subjected to the same procedures as for privately held land. In such cases, traditional law may be taken into account.

Tenants may be granted resettlement entitlements along with owners or they may be given a subsidy to find a new rental property. Entitlements shall include transitional support such as moving expenses, assistance with food and childcare during a move and other needed support.
All PAPs irrespective of their status, whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the project area before the cut-off date. The eligibility criteria for compensation are outlined in Table 5.3.

Table 5.3: Eligibility Criteria for Compensation

<table>
<thead>
<tr>
<th>PAP Classification</th>
<th>Eligible for Compensation</th>
<th>No Compensation</th>
<th>Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Those with legal right</td>
<td>Land or asset at replacement cost</td>
<td>For land, assets, and structure on the land</td>
<td>Assistance as needed</td>
</tr>
<tr>
<td>Those with no legally recognised right</td>
<td>Assets at replacement cost except that compensation may be “topped off” to allow the PAP to acquire a new residence.</td>
<td></td>
<td>Assistance as needed</td>
</tr>
<tr>
<td>Those with business located within the site area</td>
<td>Assets and lost income as a result of lost business during project duration</td>
<td>For business located in Site area date and outside the affected area.</td>
<td>Assistance as needed</td>
</tr>
</tbody>
</table>

* For losses that cannot easily be valued or compensated for in monetary terms, in-kind compensation may be appropriate.
CHAPTER SIX VALUATION AND DESCRIPTION OF COMPENSATIONS

6.0 Introduction
In this Chapter the description of the valuation methodology and compensations are presented based on the updated situation on the corridors.

6.1 Valuation Methodology
The methodology used is outlined below:

6.1.1 Replacement Cost Method
Current Market value of asset within the project area was used to determine the compensation rate for Economic Trees and land. This was determined via market survey of land per square meter and the market prices of the affected Trees in the project areas.

DaLA method is used in this study to determine compensation for economic trees because of its robustness and advantage over the traditional method of assessing the cost of an economic tree. DaLA method states that market value of yield per tree for the current season (agricultural season) and cost of re-planting and nursery should be used to determine the compensation rate for the economic tree while the Traditional Method equates the capital of the existing structure/tree to the cost of reinstating the structure/tree on the same type of plot at the current labour, material and other incident costs.

6.1.2 Land Resettlement
The World Bank OP 4.12 requires that displaced owners of land be provided with an area of land equivalent to their displaced land. It states that land restoration should be in a location that has similar value as the one displaced to the project. There is no landtake for the proposed intervention project.

6.1.3 Valuation of Structures and Cost of Materials and Transportation
Some of the structures affected in the project area are primarily not for investments purposes. Rather than reproduction cost (cost of constructing an identical structure by using the same design and materials), Replacement cost (cost of constructing a substitute structure of equal utility using current materials, design and standards) have been used in the valuation.

PAPs will be allowed to dismantle their structures and reuse them at relocated locations. In addition, SPMU will provide supplementary assistance to affected PAPs. Rates of cost of labour and transportation allowances have also been built in. The current rates in the market have been used.

6.2 Compensation and Other Resettlement Assistance
A description of the packages of compensation and other resettlement measures that will assist the PAP in order to achieve the objectives of this plan have been designed as indicated in Appendix 6.1. In addition to being technically and economically feasible, the resettlement packages are seen to be compatible with the cultural preferences of the displaced persons, and prepared in consultation with the PAPs. The RAP Implementation Committee shall make the offer to the PAPs during the implementation.

The notification for payment will include how payments will be made and when. The peculiar local security situations should be taken into consideration by the SPMU in reaching out to the PAP for payments.

6.3 Compensation Payment and Procedures for Delivery of Compensation
The main objective of the RAP is to develop programmes that aim to improve the livelihoods of PAPs or restore them to the pre-displacement levels. Where impact on land use is such that sustainability of livelihoods may be affected, preference will be given to land for land compensation rather than cash payouts. This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their sustainability.

The following principles should be followed for payment of compensation for lost assets
- Compensation shall be paid prior to acquisition or displacement (site already disserted);
- Compensation will be at replacement cost;
• Compensation for structures shall include: the full cost of materials and labour required for reconstructing a building of similar surface and standing.
• Compensate all the PAPs adequately for properties and income lost.
• Check and ensure that resettlement was built in as an upfront project cost to avoid inadequate compensation.
• Depreciation will not be taken into account while calculating the cost of affected structures.
• Compensation package will also include cost of moving, such as transport costs as well as any associated land titling or transfer fees.
• All payments should be in kind/monetary forms as agreed with the PAP by the Resettlement and Compensation Committee. This committee will include members of the SPMU and selected community leaders from the affected location and site committee members.
• Compensation benefits shall be settled before the construction phase of the project.

The procedure for delivery of compensation shall include:
• Full payment of compensation carried out before possession of acquired sites.
• Formally making offers to affected persons and allowing persons to accept or reject offer, offer a counter claim and seek redress under the grievance procedures established.
• Implementation committee communicates the amount to be paid to the PAPs.
• Transfer to individual accounts is the preferred and first mode of payment. SPMU shall make arrangements with nearest bank to effect payments without any challenge to the PAPs.
• Necessary document of payments to the affected persons should be presented to local land/Asset Valuation Committee from the local government and/or other independent witness of the affected person and leaders of the communities.
• Proper receipts issued and copies given to the affected person, the Finance Department of SPMU;
• Comprehensive reports on payment made submitted for review by SPMU Management.

6.4 Livelihood Restoration
*Emphasis of NEWMAP is directed on the need of livelihood support,* for example, for those most affected by erosion and intervention works (the poor, landless, disabled and female-headed households). In this instance, the affected person is the local government entity. Thus, the community liaison and support professional working with the Local Government will provide technical services to ensure groups and/or individuals from the local government are selected in the community, especially women to develop appropriate plans with specific livelihood activities that will be supported in terms of hands-on instruction with short and long-term focus on mitigating the impact of the erosion and supporting the remedial work carried out.

Some of the specific strategies that could be give attention are outlined below:

6.4.1 Restoration strategies
1. Livelihood Identification and Preparation Support
The community liaison and support professional will work closely with the Community Associations (CAs) that may wish to develop group activities. Community Associations will receive training -- according to identified needs -- in small business development and developing business plans, basic bookkeeping, banking, accessing commercial finance, marketing, customer relations, leadership and team building, customer relations, leadership and team building.

2. Livelihood Sub-grants for Income, Skills and Employment Opportunities
The SPMU will provide grants to Community Associations to implement community selected by the Community Associations and/or individuals. The community sub-projects will include:

(i) those which generate income, and/or
(ii) those which provide technical skills that could lead to employment opportunities or new start-ups.

Eligible activities may include:
• Geo-textile manufacture from coconut-palm leaves and husks, other crop residues and other materials.
• Gabion box manufacture.
• Retrofitting homes, schools and other structures for rainwater harvesting.
• Construction skill training on gabion box installation/erection and other masonry/concrete works for the affected communities to work on the project.
• Developing permeable surfaces for parking lots.
• Horticulture on reclaimed lands.
• Seedling nurseries for fruit trees and other species, operated by women.
• Planting/protection of moringa (*moringa olifera*) or other locally appropriate trees for soil stabilization, food products and other economic and environmental benefits.
• Vetiver grass nurseries for use in gully stabilization.
• Grass-cutter and other small livestock, mushroom, and snail production.
• Beekeeping and honey production.
• Establishing small retail-shops.
• Skill training in the service sector, such as auto and small machine mechanics, bicycle repair, welding, tool sharpening, food production and sale.
• Specialized marketing facilities such as private warehouses and transport equipment.
• Skills for employment in local industries could also be taught such as environmentally friendly rock quarrying, or sawmill operation, security-related activities depending on needs in local labour markets.
• Other activities consistent with the objectives of the project.
• Computer skill training and community IT centres.

Technical support will be provided by the community liaison and support professionals, Community Associations and individuals to identify and develop suitable, market driven livelihood options. Selection criteria may be those people most affected most by gully erosion/intervention works, the poorest in the community, and women.

3. Household and Community Water Harvesting
For an added, tangible economic incentive to communities to get involved in erosion reduction and climate adaptation, procurement of household rainwater harvesting cisterns and associated equipment for each household mobilized within project sub-catchments.

SPMU will ensure and fund or procure small works, goods, services, operating costs, and training with the following indicative procurement categories:
• 60% goods (cisterns, gutters and drainage pipe, valves, etc.).
• 40% services (design, supervision, labour for installation, training to beneficiaries for maintenance of structures, transport and other services).
• Maintenance and labour provided in-kind by community.

6.5 Protection of Cultural Heritage and Graves
Though none of these assets were identified, the protocols to mitigate any adverse effects include continual consultation with traditional authorities and local community members. And in the event of any other discovery of other cultural resources, stop work immediately, the site protected, and appropriate measures implemented.

6.6 Places of Worship/Offerings
As at the time of the census and consultations, no place of worships was identified to have been affected. Thus no compensation is expected in this regard.

6.7 Environmental Protection and Management
*Paripassu*, alongside this ARAP, an Environmental and Social Management Plan (ESMP) has been prepared to address adverse impacts during the work. Thus this section should be read and understood as well as applied in light of the ESMP.
CHAPTER SEVEN  PUBLIC PARTICIPATION AND CONSULTATIONS

7.1  Introduction
The Public Consultation process for the project began during the early stage of reconnaissance level-survey. This has further been enriched through interactions and consultation with the relevant stakeholders in the course of the preparation of this RAP. Public consultation and participations are essential because they afford PAPs and the general public the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts. The more direct involvement of the local level people in the planning and management processes, the greater the likelihood that resource use and protection problems will be solved as well as the likelihood of development opportunities occurring in a balanced way and to the broad benefit of all communities in the project.

7.2  Objective of the Consultation
Providing adequate information to affected communities and stakeholders reduces the potential for conflicts, minimizes the risk of project on communities and enable resettlement and compensation a comprehensive development programme.

In Specific terms, the sensitization campaign and public consultation sought to achieve the following:

- Inform stakeholders of the project activities and provide adequate information on the project, its components and its activities with affected communities.
- Establish grievance and effective complaints mechanism on the project.
- Obtain vital information about the needs and priorities of affected settlements.
- Inform the PAPs and the communities about various options of resettlement and compensation.
- Obtain cooperation and support of the project affected persons
- Ensure accurate and transparent resettlement and rehabilitation process for Project affected Persons.

7.3  The Stakeholders
Stakeholders for the purpose of this project are defined as all those people and institutions that have an interest in the successful planning and execution of the project. This includes those positively and negatively affected by the project. The key stakeholders identified and consulted included the political leaders in the relevant local government areas, community heads, other opinion leaders in the communities, individual people who own properties that are directly or indirectly affected, special interest groups such as CBOs, etc.

7.3.1  Level of Stakeholder Engagement
The extent of stakeholders’ involvement was based on the relevance or significance of the impacts which was considered relatively small because it affected few numbers of PAPs. The affected persons were more consulted in order to appreciate their concerns and views about the project and others for their opinions with regard to ensuring sustainability of the project.

7.3.2  Consultation Strategies
The process of resettlement and public participation includes both information exchange (dissemination and consultation), and collaborative forms of decision making. Information dissemination and consultation with stakeholders, especially the Project Affected Persons (PAPs) means transfer of information from Project proponents to the affected population. It provides an opportunity for all the communities in the areas to raise issues and concerns pertaining to the project, and allow the identification of alternatives and recommendations.

Specific objectives of the public information campaign and public consultation include: fully share information about the ongoing project, its components and its activities, with affected people, obtain information about the needs of the affected people, and their reactions towards proposed activities, ensure transparency in all activities related to land acquisition and compensation payments and ask local residents especially the interested and Affected Parties about the problems anticipated with the project and how these can be overcome.
The consultation process ensured that all those identified as stakeholders, especially the project affected persons were consulted. One-to-one meeting was used during the census survey of the socio-economic activities along the corridors in addition to the other meetings held with other relevant stakeholders at local government secretariat and at residences of community head to interact with the opinion leaders in the host community.

7.4 Discussion with Stakeholders and Summary of Outcome Conclusion

At the meetings, the overview of the project and appreciation of RAP implementation and other related information were presented to the stakeholders. Furthermore, the challenges emanating from the implementation of the project and the support needed/given from all parties to ensure effective project and successful implementation were also discussed.

Stakeholders and affected persons expressed happiness and willingness to support the project. Stakeholders were commended for their willingness to support the project. Plates 7.1 depict some of the stakeholders Met. The highlights of the meetings are presented in Appendix 7.2 with a list of those met. Below is a summary of outcome of the consultations:

- We are happy and commend the State Government and the World Bank for the noble initiative
- We are also happy with the resettlement content in the project implementation as it will not deprive those affected of their means of livelihoods.
- We will give moral support to the Government in the implementation of the project.
- All affected persons are aware that they are required to give the right of way for the project and are ready to do that because of the overriding public interest
- Generally, PAPs are aware about the project and are happy with the resettlement plan content of the project.
- The contractors should employ the local youths from the various affected communities
- Affected Persons without legal title to property should not be excluded from compensation/resettlement plans

Table 7.1 provides a summary of the concerns raised by the stakeholders’ and how they were responded to during the meetings or how the project addresses them.

<table>
<thead>
<tr>
<th>S/No</th>
<th>Stakeholders View/Concern</th>
<th>How it is addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>A laudable project and hope the project will not stop until completion because it has threatened our lives even</td>
<td>We thank you</td>
</tr>
<tr>
<td>2.</td>
<td>To what extent will the work go ie will it extend to the entrance of the L. G. A. complex where a new head is forming?</td>
<td>The main area of work is the local government area</td>
</tr>
<tr>
<td>3.</td>
<td>When will the work commence? This is because the community spring water (Iyiezi) is being threatened by the erosion after the first one (Etee spring) has been completely buried with erosion earth deposit.</td>
<td>The Work shall commence once all the preparatory stage is completed.</td>
</tr>
<tr>
<td>4.</td>
<td>What are the criteria for compensation?</td>
<td>PAPs will be compensated based on local current market value/ replacement values and in line with provisions of the RAP being prepared which is based on best international standard. Compensation is only paid when the gully reclamation work affects the asset.</td>
</tr>
<tr>
<td>5.</td>
<td>Complains should not be neglected when made</td>
<td>That is the essence of grievance mechanism in RAP to handle any arising complains to the satisfaction of the aggrieved.</td>
</tr>
</tbody>
</table>
7.5 Public Disclosure of RAP

SPMU will publicly disclose this RAP, in English and in local language, where needed and make copies available and distribute with a letter accompanied to local government authorities concerned. This could be done by: a) publishing it on SPMU’s website; b) depositing/posting it in a range of publicly accessible places such as, Traditional Heads’ palaces and community squares where they could be protected and not abused. In addition, SPMU will ensure that the affected public is adequately sensitized through public meetings, notices, and handbills/information booklets.

Once this RAP is disclosed, the public have to be notified both through administrative structures and informal structures about the availability of the RAP documents and also be requested to make their suggestions and comments. The complete approved RAP will be made available in easily accessible locations in or near the affected areas. Once disclosed in Nigeria, SPMU will authorize the WB to disclose at its Info-shop in Washington DC.
CHAPTER EIGHT      RAP IMPLEMENTATION - INSTITUTIONAL ARRANGEMENT

8.0 Introduction
NEWMAP involves many Federal and State Ministries, Departments and Agencies (MDAs), as well as local governments and communities as shown in Appendix 8.1. As such it requires cross-ministerial and cross-state coordination, collaboration, learning and teamwork in a highly-systematic manner, with clearly defined roles and responsibilities.

This RAP recognizes this and has developed institutional arrangements amongst public agencies with local communities and project affected persons with a view to ensuring good project management. The roles and responsibilities of the participating parties in collaborative efforts are well outlined. A gap has been identified in terms of capacity building and training of these stakeholders and this has been highlighted in this chapter in terms of measures designed for strengthening their capabilities to carry out their respective activities.

Also presented is the budget and cost for the RAP implementation.

8.1 Organisational Arrangement - Roles and Responsibilities
The implementation of the RAP shall require close collaboration among all the stakeholders. A properly constituted structure for administration of its implementation is imperative and agreement must be reached from the onset with the relevant parties. The roles and responsibilities of all the various stakeholders relevant in the development, implementation and administration of the RAP and to an extent in the overall project management are outlined below:

1. State Project Management Unit (SPMU)
The SPMU, as the implementing authority, headed by Project Coordinator (PC) & Authorized to take decision on financial matters within the provided budget, has the mandate to:
   • Develop and implement RAPs and other safeguard instruments.
   • Drives activities of procurement, capacity building, service-provider mobilization, and monitoring and coordinating the many participating MDAs at State and Local Government levels.
   • Study in detail the RAP, and based on the review of the RAP prepare a detailed action plan and time table for the day to day RAP implementation;
   • Organize the necessary training and capacity building measures for the unit itself and for other partner organizations and committees;
   • Establish all local level institutions and committees which will participate in the implementation of the RAP and provide them with the necessary training and capacity building measures;
   • Coordinates and undertake compensation activities in accordance with the principles and procedures specified in the RAP;
   • Implement the income restoration and social development programs and project in accordance with the principles and procedures specified in the RAP;
   • Ensure the systematic undertaking of monitoring, review and evaluation of the RAP in accordance with the framework and guidelines provided in the RAP and store the data and information collected in a data base;
   • Based on the findings of the monitoring and review take corrective actions and submit monitoring and review reports to the relevant higher bodies for timely corrective measure.
   • Facilitate the discussion between PAPs and communities regarding compensation for land acquired for the projects;
   • Implement the RAP including their involvement to redress complaints and internal monitoring.
   • Cooperate through a Steering Committee that provides guidance to the technical aspects of all project activities;
   • Maintain and manage all funds effectively and efficiently for the projects.
   • Organize the necessary orientation and training for SPMU officials so that they can carry out consultations with communities, support communities in carrying out RAPs and implement the payment of compensation and other measures (relocation and rehabilitation entitlement) to PAPs in a timely manner;
   • Ensure that progress reports are submitted to the World Bank regularly.
2 **SPMU Social Safeguard Officer**
- Initiate Resettlement Action Plan (whenever the project involves displacement of homes or businesses) or land acquisition of any kind.
- Review and approve Contractor’s Implementation Plan for the social impact measures as per the RAP.
- Liaise with the Contractors and the SPMU on implementation of the RAP.
- Coordinate on behalf of SPMU day to day activities with the relevant line departments and oversee the implementation of RAP instrument, prepare compliance reports with statutory requirements, etc.
- Monitor and supervise regularly the implementation of RAP.
- Observe payment of Compensation to PAPs.
- Identify and liaise with all relevant Stakeholders pre and post Project implementation.
- Sensitization of and Consultations with relevant Stakeholders during and after (where necessary) Project Implementation.
- Charged with the responsibility of safeguard requirements and ensuring the sustainability of project.

3 **Monitoring & Evaluation Officer/Consultant**
- Develop the monitoring and evaluation protocol.
- Conduct monitoring of RAP implementation activities.
- Provide early alert to redress any potential problems.
- Monitor target achievements and slippages.

4, **State Steering Committees (SSCs)**
- Apex decision-making bodies for the operation in the State.

5 **State Technical Committees (STCs)**
- Reviewing and updating the Joint Annual Work Program for State NEWMAP activities (each activity identifies a lead MDA as provided for in the work plan).
- Developing inter-sectoral MOUs if needed.

6 **NEWMAP Technical Officer**
- acts as a link between the SPMU and the LGA;
- sits at the LGA where the site intervention is taking place.

7 **STATE PMU ENGINEER**
- Provide technical support

8 **Individual MDAs (State and Federal Levels)**
- participate deeply in the annual joint work programming process facilitated by the Federal/State PMU.

9 **Resettlement Implementation Committee (RIC)**
- Carry out meeting with each PAPs.
- Provide all necessary information to the PAPs regarding guidance value and basis for calculation of prices offered.
- Negotiate and firm up the final consent price.
- Intimate the decision for payment of compensation to the PAPs.
- Ensure the Implementation of the RAP without any conflict.
- Ensure that the project design and specifications adequately reflect the recommendations of the RAP.
- Establish dialogue with the affected persons and ensure that the concerns and suggestions are referred to SPMU for appropriate response and management.
RAP for Nguzu Edda (Afikpo South LGA Headquarters) Gully Erosion site in Ebonyi State

All members of RIC must be people who are knowledgeable in the use of local mechanism to settle grievances and who can ensure equity across cases and also be in position to know and eliminate nuisance claims and satisfy legitimate claimants at low cost.

To ensure a broad representation with the intent of minimizing any conflict, it is recommended that a Resettlement Implementation Committee (RIC) be set up and members be drawn from amongst the following:

- Affected Local government Chairman as Chairman
- Physical Planning /land officer and forester
- Representative of affected Communities,
- PAPs represented by local trade /Union leaders
- Coordinated by the Safeguard Unit of SPMU.
- Rep of the Site Committees

10 Federal Project Management Unit (FPMU)
- Provides an oversight and advisory role in overall project management including resettlement planning and implementation
- Establishes and maintains the project management systems
- reinforce the State level structures
- Supervises through missions

11 Federal Steering Committee
- Direct the FPMU in overall project coordination, alignment of project content and approach, and oversight of activities taking place across participating State.

12 Federal Ministry of Environment (FME) is the lead coordinating agency
- Lead coordinating agency and hosts the Federal Project Management Unit (FPMU).

13 Ministry of Lands, Survey, Physical Planning & rural Development
- Ensure compliance on matters of Land Acquisition and compensation and other resettlement issues,
- Verification of selected sites for resettlement and ensuring that such sites are ideally suitable for affected people.
- Invoke the physical planning and urban development law along the roads.
- Make appropriate recommendation and input in the resettlement process
- Ensuring that affected people are adequately compensated as stated in this report.

14 Local Government
Though a PAP in this instance,
- Coordinates activities at local level during the preparation and implementation of RAPs such as activities for determining the cut-off date and for actually implementing the resettlement, and for handling any grievances and complaints.
- Responsible for the appraisal of properties affected by the project.
- Provide additional resettlement area and amenities if the designated locations are not adequate.
- Engage and encourage carrying out comprehensive and practical awareness campaign for the proposed project, amongst the various relevant grass roots interest groups.
- Appoint a suitable Desk Officer for RAP information management
- Participating in sensitization of all communities
- Participate in resolving grievances ;
- Monitor implementation of projects and activities of Operational Officers;
- Liaises with State PMU
- Convenes and helps mobilise affected communities within and across targeted sub-catchments
- Oversees community facilitators
- O&M oversight of works
- SPMU Participates in site-committees
15 **Community Liaison and Support Professional**
- A liaison between the watershed community/communities and the SPMU
- in close contact with community members on a frequent and continuous basis,
- Assist in the formulation of community plans for livelihoods.
- Community sensitization and social mobilization.
- Assisting communities to form a representative Community Association.
- Helps the community to identify, select and implement livelihood sub-projects.
- Mobilizes cooperative labour for physical works.
- Provides support to the community for participatory monitoring.

16 **Technical Officer in Local Government Areas**
- Act as liaison to SPMU, MDAs and other organisations working with communities.
- Provide senior technical skill-set and advisory services to communities and LGAs.
- Convene affected and directly participating communities (liaising with neighbouring LGAs as needed).
- Closely interact with community stakeholders and the community facilitators.
- Support site monitoring.

17 **Site Committees/ Community associations (CA) sub-grants (Local and community actors)**
- Site oversight.
- Identifies erosion problems and helps select and monitor solutions.
- Selects livelihood opportunities.
- Oversee physical works.
- Participate in site monitoring.
- Cooperate with neighbouring communities and LGAs as needed for trans-boundary sub-catchments.

18 **Community Interest Groups (CIGS)**
- Coordinate community inputs to sub-catchment planning, implementation and monitoring, with guidance from support professionals and technical providers such as extension agents.
- Participating in site monitoring.
- Mobilise Youth and Women’s groups.

19 **Grievance Redress Committee**
- Receive, assess and process and decide on complaints related to compensation assistance
- Support PAPs in resolving issues related to R&R.
- Record grievance and resolve them within stipulated time.
- Inform SPMU about any serious cases.
- Report to the aggrieved parties about the decisions regarding them.

20 **Contractors**
- Comply with relevant contract clauses on resettlement issues
- Establish good community relations;
- Train the workforce, and avoid any form of discrimination in terms of gender, religion or tribe;
- As much as possible employ the workforce from the project catchment area, and also make procurement therein;
- Try to provide local infrastructure and services in the course of executing the project;
- Ensure that workers and site staff are sensitive to the customs and way of life of the communities.
- Promptly repair any damage to utility services or infrastructure of the community in implementation of the project;

21 **Traditional authority**
- Support in the identification of the right PAPs
- Assist in resolving grievances of PAPs
- Ensures that social values are not interfered with.
22 **Project Affected Persons (PAPs)**
   - Receive compensation and move away from impact areas promptly
   - Coordinate with the survey team/Resettlement Committee in carefully checking and signing off their affected lands and other assets as well as their entitlements;
   - Make themselves available during census and participation in implementation;
   - Provide feedback on improving the quality of the RAP and suggesting solutions for its effective implementation and
   - Submit concerns through the right grievance redress channel

23 **CSOs/CBOs/Trade Unions**
   - Assist in resolving grievances of PAPs
   - Support and assist in the mobilization of the various relevant grass roots interest groups.
   - May have complaints that need to be resolved in the execution of the project with a view to avoiding conflicts and grievances.
   - Serve as witness in compensation process and Monitoring and Evaluation

24 **World Bank**
   - Maintains an oversight role to ensure compliance with the safeguards policies, review and provide clearance and approval for the RAP.
   - Conduct regular supervision for satisfactory RAP implementation, fulfillment of community liaison and provide support role throughout the project implementation, and monitor the progress of the project construction.
   - Recommend additional measures for strengthening the management framework and implementation performance.
   - In case the WB considers the implementation to be not acceptable and no improvements can be expected, it will require that institutional capacity building measures be taken to strengthen the SPMU

8.2 **Resettlement Activities and Responsible Party**
Table 8.1 outlines specific resettlement activities and the responsible parties drawn from the roles and responsibilities indicated in Section 8.1.

**Table 8.1: Resettlement Activities and Responsible Party**

<table>
<thead>
<tr>
<th>NO</th>
<th>ACTIVITY</th>
<th>RESPONSIBLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Coordination of Activities</td>
<td>SPMU</td>
</tr>
<tr>
<td>b.</td>
<td>Vetting of request for compulsory acquisition of land, Oversight of land expropriation and land issuance of titles to resettled PAPs.</td>
<td>Ministry of Lands and survey</td>
</tr>
<tr>
<td>c.</td>
<td>Organisation and implementation of, socio-economic studies, census of affected people and valuation of affected assets,</td>
<td>SPMU, Local Government Authority, Community rep, consultant, Site Committee</td>
</tr>
<tr>
<td>d.</td>
<td>Notifications, Request for proof of eligibility, Consultations, Valuation of Affected Assets.</td>
<td>SPMU (Resettlement Consultant), Local Government Authority/Forestry Department, PAPs, Site Committee</td>
</tr>
<tr>
<td>e.</td>
<td>Consultations, planning and Preparation of RAP</td>
<td>SPMU/Consultants, Site Committee</td>
</tr>
<tr>
<td>f.</td>
<td>Review of RAPs</td>
<td>SPMU and World Bank</td>
</tr>
<tr>
<td>g.</td>
<td>Disclosure of RAP</td>
<td>SPMU</td>
</tr>
<tr>
<td>h.</td>
<td>Internal Monitoring</td>
<td>SPMU</td>
</tr>
<tr>
<td>i.</td>
<td>External Monitoring and Approval</td>
<td>Site Committee, NGOs/CBOs, Consultants, Communities, World Bank</td>
</tr>
<tr>
<td>j.</td>
<td>Preparation of Monitoring and Evaluation Report of RAP and Disclosure</td>
<td>SPMU</td>
</tr>
<tr>
<td>k.</td>
<td>Establishment of Resettlement &amp; Rehabilitation Committees</td>
<td>SPMU</td>
</tr>
</tbody>
</table>
### NO | ACTIVITY | RESPONSIBLE
--- | --- | ---
1. | Establishment of Grievance and dispute resolutions Committee | SPMU, Grievance Committee
2. | Procedures for dispute resolutions and actual dispute resolutions | Grievance Committee
3. | Organization of necessary training and capacity building measures for the different units and other partner organizations and committees | PC, Social Safeguard Officer
4. | Disclosure/notification of values. Making of offers/negotiation and payment modalities, meeting with PAPs, etc | Resettlement & Rehabilitation Committees
5. | Release of funds for payment and Compensation Payments | SPMU
6. | Review and approve the Contractor's Implementation Plan for the social impact measures as per the RAP | Social Safeguard Officer
7. | Taking possession of site | SPMU, Contractor
8. | Adherence to contractual clauses in procurement to contractors, promptly reporting of any conflict and disputes raised during construction and ensuring that all mitigation measures required from the contractor during construction are fully applied. | SPMU, Contractor
9. | Representation of SPMU/government for any law court redress cases | SPMU, State Attorney General’s Office

### 8.3 Strengthening Organizational Capability
Based on the interaction with the relevant stakeholders, assessment and determination of the characteristics of all project affected persons (PAPs), valuation of assets to be compensated as well as the assessment of the institutional capacities of the different parties involved in the RAP implementation, areas of awareness creation and training/capacity building have been identified for successful implementation of this RAP (Table 8.2).

It is the responsibility of Social Safeguard Officer to ensure that all identified members of the implementation team are trained prior to implementation of resettlement and compensation and the SPMU provides the budget.

### 8.4 Budget and Cost
A detailed inventory of all affected assets provides the basis for estimating the compensation and assistance costs. This Section provides information on the estimated budget for the overall implementation of this RAP and source of funds.

#### 8.4.1 Budget and Cost Estimate
The total cost implication for the implementation of the RAP is **N6,550,000.00** (Six Million, Five hundred and fifty thousand Naira) only in the Table 8.3. This sum is expected to cover compensation assets affected and additional mitigations for livelihood restoration measures, coordination of additional mitigations, grievance management and compensation commission.

In addition, a provision of 10% of this total budget for contingencies such as inflation that shall be allowed and added to the current budget.

SPMU is the source of this fund for the payment of the necessary compensations and mitigation measures and overall implementation of the RAP.
### Table 8.2: Awareness and Capacity Building Needs of Relevant Stakeholders

<table>
<thead>
<tr>
<th>S/n</th>
<th>Duration</th>
<th>Subject</th>
<th>Target Audience</th>
<th>Resources</th>
<th>Budget (N)</th>
</tr>
</thead>
</table>
| 1   | 120mins  | Introduction to Social and Resettlement Issues  
|     |          | • Basic Concepts in Resettlement Issues  
|     |          | • Involuntary vs. Voluntary Resettlement  
|     |          | • Main issues associated with Involuntary Resettlement  
|     |          | • Nigeria legal and statutory requirements and World Bank Safeguard policies | SPMU Staff | • PowerPoint presentation  
|     |          |                                            |                                          | • Associated handouts | 100,000.00 |
| 4   | 1day     | Resettlement Action Plan Implementation  
|     |          | • Background  
|     |          | • Resettlement packages  
|     |          | • Consultations and negotiations with affected people  
|     |          | • Development of Resettlement sites  
|     |          | • Grievance Redress Mechanism | SPMU, members of Resettlement and Grievance Redress Committees | • PowerPoint presentation  
|     |          |                                            |                                          | • Associated Handouts | 100,000.00 |
| 5   | 1Day     | Social & Resettlement Considerations in Rural Development Projects:  
|     |          | • Social and Resettlement aspects arising during construction and operation stages  
|     |          | • Social and Resettlement Good Practices in public works and rural development  
|     |          | • Community Relations in Rural Project Management | Contractors, SPMU, LG, CBOs/CSOs | • PowerPoint presentation  
|     |          |                                            |                                          | • Associated Handouts | 200,000.00 |
| 6   | 120Mins  | Public Involvement and Consultation in RAP  
|     |          | • RAP Overview  
|     |          | • Community Participation and Consultation  
|     |          | • Monitoring and Evaluation | SPMU, LG, Contractors, Engineers, & relevant MDAs, Community leaders/CBOs/NGOs/PAPs | Handouts/fliers | 250,000.00 |
|     |          |                                            |                                          |                                               | 650,000.00 |

**Total**

### Table 8.3: Budget Estimate for the ARAP Implementation

<table>
<thead>
<tr>
<th>S/N</th>
<th>ITEM</th>
<th>COST (N)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Compensation for</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land/Structures</td>
<td>3,000,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Agricultural resources</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td><strong>3,350,000.00</strong></td>
<td><strong>3,500,000.00</strong></td>
</tr>
<tr>
<td>B1</td>
<td>Livelihood restoration measures/Assistance</td>
<td>1,500,000.00</td>
<td></td>
</tr>
<tr>
<td>B3</td>
<td>Grievance management</td>
<td>350,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td><strong>1,850,000.00</strong></td>
<td><strong>1,850,000.00</strong></td>
</tr>
<tr>
<td>C</td>
<td>Compensation Commission &amp; NGO witness</td>
<td>50,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Capacity building/Institutional Strengthening</td>
<td>650,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Disclosure and management</td>
<td>650,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td><strong>1,700,000.00</strong></td>
<td><strong>1,350,000.00</strong></td>
</tr>
<tr>
<td>D</td>
<td><strong>Total</strong></td>
<td><strong>6,550,000.00</strong></td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>+ Contingencies 10%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 8.5 Implementation Schedule

Before any project activity is implemented, PAPs will need to be compensated in accordance with this RAP and the resettlement policy framework that had been prepared. The schedule for the implementation of activities must be agreed to between the Resettlement Committee and the PAPs. These include the target dates for start and completion of all compensations before civil works completion for the project. The major component tasks for the RAP are outlined in Table 8.4
Table 8.4: Major Component Tasks and Schedule for the RAP Implementation

<table>
<thead>
<tr>
<th>Activities</th>
<th>2014</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation/Community participation and Information to people affected,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cut-off date announcement, Census and Socio-economic survey, Analysis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>data and identification of impacts, Definition of assistance measures and</td>
<td></td>
<td>March, 204</td>
</tr>
<tr>
<td>Preparation of RAP)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disclosure of RAP</td>
<td></td>
<td>April, 2014</td>
</tr>
<tr>
<td>RAP Implementation- Relocation/assistance- Compensation and/or</td>
<td></td>
<td>April – May, 2014</td>
</tr>
<tr>
<td>Supplementary assistance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rehabilitation/Civil Works - Commencement of project operations.</td>
<td></td>
<td>April – July, 2014</td>
</tr>
<tr>
<td>Follow-up Visit by Responsible Stakeholders/SPMU -</td>
<td></td>
<td>April, 2014 to December 2014</td>
</tr>
<tr>
<td>Income Restoration Assessment</td>
<td></td>
<td>Dec, 2014</td>
</tr>
</tbody>
</table>

8.5.1 Coordination with Civil Works
The resettlement program will be co-coordinated with the timing of civil works. The required co-ordination has contractual implications, and will be considered in procurement and bidding schedules, award of contracts, and release of cleared RoW sections to project contractors. The timing mechanism of this RAP ensure that no PAPs is displaced (economically or physically) due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for the PAPs.

The project will adhere to the following important principles in its implementation:
- No civil works contracts for proposed projects site will be initiated or where this has happened no further action will be taken compensation has been paid.
- No construction should be undertaken unless PAPs are compensated for their losses, and have received their resettlement entitlements in accordance with this RAP.
- Information sharing and consultation with PAPs will continue throughout the planning and implementation phase of the project, including the relocation and the restoration of livelihoods.
- A completion survey of the delivery of compensation and resettlement entitlements will be undertaken as per this RAP and other relevant instrument prepared for the project.
- The schedule for the implementation of activities must be agreed to between the Resettlement Committee and the PAPs such as:
  - target dates for start and completion of civil works, and
  - dates of possession of land that PAPs are using.
CHAPTER NINE  
GRIEVANCE REDRESS MECHANISMS

9.0 Introduction
The likelihood of dispute is much reduced because the few affected persons due to the erosion control project have been greatly consulted.

Nevertheless, in the event that grievances arise this redress mechanism has been prepared. Already, the affected persons have been helped to appreciate that there are provisions for addressing any complaints or grievances. The grievance procedure will further be made available to the affected person through project implementation.

From the start, it should be understood that formal legal mechanisms for grievance resolution tends to be a lengthy, costly and acrimonious procedure. Hence non-judicial, dialogue-based approaches for preventing and addressing community grievances are advocated.

The Grievance mechanisms designed herewith has the objective of solving disputes at the earliest possible time, which is in the interest of all parties concerned; it thus implicitly discourages referring such matters to the law courts for resolution, which would take a considerably longer time.

9.1 Grievance Redress Process
There is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs, and project conditions and scale.

In its simplest form, grievance mechanisms can be broken down into the following primary components:

- Receiving and registering a complaint.
- Screening and assessing the complaint.
- Formulating a response.
- Selecting a resolution approach.
- Implementing the approach.
- Announcing the result.
- Tracking and evaluating the results.
- Learning from the experience and communicate back to all parties involved.
- Preparing a timely report to management on the nature and resolution of grievances.

9.2 Grievance Redress Committee
The project will establish a Grievance Redress process. GRC will hear complaints and facilitate solutions; and the process, as a whole, will promote dispute settlement through mediation to reduce litigation. The main functions of GRC will be:

- to provide support to PAPs on problems arising out of eligibility for RAP-provided entitlements and assistance provided;
- to record the grievances of the PAPs, and categorize, prioritize and resolve them within one month;
- to inform SPMU of serious cases within one week; and
- to report to the aggrieved parties about the developments regarding their grievances and decisions of the SPMU, within one month.

The committee will suggest corrective measures at the field level itself and fix responsibilities for implementation of its decisions. In terms of implementation, all efforts will be made to first resolve the issue faced by PAPs at the field level.

After due interaction with the PAPs and relevant stakeholders the following persons have been suggested as those to constitute the GRC: Community head – as Chairman of the Committee, Site Committee member, PAPs Representative, local government, elected representative of the community at the LG, Affected local government Land officer and SPMU

As the first point of call for resolving grievances, a compliant desk to collate petitions, complaints, etc from aggrieved parties should be opened at the Local Government Secretariat manned by the Desk officer on
the project. He refers all the issues to SPMU who ensures appropriate channel of resolution of such grievances are reached with a view to resolving the issues.

Aggrieved parties have the options of reporting directly to SPMU via Telephone calls, SMS and e-mails for action.

As the first order of call in resolving grievances, the Site Committee members will deal with any grievance that comes up. This will ensure equal treatment across cases and elimination of nuisance claims and satisfy legitimate claimants at low cost.

If this fails, the Community head will intervene in resolving the grievances.

Should this fail, the Local Government Desk Officer, who liaises with the Site committee members and the Grievance Committee as well as the SPMU will try and resolve the grievance.

If this fails, the Traditional Head rather than the local government Chairman will step in.
If this fails as well, the Social Safeguard Specialist of the SPMU who will liaise with the Resettlement Implementation Committee will deal with the issues of grievance.

If this fails aggrieved party will have the option of resolving the issues with the Project Coordinator of SPMU. If the Project Coordinator is not able to resolve it then the Resettlement Advisory Committee resolves it. If this is not sufficient the Honourable Commissioner of Environment will try to resolve the issue that is contentious.

The judicial system will be the last resort to redress the issues if informal conciliation does not resolve the matter. This, admittedly, is a costly and time-consuming procedure. Nevertheless, affected persons will be exempted from administrative and legal fees incurred pursuant to this grievance redress procedure. Figure.9.1 gives a process flowchart for the grievance mechanism.

9.2.1 Expectation When Grievances Arise
When local people present a grievance, they expect to be heard and taken seriously. Therefore, the SPMU and others such as the engineers involved in one aspect of the project or other must convince people that they can voice grievances and work to resolve them without retaliation.
It should be understood that all or any of the followings are; at the least, expected from the project management/channel of grievance resolution by the local people:

- acknowledgement of their problem,
- an honest response to questions/issues brought forward,
- an apology, adequate compensation,
- modification of the conduct that caused the grievance and some other fair remedies

9.3 Management of Reported Grievances
The procedure for managing grievances should be as follows:

a. The affected person file his/ her grievance, relating to any issue associated with the resettlement process or compensation, in writing or phone to the project Resettlement and Compensation committee (Phone numbers will be provided by the SPMU). Where it is written, the grievance note should be signed and dated by the aggrieved person. And where it is phone, the receiver should document every details.

b. A selected member of the Site Committee will act as the Project Liaison Officer who will be the direct liaison with PAPs in collaboration with an independent agency/NGO person ensure to objectivity in the grievance process.

c. Where the affected person is unable to write, the local Project Liaison Officer will write the note on the aggrieved person’s behalf.

d. Any informal grievances will also be documented
9.4 Grievance Log and Response Time
The process of grievance redress will start with registration of the grievance/s to be addressed, for reference purposes and to enable progress updates of the cases. Thus a Grievance Form will be filed with the Grievance Redress Committee by the person affected by the project. The Form/Log (Table 9) should contain a record of the person responsible for an individual complaint, and records dates for the date the complaint was reported; date the Grievance Log was uploaded onto the project database; date information on proposed corrective action sent to complainant (if appropriate), the date the complaint was closed out and the date response was sent to complainant.

The Project Liaison officer working with the local Government Desk Officer in recording all grievances will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed.

The response time will depend on the issue to be addressed but it should be addressed with efficiency. The Grievance committee will act on it within 10 working days of receipt of grievances. If no amicable solution is reached, or the affected person does not receive a response within 15 working days, the affected person can appeal to a designated office in the SPMU, which should act on the grievance within 15 working days of its filing.
Table 9.1: A Typical Reporting Format for Grievance Redress

<table>
<thead>
<tr>
<th>Community project &amp; Name of Complainant</th>
<th>Type of Grievance</th>
<th>Grievance Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Affected, but not informed about impacts</td>
<td>Compenesation awarded</td>
</tr>
<tr>
<td>Community Project 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complainant A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complainant B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complainant C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Project 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complainant D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Complainant E</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9.5 Monitoring Complaints
The Project Liaison Officer will be responsible for:
- providing the grievance Committee with a weekly report detailing the number and status of complaints
- any outstanding issues to be addressed
- monthly reports, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action.
CHAPTER TEN  MONITORING AND EVALUATION

10.1 Introduction
To establish the effectiveness of all the resettlement activities, this Monitoring and Evaluation (M&E) procedures for the RAP has been designed. With this, it is possible to readily identify problems and successes as early as possible.

Monitoring involves periodic checking to ascertain whether activities are going according to the plan. It provides the feedback necessary for the project management to keep the programmes on schedule. By contrast, evaluation is essentially a summing up, the end of the project assessment of whether those activities actually achieved their intended aims.

10.2 Purpose of Monitoring
The purpose of monitoring is to provide Project Management, and directly affected persons with timely, concise, indicative information on whether compensation, resettlement and other impact mitigation measures are on track to achieve sustainable restoration and improvement in the welfare of the affected people, or that adjustments are needed.

In short, monitoring answers the question: Are Project compensation, resettlement and other impact mitigation measures on time and having the intended effects?

Monitoring verifies that:

- Actions and commitments for compensation, resettlement, land access, and development in the RAP are implemented fully and on time
- Eligible project affected people receive their full compensation on time, prior to the start of the main project activities on the corridors;
- RAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards;
- Compensation and livelihood investments are achieving sustainable restoration and improvement in the welfare of Project-Affected Persons and communities
- Complaints and grievances are followed up with appropriate corrective action and, where necessary, appropriate corrective actions are taken; if necessary, changes in RAP procedure are made to improve delivery of entitlements to project affected people.
- Vulnerable persons are tracked and assisted as necessary

10.3 Monitoring Framework (Internal and External)
Monitoring will consist of

a) Internal monitoring by the SPMU as an integral part of the its management, working with the impacted communities; and

b) External monitoring by the SPMU appointed consultants, working with the impacted communities.

10.3.1 Internal monitoring
The internal monitoring, carried out by the SPMU itself, is conventional monitoring related factors such as, number of persons affected, resettled, assistance extended, and other financial aspects, such as compensation paid, etc. The internal monitoring must be carried out simultaneously with the implementation of RAP.

The objectives of the internal monitoring are: (i) Daily Operations Planning; (ii) Management and Implementation and (iii) Operational Trouble shooting and Feedback.

The periodicity of internal monitoring could be daily or weekly depending on the issues and level.

All aspects of internal M&E shall be supervised by the SPMU management team and will provide high level evaluation of internal performance and impact monitoring and other reports. The management team will be supplemented by staff with appropriate skills to carry out:

- RAP project resettlement requirements as defined by this RAP;
- Gathering and presentation of monitoring indicators to be used;
Design and implementation of basic techniques to be used for collecting information and feedback from project affected people; and Reporting requirements and formats.

Regular progress reports will be prepared and submitted to SPMU management by the social safeguard Officer. The internal monitoring will look at inputs, processes, and outcomes of compensation/resettlement/other impact mitigation measures. Input monitoring will establish if staff, organization, finance, equipment, supplies and other inputs are on schedule, in the requisite quantity and quality.

Process monitoring will:
- Assess program implementation strategies and methodologies and the capacity and capability of program management personnel to effectively implement and manage the programs
- Document lessons learned and best practices and provide recommendations to strengthen the design and implementation of RAP

Output monitoring will establish if agreed outputs are realized on time for:
- Communication with the affected communities
- Agreed resettlement and compensation policy, procedures, and rates
- Compensation for crops, buildings, and lost business
- Construction and occupation of infrastructure and housing
- Livelihood program delivery and uptake
- Grievance resolution
- Attention to vulnerable people

Outcome (or effectiveness) monitoring will determine the degree to which the program objectives and performance targets have been achieved.

10.3.2 External Monitoring/Evaluation
This should be seen in the eye of Compliance and Impact Monitoring.

For Compliance Monitoring, the SPMU will appoint a consultant to work closely with the project-affected persons to track the progress of RAP Implementation. The consultant(s) will be a person(s) with; deep experience in the conduct of resettlement, hands on experience in monitoring and evaluation, no previous involvement in this project, and proven ability to identify actions that improve implementation and mitigate negative impacts of resettlement.

The role of such a consultant will facilitate process of R&R and thus provide support in the proper implementation of resettlement program. It should also bring the difficulties faced by the PAPs to the notice of SPMU so as to help in formulating corrective measures. As a feedback to the SPMU and others concerned, the external consultant should submit quarterly report on progress made relating to different aspect of R&R.

Compliance monitoring will:
- Determine compliance of RAP implementation with RAP objectives and procedures
- Determine compliance of RAP implementation with the laws, regulations and applicable
- Determine international best practice
- Determine RAP impact on standard of living, with a focus on the “no worse-off if not better off” objective
- Verify results of internal monitoring
- Assess whether resettlement objectives have been met: specifically, whether Livelihood Programs have restored the livelihoods of the project-affected persons and their living conditions have improved
- Assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement activities and recommending corrections in the implementation process
- Ascertaining whether the resettlement entitlements are appropriate to meet the objectives, and whether the objectives are suitable to project-affected persons conditions
RAP for Nguzu Edda (Afikpo South LGA Headquarters) Gully Erosion site in Ebonyi State

- Assess grievance records, to identify implementation problems and status of grievance resolution
- Ensure RAP implementation is in compliance with World Bank policy

Impact Monitoring/Concurrent evaluation will be carried out simultaneously with the monitoring. For concurrent Impact Evaluation the M&E consultant who should have resettlement and social development experience shall:

- Verify whether the objectives of resettlement have been realized, particularly the changes in the living standards;
- Impact assessments is to be compared with the baseline values for key socioeconomics as given in the RAP;
- To assess whether the compensation is adequate to replace the lost assets;
- Assess the level of satisfaction of the various assets provided as part of R&R implementation;
- Based on the impact assessment, suitable remedial measures are to be proposed for any shortcomings; and
- Remedial measures if PAPs are not able to improve their living standard.

Thus, after one year after the expropriation has been completed and the assistance to the PAPs has been made, there will be an impact evaluation to assess whether the PAPs have improved their living conditions in relation with the baseline socioeconomic status established during the socioeconomic studies.

Impact monitoring will cover issues such as:

- Public perception of the Project - judgments on SPMU, Project and RAP implementation
- Social structures - traditional authorities, community cohesion
- Economic status of PAPs- livelihood restoration and enterprise, employment, land holdings, non-agricultural enterprise
- Cost of a market basket of essentials, including rental accommodation
- Employment - on the Project and in the impact area

10.4 Indicators to Monitor

Indicators, which will be monitored during the project, may be divided into two categories.

- Process input and output indicators for internal monitoring
- Outcome or impact indicators for external monitoring

These are highlighted briefly below:

- **Input** indicators include the resources in terms of people, equipment and materials that go into the RAP. Examples of input indicators in the RAP are the sources and amounts of funding for various RAP activities.

- **Output** indicators concern the activities and services, which are produced with the inputs. Examples of output indicators in the RAP include (i) a database for tracking individual compensation; and (ii) the payment of compensation for loss of assets.

- **Process** indicators represent the change in the quality and quantity of access and coverage of the activities and services. Examples of process indicators in the RAP include:
  1. The creation of grievance mechanisms;
  2. The establishment of stakeholder channels so that they can participate in RAP implementation; and
  3. Information dissemination activities.

- **Outcome** indicators include the delivery of compensation and other mitigation to avoid economic and physical displacement caused by the Project. They measure whether compensation is paid and received, whether the affected populations who preferred cash compensation to in-kind resettlement assistance offered to them was able to use compensation payment for sustained income.
Indicators that will be monitored broadly centre around delivery of compensation, resolution of grievances, land access, increase or decrease in PAPs assets, social stability, health, level of satisfaction of project affected people and number of project affected persons that benefited from the livelihood restoration programs. Specifically some monitoring Indicators for this RAP are outlined in Table 10.1.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation and Reach out</td>
<td>Number of people reached or accessing Information, Information requests, issues raised, etc</td>
</tr>
<tr>
<td>Compensation and reestablishment PAPs</td>
<td><strong>Physical Progress of compensation and assistance</strong> Number of replacement asset recovered Compensation disbursement to the correct parties;</td>
</tr>
<tr>
<td>Socio-economic Changes</td>
<td>Effective utilization of the premises for business No of income restored, improved or declined from the pre-displacement levels;</td>
</tr>
<tr>
<td>Training</td>
<td>Number of SPMU and RAP committee members trained</td>
</tr>
<tr>
<td>Grievance redress mechanism</td>
<td>No. of cases referred to GRC, No. of cases settled by GRC, No. of cases pending with GRC, Average time taken for settlement of cases, No. of GRC meetings, No. of PAPs moved court, No. of pending cases with the court, No. of cases settled by the court</td>
</tr>
<tr>
<td>Overall Management</td>
<td>Effectiveness of compensation delivery system Timely disbursement of compensation; Census and asset verification/quantification procedures in place Co-ordination between local community structures, PAPs and SPMU</td>
</tr>
</tbody>
</table>

10.5 Reporting

RAP monitoring reports will be prepared for the following tasks: Internal monitoring, Expert monitoring, Completion audit & Compensation. SPMU will use a device such as a bar chart/Gantt chart or MS Project table to assess and present information on progress of time bound actions.

Performance monitoring reports for the SPMU RAP management team will be prepared at regular intervals (monthly), beginning with the commencement of any activities related to resettlement, including income restoration. These reports will summarize information that is collected and compiled in the quarterly narrative status and compensation disbursement reports and highlight key issues that have arisen. As a result of the monitoring of inputs, processes, outputs and outcomes of RAP activities, project management will be advised of necessary improvements in the implementation of the RAP.

10.6 Completion Audit

SPMU shall commission an external party to undertake an evaluation of RAP’s physical inputs to ensure and assess whether the outcome of RAP complies with the involuntary resettlement policy of the World Bank. The completion audit shall be undertaken after RAP inputs. The audit shall verify that all physical inputs committed in the RAP have been delivered and all services provided. It shall evaluate whether the mitigation measures prescribed in the RAP have the desired effect. The completion audit should bring to closure SPMU’s liability for resettlement.
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## Appendices

### Appendix 1.1: Safeguard Instruments Prepared for the Proposed Works

<table>
<thead>
<tr>
<th>S/No</th>
<th>Safeguard Instrument</th>
<th>Focus</th>
<th>Remarks</th>
</tr>
</thead>
</table>
| 1    | Environmental and Social Management Frameworks (ESMF)                                 | ➢ Used as a practical tool during program formulation, design, implementation and monitoring.  
➤ Describes the steps involved in identifying and mitigating the potential adverse environmental and social impacts of future investment activities.  
➤ Provides guidance in cases where the screening results indicate that a separate Environmental and Social Impact Assessment (ESIA) or an Environmental Management Plan is required. | Triggered the ESMP being prepared paripassu with this RAP                                                                                                                                  |
| 2    | Resettlement Policy Framework (RPF)                                                   | ➢ Provides the direction to all actors involved in sub-projects implementation, for the identification of resettlement implications and measures to adopt to minimize or address resettlement issues created by each sub-project.  
➤ Set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of any anticipated resettlements. The arrangements ensure that there is a systematic process (as against an hoc one) for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government procedures and requirements, and outline compensation for affected persons.  
➤ Provides the framework within which Resettlement Action Plans/Resettlement Action Plans are developed when the project is certain of the locations and specific impacts of the sub-projects.  
➤ Contains a screening/checklist for determining whether OP 4.12 is triggered or not it also provides procedures and guidelines to be followed when the policy is triggered. That is, contains a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs/RAPs) for sub-projects during the implementation of the comprehensive programme. | Triggered this Standalone Resettlement Action Plan in relation to the proposed works                                                                                                                |
| 4    | Environmental & Social Screening & Scoping                                             | ➢ **Screening** –  
➤ First step in the initial assessment of the possible environmental impacts of the proposed project.  
➤ The purpose of the environmental/social screening is to identify if the road rehabilitation project requires an ESIA through the elimination of irrelevant environmental issues and focusing on potentially significant issues at the planning and design stages.  
➤ **Scoping** -  
➤ Assist to identify the Issues that are likely of most importance during the ESIA and eliminates those that are of little concern;  
➤ Appropriate time and space boundaries of the ESIA study;  
➤ Information necessary for decision-making; and, Significant effects and factors to be studied in detail  
➤ Critical step in the preparation of an in determining the terms of reference (TOR) of the ESIA/ESMP. | Defined the level of impacts and thus the ESIA                                                                                                                                                                                                                          |
| 5    | Environmental and Social Impact Assessment (ESIA)/ESMP                                 | ➢ Ensures sustainable development and/or to ensures compliance with local, regional and international regulations relating to environmental protection and conservation.  
➤ Provides framework for gathering and documenting information and views on the environmental consequences of activities so that the importance of the effects and the scope of enhancing, modifying and mitigating them can be properly evaluated | ESMP is being currently prepared paripassu with this RAP                                                                                                                                                                                                               |
Appendix 1.2: Approach/Methodology of RAP Preparation

The strategy/methodology for the preparation of the RAP took into cognisance the Terms of Reference and Scope of Work defined in the Request for Proposals for this RAP. This RAP was prepared in accordance with applicable World Bank safeguard policies and Nigerian guidelines/laws.

The distinct phases for preparing the proposed RAP include: Literature review; Public Consultation, Data Gathering/ Census Identification of potential impacts; e.g. for baseline conditions, institutional arrangement, capacity, etc. as outlined below:

1 Literature Review

A review of the relevant literature was carried out with a view to gaining a further and deeper understanding of the project and the social conditions that exist along the gully corridors and the communities buffering the targeted area generally. This included reviewing the Project-specific background documents such as:

- Environmental and Social Management Framework
- Resettlement Policy Framework
- NEWMAP Project Appraisal Document (PAD);
- NEWMAP Project Implementation Manual (PIM)
- World Bank safeguards policies
- Intervention design - Detailed engineering designs and high resolution digital imagery for the site

Other relevant documents were also reviewed such as recent World Bank projects in and elsewhere (other countries) where there have been resettlements and affected populations as their potentially is under the NEWMAP project, publications on land acquisition, compensation that bears relevance to the RAP, United Nations (2006) Human Development Report, National Bureau of Statistics (2009) Social Statistics in Nigeria, Nigeria Land use Act and other National laws, World Bank Operational Policies, etc.

2 Stakeholders/Public Consultation

Stakeholders, for the purpose of this project, were defined as all those people and institutions that have interests in the planning and execution of the project. This includes those positively and negatively affected by the project.

The first task in resettlement planning is to reach out to the community involved during the design of the engineering works and other measures. The local community participated in the design of the subproject and the choices made along the way.

Several discussions and meetings were held in the field and off the field with relevant stakeholders, especially with project affected persons, individuals, community leaders, and the local government officials, to seek their opinion on the resettlement issues and the impact of the project. The essence was to ensure a broad-based partnership for achieving harmonious working relationship for implementing and monitoring the project with successful outcomes. Different methods of communication to reach the stakeholders included face to face meeting, telephones and emails in order to identify the left out PAPs, assess the situation and thus develop appropriate compensation mechanism.

3 Data Gathering (Field Work)

The data gathering involve visits to various government offices at federal and state levels, private libraries, internet searches, etc. to obtain relevant information.

A spatial analysis of the features along the gully corridor was carried out with physical assessment and measurement supported with the aid of Geographical Information System. The corridor was digitized together with the gully shoulders/offset from the edges with a setback of 15meters. These were then overlaid upon the high resolution image of the affected assets. This enabled identification and physical count of the features that falls within each buffer ring categories.

As a point of emphasis, for the purpose of planning, a 15 meter setback of offset from the gully edge was used for the alignment as the areas of impact as made known by the Engineering Specialist. During project implementation and when the final design is ready, it is expected that the population should be kept informed as plans evolved and, when the final design is ready. The affected area should be marked off with pickets or flags before actually engineering work at the site.

The field work also included socio-economic survey, census of potential project affected persons, etc. Based on the engineering design for the proposed action, a detailed household census and inventory of fixed assets was carried out within the polygon affected by the proposed project works, with a survey of each household, farm or business affected by the project, including temporary structures such as kiosks or squatters’ shacks.

Furthermore detailed information on the families, kin groups, business employees and others who occupy or use the...
land for their livelihood were collected including basic demographic data on age, sex, occupation, livelihood, income, educational level, and preference for resettlement.

The inventory of assets included the size and construction of dwellings, other buildings, wells and other infrastructure such as fencing, permanent crops such as fruit trees. Each structure was geo-referenced and located on a map. As much as possible, public infrastructure including schools, churches, and health posts were recorded and mapped together with information on the catchment areas of people who frequent these institutions.

In addition to the census and inventory of assets, the responsible team will carry out socioeconomic assessment of the affected community or communities. Among the topics that should be investigated are economic and ethnic differences within the community, the livelihoods of the affected people, the social ties that bind the community together (such as kinship, friendship, ethnic ties, debt-credit relationships), conflicts within the community and with other communities, and other pertinent social characteristics that characterize the affected community. The analysis should focus on how the subproject will impact on the community and also how these features of local society can be mobilized to implement the program in the best possible way.

It was considered necessary to identify vulnerable people who may need additional support such as widows, orphans, female-headed households, the elderly, persons with disabilities, etc.

Regardless of the form of compensation adopted, special consideration needs to be given to vulnerable people who lack an alternative means of social support. This requires the presence of social specialists on the scene before, during and after the actual move to ensure that some people are not driven back into poverty and misery.

Plate 1: Data Gathering from the Field from Stakeholders
Appendix 7.1: Stakeholders met and Summary of the Meetings
**Opening Remark**

After the opening prayer, Mrs. Chinwendu Okorie of Ebonyi State NEWMAP opened the session by giving an overview of NEWMAP and the proposed work at the gully site. She said that we have been hearing about this proposed action and have been in eager anticipation for its actualization. Now it has come very close to being actualized. We have today to consult with you as we have done previously to seek your opinion on the social impact of the proposed work at the site. This is part of the requirements before the work could commence.

The purpose of the visit with regard to RAP and ESMP and their uses were explained management tools that presents strategies and procedures for managing potential environment and social impacts associated with the proposed action. It was also emphasized that Resettlement Action Plan aims to assess and identify displacement of asset and people with regard to the proposed works at the gully erosion site and to prepare an action plan to be implemented in coordination with the civil works in line with World Bank Policies and Nigerian Laws.

**The project**

The Government of Nigeria is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), which is financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria with the objective of rehabilitating degraded lands and reduce longer-term erosion vulnerability in targeted areas.

**Need for the public involvement**

Information dissemination and consultation with stakeholders, especially the project Affected Person (PAPs) in order to reduce the potential for conflicts, minimizes the risk of project delays, and enables the project to properly carter as a comprehensive development programme the needs and priorities of the PAPs. This provides an opportunity to all the stakeholders in the proposed sites to raise issues and concerns pertaining to the project, and allow the identification of alternatives and recommendations. Specific objectives of the public information campaign and public consultation include: fully share information about the proposed project, its components and its activities, with affected people, obtain information about the needs of the affected people, and their reactions to the proposed activities; ensure transparency in all activities related to land acquisition and ask local residents especially the Interested and Affected Parties about the problem anticipated with the project and how these can be overcome.

**Stakeholders’ Queries and Concerns**

1. Have the consultants visited the site?
2. To what extent will the work go i.e will it extend to the entrance of the L. G. A. complex where a new head is forming?
3. What are the criteria for compensation?
4. When will the work commence? This is because the community spring water (Iyiezi) is being threatened by the erosion after the first one (Etee spring) has been completely buried with erosion earth deposit.
5. How will those with economic trees along the corridor be compensated?

**Stakeholders’ General Perception about the Project**

Generally happy about commencement of the socioeconomic survey express joy on the high level commitment by Word Bank and the Nigerian Government to execute the project. The Nguzu community and Ekoli community sacrificed a lot to build some council blocks and so will be so happy to see it brought back to functionality especially as the new place is not spacious enough. As far as they are concerned the project will receive their full support and cooperation. They have previously benefitted from World Bank assisted project before and so they are confident that this project is going to be a reality and are eagerly expecting its commencement.

**Responses to Stakeholders’ Concerns/How Issues are Address by the Project (design/operation)**

Yes the site has been visited several and physical condition of the place has been evaluated, the engineering design has been made for construction. Once these environmental and social studies haven been completed and report submitted and approved, then the work will commence. The questionnaires that will be administered will help to assess the socioeconomic condition of the host community. Another, will identify the project affected persons and evaluate their potential losses.

**Other Activities**

Refreshment for the participants. Group photographs of stakeholders, Visit to the Local Government council and meeting the Vice Chairman and revisit to the gully site.
Appendix The Faces of the Impact of the Erosional Force

The Two Roads leading to the LG Offices

Active Erosion

Threating Structures

Gully shattered Political Block

Destroyed

Abandoned

Abandoned