GOVERNMENT OF GHANA
MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT

GHANA SOCIAL OPPORTUNITIES PROJECT (GSOP)

Additional Financing

UPDATED RESETTLEMENT POLICY FRAMEWORK (RPF)

February 2014
# Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AC</td>
<td>Area Council</td>
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<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
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<tr>
<td>CBRD</td>
<td>Community-Based Rural Development Project</td>
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<td>DA</td>
<td>District Assembly</td>
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<td>DCEs</td>
<td>District Chief Executives</td>
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<td>EA</td>
<td>Environmental Assessment</td>
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<td>EI</td>
<td>Executive Instrument</td>
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<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<td>EIS</td>
<td>Environmental Impact Statement</td>
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<td>EMP</td>
<td>Environmental Management Plan</td>
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<td>EOP</td>
<td>End of Project</td>
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<td>EPA</td>
<td>Environmental Protection Agency</td>
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<td>GAP</td>
<td>Good Agricultural Practices</td>
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<td>GIDA</td>
<td>Government Irrigation Development Agency</td>
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<td>GoG</td>
<td>Government of Ghana</td>
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<td>GPRS</td>
<td>Ghana Poverty Reduction Strategy</td>
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<td>GSB</td>
<td>Ghana Standard Board</td>
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<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<tr>
<td>km</td>
<td>Kilometer</td>
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<tr>
<td>LEAP</td>
<td>Livelihood Empowerment Against Poverty (Social Grants Program)</td>
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<td>LI</td>
<td>Legislative Instrument</td>
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<tr>
<td>LIPW</td>
<td>Labor Intensive Public Works</td>
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<td>MA</td>
<td>Metropolitan or Municipal Assembly</td>
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<td>MDAs</td>
<td>Ministry Department and Agencies</td>
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<td>MDG</td>
<td>Millennium Development Goals</td>
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<tr>
<td>MLGRD</td>
<td>Ministry of Local Government and Rural Development</td>
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<td>MFEP</td>
<td>Ministry of Finance and Economic Planning</td>
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<td>MFA</td>
<td>Ministry of Food and Agriculture</td>
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<td>MTR</td>
<td>Mid-Term Review</td>
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<td>NEAP</td>
<td>National Environmental Action Plan</td>
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<td>NPSC</td>
<td>National Project Steering Committee</td>
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<td>PAPs</td>
<td>Project-Affected Persons</td>
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<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>RAP</td>
<td>Resettlement Action Plan</td>
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<td>RCC</td>
<td>Regional Coordinating Council</td>
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<td>ROW</td>
<td>Right - Of - Way</td>
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<td>RPF</td>
<td>Resettlement Policy Framework</td>
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<td>SMEs</td>
<td>Small and Medium-Sized Enterprises</td>
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<td>TOR</td>
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EXECUTIVE SUMMARY

BACKGROUND

The Updated Resettlement Policy Framework (RFP) has been prepared for the proposed Additional Funding of the Ghana Social Opportunities Project (GSOP), a social protection program by the Government of Ghana. This Additional Financing (AF) operation is of US$50 million to the Ghana Social Opportunities Project (GSOP P115247). This AF is to help finance the costs associated with strengthening social protection systems and safety nets implementation capacity in Ghana. Specifically, the AF will support: (a) formulation of social protection policy; (b) scaling up of the Labor Intensive Public Works (LIPW) and the Livelihood Empowerment Against Poverty (LEAP) programs; (c) designing and rolling out the Ghana National Household Registry (GNHR) for Social Protection programs and strengthening social protection implementation procedures; and (d) capacity building to support the implementation of LIPW and LEAP in existing and new districts [see OP13.20].

This updated RFP will be used principally by the participating District Assemblies and other collaborators in ensuring that resettlement policies have been adequately addressed in the sub-projects to be implemented under GSOP. The project will be an opportunity for rural employment creation and income generation in the agricultural off-season in the 49 districts spread across the country of Ghana. An additional 6 districts will be added to LIPW component under additional financing.

The project had five components: (i) rationalization of a national social protection policy; (ii) Labor Intensive Public Works Program (LIPWs); (iii) support to Livelihood Empowerment Against Poverty Program (LEAP); (iv) capacity building; and (v) project management and coordination. The project duration was to be over five (5) years at a total cost of about US$88.6 million.

The original project development objective (PDO) is to improve targeting in social protection spending, increase access to conditional cash transfers nationwide, increase access to employment and cash-earning opportunities for the rural poor during the agricultural off-season, and improve economic and social infrastructure in target districts. The revised objective is to: improve targeting of social protection programs and provide income support to poor households through LEAP grants and LIPW infrastructure in targeted districts. The revision is meant to make the PDO clearer and more outcome-focused. The indicators (KPIs) have also been revised to reflect the project's adjusted focus on strengthening systems and scaling up of LEAP and LIPW. The results framework and project components would be restructured accordingly.

Additionally, this additional financing has the following additions and changes:

- Revision of the PDO, Key Performance Indicators (KPIs) and the Results Framework.
- Inclusion of 6 new districts for the LIPW projects (increasing from 49 to 55).
- Scaling up of LEAP.
- Inclusion of a new implementing agency: the Ministry of Gender, Children and Social protection (MoGCSP).
• Improved targeting approaches through the establishment of the Ghana National Household Registry.
• Introduction of social accountability and grievance redress mechanisms for LIPW and LEAP.
• Comprehensive development communication for LIPW and LEAP.
• Increased use of electronic systems and e-payments for LIPW and LEAP.
• The usage of Disbursement Linked Indicators under LEAP will be dropped.
• Strengthened collaboration between all agencies involved in project implementation.

The project is aligned with the Country Partnership Strategy (CPS FY13-16) and supports: (1) Pillar one: Improving Economic Institutions, through Component 1: Rationalizing Social Protection Policy which is designed to increase the efficiency in the use of resources designed for social protection, given that pro-poor programs in Ghana are fragmented and poorly targeted; (2) Pillar three: Protection of the Poor and Vulnerable through Component 2: Labor Intensive Public Works, by expanding social protection support through labor intensive public works programs; and Component 3 Livelihood for Empowerment Against Poverty (LEAP), by providing cash transfers to extremely poor households with the goal of alleviating short-term poverty and encouraging long-term human capital development. The AF would support the Government’s agenda to increase social protection coverage of the poor, thus advancing Ghana’s progress towards the reduction of extreme poverty and boosting shared prosperity. The AF will be complemented by technical assistance support under the RSR Trust Fund for the roll-out of the NTS.

The activities to be undertaken have triggered a number of World Bank safeguard policies including OP4.12 on involuntary resettlement. This means that the project is likely to have impacts on land access, restriction of access to assets, displacement and loss of livelihoods among others. Initial reviews indicate that the project can generate positive social, environmental and economic impacts. In spite of these potential positive impacts, there is also the recognition of potential negative impacts, which calls for appropriate mitigation measures and institutional arrangements for their implementation.

The objective for the RPF is to set out the policies, principles, institutional arrangements, schedules and indicative budgets to cover of anticipated resettlements and other social impacts.

**POTENTIAL RESETTLEMENT IMPACTS**

The potential resettlement impacts that could arise as a result of the sub-project may cover the loss of:

- Agricultural land;
- Residential buildings and structures;
- Livelihood (business premises and structures);
- Non-productive fruit and shade trees;
- Access to resources such as grazing land; and
- Economic trees such as shea-butter trees.

A compensation matrix, providing the general description of the resettlement impacts, mechanisms and approach for compensation, implementation, monitoring and evaluation, and institutional
responsibilities is presented in Table 10.1.

DESCRIPTION OF THE NATIONAL LEGAL, REGULATORY AND ADMINISTRATIVE FRAMEWORKS

Resettlement/Compensation Policy in Ghana

It is the policy of the Government of Ghana to pay compensation or offer resettlement assistance to people whose properties, lands or landed property are affected by projects being undertaken by the government. This section has been prepared in accordance with the laws of Ghana.

Land Acquisition and Compensation Laws

Land-for-land will be provided where appropriate. The State Lands Act 1963 section 6(1) provides that any person whose property is affected by public projects shall be entitled to compensation. The same Act provides avenues for people who are not satisfied with compensation to seek redress.

Land Ownership in Ghana

The land ownership system in Ghana is governed by a complex operation of both customary, statute and common law resulting in a rather uniquely complicated land ownership structure. There are three principal land ownership geneses in Ghana namely:

- Customary-owned;
- State-owned; and
- Customary-owned but state-managed lands also known as vested lands.


Ghana has laws on land that are being harmonized to streamline the land sector and facilitate development. For instance, the Lands (Statutory Wayleaves) Act, 1963 Act 186 has sufficiently spelt out the relevant provisions regarding the creation of statutory wayleaves, works for which statutory wayleaves may be created, rights of entry of survey, rights of entry of construction, rights of entry for inspection, maintenance, as well as compensation, regulations, interpretations and other enactments relating to entry on and acquisition of land.

However, Act 186 is not explicit on the eligibility criteria for compensation. Additionally, compensation payment seems to be essentially based on right of ownership. This is contrary to the requirement of the World Bank OP 4.12 Section 15, which clearly defines the criteria for eligibility. Sections 15 (b) and (c) classify those who have no formal legal rights to land or those who have no recognizable legal right or claim to the land they are occupying as eligible for compensation.
SOCIO-ECONOMIC CHARACTERISTICS

Population Characteristics

Statistics from all the districts indicate that the rural–urban divide is widening. The population of the poverty endemic regions is predominantly rural and young. In some districts, there are more males than females and vice-versa.

Economic Activities

Agriculture is the dominant economic activity in the country except the Greater Accra Region. Over 70 percent of the people are engaged in Agriculture. Crop production, animal husbandry and fishing constitute the main activities although a small percentage of the people are into service and small cottage industries.

Social Infrastructure

Social infrastructure within the poorest districts of the country are lacking in several dimensions. The Educational, Electricity, Health, Water and Sanitation, Telecommunication, Transport and Markets Sectors, like the rest of the country, are concentrated in the few urban areas. There are several primary and junior high schools in the districts but the number diminishes at the senior high and tertiary levels. There is also a high level of out-of-school children in the poorest districts of the country. The potable water supply is limited to the urban areas, leaving many without safe drinking water. As a result, numerous water-borne diseases afflict those living in the various districts.

The road network in the poorest districts is very poor and rudimentary. Apart from the main highway, most of the roads are feeder roads while many are non-engineered tracts, especially in the rural communities within the various districts. This poor nature of road infrastructure affects the easy movement of people and goods from the farm gate to the various market centres scattered throughout the 49 districts spread over the country.

VALUATION AND COMPENSATION PAYMENT

Losses due to displacement will be compensated on the basis of replacement costs. The acquisition should commence with consultations with the aim of achieving the following:

- Identifying the rightful owners;
- Identification of the boundaries;
- Current occupants;
- Extent of loss to be suffered due to the project activities; and
- Negotiation of compensation and resettlement.

Prior to the commencement of the compensation and resettlement activities, an Executive Instrument\(^1\) should then be passed to confirm the acquisition. This procedure will reduce antagonism towards the

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\(^1\) The term "Executive Instrument" refers to "subsidiary legislation" of a main ACT or Decree that spells out the compulsory acquisition of lands or any property for the purposes of public use or public good. It is issued by the president or any
project and elicit the required co-operation from the project-affected persons, as well as to demonstrate to the World Bank that the required steps have been taken to reduce the negative effects of the project.

DESCRIPTION AND CATEGORIZATION OF AFFECTED PERSONS

The category of affected persons are defined as those who stand to lose, as a consequence of the project, all or part of their physical and non-physical assets, including homes, communities, productive lands, resources such as farm lands, or important cultural sites, commercial/business properties, tenancy, income-earning opportunities, farming and social and cultural networks and activities as well as cultural land use. Some of the main land-use types noted in the project-affected areas are farming, residential, quarrying activities, schools, and small commercial / business activities.
The Entitlement Matrix
Based on analysis of the impact of the project and eligibility policies, an entitlement matrix has been developed based on categories of affected persons according to losses and their entitlement benefits. The matrix proposes eligibility and payments for all kinds of losses (e.g., land, housing, businesses, and other income sources, temporary loss of income, displacement, and moving costs). It sets standards for compensation.

DESCRIPTION OF ELIGIBILITY CRITERIA

Lands Policy and World Bank OP 4.12
Under GSOP, efforts are being made to minimize the impact on land, people and property and access to resources due to the execution of civil works. However, in cases where land acquisition will cause adverse impact on people and property or people's access to land or property, the resettlement and compensation payment shall be made in accordance to the World Bank OP 4.12 as well as the Lands Act 1963 Section 6(1).

Eligibility
Persons that may be classified according to the following three groups as displaced persons shall be eligible for compensation and resettlement assistance:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the Lands Act);
- Those who do not have formal legal rights to land at the time the census begins but have a recognizable legal right or claim to such land or assets; and
- Those who have no recognizable legal right or claim to the land they are occupying (e.g., squatters, ownerships under dispute, etc.).

TEMPLATE FOR RAPs
The RPF applies to all project components for which a RAP will be required. The below steps would be followed during the preparation of the RAP:

Step I: Prepare a Social and Economic Assessment;
Step II: Based on the socio-economic assessment, develop a matrix of compensation for the different categories of affected persons/resettlement;
Step III: Design a compensation/resettlement implementation plan; and
Step IV: Implement, monitor, and evaluate the compensation and resettlement plan.

Relocation
Depending on the relocation needs the following relocation options could be pursued:

- No relocation is the best option. However, if relocation of affected persons is unavoidable, it should be reduced or minimized as much as possible by weighing the alternative options for the investment project.
• On-site relocation is possible if the number of the affected persons is limited, if population density is relatively low, and where the project involves small, scattered sites. The affected persons may be allowed to occupy part of the site not required for wayleave. In such a situation, the on-site relocation would not affect existing socio-economic settings. As a result the resettlement would be limited.

**Income Restoration**

Income restoration should be an important component of resettlement where affected persons have lost their productive base, businesses, jobs, or other income sources. Affected persons who lose housing as well as income sources may be at great risk.

**Budgeted Cost of Relocation and Income Restoration**

Resettlement Action Plans (RAPs) to be prepared under GSOP, where applicable, will include a detailed budget for compensation and other rehabilitation entitlements. They will also include information on how funds will flow as well as compensation schedule. Furthermore, the RAP will clearly state where the sources of land and funds will come from.

As the Borrower, the Government of Ghana carries official responsibility for meeting the terms of this framework, including financial obligations associated with land acquisition. In practice, government funds will not be regularly available for land acquisition. Therefore, where a sub-project that requires land acquisition is proposed, and where no sufficient sources of necessary compensation funds can be identified, the proposal will be disqualified. An estimated resettlement budget of US$145,000.00 will be needed to facilitate the undertaking of the relevant resettlement activities under GSOP (see Table 12.1).

**PROPOSED ADMINISTRATIVE AND INSTITUTIONAL FRAMEWORK FOR PREVENTION AND MITIGATION**

Management and coordination of the Social Opportunities Project will largely rely on existing government institutions and structures through the District Assemblies (Department of Feeder Roads, GIDA, DSW, NADMO, etc.). The main entry point for implementation will be the DAs and ACs. The Ministry of Local Government and Rural Development (MLGRD), which is responsible for national decentralization and rural development, has the overall implementation responsibility for the project. The MLGRD also successfully implemented the Community-Based Rural Development Project (CBRDP), which supported the development of productive and social infrastructure at the district and community levels.

The project will build on the existing National Project Steering Committee (NPSC) which is responsible for coordination of GSOP. The NPSC would be chaired by the minister of LGRD and will include representatives of all relevant ministries and agencies.
The AF will continue to work with the Regional Coordination Offices (RCO) designed to strengthen the MLGRD’s coordination and supervision activities and ensure efficient project implementation in line with the objective of strengthening the District capacity to manage future implementation.

The DAs, in close collaboration with the RCO and targeted communities, will implement the activities selected from the development plans. The main responsibilities will include preparation of annual work programs and budget, detailed design of LIPWs, procurement, supervision, and payment. The DAs monitoring and supervision and submit monitoring reports to RCO and RPCU.

The Department of Feeder Roads (DFR) will be responsible for technical support to the DAs in feeder road sub-projects. The Ghana Irrigation Development Authority (GIDA) will be responsible for the technical design and supervision of dam works, and in related feasibility studies.

To minimize the major problem of resettlement management and implementation, existing structures within the MLGRD, RCC, DAs, and ACs will be used. The Ministry of Local Government and Rural Development (MLGRD), Ministry of Finance (MOF), Lands Commission, Land Valuation Board, The Metropolitan and Municipal Assemblies, Town and Country Planning Department, and Environmental Protection Agency (EPA) will play their respective roles for compensation, livelihood restoration, and rehabilitation programs.

Disclosure of Information
During the consultation processes and at community fora, the extent of damage to properties should be disclosed. When the amount of compensation to be paid is made known, the affected people have the right to appeal if not satisfied.

Monitoring and Evaluation Including Description of Indicators
The primary aim of the M&E process is to ensure that GSOP carries out continuous process monitoring of the RPF in order to detect and address any inconsistencies in how the resettlement plan is being implemented. The monitoring of the RPF would provide the project managers and other stakeholders with continuous feedback on implementation. A periodic assessment of the relevance, performance, efficiency, and impact of resettlement measures will be undertaken as part of resettlement objectives evaluation. The evaluation will include the assessment of resettlement effects and their potential sustainability. The allocation of responsibilities for monitoring and evaluation under the resettlement policy framework are presented in Table 12.1.
1.0 INTRODUCTION

The Government of Ghana has developed a draft National Social Protection Strategy (NSPS) that addresses the basic needs of the poorest and most vulnerable groups. The NSPS is designed to respond to emergency or natural disasters in a flexible manner by allowing for the implementation of mitigation and coping strategies. The main pillars of the strategy are cash transfers, human development, and employment generation for the chronically poor. The government is also implementing a number of social protection programs (e.g., LEAP, Youth Employment Program, health insurance, school feeding and school uniform programs), which support the NSPS.

The current Ghana Social Opportunities Project (GSOP) has developed an employment-generation program targeted at the chronically poor households who have the ability to work but face high levels of (seasonal) unemployment.

The project had five components: (i) rationalization of a national social protection policy; (ii) Labor Intensive Public Works Program (LIPWs); (iii) support to Livelihood Empowerment Against Poverty Program (LEAP); (iv) capacity building; and (v) project management and coordination. The project duration was to be over five (5) years at a total cost of about US$88.6 million.

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Additionally, this additional financing has the following additions and changes:

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- Inclusion of 6 new districts for the LIPW projects (increasing from 49 to 55).
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The project is aligned with the Country Partnership Strategy (CPS FY13-16) and supports: (1) Pillar one: Improving Economic Institutions, through Component 1: Rationalizing Social Protection Policy which is designed to increase the efficiency in the use of resources designed for social protection, given that pro-poor programs in Ghana are fragmented and poorly targeted; (2) Pillar three: Protection of the Poor and Vulnerable through Component 2: Labor Intensive Public Works, by expanding social protection support through labor intensive public works programs; and Component 3 Livelihood for Empowerment Against Poverty (LEAP), by providing cash transfers to extremely poor households with the goal of alleviating short-term poverty and encouraging long-term human capital development. The AF would support the Government’s agenda to increase social protection coverage of the poor, thus advancing Ghana’s progress towards the reduction of extreme poverty and boosting shared prosperity. The AF will be complemented by technical assistance support under the RSR Trust Fund for the roll-out of the NTS.

The proposed activities in the labor intensive public works component have triggered a number of World Bank safeguard policies, including OP4.12 on involuntary resettlement. This means that the project is likely to have impacts on land access, restriction of access to assets, displacement, and loss of livelihood among others. Initial reviews indicate that the project can generate positive social, environmental, and economic impacts. In spite of these potential positive impacts, there is also the recognition of potential negative impacts, which call for appropriate mitigation measures and institutional arrangements to implement the measures.

The Ministry of Local Government and Rural Development (MLGRD), in complying with the World Bank safeguard policies as well as with the EPA Act of 1994 (Act 490) and the Environmental Assessment Regulations (LI 1652), has prepared this Updated Resettlement Policy Framework.

The objective for the RPF is to set out the policies, principles, institutional arrangements, schedules, and indicative budgets to cover anticipated resettlements and other social impacts. These arrangements are also to ensure that there is a systematic process (versus an ad hoc one) to guide the different stages of the implementation of the measures outlined in the framework. This process shall also consider the participation of affected persons, involvement of relevant institutions and stakeholders, and adherence to both World Bank and government policies, procedures, and requirements on involuntary resettlement; and shall delineate compensation for affected persons as appropriate.
2.0 PRINCIPLES AND OBJECTIVES GOVERNING RPF PREPARATION AND IMPLEMENTATION

The impacts due to involuntary resettlement from development projects, if left unmitigated, often give rise to severe economic, social, and environmental risks resulting in production systems being dismantled; people facing impoverishment when their productive skills may be less applicable and the competition for resources greater; community institutions and social networks being weakened; kin groups being dispersed; and cultural identity, traditional authority, and the potential for mutual help being diminished or lost. The resettlement policy, in most cases, is not triggered because people are being affected by physical replacement per se; it is rather triggered because the project activity causes land acquisition, where a physical piece of land is occupied by people for farming or cultivation, has buildings on it, or used to water and graze animals. There could also be situations where the land is used economically, spiritually, or in any other way which may not be possible during and after the project is implemented. Therefore, people are in all cases compensated for their loss (of land, property, or access) either in kind or in cash in compliance with OP 4.12.

The main purpose of this RPF is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to sub-projects to be prepared during project implementation. The framework will describe eligibility criteria for resettlement of affected households or businesses in the planned projects; categories of affected persons and measures for restoration of living standards and livelihoods; provide for compensation payments on the basis of market replacement costs; identify potential circumstances within the 49 districts where resettlement and compensation issues could arise; recommend an appropriate institutional framework for the implementation and tracking of the resettlement framework in the 49 Districts; prepare a manual for implementing resettlement schemes; and describe dispute resolution mechanisms. The RPF will be used in the preparation of Resettlement Action Plans (RAPs) to be developed by others for specific sub-projects.

The objectives of this policy are the following:

(i) Involuntary resettlement and land acquisition should be avoided where feasible, or minimized, exploring all viable alternatives.

(ii) Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share in project benefits. Displaced and compensated persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(iii) Displaced and compensated persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of project implementation, whichever is higher.
Affected people, according to the Bank policy, refers to people who are directly affected socially and economically by the bank assisted investment projects, caused by either:

(a) The involuntary taking of land and other assets resulting in:
   (i) relocation or loss of shelter
   (ii) loss of assets or access to assets
   (ii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location;
   or

(b) The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

(iv) Monitoring mechanisms development, implementation and reporting on the effectiveness of resettlement framework, including the physical progress of resettlement and rehabilitation activities, the disbursement of compensation, the effectiveness of public consultation and participation activities, and the sustainability of income restoration and development efforts among affected communities.

The resettlement policy applies to all activities under Component Two: The Labor Intensive Public Works (LIPW) of the GSOP, whether or not they are funded in whole or in part by the World Bank. It is expected that LIPWs will target mainly the following assets-rehabilitation and maintenance of rural feeder and access roads, rehabilitation of small earth dams, and related public infrastructure (main channels/dams and associated labor intensive afforestation/grassing activities in the immediate micro-catchment to reduce run-off and siltation), and dugouts, all of which are in high demand in the northern regions. The proposed existing assets to be selected for rehabilitation may be on lands belonging to the government, private individuals, families, and traditional authorities. Hence, virgin land seizure may not arise in most cases of the kind of projects to be selected for rehabilitation under the GSOP. However, in situations that virgin land may be required or persons might be encroaching on existing project land, such a situation will give rise to the potential of involuntary resettlement of persons whose rights of interests, assets, and means of livelihood may be adversely affected.

The policy applies to all displaced persons regardless of the total number affected, the severity of impact, and whether or not they have legal title to the land. Particular attention should be paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, groups or original settlers, and ethnic minorities or other displaced persons who may not be protected through Ghana’s Lands (Statutory Wayleaves) Act, 1963, Act 186, section 6(1).

The implementation of resettlement plans are a prerequisite for the implementation of project activities requiring land acquisition, to ensure that displacement or restriction to access does not occur before the necessary measures for resettlement and compensation are in place. It is further required that these measures include provision of compensation and of other assistance required for relocation, prior
to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, the taking of land and related assets may take place only after compensation has been paid and where applicable, resettlement sites, new homes, related infrastructure, public services, and moving allowances have been provided to displaced persons. Furthermore, where relocation or loss of shelter occurs, the policy further requires that measures to assist the displaced persons are implemented in accordance with the resettlement plan of action.
3.0 DESCRIPTION OF THE GHANA SOCIAL OPPORTUNITIES PROJECT

The US$88.6 million IDA funded project was approved by the board on May 20, 2010, and became effective on October 19th 2010. The objectives of the parent project were "to improve targeting in social protection spending, increase access to conditional cash transfers nationwide, increase access to employment and cash-earning opportunities for the rural poor during the agricultural off-season, and improve economic and social infrastructure in target districts".

The key performance indicators related to the PDO were: (i) share social protection spending allocated to programs targeted to the poor (percent); (ii) LEAP and Ghana Health Insurance indigent exemption expenditures in the government’s overall package of pro-poor expenditures as defined by MoFEP (percent); (iii) person days of unskilled workers disaggregated by district; (iv) average earnings per unskilled workers in LIPWs; (v) beneficiaries subject to school enrolment condition that comply with it (percent); and (vi) direct project beneficiaries (number), of which female (percent).

This project is Additional Financing (AF) operation of US$50 million to the Ghana Social Opportunities Project (GSOP P115247). This AF is to help finance the costs associated with strengthening social protection systems and safety nets implementation capacity in Ghana. Specifically, the AF will support: (a) formulation of social protection policy; (b) scaling up of the Labor Intensive Public Works (LIPW) and the Livelihood Empowerment Against Poverty (LEAP) programs; (c) designing and rolling out the Ghana National Household Registry (GNHR) for Social Protection programs and strengthening social protection implementation procedures; and (d) capacity building to support the implementation of LIPW and LEAP in existing and new districts [see OP13.20].

3.1 PROJECT COMPONENTS

The five main components of the original project are described below.

Component One: Rationalize National Social Protection Policy - US$2.5 million
Component one provides support to the government to help redirect its social protection expenditures to the most effective areas and reduce those in less effective activities. This would allow greater coverage of the poor despite current fiscal constraints in the wake of current and future economic crises. To facilitate the process, the component finances technical assistance, studies, training, and secretariat services.

Component Two: Labor Intensive Public Works (LIPW) - US$56 million
The objective of this component is to provide targeted rural poor households with access to employment and income-earning opportunities. This pertains particularly to seasonal labor demand shortfalls during the agricultural off-season from November to March/April, and in response to external shocks, through rehabilitation and maintenance of public or community infrastructure. The aim is to maximize local employment while rehabilitating productive infrastructure assets, which have potential to: (i) generate local secondary employment effects and (ii) protect households and communities against external shocks. The scope of works eligible for LIPWs is defined based on labor content and scope to generate significant local employment.
**Component Three: Livelihood Empowerment Against Poverty Program (LEAP) - US$20 million**

The objective of this component is to support the full rollout of the pilot phase of the LEAP program by strengthening its management and administration, providing technical assistance to improve targeting, providing cash transfers to beneficiaries under LEAP, and providing incentives to ensure that GoG’s annual budget allocations are sufficient. The component finances incentive payments to the unified treasury account to assure that GoG each year allocates sufficient budget for LEAP to meet its target number of households, and thereby contributes to improve human capital outcomes for these households. Disbursement Linked Indicators are used to reimburse disbursements made by GoG towards LEAP grants each year.

**Component Four: Capacity Building - US$4.1 million**

The objective of this component is to create capacity at the national and local levels to implement social protection programs in selected project districts, with the view of enabling a gradual scaling-up and targeting at the national level. Several distinct sets of capacity building activities are supported, specifically; (i) establishing a LIPW-supportive policy and institutional framework, (ii) capacity building to support LIPW implementation (including rehabilitation and maintenance of feeder roads, small earth dams and dugouts, construction of schools and clinics, and tree planting on communal lands), (iii) capacity building to support implementation of LEAP with the objective of strengthening and improving the targeting and monitoring of the government’s social protection instruments and programs, (iv) district and regional capacity building, and (v) other activities and pilot programs that could become necessary during implementation to support the overall objective of strengthening safety nets and providing safety ladders.

**Component Five: Project Management and Coordination (US$6.5 million)**

With the aim of bolstering GoG operations, the Project funds costs associated with: project management and coordination; relevant technical assistance; project monitoring and evaluation; consultancy services; communication and training; equipment and vehicles; and incremental operating costs. In addition, the component includes the cost of annual impact evaluation surveys, including a baseline study and an end-of-the-project comprehensive impact evaluation study.

### 3.2 Project Implementation

Overall, project implementation is satisfactory and the project is likely to meet the PDO. Several outcome indicators for LIPW and LEAP have met their project targets. Under LIPW, 3.2 million person days employment have been created against the target of 5.65 million (56%); direct project beneficiaries were 80,678 against the target of 13,000; 60.4% of LIPW beneficiaries are females against the target of 25%. The overall cumulative labor content is 48% against a target of 45%, with climate change public works projects containing the highest labor content, followed by small earth dams and dugouts, and roads and social infrastructure. Under LEAP, 70% of beneficiaries are females against the target of 15%; and there are 74,347 direct project beneficiaries against the target of 80,000.

Project disbursements satisfactorily stand at SDR 41,019,021 (70.24%) against the total credit of SDR 58,400,000.00 as of December 2013.

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2 Rationalized target from the previous 1,500,000 in the Project Appraisal document.
In a letter to the World Bank dated February 13th 2014, the Government of Ghana requested additional financing of US$50 million for Ghana Social Opportunities Project (GSOP) to: (i) scale up existing interventions under LIPW and LEAP, and (ii) modify project activities by strengthening social protection systems and implementation capacity. These changes are expected to enhance the development impact of the project. The additional financing will lead to an extension of the closing date by one year to June 30th 2017. In addition, the restructuring would include a revision of the PDO, related indicators, the results framework and the design of the components.

Activities to be funded under this AF are estimated at US$50 million equivalent. The proposed AF would increase the Bank’s financial contribution from the existing $88.6m to $138.6 million (IDA credit). In view of the additional credit, the development objective, design, implementation and fiduciary arrangements will be adjusted to reflect new project realities and scope. This AF is justified as per the requirements of paragraphs 2 and 26 of OP 10.00 regarding consistency with original project objectives and appraisal.

Additionally, this additional financing has the following additions and changes:

- Revision of the PDO, Key Performance Indicators (KPIs) and the Results Framework.
- Inclusion of 6 new districts for the LIPW projects (increasing from 49 to 55).
- Scaling up of LEAP.
- Inclusion of a new implementing agency: the Ministry of Gender, Children and Social protection (MoGCSP).
- Improved targeting approaches through the establishment of the Ghana National Household Registry.
- Introduction of social accountability and grievance redress mechanisms for LIPW and LEAP.
- Comprehensive development communication for LIPW and LEAP.
- Increased use of electronic systems and e-payments for LIPW and LEAP.
- The usage of Disbursement Linked Indicators under LEAP will be dropped.
- Strengthened collaboration between all agencies involved in project implementation.
3.2 Rationale for the Additional Financing

The project is aligned with the Country Partnership Strategy (CPS FY13-16) and supports: (1) Pillar one: Improving Economic Institutions, through Component 1: Rationalizing Social Protection Policy which is designed to increase the efficiency in the use of resources designed for social protection, given that pro-poor programs in Ghana are fragmented and poorly targeted; (2) Pillar three: Protection of the Poor and Vulnerable through Component 2: Labor Intensive Public Works, by expanding social protection support through labor intensive public works programs; and Component 3 Livelihood for Empowerment Against Poverty (LEAP), by providing cash transfers to extremely poor households with the goal of alleviating short-term poverty and encouraging long-term human capital development. The AF would support the Government's agenda to increase social protection coverage of the poor, thus advancing Ghana's progress towards the reduction of extreme poverty and boosting shared prosperity. The AF will be complemented by technical assistance support under the RSR Trust Fund for the roll-out of the NTS.

3.3 Scope of the Additional Financing

3.3 REVISED PROJECT COMPONENTS

The project revised components are as below:


   This component builds on the findings of the rationalization study that was funded under component 1 of the original project. This component will have two sub-components: sub-component 1A: Social Protection Policy formulation and sub-component 1B: Social Protection Systems Strengthening.

2. Sub-component 1A: Social Protection Policy Formulation

   The objective of this sub-component is to strengthen coordination, financing and implementation of social protection programs through the preparation of a national social protection policy, strategy and an implementation action plan. This sub-component will finance technical assistance, consultations, workshops, and policy dissemination. Policy formulation will be done in consultation with other government agencies involved in Social Protection and donor partners. Additionally, this sub-component will provide technical assistance to the Ministry of Finance to develop mechanisms within the current budget framework to allocate and monitor social protection spending more efficiently. Analytical work to support social protection budget allocation efficiency will also be supported. The component will further support capacity building for staff of the Ministry of Finance and the National Development Planning Commission to improve understanding and appreciation of social protection issues through trainings, study tours and in-country field visits.

3. Sub-component 1B: Social Protection Systems Strengthening

   The objective of this sub-component is to support strengthening of social protection systems through the establishment of the Ghana National Household Registry (GNHR). The registry is meant as a tool to improve efficiency, effectiveness, and expand the coverage and scope of social protection interventions in Ghana. This sub-component will finance electronic data collection and processing on households using a Proxy Means Test (PMT) that will be reviewed and updated using the 2013 Ghana Living Standards Survey data (GLSS 6) data. This process - the National Targeting System (NTS) - would be used to build the GNHR on poor households eligible for selection by social protection
programs. The GNHR would be a database of households, their members, basic living conditions and PMT scores. The GNHR will be used across social protection programs (including LEAP, LIPW, and NHIS) for targeting beneficiaries, thus removing redundancy across programs in the targeting processes. Implementation will be sequenced, starting with the Upper West region in 2014, Upper East Region in 2015 and Northern Region in 2016. Geographical maps will be prepared for the rest of the country. It is expected that the roll out will follow these maps.

**Component Two. Labor Intensive Public Works Implementation and Capacity Building**

The objective of this component remains unchanged. The AF will support the scale up of LIPW to reach more beneficiary households. Innovations, particularly to manage oversubscription, improve targeting, and enhance delivery and monitoring of payments will be introduced. The implementation capacity of the local assemblies will continue to be strengthened through trainings. This component will be reorganized under AF with two sub-components: sub-component 2A: Labor Intensive Public Works and sub-component 2B: Capacity Building.

**Sub-component 2A: Labor Intensive Public Works (LIPW)**

The AF will deepen LIPW activities in the existing 49 districts. The basic design of the LIPW component and menu of sub-projects would be maintained. Six new districts will be added. Selection of districts will be based on poverty. Labor content of the original project was approximately 50%. The other 50% of the component funds went to contractors and materials. To maximize labor content under AF, the breakdown of sub-projects would be 20% for feeder roads, 30% for climate change activities and 50% for small earth dams and dugouts. To manage oversubscription, the AF activities would support: (i) improved planning to enable site managers to take into account a realistic number of work days and tools that are available per cycle; and (ii) in addition to self-targeting, use community-based targeting (CBT) to further narrow down the eligible beneficiary pool; (iii) the computerization of time sheets to enable faster processing of payroll information as well as introduction of an electronic payment mechanism to improve efficiency. For sustainability, community saving activities financed under a US$3 million Japanese Social Development Grant will complement LIPW activities. The project will continue to use qualified contractors to ensure that small earth dams and dugouts are prepared in strict conformity with standard designs and specifications. Details on quality improvements for sub-projects will be detailed in the revised Operational Manual.

**Sub-component 2B: Capacity Building for LIPW.**

The original capacity building component was entirely implemented by the MLGRD. Under AF, this component has been restructured to support both the MLGRD and MoGCSP. Therefore, this sub-component will finance capacity building activities for implementation of LIPW in selected project districts. Several distinct sets of capacity building activities under the original project will continue to be supported under AF, specifically: (i) establishing a LIPW supportive policy and institutional framework; (ii) capacity building to support LIPW implementation aimed at decision-makers, DA technical staff, relevant line agencies, and contractors; and (iii) ongoing capacity building for DAs in the technical and management capacities of LIPW target districts.

In addition, this sub-component will support the implementation of social accountability and grievance redress mechanisms, development communication activities, capacity building for the introduction of ICT-based operational enhancements (such as electronic registration and electronic timesheets linked to e-payments), impact evaluation, and other activities to support the overall objective of strengthening LIPW.
Component Three. Livelihood Empowerment Against Poverty (LEAP) Implementation and Capacity Building

The objective of this component is to support the scale up of the LEAP grants to benefit more households, improve the implementation of soft conditions, and strengthen LEAP’s management and administration systems. This component will be restructured under AF to have two sub-components: sub-component 2A: LEAP Grants and sub-component 2B: Capacity Building for LEAP

Sub-component 3A: LEAP Grants

The objective of this sub-component is to support the scale up of the LEAP grants to benefit more households. In the original project, the LEAP grants were meant to be conditional, the PAD was not clear whether these were hard or soft conditions. In practice, soft conditions have been implemented. Beneficiaries are sensitized about sending children ages 5-15 to school, and ensuring regular clinical visits and full immunizations for all children in beneficiary households. The implementation of these conditions needs to be better structured under additional financing. The AF will continue to finance cash grants to additional beneficiary households. Broadly, the government has increased its allocation to LEAP from GHc 7.5 million in 2010 to GHc 38 million in 2014. Going forward, the financing of this component will be restructured to utilize regular project investment financing modalities, with periodic payments made directly to the MoGCSP for the LEAP cash grants.

Sub-component 3B: Capacity Building for LEAP.

In order to enhance LEAP’s implementation, this sub-component of the AF would provide financing to strengthen the program’s operations at the national, regional and district levels. With AF, this project will finance the development of a Management Information System for the program (to be coordinated with the GHR) that will support data entry and analysis at the national and decentralized levels, delivery charges associated with the new electronic payments mechanism, and training and capacity building of staff to implement LEAP more effectively. This sub-component will also provide funding for development communication activities, as well as monitoring and evaluation (i.e. regular spot checks of operation activities and impact evaluation studies), and social accountability and grievance redress systems for the program. In addition, the project will also ensure and support the improved implementation of soft conditions through regular and documented dissemination fora for LEAP beneficiaries.

Component Four. Project Management and Coordination.

The objective of this component remains unchanged. Overall project implementation will be undertaken by the Ministry of Local Government and Rural Development (Components 2 and 4A) and the Ministry of Gender Children and Social Protection (Components 1, 3 and 4B). Under the AF, this component will be restructured into two sub-components to reflect the addition of the MoGCSP as an independent implementing agency: sub-component 4A: Project management and coordination by the Ministry of Local Government and Rural Development, and sub-component 4B: Project management and coordination by the Ministry of Gender, Children and Social Protection.

Sub-component 4A: Project management and coordination by the Ministry of Local Government and Rural Development.

The objective of this sub-component is to support activities related to project management and coordination, equipment and vehicles, and incremental operating costs under the GSOP National Coordination Office and Regional Coordination Officers for LIPW sub-projects.

Sub-component 4B: Project management and coordination by the Ministry of Gender, Children and Social Protection.

The objective of this sub-component is to support activities related to project management and coordination, equipment and vehicles, and incremental operating costs under the MoGCSP.
3.4 Expected Benefits and Risks

The AF will support the scale up of LIPW and LEAP to reach more beneficiaries and deepen coverage of social protection in Ghana. Funding will further strengthen social protection systems through the establishment of a National Targeting System and the provision of capacity building support. This would allow greater efficiency, and reduce duplication within the social protection sector at a time when the country is facing fiscal constraints.

Key additional risks of the project under AF would include: (i) weak capacity at MoGCSP (given it is a relatively new to social protection) and may be unable to deal with complexities of the program particularly in regards to monitoring and evaluation, financial management and procurement; (ii) increasing number of partners which could result in lack of coordination, and reduced clarity in decision-making; (iii) significant technical capacity required for the creation of the single registry and the attendant technology. Mitigation measures, including additional human resources and technical support will be put in place to support capacity strengthening of the MoGCSP in the areas of financial management and procurement.
4.0 COUNTRY LEGAL AND INSTITUTIONAL GUIDELINES AND REQUIREMENTS

4.1 Resettlement/Compensation Policy in Ghana

It is the policy of the Government of Ghana to pay compensation or offer resettlement assistance to people whose properties, lands, or landed property are affected by projects being undertaken by the government. This section has been prepared in accordance with the laws of Ghana.

4.2 Land Acquisition and Compensation Laws

Land-for-land will be provided where appropriate. The State Lands Act 1963 section 6(1) provides that any person whose property is affected by public projects shall be entitled to compensation. The same Act provides avenues for those who are not satisfied with the compensation to seek redress.

The Lands (Statutory Wayleaves) Act, 1963, Act 186 provides for entry on any land for the purpose of the construction, installation, and maintenance of works of public utility, and for the creation of rights of way and other similar rights in respect of such works and for purposes connected with the matters aforesaid. For the creation of statutory wayleaves, it is required under Act 186 that, where the President is of the opinion that it is in the public interest that any right of way or other similar right over any land (“statutory wayleave”) be created in respect of the whole or any part of any of the works specified under section 2(1) of Act 186, subject to the provisions of this Act, by executive instrument (“wayleave instrument”) declare the land specified in the instrument to be subject to such statutory wayleave as specified therein; and on publication of a wayleave instrument and without further assurance the land shall be deemed to be subject to that wayleave which shall, in accordance with the terms of the instrument, ensure to the benefit of the Republic, any statutory corporation specified in the instrument, or the public generally.

A wayleave instrument shall contain the following particulars:

- A description (with measurements) of the land affected by the statutory wayleave together with a plan showing the position of the works constructed thereon;
- Particulars of the person or body for whose benefit the wayleave is to ensure; and
- Such other particulars of the said works as the president think necessary or expedient to include in the instrument.

A copy of every wayleave instrument shall be served on the owner or occupier of the land affected by the statutory wayleave, and if neither the owner nor occupier can be found shall be posted in a conspicuous place on the land and published in a newspaper circulating in the locality. Under section 2(1) a statutory wayleave may be created in respect of any of the following works:

- Any highway; and
• Any other structure or works for the purpose of, or in connection with, any public utility service;
• Any “specified works.”

Under Section 6(1) of the Act, any person who suffers any loss or damage as a result of the carrying out of any survey as a result of installation, construction, inspection, maintenance, replacement, or removal of any specified works that person shall, save in so far as the loss or damage resulted from or arose out of the acts of that person, his servants or agents, and subject to the provisions of this section, be entitled to compensation of an amount assess by the minister in respect of such loss or damage; and in assessing such compensation the minister may take into account in reduction thereof any amount by which the person's land has increased in value as a result of the installation or construction of the works.

Any claim for compensation under section 6(1) shall be made to the minister in the prescribed form not more than three months (or such longer period as the minister may either generally or in any particular case direct) after the date of declaration made by the president under section 1 of Act 186. Under section 6(3) no person shall be entitled to any compensation for any loss or damage if, in the opinion of the minister:

- The alleged damage is to land, that land has been sufficiently reinstated;
- The alleged loss arises out of the deprivation of the use of any land, the person alleging the loss has been offered other land of equivalent value;
- The alleged damage is to movable property, that property has either been replaced or sufficiently restored; or
- The works constructed do not substantially interfere with the enjoyment of the land.

Where any person is dissatisfied with the amount of compensation assessed by the minister, but in no other case, the matter may be referred by the minister to tribunal. The tribunal shall consist of three persons appointed by the president, following consultation with the chief justice, and one of those persons shall be a judge of the high court who shall be chairman of the tribunal.

4.3 Land Ownership in Ghana

The land ownership system in Ghana is governed by a complex operation of both customary, statute, and common law resulting in a rather uniquely complicated land ownership structure. There are three principal land ownership geneses in Ghana namely:

- Customary-owned;
- State-owned;
- Customary-owned but state-managed lands also known as vested lands.
4.3.1 **Customary Ownership**

Customary ownership occurs where the right to use or to dispose of use-rights over land is governed purely by customary laws of the land-owning community. Customary laws in Ghana vary from one community to another, and the Ghanaian society is made up of various ethnic communities with their varying social structures, customary practices, and norms. These customary laws and norms rest neither on the exercise of brute force, nor on the evidence of rights guaranteed by government statute, but on the fact that they are recognized as legitimate by the community, the rules governing the acquisition and transmission of these rights being usually explicitly and generally known, though not normally recorded in writing (Bower, 1993). Such ownership may occur in any one or a combination of the following ways:

1. Discovery and long uninterrupted settlement;
2. Conquest through war and subsequent settlement;
3. Gift from another land-owning group or traditional overlord; and
4. Purchase from another land-owning group.

Within the customary land-owning system, various schemes of interest with varying quantum of rights exist. The *Allodial Title* is the highest quantum of land rights capable of ownership and it forms the basis of all land rights in Ghana. The *Allodial Title* in land is equivalent to the common law freehold rights. These rights are vested either in a Stool, a clan, a family, an earth priest, or a private individual person.

Other lesser interests such as usufructuary interest, tenancies, licenses, and pledges emanates from the *Allodial Title*. In Ghana customary lands are managed by a custodian (a chief or a head of family) together with a council of principal elders appointed in accordance with the customary law of the land-owning community. The custodian and the elders are necessarily members of the land-owning community and are expected by customary law to hold the land in fiduciary capacity in trust for the members of the land-owning community. They are thus accountable to the members of the land-owning community for their stewardship. Membership is obtained by birth. All grants of land rights by the custodian require the concurrence of at least two of the principal elders for the grant to be valid.

Customary ownership presents considerable land acquisition problems in Ghana. The boundaries of most customary-owned lands are not generally surveyed and in some cases undefined. It is also plagued with land ownership squabbles, and trying to identify the true owner of any piece of land can be risky. There is improper record keeping of judgments, dispositions, and other records relating to the

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3 The Term "Stool" is used to refer to a traditional ruler's office and authority in the three southern regions of Ghana.
land by the custodians. In many instances, there is the need to distinguish between jurisdictional rights of custodians and propriety rights in land.

4.3.2 **State Lands**

State lands are those specifically acquired by government under an appropriate enactment using the state powers of eminent domain. Currently the principal acquiring legislation is the State Lands Act of 1962, Act (122) for public purposes or in the public interest. Under such ownership the *Alodial* rights become vested in the government which can then proceed to dispose of the lands by way of leases, certificate of allocations, licences etc. to relevant beneficiary state institutions as well as private individuals and organizations. The boundaries of these lands are cadastrally surveyed but are scattered throughout the country.

4.3.3 **Vested Lands**

The third category of land in Ghana is the generally referred to as vested lands and they are lands owned by a Stool but managed by the state on behalf of the land-owning Stool. Under such ownership, the legal rights to sell, lease, manage, and collect rent is taken away from the customary landowners by the application of specific law to that land and vested in the state. The landowners retain the equitable interest in the land (i.e., the right to enjoy the benefits from the land). This category of land is managed in the same way as state lands. Unlike state lands, however, the boundaries are not cadastrally surveyed and they are usually larger in size, covering wide areas.

In Ghana, there is no land without an owner; it is presumed that any parcel of land in Ghana would fall within one of the above-discussed categories. And since state and vested lands are acquired expressly through legislation, all other lands outside these categories belong to the class of customary lands – Stools, clans, or families.

The acquisition of land for government projects is regulated by the Lands Act 1963. Under Section 6(1) of the Act, any person who suffers any loss or damage as a result of construction, rehabilitation, maintenance, etc. shall be entitled to compensation. A claim for compensation shall be made through the minister in the prescribed form not more than three months after the date of declaration made by the president under Section 1 of the Act.
5.0 REVIEW OF GHANA’S LAND LAWS AND WORLD BANK SAFEGUARDS POLICIES

The World Bank Operational Policy explicitly makes adequate provision for project-affected persons who are either displaced or suffer other losses, as a result of projects, to be adequately catered for. Livelihoods of persons to be affected must be preserved, but in cases when this is inevitable, minimal displacements should occur. In instances where displacement is unavoidable, compensation should be paid to PAPs to help them to restore their social, economic and environmental livelihoods. Annex 1 shows the full text of World Bank OP 4.12 on Involuntary Resettlement.

The Ghana statutes makes provision for compensation to be paid to only persons who have suffered any loss and can produce any form of title that is legal in the form of deeds, leaseholds, or legally binding tenancy agreement to the land in question. However, the Operational Policy expects all forms of losses without exception to be catered for.

Under the Ghanaian statute, it is the preserve of the minister to assess loss due to works done but the World Bank OP 4.12, advocates the involvement of the project-affected persons through for surveys etc. to ensure that the project enjoys the full support of the Bank and affected persons.

The Operational Policy advises that project-affected persons be assisted during their transition period in the resettlement site and efforts made to restore their livelihoods whereas the Ghana laws are silent on that. Table 5.1 highlights some comparison between the Ghanaians Laws and the World Bank policy.

To operate within the directives of the Bank, a RAP has to be developed in line with the OP 4.12 with the involvement of affected persons through consultations and compensation to be paid based on full replacement cost, disturbance and restoration of livelihood. Annex 2 shows templates for preparation of a RAP.
## Table 5.1: Comparison of Ghanaian Laws with World Bank Policies

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<tr>
<td>Calculation of Compensation</td>
<td>Fair and adequate.</td>
<td>Full replacement cost.</td>
</tr>
<tr>
<td>Squatters</td>
<td>No provision, they are deemed not to be eligible.</td>
<td>Are to be provided transitional allowance.</td>
</tr>
<tr>
<td>Resettlement</td>
<td>In situations where inhabitants have to be displaced, the state is to resettle all on “suitable land with due regards for their economic well-being and social and cultural values”.</td>
<td>Affected persons who are physically displaced are to be provided with residential housing, or housing sites, or as required, agricultural sites at least equivalent to old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.</td>
</tr>
<tr>
<td>Resettlement Assistance</td>
<td>No specific provision with respect to additional assistance and monitoring.</td>
<td>Affected persons are to be offered support after displacement, for a transitional period.</td>
</tr>
<tr>
<td>Information and Consultation</td>
<td>The owner/tenants on the land must be formally notified at least a week in advance of the intent to enter, and be given at least 24 hour notice before actual entry.</td>
<td>Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementation and monitoring of resettlement.</td>
</tr>
<tr>
<td>Grievances</td>
<td>Formal and informal mechanisms and formal access to court of law.</td>
<td>Appropriate and accessible grievance mechanisms to be established.</td>
</tr>
</tbody>
</table>
6.0 SOCIO-ECONOMIC CHARACTERISTICS

6.1 Population Characteristics
The provisional results of the 2010 PHC show that the total population of Ghana is 24,223,431. There are 11,801,661 males and 12,421,770 females. This suggests that males make up 48.7 percent of the population while females constitute 51.3 percent.

The project is currently located in all regions of the country and within 49 districts4. These districts include Nadowli-Kaleo, Daffiama-Bussie-Issa, Lawra, Nandom, Talensi, Nabdam, Buiisa North, Buiisa South, Sene East, Sene West, Sekyere Affram Plains, Sekyere Kumawu, Twifo Hemang, Twifo-Atti-Morkwa, Krach West, Krachi Nchumuru, Ada East and Ada West.

6.2 Economic Activities
The economy of Ghana has a diverse and rich resource base with a GDP of over US$30 billion, and as such, has one of the highest GDP per capita in West Africa. Gold, timber, cocoa, diamond, bauxite and manganese exports are major sources of foreign exchange. The offshore oilfield near Cape Three Points is reported to contain up to 3 billion barrels (480×10⁶ m³) of light oil was discovered in 2007. Oil exploration is ongoing and the amount of oil continues to increase. Commercial production of crude oil commenced from the last quarter of 2010. The domestic economy however continues to revolve around subsistence agriculture, which accounts for 35% of GDP and employs 55% of the work force, mainly small landholders.

6.3 Land Tenure in Ghana
There are broadly three types of land ownership existing in Ghana. These are:
• State or Public Lands;
• Customary Lands; and
• Private Lands.

State or Public Lands refer to lands acquired by the State for public use through compulsory acquisition under relevant legislation. These are managed by the Public and Vested Lands Management Division of the Lands Commission. Private Lands are largely under customary ownership by stools, skins, families, clans and individuals. They usually connote some form of communal ownership.

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4 As the project stands, 49 districts are being covered under LIPW. This number may however be expanded under the Additional Financing to cover more districts in existing regions.
In between these two broad categories of land ownership are Vested Lands, in which there is a split in ownership between the State (through management of the lands) and the beneficiary, usually stool (in the southern part of the country) and skin (in the northern part of the country). Land in the three northern regions is owned by the Skins\textsuperscript{5} although families (Tindaanas) and some individuals own land. Land for agriculture is provided by the Skins, the family head, or outright sale.

As far as land ownership is concerned, the main categories of interests and rights identified are:

- **Stool Lands or Allodial Interest:** This is where the overall interest is vested in the chief, as occupant of the stool, for and on behalf of the community. The Chief may allocate land to members of the land owning community (indigene) and stranger/migrants for all land use purposes, including farming and building.

- **Family Land or Right of Usufruct:** This refers to the interest acquired by the indigene of the stool land area by virtue of being a member of the family/clan. It is inheritable and can be passed from generation to generation without consent from the custodian of the stool.

- **Freehold Land or Alienation Holder:** This interest arises where a person has purchased land outright from the stool or family; in which case he possesses the alodial title in land and thus holds the paramount interest in that land. This is usually held by migrant/settler farmers who came to live in the community many years ago. An alienation holder can use or allocate land (subject only to relevant national laws) without the consent of any authority.

- **Customary Law Leasehold or Tenancy/Sharecropping Interests (for agricultural purposes):** These are interests in land in which land owners and farmers agree to share proceeds of a crop in a predetermined ratio. ‘Abunu’ involves crop sharing into two (2) equal parts, while ‘Abusa’ is sharing into three (3) equal parts. In both cases, the farmer may continue to crop on the land for the life of the crop, or if fire engulfs the farm and the crops are destroyed; then the land reverts to the land owner. There could be a renegotiation for a fresh start or the farmer could leave without any obligation on both parties. However, where the farmer crops till the end of the life of the crop the land reverts to the land owner. Customary land transactions involving farm sharing does not transfer ownership in the land. When an agreement is made between a landlord and a farmer with respect to sharing a farm, without explicitly indicating an intention to transfer ownership it simple means to own and cultivate the land for the life of the crops (common with cash crops). Unless certain customary rites are performed to signify an actual transfer or gift of the land to another party, the sharing does not intend to transfer ownership rights on the land.

- **Customary Law Leasehold (for non-agricultural purposes):** These are interests acquired for other non-farm activities, e.g. for buildings. These may be acquired from stool, family or freehold lands. It is usually for a pre-determined number of years, and for a specific use.

The customary practice of land allocation by traditional authorities results in the provision of land to a variety of users through a range of mechanisms. Very often, being communal lands, other members of the wider community has lesser rights such as rights of access, and rights to collect mushrooms, snails and medicinal plants which have grown naturally. Customary land use rights are sometimes enshrined in writing, and sometimes left to the memory of responsible persons. The Government of Ghana has at various times sought to formalize the process of land tenure, including the definition of land titling

\textsuperscript{5} The Term “Skin” is used to refer to a traditional ruler’s office and authority in the three northern regions of Ghana.
processes and the allocation of responsibility to a number of land administration institutions under the enlarged Lands Commission.

6.4 Social Infrastructure

The social infrastructure in the 49 Districts, made up of the educational, electricity, health, water and sanitation, telecommunication, transport, and market facilities are concentrated in the few urban areas of the country. Although there are several educational institutions at the pre-school to the Junior High School level, the number diminishes at the Senior High and Tertiary levels. There is also high level of out-of school children in these 49 Districts to be covered. With the exception of Regional and some District Capitals, most of the communities face inadequate or no social infrastructure. Potable water supply is limited to the urban areas leaving the greater majority of the people without good drinking water.

Like potable water, electricity supply is also limited to the urban areas with low coverage in the rural areas. Road network in these districts is very bad. Apart from a few highways, most of the roads are feeder roads while many are un-engineered tracts especially in the rural communities within the various districts. This bad road infrastructure affects the easy movement of people and goods from the farm gate to the various market centres.

6.5 Employment

Employment within the 49 districts spread across the country is seasonal. The majority of the employable population are engaged in agriculture (crop production, animal husbandry or fishing), at subsistence level. Agriculture employs over 70 percent of the employable labor force. For the greater part of the year during the long dry period when no agriculture activity takes place, they become virtually unemployed. This is why the GSOP has the potential of changing the employment status of the people in these districts.

6.6 Migration

Migration within these deprived districts is always on the increase due to the lack of economic activity. With the envisaged activities under GSOP it is expected that there will be:

- a reduction of rural-to-urban migration as employment opportunities increases and amenities become available in the rural areas;
- a sense of ownership of the infrastructure created with communities who perceive themselves as partners in their development with the government; and
- development of local small-scale contractors due to low equipment requirements.
6.7 Tourism

Tourism is an emerging industry that can create employment and therefore increased incomes of the people in these deprived districts. Almost all the districts have one or more tourist attraction sites like festivals and game reserves which if well harnessed could attract people from both home and abroad become a good source of employment and income generation for the various district assemblies.

6.8 HIV/AIDS and Gender Issues

The areas covered by the project has an HIV median prevalence rate below the national median prevalence rate of 2.2 percent. However, HIV/AIDS in these district have the potential to increase. The increase may be attributed to cases of high incidence of poverty (70-80 percent).

The situation is worsened by the inadequate health facilities, lack of health personnel in specialized fields like psychological counselling and behavioural change education, and nursing for outreach programs, inadequate access to district health facilities; lack of hospitals, poor roads, which make it difficult for rural people to travel to enjoy health service in the urban areas; and inadequate support for the physically challenged and PLWHAs and orphans, a situation that increases their vulnerability.

Girl-child school drop-outs are vulnerable, especially those who become apprentices in informal associations. Dissatisfaction with their situation and the quest for quick money make the girls fall prey to men who take advantage of them.6

6.9 Conflict Issues

Land disputes, ethnic issues, sharing of land resources, and hierarchy of ascending to throne are potential areas of conflict in some part of the country especially the Northern, Upper East and West Regions. These potential conflict issues have implications for land tenure and security as well as the following related areas:

- Compulsory acquisition and compensation payments
- Resolution of land disputes
- Spousal conflict arising from payment of women in lieu of loss of user rights (crops, economic trees, buildings etc)
- Methods of addressing land disputes
- Capacity of land sector agencies to get affected persons engaged.
7.0 DESCRIPTION OF ELIGIBILITY CRITERIA

7.1 Lands Policy and World Bank OP 4.12

Under GSOP, efforts are being made to minimize impact on land, people and property, loss of livelihood, and access to resources due to the execution of civil works. However, in cases where land acquisition will cause adverse impact on people and property or people's access to land or property, the resettlement and compensation payment shall be made in accordance to the World Bank OP 4.12 as well as the Lands Act 1963 Section 6(1).

7.2 Eligibility

Persons that may be classified according to the following three groups as displaced persons shall be eligible for compensation and resettlement assistance:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the Lands Act).
- Those who do not have formal legal rights to land at the time the census begins but have a recognizable legal right or claim to such land or assets.
- Those who have no recognizable legal right or claim to the land they are occupying (i.e., squatters, ownerships under dispute, etc.).

It is the policy of the Government of Ghana to pay compensation or offer resettlement assistance to people whose properties, lands or landed properties are affected by projects being undertaken by the government. Land for land will be provided where appropriate. The State Lands Act 1963 section 6(1) provides that any person whose property is affected by public projects shall be entitled to compensation. The same Act provides avenues for people who are not satisfied with compensation to seek redress.

7.3 Redress

The project will establish a register of resettlement/ compensation related grievances and disputes at all levels. The receipt of complaints will include its logging and registration as this will help with monitoring the status of the grievances and ease reporting on them. The existence and conditions of access to this register (where, when, how) will be widely disseminated within the project areas as part of the consultation undertaken for the project in general. The Projects will determine the redress action in consultation with the complainant if necessary and with the representative of the PAPs. Grievances will be tracked with the use of a grievance redress form. Annexes 3 and 4 shows a Grievance and Redress Form.
Section 6(4) of the State Lands Act 1963 stipulates that where any person is dissatisfied with the amount of compensation assessed by the minister, the matter may be referred by the minister to a tribunal established in accordance with the following:

The tribunal shall consist of three persons appointed by the president, following consultation with the chief justice, and one of those persons shall be a judge of the high court who shall be the chairman of the tribunal.
8.0 VALUATION OF AFFECTED ASSETS

OP 4.12, Paragraph 10 stipulates that a section of the resettlement documentation should present information related to Valuation of and compensation for losses.

8.1 Valuation Methodology

Losses due to displacement will be compensated on the basis of replacement costs. Pursuant to the stipulations of OP 4.12, “With regard to land and structures, “replacement cost” is defined as follows:

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

- For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

- For houses and other structures, it is:
  - the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure,
  - plus the cost of transporting building materials to the construction site,
  - plus the cost of any labor and contractors’ fees,
  - plus the cost of any registration and transfer taxes.

In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

8.2 Land Acquisition Procedure and Compensation

Initial consultations should be held with the Community and District Chief Executives. In the project areas, land is owned by chiefs and individuals. There are also leaseholders who have taken various tenures from chiefs.
As a result of the problems of both private treaty and compulsory acquisition, as well as the volatile nature of issues regarding land acquisition, a hybrid between private treaty arrangement and compulsory acquisition methods should be employed.

The acquisition should commence with private consultations similar to that of private treaty arrangement with the aim of achieving the following:

- Identifying the rightful owners
- Identification of the boundaries
- Current occupants
- Extent of loss to be suffered due to the project activities
- Negotiation of compensation and resettlement

Prior to the commencement of the compensation and resettlement activities an Executive Instrument should then be passed to confirm the acquisition. This procedure will reduce antagonism to the project and elicit the required co-operation from the project-affected persons, as well as to demonstrate to World Bank that the required steps have been taken to reduce the negative effects of the project.

8.3 Valuing Entitlement

Properties to be affected by the proposed GSOP sub-projects in the targeted regions and districts should be inspected/referenced or enumerated. This should be contracted out to an independent evaluator to avoid any doubts of under-valuing. The Land Valuation Board, which is the government's statutorily accredited valuation authority could be involved in the process.

The valuation of buildings/structures should be based on open market valuation. Replacement Cost method of valuation should be used so as to arrive at values which could secure replacement properties for the affected persons.

The replacement cost method should be based on the following:

- Physical inspection of each of the properties affected;
- Average replacement costs of different types of buildings and related structures based on collection of information on the quantities and types of materials used to construct different types of structures (e.g., blocks, bricks, wood, steel plates, rafters, doors, etc.);
- Prices of these items were collected from different local markets and analysed to take account of the minor differences between the comparables and the subject properties;
- Costs of transportation and delivery of these items to acquired/replacement building site; and
- Estimates of construction of new buildings including labor required.

8.4 Procedures for Delivery of Entitlements

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

Subject to the final decision on the exact position of the site and its dimensions, the approved entitlements or amounts would be communicated to the implementing agency or unit for delivery or payment to the beneficiaries. Compensation would be paid before the owners/occupiers are made to vacate their properties for commencement of construction or works. The National Coordination Office (NCO) will ensure that no construction begins until project-affected persons have been resettled if physical relocation is necessary and/or received their compensations (according to World Bank Operational Policies OP 4.12). All compensation, whether cash payments and/or alternative land and house provisions, would be given to project-affected persons prior to any request for vacation of land/property and before commencement of construction.

Compensation and resettlement will be funded by the MLGRD like any other activity eligible under the projects’ administrative and financial management rules and manuals. Funding would be processed and effected through the Finance Unit of the Ministry of Local Government and Rural Development. The compensation process which will involve several steps would be in accordance with the individual project site resettlement plans. The compensation process should incorporate the following:

- **Involvement of Public Sector Agencies**
  Institutions such as the EPA, District, Municipal and Metropolitan Assemblies and the Town and Country Planning Department must be involved in the process of resettlement and their roles clearly spelled out.

- **Notification** of land resource holders. Through a socio-economic survey, all property owners or users would have to be identified and located. The user or his representative should be informed through both a formal notification in writing and by verbal notification delivered in the presence of all stakeholders or their representative.

- **Documentation** of Holdings and Assets – Officers of the implementing agency and Land Valuation Board should arrange meetings with affected individuals and/or households to discuss the compensation process. For each individual or household affected, officers of the implementing agency and LVB should compile a compensation dossier containing necessary personal information on, the affected party and those that s/he claims as household members,
total land holdings, inventory of assets affected, and information for monitoring their future situation. This information should be confirmed and witnessed by EPA and District/Municipal Assemblies. Dossiers will be kept current and will include documentation of lands surrendered. This is necessary because it is one way in which an individual can be monitored over time. All claims and assets will be documented in writing.

- **Agreement on Compensation and Preparation of Contracts** – All types of compensation should be clearly explained to the individual or household. A land acquisition team comprising the Land Owner(s), the Local Community, Area Council, District Assembly with the support of the Regional Lands Commission and Land Valuation offices should draw up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract should be read aloud in the presence of the affected party and other stakeholders prior to signing.

- **Compensation Payments** – The handing over of properties such as land and buildings and compensation payments will be made in the presence of the affected party and officials of EPA and the District/Municipal Assemblies.

**8.5 Time Frame**

Taking cognizance of the potentially low scale and scope of resettlement issues that could arise, the processing of compensation application for payment by the government should be expedited over an average maximum period of one month. Some additional one month could be allowed for exceptional circumstances where there could be some complexities or challenges. No construction will begin until project-affected people have been resettled if physical relocation is necessary and/or received their full compensation (according to World Bank Policy OP 4.12). Additionally, the property owners must be given adequate notice of not less than one month after payment of compensation to vacate affected assets and relocate depending on the nature of relocation or resettlement.
9.0 RESSETLEMENT ENTITLEMENT POLICY

9.1 Legal Basis for Resettlement Entitlement

Although the Lands Act provides for payment of compensation and resettlement of displaced people, whose lands or landed property are affected by projects being undertaken by the government, where there are gaps or discrepancies between the Lands Act and the World Bank resettlement and compensation policy, the World Bank's Resettlement and Compensation Policy would apply and a Resettlement Action Plan (RAP), based on the guidance set forth in the Resettlement Policy Framework (RPF) completed.

9.2 Land Occupation for Sub-Projects

The lands to be acquired and used by the GSOP would be governed by the Laws of Ghana as well as the Operational Policy OP 4.12 (Involuntary Resettlement). For the purposes of the project, administrative and financial concerns related to the acquired land shall be decentralized to the level of the DAs and ACs and beneficiary groups or communities.

9.3 Entitlements Relating to Various Categories of Impacts

9.3.1 Entitlements Relating to Various Categories of Impacts

Valuing methods for affected land and assets depend on the type of asset. The three land asset types identified under Ghanaian law in this policy framework are:

- State-owned land;
- Privately-owned land; and
- Assets held under customary rights.

State-owned land would be allocated freely (perhaps except for processing and registration fees); however the DAs and ACs, beneficiary communities, and groups would be expected to pay to acquire land in this category in cases where the state-owned land is being used by individual and or household farmers. Privately-owned property and land would have to be acquired at the market value. The guiding principle is that whoever was using the land to be affected by the project would be provided alternative land of equal size and quality or affected person would be paid compensation.

Compensation rates would be market rate as of the date and time that the replacement is to be provided. As such, current prices for cash crops would have to be determined. As part of the compensation processes under GSOP, a cut-off date would have to be established for specific resettlement action plans preparation. Compensation would not be made after the cut-off date in compliance with this policy. The Ministry of Local Government and Rural Development through the District Assemblies would be
responsible for compensations payment for affected assets and investments, including land, buildings, economic trees, crops, etc according to the provisions of the resettlement plan.

9.3.2 Compensation Payments and Related Considerations

Individual and household compensation will be made in cash, in kind and/or through assistance. The type of compensation will be determined by the PAP/PAF, although every effort will be made to instil the importance of accepting in-kind compensation if the loss amounts to greater than 20 percent of the total loss of subsistence assets.

Making compensation payments raises some issues regarding inflation, security, and timing. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur, thus market prices shall be monitored within the time period that compensation is being paid to allow for adjustments in compensation values. The question of security, especially for people who will be receiving cash compensation payment, needs to be addressed by beneficiary community or group, with oversight from the RICUs. Local banks and micro-finance institutions should work closely with the government at this level to encourage the use of their facilities, which will positively impact the growth of the local economies. The time and place for in-kind compensation payments shall be decided upon by each recipient in consultation with the DAs and ACs and beneficiary communities. Monetary payments should be paid at a time in relation to the seasonal calendar.

9.4 Compensation Process

The compensation process shall involve several steps to be carried out in accordance with the measures set out GSOP RAPs. These steps include:

9.4.1 Public Participation

Public participation of local communities shall be an ongoing process throughout resettlement planning. PAPs shall be notified by DAs and ACs during the identification sub-projects and consulted with as part of the screening process. To ensure that any sensitive areas are accurately identified during this procedure, chiefs, religious leaders, other elders and individuals who will be affected. The subsequent socio-economic survey will record all relevant information about PAPs, and ensure that this is accurately reflected in the RAPs in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation have been carried out satisfactorily.
9.4.2 **Notification**

Notification includes discussing the desire to acquire land for GSOP, discussing alternatives and options, discussing compensation arrangements, and discussing grievance mechanisms, together with land owners. The user shall be informed by the DAs and ACs and Beneficiary Community or Group through a formal notification, both written and verbal, to be delivered in the presence of the chief and the National Coordination Office of the GSOP. The cut-off date for affected prosperities enumeration and valuation for compensation payment shall be disclosed to affected parties and stakeholders as part of the notification processes.

9.4.3 **Documentation of Holdings and Assets**

Officials and the local community shall arrange meetings with PAPs/PAFs to discuss the compensation process. For each individual or household affected, the local community shall complete a compensation dossier containing necessary personal information on the affected party and those individuals considered as household members, total land holdings, inventory of assets affected, and information for monitoring future arrangements. The dossier must be confirmed and witnessed by officials and shall be kept up to date. This is necessary as it is possible for an individual to surrender parcels of land over time and can eventually become eligible for resettlement. All claims and assets shall be documented.

9.4.4 **Agreement on Compensation and Preparation of Contracts**

The types of compensation shall be clearly explained to, and agreed with PAPs/PAFs. The local community shall draw up a contract listing all property and land being surrendered, and types of compensation (cash and/or in-kind) selected and agreed upon by the PAP/PAF and the DAs and ACs and beneficiary communities and groups. This contract shall then be read aloud in the presence of the affected party and the chief and local leaders prior to signing. Agreed terms of compensation shall be signed by PAP/PAF, DA and AC under the appropriate supervision by the Regional Lands Commission and Land Valuation Board.
### Table 9.1: Compensation Matrix

<table>
<thead>
<tr>
<th>General Description</th>
<th>Definition</th>
<th>Compensation Mechanism</th>
<th>Implementation Approach</th>
<th>Monitoring &amp; Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Loss of Agricultural Land:</strong></td>
<td>Area in cultivation, being prepared for cultivation, or that was cultivated during the last agricultural season</td>
<td>Loss of land, labor, and crop loss shall be compensated by the DAs and ACs and Beneficiary Community and groups with funds from the MLGRD/DA/AC through provision of land of equal productive capacity and which is satisfactory to the PAP/PAF.</td>
<td>Using a single rate regardless of the crop, incorporating the combined at market value of all staple crops lost, preparing new land (the average costs of clearing, ploughing, sowing, weeding twice, and harvesting the crop), which is to be updated to reflect values at the time compensation is paid.</td>
<td>Land mapping shall be performed at the time of micro screening by the DAs and ACs and Beneficiary Community and groups or a contracted service provider. The National Coordination Office/Regional Land Valuation Board shall review the compensation determination to ensure transparency and adherence to the policy, subject to World Bank’s approval.</td>
</tr>
<tr>
<td><strong>Loss of Residential Buildings and Structures:</strong></td>
<td>Includes abandoned structures as a result of resettlement or relocation, or those, which are directly damaged by construction</td>
<td>Based on drawings of PAP/PAF’s home and its related structures/support services. Average replacement costs will vary based on the different types of buildings and structures, as well as the numbers and types of materials used in construction (e.g., bricks, rafters, straw, doors, etc.).</td>
<td>Prices for construction materials shall be based on the average prices in different local markets, costs for transportation and delivery of these land or building site; and estimates of including labor costs. Cash and/or credits will be paid based on replacement costs</td>
<td>Drawings and information construction materials shall be performed at the time of the micro screening. Average market prices shall be compensation. The National Coordination Office/Regional Land Valuation Board shall provide an initial review of compensation measures at the time of application for a micro-project, subject to World Bank’s approval.</td>
</tr>
<tr>
<td><strong>Loss of Residential Buildings and Structures: Tenants</strong></td>
<td>Non-owners who lease a building or structure for residential purposes</td>
<td>Tenants shall receive assistance for rent and moving expenses, but shall not be relocated.</td>
<td>Tenants shall be provided with a cash grant from the project equal to 3 months’ rental fees at the prevailing market rate, shall be assisted in identifying alternative accommodation, and shall be provided with a disturbance allowance, as deemed by the project, to account for loss of income and additional expenses incurred by moving.</td>
<td>Tenants shall be identified when site selection is discussed within the DAs and ACs and Beneficiary Community and groups shall be provided with adequate notice of their relocation. The implementing agency shall provide an initial review of compensation measures at the time of application for a micro-project, subject to World Bank’s approval.</td>
</tr>
<tr>
<td>Temporary Loss Of Land: By voluntary agreement between a contractor and a landowner only</td>
<td>Land that will be acquired for a set period of time as a result of the project</td>
<td>PAP/PAF shall be compensated for their (temporary) loss of income, standing crops, and or the cost of soil restoration and damaged infrastructure based on prevailing market rates.</td>
<td>All damages to private land or property including crops shall be compensated at prevailing market rates including compensation for tenants, if any, that includes rental fees and dislocation allowances for when the land/structure is inaccessible.</td>
<td>Negotiations between contractors and landowners so that expenses can be included in the bid price.</td>
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</tr>
<tr>
<td>Loss of Business: Buildings and Structures</td>
<td>Buildings and structures for income-generating activities</td>
<td>Prevailing average market value for building and materials, in addition to cash compensation for lost business.</td>
<td>Compensation shall include (i) provision of alternative business site(s) in an equivalent business area; (ii) cash compensation for lost business structure reflecting full replacement cost of the structures (without depreciation); and (iii) cash compensation for lost income during transition.</td>
<td>Buildings and structures shall be valued at the average prevailing market rate given the nature of their structure and the prices of materials used in construction. Lost income shall be calculated based on the business’ past income records, or based on the average incomes of similar stores in the area.</td>
</tr>
<tr>
<td>Loss of Other Assets</td>
<td>Fixed assets other than land (e.g., fencing)</td>
<td>Replacement shall be negotiated with the owner and shall form part of the construction contract for the sub-project.</td>
<td>When possible, replacement shall be of an equivalent value and in-kind. Replacement costs shall be determined prior to construction and included as part of the bid price.</td>
<td>The DAs and ACs and Beneficiary Community and groups and the PAP/PAF shall negotiate prices based on prevailing market rates.</td>
</tr>
<tr>
<td>Loss of non-productive fruit and shade trees</td>
<td>Trees/vegetation that does not provide income-generating activities, but are used for other purposes.</td>
<td>These trees often have recognized local market values, depending on species and age.</td>
<td>Younger trees may be replaced with trees of the same species, in addition to supplies to support the trees’ growth (e.g., a water bucket, fencing and a shovel).</td>
<td>No compensation for minor pruning of trees.</td>
</tr>
<tr>
<td>Loss of access to resources:</td>
<td>Compensation shall be provided in the form of access to other, equivalent grazing land whenever possible. In-kind compensation may also be offered, if agreed to between the project and the PAP.</td>
<td>Compensation shall be determined based on negotiation between the DAs and ACs and Beneficiary Community and groups and the PAP for the current year only, and only for the duration of time when lands are inaccessible; in other words, if the project restricts access at a mid-point of the dry season, then the PAP may be compensated for the remainder of the time the PAP anticipated to graze. If land/sustainable resources of equivalent value are not available for compensation, cash or in-kind compensation shall be provided, based on prevailing local market rate for the specific materials, and the DAs and ACs and Beneficiary Community and groups shall make efforts to provide alternative sources of livelihoods for the PAPs.</td>
<td>Negotiations between the DAs and ACs and Beneficiary Community and groups and the PAP may be mediated by the National Coordination Office.</td>
<td>The National Coordination Office/Regional Land Valuation Board shall provide an initial review of compensation measures at the time of application for a micro-project, subject to World Bank's approval.</td>
</tr>
<tr>
<td>---</td>
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<td>---</td>
</tr>
<tr>
<td>Grazing Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loss of access to resources: materials (e.g., fruit, wood, herbs, etc.)</td>
<td>Compensation shall be paid for those resources that provide the foundation for livelihoods – whether these are used for domestic or productive use.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Squatters | Relocation assistance, including transportation to a site where they may reside/work legally and | For crops, a single rate will be paid, regardless of the crop, incorporating the combined at market value of all staple crops lost. Compensation for | Negotiations between the DAs and ACs and Beneficiary Community and groups and the PAP may be mediated by the National | The National Coordination Office/Regional Land Valuation Board shall review the compensation.
| restore their livelihoods. Right to salvage materials. Compensation for lost crops, structures and assets. | structures shall be based on the average prices in different local markets, costs for transportation and delivery of these land or building site; and estimates of including labor costs. | Coordination Office. | determination to ensure transparency and adherence to the policy, subject to World Bank’s approval |
10.0 ORGANIZATIONAL ARRANGEMENTS AND PROCEDURES FOR DELIVERY OF ENTITLEMENTS

To minimize the major problem of resettlement management and implementation, the establishment of an appropriate institutional framework at both the agency and field levels is essential. It is therefore important that appropriate agencies mandated to plan and implement compensation, income restoration, and rehabilitation programs are identified as early as possible in project preparation.

10.1 Institutional Arrangements/Responsibilities

The institutional arrangements should be built on existing structure in the MLGRD, extending the survey and design of environmental and social works to the RCCs and DAs. The Agencies to be involved in the process are as follows:

Table 10.1: Institutional Responsibilities

<table>
<thead>
<tr>
<th>Task</th>
<th>Institution(s) Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project coordination and management</td>
<td>PNSC, National Coordination Office (NCO), Regional Coordinating Councils (RCCs), District Assemblies (DAs), and Area Councils (ACs)</td>
</tr>
<tr>
<td>Implementation and monitoring of EA and RPF</td>
<td>Land Valuation Board, Lands Commission, Environmental Protection Agency (EPA), and Ministry of Local Government and Rural Development (MLGRD)</td>
</tr>
<tr>
<td>Determination of affected persons and compensation levels</td>
<td>An independent evaluator in collaboration with the DAs, RCCs, and Land Valuation Board</td>
</tr>
<tr>
<td>Payment of compensation</td>
<td>GOG through MLGRD</td>
</tr>
<tr>
<td>Dispute resolutions</td>
<td>MLGRD, EPA, RCCs, DAs, ACs, and a group of persons to be appointed by the PNSC.</td>
</tr>
</tbody>
</table>

10.2 Project Coordination and Management

At the national, regional, district, and community levels, the National Coordination Office, the Regional Coordinating Council, DAs, and ACs will in a collaborative manner be responsible for:

(i) Ensuring that communities are informed regarding investments and their rights and options relating to land and other assets that may be involved;

(ii) Reviewing and approving sub-project proposals prior to appraisal for any investment activities requiring access to privately-owned land or utilized land or other assets;

(iii) Coordinating activities between different communities;

(iv) Ensuring timely provision of compensation in-cash or in-kind as required;

(v) Reviewing contractor performance to ensure that any temporarily utilized land is adequately
restored;

(vi) Responding to any grievance submitted by PAPs;

(vii) Supervising sub-projects implementation with regular missions in the field; and

(viii) Involving communities through participatory approaches in the development of sub-projects and in preparing the necessary safeguard requirements.

The DAs and ACs as mentioned shall engage and involve members of the community, farmers, women, youth, children, physically challenged, migrants, and minorities in the discussions on project applications. More specifically, community representatives from the above groups and CBOs should be urged to assist in:

- Scheduling open meetings to ensure that potentially involved residents are informed regarding proposed investments, and their rights and options relating to land or other assets that may be involved;
- Identification of impacts on land and assets, individuals potentially involved, and the amounts and types of lands and other assets sought from each individual;
- Scheduling open meetings for public validation of field measurements and maps relating to implementation of proposed activities, and public disclosure and validation of any land related agreements;
- Seeking voluntary contributions or negotiated land acquisition;
- Facilitating compensation in-kind and exemptions from local contributions in relation to land acquisition; and
- Conducting public meetings to review community level annual reviews of implementation performance, to solicit villager’s views on the adequacy of implementation, and to address any grievances, if possible.

10.2.1 Consultation and Participation

GSOP has carried out appropriate consultations with representative District Assemblies and communities from the 49 District Assemblies. The consultations took the form of community fora, focus group meetings at both community and roundtable meetings with staff of District and regional public and Non-Governmental Organisations. Key issues discussed included level of awareness of GSOP safeguards and subproject selection, workforce selection processes and grievance redress procedures, and compensation issues. These joint consultations on the ESMF and RPF were held among key stakeholders and documents were publicly disclosed between 10th – 12th February, 2014. Annexes 5 and 6 on consultations on the ESMF and the RPF shows the evidence of consultations in the various districts.

During the consultation stages of the projects, the affected people would be briefed on the compensation/resettlement process. Each affected person would be given the chance to speak on a
draft compensation/resettlement plan, particularly on issues of concern to him/her. Names and contact addresses would be compiled for a database at the Estate Management Unit. The final compensation and resettlement plan would be presented to the affected persons.

A monitoring team comprising the Ministry of Local Government and Rural Development, Ministry of Finance and Economic Planning, and the Environmental Protection Agency would liaise with all those involved in the compensation/resettlement process (e.g., the independent evaluator, the Legal Department of MLGRD, and the Lands Valuation Board) to monitor the timing. The affected persons would be kept informed at the various stages of the process.

10.3 Financial Responsibilities

Financial responsibility to pay compensation as provided under section 6(1) of the State Land Act 1963 lies with the Government of Ghana represented by the Ministry of Local Government and Rural Development. The same Act directs people with claims to forward these to the minister.
11.0 IMPLEMENTATION AND MONITORING ARRANGEMENTS

11.1 Implementation Schedule

Upon completion of screening of selected projects within the beneficiary regions of potential involuntary resettlement, each GSOP sub-project that triggers the OP 4.12, a detailed implementation schedule of the various activities to be undertaken will be included in each sub-project’s Resettlement Action Plan (RAP). Likewise each sub-project resettlement schedule will be coordinated with the civil works schedules applicable to LIPWs. Payment of compensation and provision for other rehabilitation entitlements (in-cash or in-kind), and relocation, if that is the case, will be completed at least one month prior to the scheduled start-up date of works at the respective work site.

11.1.1 Preparation and Review of RAPs during Project Implementation

At this stage in project preparation, it is not possible to determine the number of RAPs that will be required during the first year of project implantation. Once sub-projects applications along are submitted, through screening and feasibility studies or analysis, issues of involuntary resettlement applicable to specific projects could be determined and appropriate recommendations and the TOR for the needed RAP would be prepared by the National Coordination Office (NCO) and Regional Coordinating Council (RCC) in consultation with the World Bank. Accordingly, the required RAP would be prepared for approval by the World Bank’s disclosure, and subsequent compensation payment and livelihood restoration prior to project implementation.

11.1.1.1 Annual Performance Audit

An annual performance audit will be carried out once a year, preferably by independent consultants to be hired by the NCO and RCC, in order to ensure that RAPs are being implemented in compliance with the Resettlement Policy Framework and the OP. 4.12, and that compensation payments have been carried out satisfactorily. The audit report will be submitted to the NCO and to the World Bank for clearance.

11.2 Consultation and Information Disclosure

Public consultation and participation are essential because they afford potentially displaced persons with the opportunity to contribute to both the design and implementation of sub-projects. Public consultation will take place at the inception of the GSOP at the level of local communities assisted by local NGOs, leaders, elders, and service providers.

Consultations will occur throughout the entire project cycle but particularly during the following stages: (i) the socio-economic study; (ii) the preparation of resettlement action plans where applicable; (iii) the environmental impact assessment; (iv) the drafting and reading of the compensation contract; and (v)
project planning and implementation.

Prior to any negotiations and land acquisition proceedings, the Community Land Management Committees to be established by the RCC, DAs, and ACs within the project management framework must provide information to any PAPs about key provisions of this framework. Potentially affected individuals must be informed that they are not obligated to voluntarily contribute land for GSOP purposes, that involuntary acquisition of land without appropriate compensation is not permitted, and that lodging of a valid objection by affected landowner will be sufficient cause for GSOP approval to be delayed or withheld.

Additional information to be disclosed includes:

- Entitlement to replacement in kind or compensation at the replacement cost;
- Methods to be used in establishing compensation rates; and
- Procedures for pursuing grievances, including contact information.

Information should be presented in a language and medium accessible to those potentially involved or affected.

11.3 Grievance Redress Mechanisms

The scale and scope potential resettlement impacts of the GSOP may not be that massive or very significant taking cognizance of the nature of proposed rehabilitation projects to be undertaken. However, regardless of the scale and scope of involuntary resettlement of the GSOP, it will inevitably give rise to grievances among the affected population over issues ranging from rates of compensation and eligibility criteria to the location of resettlement sites and the quality of services at those sites. Timely redress of such grievances is vital to the satisfactory implementation of resettlement and to completion of the project on schedule.

The National Coordination Office, the Regional Coordinating Council, and the District Assemblies must ensure that procedures are in place to allow affected persons to lodge a complaint or a claim without cost and with the assurance of a timely and satisfactory resolution of that complaint or claim. In addition, the GSOP should make special provisions for women and members of vulnerable groups to ensure that they understand as well as are ensured equal access to grievance redress procedures. Such provisions may include employment of women or members of vulnerable groups to facilitate the grievance redress process or to ensure that groups representing the interests of women and other vulnerable groups take part in the process.

The grievances would be best redressed through the GSOP project management structure with the involvement of the local community structures and channels of mediation acceptable to all parties. Customary and traditional institutions such as the chiefs, Tindanaans, and community elders should be
involved in the channels for dispute resolution efforts under the GSOP. All efforts should be made to resolve grievances at the community level. Recourse to the legal system should be avoided except as a last resort.

During consultation processes and at fora, the extent of damage to properties should be made known. When the amount of compensation to be paid is made known, the affected people have the right to appeal if not satisfied.

Where grievance entails inadequate payable compensation, section 4 of the Lands Act 1963 provides for appeal to an adjudicatory body. Where the grievance relates to implementation of the resettlement plan, the affected persons should appeal to the District Assembly for appropriate action.

Further, in compliance with Section 6(4) of the State Lands Act 1963 stipulates where any person is dissatisfied with the amount of compensation assessed by the minister, the matter may be referred by the minister to a tribunal established in accordance with the following: The tribunal shall consist of three persons appointed by the president, following consultation with the chief justice, and one of those persons shall be a judge of the high court who shall be the chairman of the tribunal.

### 11.4 Budget and Source of Funding

Resettlement Action Plans will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. The RAP will also clearly state where the sources of land and funds will come from.

As the Borrower, the Government of Ghana carries official responsibility for meeting the terms of this framework, including financial obligations associated with land acquisition. In practice, government funds will not be regularly available for land acquisition. Therefore, where an GSOP is proposed which requires land acquisition, and where no sufficient sources of necessary compensation funds can be identified, the proposal will be disqualified.
Table 11.1: Resettlement Cost Estimates and Budget

<table>
<thead>
<tr>
<th>Activity</th>
<th>Cost Item</th>
<th>Cost (US$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resettlement Action Plans</td>
<td>Census and survey of persons and inventory of assets to be affected by selected projects in the 49 Districts</td>
<td>30,000</td>
</tr>
<tr>
<td>Livelihood Restoration Programs</td>
<td>Estimate for income restoration plans and skills training (e.g., economic trees, crops, small businesses, enterprises, etc.)</td>
<td>50,000</td>
</tr>
<tr>
<td>Capacity Building and Administrative Costs</td>
<td>Operation and support staff</td>
<td>10,000</td>
</tr>
<tr>
<td></td>
<td>Training and monitoring</td>
<td>20,000</td>
</tr>
<tr>
<td></td>
<td>Technical assistance</td>
<td>15,000</td>
</tr>
<tr>
<td></td>
<td>Evaluation by independent agency</td>
<td>20,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td><strong>145,000</strong></td>
</tr>
</tbody>
</table>

11.5 Supervision, Monitoring and Evaluation

Supervision and monitoring of resettlement issues will be carried out systematically with the supervision and monitoring of the environmental and social issues as identified in the Environmental and Social Management Framework (ESMF). The monitoring of these issues will be incorporated into the performance evaluation of the overall project.

11.5.1 Arrangements for Monitoring by Implementing Agency

Arrangements for monitoring should fit with the overall monitoring plan of the GSOP, which includes NCO monitoring at the national level and decentralized monitoring through the RCCs. These units are expected to have monitoring and evaluation guides established and functional by the end of the first year in the project cycle.

The monitoring shall focus on the following:

- Whether affected individuals, households, and communities were able to maintain their pre-project standard of living, and even improve on it; and
- Whether local communities remain supportive of the project.

The primary aim of the M&E process is that the NCO/RCCs will carry out continuous process monitoring of the RPF in order to detect and rectify inconsistencies that may emerge in the

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NB: This budget is an estimate only since the actual amount cannot be determined until project site selections have been finalized, number of people affected determined, and the extent of resettlement impacts established.
implementation of the resettlement action plan. The monitoring of the RPF would provide the managers and other stakeholders with continuous feedback on implementation. Lessons learnt would be critical to informing NCO and other key stakeholders on the direction of the resettlement and a redesign of elements of the RPF if necessary.

The RPF’s relevance, performance, efficiency, and impact (both expected and unexpected) in relation to the objectives shall be periodically monitored and evaluated. The evaluation would assess whether resettlement objectives were appropriate and whether they were met, specifically, whether livelihoods and living standards have been restored or enhanced. The evaluation strategy is to pay attention to timing, tasks, and achievement of RPF objectives. It is imperative to closely monitor asset loss, the income, and livelihood situations of affected persons throughout the resettlement process. Specific responsibilities would be assigned to independent consultants or NGOs. As part of the evaluation process, there is the need to make provision to ensure the participation of the affected community in the monitoring and to use the response as a constructive resource for improvement. Feedback from the affected community is the best yardstick to assess the general satisfaction with the project. Participatory monitoring can be achieved through, for instance, including community representative(s) in the monitoring team, regularly consulting key persons in the community or regular surveys among the affected persons. The resettlement evaluation shall take place during and after implementation.

To ensure an effective evaluation, particularly with reference to benefits to affected persons and communities, it is imperative that during socio-economic survey, baselines for the benefits monitoring are established. The baseline benefits indicators should include the following: Patterns of occupation, production and resource use, income and expenditure patterns, cultural parameters, cost of living, and vulnerable groups.

The RCCs shall be responsible for the monitoring and evaluation of the activities stipulated in the resettlement framework. The Land Valuation Board, Ministry of Finance and the Environmental Protection Agency shall act as independent monitors. Upon completion of the program, RCC shall undertake impact and beneficiary assessment to determine whether the objectives of the resettlement policy have been achieved.

Further, the RCC Quarterly Review and Annual Performance Review Sessions will include a special session on the implementation of the resettlement policy. The special report on the RPF during annual performance reviews would cover progress and impacts in implementing activities such as the following:

- Consultation with stakeholders;
- Socio-economic survey and affected-persons identification;
- Land acquisition;
- Compensation payment;
• Site selection and development;
• Plot distribution;
• Relocation of displaced persons;
• Income restoration programs; and
• Inputs, outputs, and outcomes for resettlement activities, involvement of the displaced persons, and evaluation of the impact of resettlement especially on the beneficiaries.

As an additional measure but not to substitute responsibility of NCO/RCC, the World Bank will regularly, during each implementation supervision mission evaluate progress and impacts of RPF, identify constraints and suggest mitigation measures on the implementation of the resettlement policy.

11.5.2 Monitoring Indicators

The indicators to be monitored by the respective institutions under monitoring and evaluation (M&E) need to be selected to address the contents of the activities and entitlements matrix. Some relevant indicators according to the circumstances prevailing at the sites proposed for the construction works under the GSOP shall be identified and included by the implementing agency.

The roles and responsibilities of institutions for monitoring and evaluation include independent or external monitors. For these categories of monitors such as EPA and the District/Municipal Assemblies, the relevant monitoring indicators should cover the following:

• Basic information on affected persons or households;
• Restoration of living standards;
• Restoration of livelihoods;
• Levels of affected person satisfaction;
• Effectiveness of resettlement planning;
• Develop and maintain mechanisms that promote data quality assurance; and
• Other impacts (including unintended ones).

To facilitate the monitoring procedure, the following indicators in the Table 12.1 will be used to evaluate the implementation of the RAPs.
Table 11.2: Indicators for Monitoring and Evaluating RAPs

<table>
<thead>
<tr>
<th>Type of Monitoring</th>
<th>Basis of Indicators</th>
<th>Responsible Agency</th>
</tr>
</thead>
</table>
| Budget and Time Frame         | • Have all land acquisition and resettlement team been appointed and mobilized for work on schedule?  
                                 | • Are resettlement implementation activities being achieved against implementation plan?  
                                 | • Are funds for resettlement being allocated to resettlement agencies on timely and adequate manner?  
                                 | • Have funds been disbursed according to RAP?  
                                 | • Has the social preparation phase taken place as schedule?  
                                 | • Has all land been acquired and occupied in time for project implementation?                                                                                                                                     | National Coordinating Office and Regional Coordinating Council |
| Delivery Entitlements         | • Have all affected persons received entitlements according to numbers and categories?  
                                 | • Have the affected persons received payments on time?  
                                 | • Have all replacement land plots or contracts been provided?  
                                 | • Are income and livelihood restoration activities being implemented as set out in the income restoration plan?  
                                 | • Are the affected persons able to access cultural sites and activities?  
                                 | • Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production?                                                                                      | Regional Coordinating Council and District Assemblies |
| Consultation, Grievance and Special issues | • Have consultations taken place as scheduled including meetings, groups, and community activities?  
                                 | • How many affected persons know their entitlements?  
                                 | • Have any affected persons used the grievance redress procedures?  
                                 | • Have conflicts been resolved?  
                                 | • What were the outcomes?  
                                 | • Was the social preparation phase implemented?                                                                                                                                                                     | RCC/DAs |
| Benefit monitoring            | • What changes have occurred in patterns of occupation, production and resource use compared to the pre-project situation?  
                                 | • What changes have occurred in income and expenditure pattern compared to pre-project situation?  
                                 | • What changes have taken place in key social and cultural parameters relating to living standards?  
                                 | • What have been the changes in cost of living compared to pre-project situation?  
                                 | • What changes have occurred for vulnerable groups?                                                                                                                                                               | NCO/RCC |
12.0 TEMPLATE FOR THE DESIGN OF RAPs

12.1 Socio-Economic Information

The construction of some of the sub-components of the GSOP will require the acquisition of land or temporary access to some lands for the purpose of construction, or may impact in other ways on the population living in the area of influence of the project, which may affect peoples' living arrangements or livelihood. The main purpose of the Resettlement Policy Framework (RPF) is to lay down the resettlement principles, organizational responsibilities, and design criteria to be followed in the preparation of the Resettlement Action Plans (RAPs) for sub-components that invoke the safeguard policies on involuntary resettlement. These are listed in the table on Summary of Safeguards work done and Included in this Report, and Work to be done below.

The RPF describes eligibility criteria, categories of affected person, and measures that NCO/RCCs will take to ensure that project-affected persons are not disadvantaged. The future preparation of the RAPs will be guided by the template that is presented here.

The RPF applies to all project components in the 49 Districts for which RAPs (if needed) will be prepared. The following steps would be followed during the preparation of the RAP:

Step1: Preparation of a Social Assessment. A socio-economic census or survey would be conducted to cover collection and evaluation of data in the following fields:

- Total number of affected persons;
- Demographic and socio-economic profile of the people in the specific area;
- Inventory of all property and assets affected;
- Economic activities of all affected people, including vulnerable groups;
- Assessment of potential impact on cultural, social and economic spheres; and
- Suggestion of mitigation plans if applicable.

Step II: Apply framework for compensation/resettlement. Such a framework, designed and approved by government, should include information and instructions under the following headlines:

- Laws and regulations;
- Institutional arrangements;
- Resettlement/compensation eligibility criteria;
- Implementation procedures;
• Financial responsibilities; and
• A monitoring and evaluation plan.

All resettlement action plans to be prepared and compensation measures are subject to Government of Ghana and World Bank approval.

**Step III:** Design a compensation/resettlement plan if applicable. When displacement is unavoidable, a Resettlement Plan must be prepared to ensure that the affected people receive fair and adequate compensation and livelihood restoration opportunities. The objectives of the Resettlement Plan are to:

• Summarize and analyse the information on the area and people affected by the project;
• Define basic criteria, including eligibility criteria for compensation, livelihood restoration and cut-off dates;
• Describe the consultations that have taken place with the people affected by the project, and the program of consultation that will take place before, during, and after implementation of the Resettlement Plan; and
• Analyse the potential environmental impacts of the resettlement program (not the project responsible for the displacement), and proposed mitigation measures.

The Resettlement Plan would guide the implementation program, and has to include a detailed description of the time schedule for the implementation of the plan, with estimates of the costs of each component. It should also describe arrangements for monitoring and evaluation.

The contents of the Resettlement Plan should include the following sections:

- **Introduction**
  - Brief description of the project
  - List of project components including associated facilities (if any)
  - Description of project components requiring land acquisition and resettlement; overall estimates of land acquisition and resettlement

- **Minimizing Resettlement**
  - Description of efforts made to minimize displacement
  - Description of the results of efforts to minimize displacement
  - Description of mechanisms used to minimize displacement during implementation

- **Census and Socio-economic Survey**

- **Eligibility Criteria**
12.2 Relocation

The proposed socio-economic survey to be conducted would define the scale of relocation needs. The identification of the relocation needs would among others cover issues such as:

- Necessity of relocating affected persons;
- Patterns of settlement;
- Gender Issues;
- Location of affected persons relative to each other at the respective sites;
- Social needs of present community in the affected areas;
- Frequency of usage of various facilities;
- Range of plot sizes and average plot area in the affected areas;
- Density of settlement; and
- Patterns of utilizing cultural and religious facilities.

Depending on the relocation needs the following relocation options could be pursued.

a) No relocation is the best option. However, if relocation of affected persons is unavoidable, it should be reduced or minimized as much as possible by weighing the alternative options for the investment project.

b) On-site relocation is possible if the number of the affected persons is limited, if population density is relatively low, and where the project involves small scattered sites. The affected persons may be allowed to occupy part of the site not required for wayleave. In such a
situation the on-site relocation would not affect existing socio-economic settings. As a result the resettlement would be limited.

12.3 Income restoration

Income restoration should be an important component of resettlement where affected persons have lost their productive base, businesses, jobs, or other income sources. Affected persons who lose housing as well as income sources may be at great risk. When displaced people are worse-off, they risk impoverishment and alienation, which may result in landlessness, joblessness, homelessness, loss of access to common property assets, and social disorganization including crime and substance abuse.

There is the need to take account of the links between relocation and income generation activities. The standard of living and quality of life of affected persons in the new sites would be linked to good access to and control over resources (e.g., land) or income generating sources (e.g., employment, business).

Income restoration measures should be taken considering issues such as:
- How the project will affect sources of income and livelihood;
- The income levels of the affected persons;
- Other non-monetary sources of livelihood;
- The constraints and opportunities for income generation;
- The number of affected persons who cannot be reabsorbed back into their previous occupations; and
- The existing skills of the affected persons.

12.4 Budgeted Cost of Relocation and Income Restoration

Upon completion of the socio-economic survey and the identification of relocation and income restoration needs, a resettlement budget and financing plan would be prepared. The budget would be itemized to cover all resettlement activities including compensation. The budget would show the scheduled expenditure for key items. The income restoration and resettlement costs will come from the central government through the Ministry of Local Government and Rural Development (MLGRD).
13.0 REFERENCES

- Ghana: Rural Safety Net Project (RSNP) Preparation Mission, Aide Memoire, August 17-28, 2009
- Resettlement Policy Framework for Community Based Rural Development Project
- State Land Act 1963
14.0 ANNEXES
Annex 1:
World Bank Policy on Involuntary Resettlement (OP 4.12)

OP 4.12, Annex A - Involuntary Resettlement Instruments

These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject.


1. This annex describes the elements of a resettlement plan, an abbreviated resettlement plan, a resettlement policy framework, and a resettlement process framework, as discussed in OP 4.12, paras. 17-31.

Resettlement Plan

2. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the d persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

3. Description of the project. General description of the project and identification of the project area.

4. Potential impacts. Identification of
   (a) the project component or activities that give rise to resettlement;
   (b) the zone of impact of such component or activities;
   (c) the alternatives considered to avoid or minimize resettlement; and
   (d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

5. Objectives. The main objectives of the resettlement program.

6. Socioeconomic studies. The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially d people, including
   (a) the results of a census survey covering
      (i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
      (ii) standard characteristics of d households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the d population;
      (iii) the magnitude of the expected loss--total or partial--of assets, and the extent of ment, physical or economic;
      (iv) information on vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made; and
      (v) provisions to update information on the d people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their ment.
   (b) Other studies describing the following
      (i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
(ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; 
(iii) public infrastructure and social services that will be affected; and
(iv) social and cultural characteristics of the communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

7. Legal Framework. The findings of an analysis of the legal framework, covering
(a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
(b) the applicable legal and administrative procedures, including a description of the remedies available to persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
(c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to ment; and environmental laws and social welfare legislation;
(d) laws and regulations relating to the agencies responsible for implementing resettlement activities;
(e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank’s resettlement policy, and the mechanisms to bridge such gaps; and
(f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land—including claims that derive from customary law and traditional usage (see OP 4.12, para. 15 b).

8. Institutional Framework. The findings of an analysis of the institutional framework covering
(a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;
(b) an assessment of the institutional capacity of such agencies and NGOs; and
(c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

9. Eligibility. Definition of persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

10. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

11. Resettlement measures. A description of the packages of compensation and other resettlement measures that will assist each category of eligible persons to achieve the objectives of the policy (see OP 4.12, para. 6). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the persons, and prepared in consultation with them.

12. Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation of those selected, covering
(a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
(b) any measures necessary to prevent land speculation or influx of ineligible persons at the
selected sites;
(c) procedures for physical relocation under the project, including timetables for site
preparation and transfer; and
(d) legal arrangements for regularizing tenure and transferring titles to resettlers.

13. **Housing, infrastructure, and social services.** Plans to provide (or to finance resettlers’ provision
of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools,
health services); plans to ensure comparable services to host populations; any necessary site
development, engineering, and architectural designs for these facilities.

14. **Environmental protection and management.** A description of the boundaries of the relocation
area; and an assessment of the environmental impacts of the proposed resettlement; and
measures to mitigate and manage these impacts (coordinated as appropriate with the
environmental assessment of the main investment requiring the resettlement).

15. **Community participation.** Involvement of resettlers and host communities,
(a) a description of the strategy for consultation with and participation of resettlers and
hosts in the design and implementation of the resettlement activities;
(b) a summary of the views expressed and how these views were taken into account in
preparing the resettlement plan;
(c) a review of the resettlement alternatives presented and the choices made by d persons
regarding options available to them, including choices related to forms of compensation and
resettlement assistance, to relocating as individuals families or as parts of preexisting
communities or kinship groups, to sustaining existing patterns of group organization, and to
retaining access to cultural property (e.g. places of worship, pilgrimage centers,
cemeteries); and
(d) institutionalized arrangements by which d people can communicate their concerns to
project authorities throughout planning and implementation, and measures to ensure that
such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are
adequately represented.

16. **Integration with host populations.** Measures to mitigate the impact of resettlement on any host
communities, including
(a) consultations with host communities and local governments;
(b) arrangements for prompt tendering of any payment due the hosts for land or other assets
provided to resettlers;
(c) arrangements for addressing any conflict that may arise between resettlers and host
communities; and
(d) any measures necessary to augment services (e.g., education, water, health, and production
services) in host communities to make them at least comparable to services available to
resettlers.

17. **Grievance procedures.** Affordable and accessible procedures for third-party settlement of
disputes arising from resettlement; such grievance mechanisms should take into account the
availability of judicial recourse and community and traditional dispute settlement mechanisms.

18. **Organizational responsibilities.** The organizational framework for implementing resettlement,
including identification of agencies responsible for delivery of resettlement measures and
provision of services; arrangements to ensure appropriate coordination between agencies and
jurisdictions involved in implementation; and any measures (including technical assistance)
needed to strengthen the implementing agencies’ capacity to design and carry out resettlement
activities; provisions for the transfer to local authorities or resettlers themselves of
responsibility for managing facilities and services provided under the project and for
transferring other such responsibilities from the resettlement implementing agencies, when
appropriate.
19. **Implementation schedule.** An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

20. **Costs and budget.** Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

21. **Monitoring and evaluation.** Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the d persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

### Abbreviated Resettlement Plan

22. An abbreviated plan covers the following minimum elements:

(a) a census survey of d persons and valuation of assets;
(b) description of compensation and other resettlement assistance to be provided;
(c) consultations with people about acceptable alternatives;
(d) institutional responsibility for implementation and procedures for grievance redress;
(e) arrangements for monitoring and implementation; and
(f) a timetable and budget.

### Resettlement Policy Framework

23. The purpose of the policy framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation (see OP 4.12, paras. 26-28). Subproject resettlement plans consistent with the policy framework subsequently are submitted to the Bank for approval after specific planning information becomes available (see OP 4.12, para. 29).

24. The resettlement policy framework covers the following elements, consistent with the provisions described in OP 4.12, paras. 2 and 4:

(a) a brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement plan as described in paras. 2-21 or an abbreviated plan as described in para. 22 cannot be prepared by project appraisal;
(b) principles and objectives governing resettlement preparation and implementation;
(c) a description of the process for preparing and approving resettlement plans;
(d) estimated population and likely categories of d persons, to the extent feasible;
(e) eligibility criteria for defining various categories of d persons;
(f) a legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
(g) methods of valuing affected assets;
(h) organizational procedures for delivery of entitlements, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;
(i) a description of the implementation process, linking resettlement implementation to civil works;
(j) a description of grievance redress mechanisms;
(k) a description of the arrangements for funding resettlement, including the preparation and
review of cost estimates, the flow of funds, and contingency arrangements;
(l) a description of mechanisms for consultations with, and participation of, d persons in
planning, implementation, and monitoring; and
(m) arrangements for monitoring by the implementing agency and, if required, by
independent monitors.

25. When a resettlement policy framework is the only document that needs to be submitted
as a condition of the loan, the resettlement plan to be submitted as a condition of subproject
financing need not include the policy principles, entitlements, and eligibility criteria,
organizational arrangements, arrangements for monitoring and evaluation, the framework for
participation, and mechanisms for grievance redress set forth in the resettlement policy
framework. The subproject-specific resettlement plan needs to include baseline census and
socioeconomic survey information; specific compensation rates and standards; policy
entitlements related to any additional impacts identified through the census or survey;
description of resettlement sites and programs for improvement or restoration of livelihoods
and standards of living; implementation schedule for resettlement activities; and detailed cost
estimate.

Process Framework

26. A process framework is prepared when Bank-supported projects may cause restrictions in
access to natural resources in legally designated parks and protected areas. The purpose of
the process framework is to establish a process by which members of potentially affected
communities participate in design of project components, determination of measures
necessary to achieve resettlement policy objectives, and implementation and monitoring of
relevant project activities (see OP 4.12, paras. 7 and 31).

27. Specifically, the process framework describes participatory processes by which the
following activities will be accomplished

(a) Project components will be prepared and implemented. The document should briefly describe
the project and components or activities that may involve new or more stringent restrictions on
natural resource use. It should also describe the process by which potentially d persons
participate in project design.

(b) Criteria for eligibility of affected persons will be determined. The document should establish that
potentially affected communities will be involved in identifying any adverse impacts, assessing
of the significance of impacts, and establishing of the criteria for eligibility for any mitigating
or compensating measures necessary.

(c) Measures to assist affected persons in their efforts to improve their livelihoods or restore
them, in real terms,
to pre-ment levels, while maintaining the sustainability of the park or protected area will be
identified. The
document should describe methods and procedures by which communities will identify and
choose potential mitigating or compensating measures to be provided to those adversely
affected, and procedures by which adversely affected community members will decide among
the options available to them.

(d) Potential conflicts or grievances within or between affected communities will be resolved. The
document
should describe the process for resolving disputes relating to resource use restrictions that
may arise between or among affected communities, and grievances that may arise from
members of communities who are dissatisfied with the eligibility criteria, community planning
measures, or actual implementation.
Additionally, the process framework should describe arrangements relating to the following:

(e) Administrative and legal procedures. The document should review agreements reached regarding the process approach with relevant administrative jurisdictions and line ministries (including clear delineation for administrative and financial responsibilities under the project).

(f) Monitoring arrangements. The document should review arrangements for participatory monitoring of project activities as they relate to (beneficial and adverse) impacts on persons within the project impact area, and for monitoring the effectiveness of measures taken to improve (or at minimum restore) incomes and living standards.

1. With regard to land and structures, "replacement cost" is defined as follows: For agricultural land, it is the pre-project or pre-ment, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-ment market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in

2. Provision of health care services, particularly for pregnant women, infants, and the elderly, may be important during and after relocation to prevent increases in morbidity and mortality due to malnutrition, the psychological stress of being uprooted, and the increased risk of disease.

3. Negative impacts that should be anticipated and mitigated include, for rural resettlement, deforestation, overgrazing, soil erosion, sanitation, and pollution; for urban resettlement, projects should address such density-related issues as transportation capacity and access to potable water, sanitation systems, and health facilities.

4. Experience has shown that local NGOs often provide valuable assistance and ensure viable community participation.

5. OP 4.11, Physical Cultural Resources.

6. In case some of the d persons lose more than 10% of their productive assets or require physical relocation, the plan also covers a socioeconomic survey and income restoration measures.
Annex 2: RAP Outline

OUTLINE OF A RESETTLEMENT ACTION PLAN
Reference: OP 4.12, annex A.

1. Description of the sub-project and of its potential land impacts
   1.1 General description of the project and identification of the project area
   1.2 Potential impacts. Identification of
       1.2.1 the project component or activities that give rise to resettlement;
       1.2.2 the zone of impact of such component or activities;
       1.2.3 the alternatives considered to avoid or minimize resettlement; and
       1.2.4 the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

2. Objectives. The main objectives of the resettlement program.

3. Socio-economic studies and census of affected assets and affected livelihoods. The findings of socio-economic studies and census to be conducted with the involvement of potentially displaced people, include:
   3.1 the results of a census survey covering current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
   3.2 standard characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
   3.3 the magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic;
   3.4 information on vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made;
   3.5 provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

3.6 Other studies describing the following
   3.6.1 land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues
raised by different tenure systems in the project area;

3.6.2 the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;

3.6.3 public infrastructure and social services that will be affected; and

3.6.4 social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

4. Legal and Institutional Framework.

4.1 Summary of the information included in this RPF

4.2 Local legal specificities if any

4.3 Local institutional specificities

4.3.1 identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;

4.3.2 assessment of the institutional capacity of such agencies and NGOs; and

5. Eligibility and entitlements. Based on the definitions and categorization in this RPF (see entitlement matrix), definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

6. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

7. Resettlement measures:

7.1 Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see OP 4.12, para. 6).

7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation of those selected.

7.3 Legal arrangements for regularizing tenure and transferring titles to resettlers.

7.4 Housing, infrastructure, and social services.

7.5 Environmental protection and management.

7.6 Community participation. Involvement of resettlers and host communities

7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities.

7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in section 9 of the RPF

8. Grievance procedures. Based on the principle mechanisms described in this RPF, description of affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

9. Organizational responsibilities. The organizational framework for implementing
resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies’ capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

10. Implementation schedule. Based on the template presented in the RPF, present an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

11. Costs and budget. Tables showing itemized cost estimates for all resettlement activities (see Section 13 of this RPF), including special assistance to vulnerable persons and other contingencies.

12. Monitoring and evaluation. Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.
Annex 3:

Sample Grievance Form

<table>
<thead>
<tr>
<th>GRIEVANCE FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grievance Number</td>
</tr>
<tr>
<td>Name of Recorder</td>
</tr>
<tr>
<td>County/District/Settlement</td>
</tr>
<tr>
<td>Date</td>
</tr>
</tbody>
</table>

INFORMATION ABOUT GRIEVANCE

Define the Grievance

<table>
<thead>
<tr>
<th>Name – Surname</th>
<th>Forms of Receipt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone no</td>
<td>Phone line</td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Village/Settlement</td>
<td>Community Information</td>
</tr>
<tr>
<td>District/Province</td>
<td>Informal</td>
</tr>
<tr>
<td>Signature of Complainant</td>
<td>Other</td>
</tr>
</tbody>
</table>

DETAILS OF GRIEVANCE

1. Access to Land and Resources
   a) Lands
   b) Fishing Grounds
   c) Pasture Land
   d) House
   e) Commercial site
   f) Others

2. Damage to
   a) Land
   b) house
   c) livestock
   d) Means of Livelihoods
   e) Other

3. Damage to infrastructure or community Assets
   a) Roads/Railway
   b) Power/Telephone lines
   c) Water sources, canals and water infrastructure for irrigation and animals
   d) Drinking water
   e) Sewage System
   f) Other

4. Decrease or Loss of Livelihood
   a) Agriculture
   b) Animal Husbandry
   c) Beekeeping
   d) Small scale trade
   e) Other

5. Traffic Accident
   a) Injury
   b) Damage to property
   c) Damage to livestock
   d) Other

6. Incidents Regarding Expropriation And compensation (specify)

7. Resettlement Process (Specify)

8. Employment and Recruitment (Specify)

9. Construction Camp and Community Relations

10. Other (Specify)
   a) Nuisance from dust
   b) Nuisance from noise
   c) Vibration due to explosion
   d) Misconduct of the project personal/worker
   e) Complaint follow-up
   f) Other
Annex 4:

Grievance Redress Form (GRF)

-GRIEVANCE REDRESS FORM-

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

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

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

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

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

Summary of Conciliation Session Discussion…………………………………………………………………………………………

Issues……………………………………………………………………………………………………………………………………………………

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

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

Date: ……………………………………………………………………
ANNEX 5: JOINT STAKEHOLDER CONSULTATIONS REPORT ON UPDATED ESMF AND RPF DOCUMENTS

Background/Introduction:
The GSOP Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) was prepared by the Government of Ghana and approved by the Ghana Environmental Protection Agency (EPA) and the World Bank in May 2010. In updating the existing ESMF and RPF, representative District Assemblies and communities from the project’s 49 District Assemblies were selected for consultation on issues related to the updated safeguards documents for LIPW subprojects; these comprise of feeder roads, small earth dams and dugouts, social infrastructure and tree planting activities.

These stakeholder consultations of the ESMF and RPF were carried out with project beneficiaries and district assembly staff from the 10th - 12th February 2014 in five GSOP operational regions: namely, Wa, Bolgatanga, Tamale, Kumasi and Accra. The field consultations were carried out by the GSOP Regional officers with support from Environmental Protection Agency (EPA) Regional Officers and the respective District Assembly Planning Officers. The consultations took the form of community fora and focus group meetings at both district and community levels. The list of consulted Stakeholders included the Traditional Authorities, Labour Intensive public works (LIPW) participants, women group leaders, youth group, Assemblyman and collaborating Agencies at the District (i.e. District Planning Co-ordinating Unit) and Regional levels (Ministry of Food and Agriculture and Ghana Irrigation Development Authority). Table 1 below illustrates the number of attendees at each consultation:

Table 1: Consultation on ESMF and RPF Attendance.

<table>
<thead>
<tr>
<th>No</th>
<th>DISTRICT</th>
<th>COMMUNITY</th>
<th>TOTAL</th>
<th>MALE</th>
<th>FEMALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Assin South</td>
<td>Aworoso</td>
<td>146</td>
<td>58</td>
<td>88</td>
</tr>
<tr>
<td>2</td>
<td>Assin South</td>
<td>Abease</td>
<td>118</td>
<td>36</td>
<td>82</td>
</tr>
<tr>
<td>3</td>
<td>Sekyere Kumawu</td>
<td>Mamprusi Junction</td>
<td>124</td>
<td>44</td>
<td>80</td>
</tr>
<tr>
<td>4</td>
<td>Sekyere Kumawu</td>
<td>Bahankra</td>
<td>130</td>
<td>40</td>
<td>90</td>
</tr>
<tr>
<td>5</td>
<td>Nabdam</td>
<td>Kugri</td>
<td>35</td>
<td>11</td>
<td>24</td>
</tr>
<tr>
<td>6</td>
<td>Nabdam</td>
<td>Sakote</td>
<td>323</td>
<td>112</td>
<td>211</td>
</tr>
<tr>
<td>7</td>
<td>East Gonja</td>
<td>Bamvim</td>
<td>95</td>
<td>47</td>
<td>48</td>
</tr>
<tr>
<td>8</td>
<td>East Gonja</td>
<td>Kpanshiegu</td>
<td>110</td>
<td>35</td>
<td>75</td>
</tr>
<tr>
<td>9</td>
<td>Jirapa</td>
<td>Ulgouza</td>
<td>98</td>
<td>18</td>
<td>80</td>
</tr>
<tr>
<td>10</td>
<td>Jirapa</td>
<td>Gbetouri</td>
<td>115</td>
<td>35</td>
<td>80</td>
</tr>
</tbody>
</table>

Hard copies of the updated ESMF and RPF documents will be made available at EPA national and regional offices, GSOP regional and districts offices once relevant approvals are received. Notices alerting the public to the disclosure of the safeguards frameworks will be published in national press and also in local languages. A sample of the field reports is attached below and Annex 6 shows pictures of consultations in the project communities.

Summary of Challenges/Lessons/Mitigation Measures:
The key issues discussed included the level of awareness and compliance of GSOP safeguards processes and procedures, subproject selection, workforce selection processes, and grievance redress procedures. Challenges and mitigation measures provided included the following:

1. Low appreciation of the benefits of safeguards compliance among all levels of stakeholders including District Engineers, Contractors and GSOP Technical staff. The mitigation measure...
includes the GSOP National Coordinating Office intensifying sensitization on Safeguards and issuing simplified messages.

2. Inadequate staff and resources at EPA Regional Offices to support activities of Regional Environmental Inter-sectorial Committees impedes subproject processes. To mitigate this, District Assemblies will be required at subproject identification to provide the needed logistical supports to the Regional officer of the EPA to facilitate rapid registration and screening.

3. Data collection, documentation and compilation on safeguards issues have been challenging due to the poor responses from the District Assembly. To address this, district staff have been trained, and will continue to be trained under Additional Financing.

SAMPLE SUMMARY REPORT FROM GSOP REGIONAL OFFICE

REGION: WA REGIONAL CO-ORDINATING OFFICE (WRCO)

DISTRICT: JIRAPA

NAME OF SUB PROJECT: Woodlot (Climate Change site)

COMMUNITY: Gbetuori

NUMBER OF PARTICIPANTS AT CONSULTATION:

MALE – 18

FEMALE - 80

TOTALS - 98

DATE: 11th February 2014

TIME OF VISIT: 2:00pm - 4:30 pm

PURPOSE OF VISIT: Conduct environmental and social safeguard consultation.

KEY PERSONS MET (STAKEHOLDERS): Traditional Authorities, LIPW participants, women group leaders, youth group, Assemblyman and collaborating Agencies at the District (District Planning Co-ordinating Unit) and Regional level (Ministry of Food and Agriculture, MOFA).

ISSUES DISCUSSED/PROBLEMS RAISED:

- Awareness of GSOP processes and procedures
- Community involvement and consultations
- Sustainability mechanisms

OBSERVATIONS:

It was brought to the fore that the climate change intervention was prioritized by the beneficiary community after it was identified, selected and validated at a community forum as a LIPW sub project. The sub project was prioritized and incorporated in the Jirapa District Medium Term Plan (MTDP) and submitted to the Wa Regional Co-ordinating Office for review and approval. Jirapa District, assisted by staff from MOFA prepared a technical and social assessment of subproject, including costs and the estimation of the number of persons and days required for the subproject implementation.

With regards to awareness of labour selection processes and procedures, community members indicated that participants were resident in the target community and were willing to work and not forced to work. They were also prepared to accept the project rate for labour which was Six Ghana cedis (GH 6.00) for a maximum of 6 hours a day. Community members indicated that a register of eligible persons to work was compiled and only persons aged eighteen and above were registered. It came out during the meeting that, about 90% of the total workforce were women and have helped reduced their level of vulnerabilities and increased their potential for social capital.

On the issue of complaints, grievance submission, investigation and settlement processes, community members indicated that a Grievance Resolution Committee exists at the community level headed by the Chief and assisted by the Assemblyman, Agriculture Extension Agent (AEA) for the area and two other opinion leaders in the community. The mandate of the committee is to resolve complaints and conflicts during the pre-planting, planting and post planting (maintenance) phase of sub project implementation.

-Community involvement and consultations
At the consultation meeting, community members emphasized their key involvement in site selection for the climate change subproject and participated in implementation site meetings. It was brought to the fore that at a community meeting on 31st May 2012, a Memorandum of Understanding (MOU) was consented by the actual land owners and signed between the Chief, landlord (Tindana) and the District Assembly for the release of land for the sub project implementation. The MOU spelt out land ownership, benefit sharing and tenure as well as consultation processes.

- **Compensation issues (land, crops etc)**

  Initial assessment of the beneficiary community indicated that the land documentation process which had been completed had positive impacts. No compensation was demanded from the land owners for the release of land. The site earmarked for the sub project implementation does not deprive other people from their livelihood.

- **Sustainability mechanisms**

  At the community, a Community Environmental Management Committee has been formed to oversee fire control (fire belt creation) and prevention, as well as disease and pest control.

**Conclusions:**

The consultation process strengthened community engagement on safeguards for the subproject. It was also observed at the consultation meeting that more participants, especially women, expressed interest to be registered to partake in the climate change activities. There is therefore the need to sustaining and scaling up LIPW, especially climate change intervention.
ANNEX 6: PICTURES ON STAKEHOLDER CONSULTATIONS ON UPDATED ESMF AND RPF DOCUMENTS

1. GSOP ACCRA REGIONAL COORDINATION OFFICE AREA

| Meeting with traditional ruler and elders at Aworoso, Assin South district, Central region |
| Interview with a feeder road contractor’s supervisor and a worker, Abease franmase road, Assin south district, Central Region |

2. GSOP TAMALE REGIONAL COORDINATING OFFICE AREA

| The District PCU interacting with people in Kpanshiigu community, East Gonja District, Northern Region |
| Interview section with LIPW beneficiaries in Bamvim Community, East Gonja District, Northern Region |
3. **GSOP BOLGATANGA REGIONAL COORDINATING OFFICE AREA**

- Forum with some LIPW workers of Kugri dam in Kugri community, Site Nabdam District, Upper East Region
- Forum with some LIPW workers of Climate Change Mitigation Activity, in Sakote Community, Nabdam District, Upper East Region

4. **GSOP WA REGIONAL COORDINATING OFFICE AREA**

- Forum with some LIPW workers of Ulgouza community, Jirapa District, Upper West Region
- Forum with some LIPW workers of Gbetouri Community, Jirapa District, Upper West Region
5. GSOP KUMASI REGIONAL COORDINATING OFFICE AREA

| Interviewing workers of LIPW Climate Change Subproject, Bahankra Community, Sekyere Kumawu District, Ashanti Region | Focus Group Meeting with LIPW workers on Mamprusi Junction-Mamprusi, Feeder road, in Sekyere Afram Plains District, Ashanti Region |