Federal Ministry of Works

Final Report

of

Abbreviated Resettlement Action Plan (ARAP) for the Mokwa-Bida Road Project

Netview Enviro Com Limited
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>TABLE OF CONTENTS</td>
<td>1</td>
</tr>
<tr>
<td>ABBREVIATIONS AND ACRONYMS</td>
<td>6</td>
</tr>
<tr>
<td>EXECUTIVE SUMMARY</td>
<td>7</td>
</tr>
<tr>
<td>EX 1 INTRODUCTION</td>
<td>7</td>
</tr>
<tr>
<td>EX 2 APPlicability of ARAP Instead of RAP</td>
<td>8</td>
</tr>
<tr>
<td>EX 3 AIMS AND OBJECTIVES OF THE ARAP</td>
<td>8</td>
</tr>
<tr>
<td>EX 4 METHODOLOGY OF STUDY</td>
<td>8</td>
</tr>
<tr>
<td>EX 5 BASELINE ANALYSIS OF THE AFFECTED PROJECT AREA</td>
<td>9</td>
</tr>
<tr>
<td>EX 6 MAJOR FINDINGS/IMPACTS OF THE PROJECT</td>
<td>9</td>
</tr>
<tr>
<td>EX 7 BUDGET FOR ARAP IMPLEMENTATION</td>
<td>10</td>
</tr>
<tr>
<td>EX 8 IMPLEMENTATION RESPONSIBILITIES AND SCHEDULE</td>
<td>11</td>
</tr>
<tr>
<td>1 INTRODUCTION</td>
<td>12</td>
</tr>
<tr>
<td>1.1 Background</td>
<td>12</td>
</tr>
<tr>
<td>1.2 Applicability of ARAP</td>
<td>13</td>
</tr>
<tr>
<td>1.3 Aims and Objectives of the ARAP</td>
<td>14</td>
</tr>
<tr>
<td>1.4 Scope of Work</td>
<td>14</td>
</tr>
<tr>
<td>1.5 Methodology of Study</td>
<td>15</td>
</tr>
<tr>
<td>2.0 DESCRIPTION OF PROJECT AREA</td>
<td>17</td>
</tr>
<tr>
<td>2.1 Background</td>
<td>17</td>
</tr>
<tr>
<td>2.2 Culture and People of the Project Area- Nupes</td>
<td>18</td>
</tr>
<tr>
<td>2.3 Administrative Structure within the Project Area</td>
<td>18</td>
</tr>
<tr>
<td>2.4 Population Structure and Distribution</td>
<td>18</td>
</tr>
<tr>
<td>2.5 Socio-economic Analysis of Project Affected Persons (PAPs)</td>
<td>19</td>
</tr>
<tr>
<td>2.6 Religion</td>
<td>20</td>
</tr>
<tr>
<td>3.0: POLICY AND REGULATORY FRAMEWORK</td>
<td>21</td>
</tr>
<tr>
<td>3.1 The Resettlement Policy Framework (RPF)</td>
<td>21</td>
</tr>
<tr>
<td>3.2 World Bank Safeguard Policies</td>
<td>22</td>
</tr>
<tr>
<td>3.3 Nigeria Law/Land Use Act</td>
<td>22</td>
</tr>
<tr>
<td>3.4 Comparison between Land Use Act and World Bank OP 4.12</td>
<td>23</td>
</tr>
<tr>
<td>4.0 IDENTIFICATION OF PROJECT IMPACTS AND PROJECT AFFECTED PERSONS</td>
<td>25</td>
</tr>
<tr>
<td>4.1 Approach to Impacts and PAPs identification</td>
<td>25</td>
</tr>
<tr>
<td>4.2 Eligibility Criteria for Affected Persons</td>
<td>25</td>
</tr>
<tr>
<td>4.3 Proof of Eligibility</td>
<td>25</td>
</tr>
<tr>
<td>4.4 Entitlement Policy</td>
<td>26</td>
</tr>
<tr>
<td>4.5 Notification</td>
<td>27</td>
</tr>
<tr>
<td>4.6 Duration for Civil Works</td>
<td>27</td>
</tr>
<tr>
<td>4.7 Inventory and Census of Affected Assets and PAPs</td>
<td>27</td>
</tr>
<tr>
<td>5. VALUATION AND COMPENSATION OF AFFECTED STRUCTURES &amp; PROPERTY</td>
<td>28</td>
</tr>
<tr>
<td>5.1 Introduction</td>
<td>28</td>
</tr>
<tr>
<td>5.2 Method of Valuation for compensation</td>
<td>28</td>
</tr>
<tr>
<td>5.3 Category of Payments of Compensation</td>
<td>28</td>
</tr>
<tr>
<td>5.4 Entitlement Matrix</td>
<td>29</td>
</tr>
<tr>
<td>5.5 Valuation of Resettlement/Compensation and Assistance Cost for PAPs</td>
<td>30</td>
</tr>
<tr>
<td>6. INSTITUTIONAL ARRANGEMENT AND RESPONSIBILITIES</td>
<td>31</td>
</tr>
</tbody>
</table>
6.1 Introduction .................................................................................................................. 31
6.3 Institutional Arrangement .......................................................................................... 31
6.4 Grievances and Appeals Procedure ......................................................................... 32
6.4.1 Grievance Redress Mechanisms ......................................................................... 32
7. MONITORING AND EVALUATION ........................................................................... 34
  7.1 Internal Monitoring .................................................................................................... 34
  7.2 Independent Monitoring .......................................................................................... 34
8. COMPENSATION FUNDING ARRANGEMENT AND TIMETABLE ....................... 36
  8.1 Budget for Resettlement activities related with the Road Project ......................... 36
  8.2 Timetable for Abbreviated Resettlement Action Plan ........................................... 36
  8.3 Training Needs ......................................................................................................... 36
9. PUBLIC CONSULTATION ............................................................................................ 38
  9.1 Purpose of the Consultations .................................................................................... 38
  9.2 Public Consultation Process ..................................................................................... 38
  9.3 Overview of Public Consultations Proceedings ....................................................... 38
REFERENCE .................................................................................................................... 42
APPENDICIES .................................................................................................................. 43
  Appendix 1: Selected Pictures from the Project Sites .................................................. 44
  Appendix 2: PAPS Photo Identification Register .......................................................... 45
  Appendix 3: Type of Affected Assets/Impacts Requiring Full income Restoration Measures ...... 48
  Appendix 4: Type of Affected Assets/Impacts Requiring Shift-back Assistance ............... 49
  Appendix 5: Socio-Economic Inventory Instrument for Project Affected Persons (PAPS) .... 50
  Appendix 6: Summary of Consultation on Social Responsibility Project in the Project Area .... 53
LIST OF TABLES

Table 2.1  Socio-economic analysis of PAPs ................................................................. 19

Table 3.1: Comparism of Nigerian Land Use Act (1978) and World Bank’s OP 4.12.................... 24

Table 5.1: Specific Entitlement Matrix for the Project Area .................................................. 29

Table 5.2: Category of impact and Location ......................................................................... 30

Table 5.3: Budget Breakdown for Full Implementation of ARAP ........................................... 30

Table 6.1: Institutional Arrangement and Responsibilities for ARAP ...................................... 31

Table 7.1: Summary of Responsibility for Implementation of Abbreviated Resettlement Action Plan .... 35

Table 8.1: Timetable for Abbreviated Resettlement Action Plan ............................................ 36

Table 8.2: Recommended Training and Awareness................................................................. 37

List of Figures

Figure 2.1: Map of Nigeria showing Niger State in red color shading...................................... 17
### DEFINITIONS

**Children:** all persons under the age of 18 years according to international regulatory standard (Convention on the Rights of Child 2002).

**Community:** a group of individuals broader than households, who identify themselves as a common unit due to recognized social, religious, economic and traditional government ties or shared locality.

**Compensation:** payment in cash or in kind for an asset or resource acquired or affected by the project.

**Cut-off-Date:** the date of completion of inventory of losses and census of project affected persons

**Economic Displacement:** a loss of productive assets or usage rights or livelihood capacities because such assets / rights / capacities are located in the project area.

**Entitlement:** the compensation offered by RAP, including: financial compensation; the right to participate in livelihood enhancement programs; housing sites and infrastructure; transport and temporary housing allowance; and, other short term provisions required to move from one site to another.

**Head of the Household:** the eldest member of the core family in the household, for the purpose of the project.

**Household:** a group of persons living together who share the same cooking and eating facilities, and form a basic socio-economic and decision making unit. One or more households often occupy a homestead.

**Involuntary Resettlement:** resettlement without the informed consent of the displaced persons or if they give their consent, it is without having the power to refuse resettlement.

**Lost Income Opportunities:** lost income opportunities refers to compensation to project affected persons for loss of business income, business hours/time due to project.

**Operational Policy 4.12:** Describes the basic principles and procedures for resettling, compensating or at least assisting involuntary displace persons to improve or at least restore their standards of living after alternatives for avoiding displacement is not feasible.

**Physical Displacement:** a loss of residential structures and related non-residential structures and physical assets because such structures / assets are located in the project area.

**Private property owners:** persons who have legal title to structures, land or other assets and are accordingly entitled to compensation under the Land Act.

**Project-Affected Community:** a community that is adversely affected by the project.

**Project-Affected Person:** any person who, as a result of the project, loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

**Rehabilitation:** the restoration of the PAPs resource capacity to continue with productive activities or lifestyles at a level higher or at least equal to that before the project.

**Relocation:** a compensation process through which physically displaced households are provided with a one-time lump-sum compensation payment for their existing residential structures and move from the area.

**Replacement Cost:** the amount of cash compensation and/or assistance suffices to replace lost assets and cover transaction costs, without taking into account depreciation or salvage value.

**Resettlement Action Plan (RAP):** documented procedures and the actions a project proponent will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by a project.

**Resettlement Assistance:** support provided to people who are physically displaced by a project. This may include transportation, food, shelter, and social services that are provided to affected people during their resettlement. Assistance may also include cash allowances that compensate affected people for the inconvenience.
associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

<table>
<thead>
<tr>
<th><strong>Resettlement:</strong> a compensation process through which physically displaced households are provided with replacement plots and residential structures at one of two designated resettlement villages in the district. Resettlement includes initiatives to restore and improve the living standards of those being resettled.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Squatters:</strong> squatters are landless household squatting within the public / private land for residential and business purposes.</td>
</tr>
<tr>
<td><strong>Vulnerable:</strong> people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantages, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.</td>
</tr>
</tbody>
</table>
ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADT</td>
<td>Average Daily Traffic</td>
</tr>
<tr>
<td>ARAP</td>
<td>Abbreviated Resettlement Action Plan</td>
</tr>
<tr>
<td>DP</td>
<td>Displaced Persons</td>
</tr>
<tr>
<td>ESIA</td>
<td>Environmental and Social Impact Assessment</td>
</tr>
<tr>
<td>ESMF</td>
<td>Environmental and Social Management Framework</td>
</tr>
<tr>
<td>ESMP</td>
<td>Environmental and Social Management Plan</td>
</tr>
<tr>
<td>FMW</td>
<td>Federal Ministry of Works</td>
</tr>
<tr>
<td>FGN</td>
<td>Federal Government of Nigeria</td>
</tr>
<tr>
<td>FGD</td>
<td>Focus Group Discussion</td>
</tr>
<tr>
<td>FERMA</td>
<td>Federal Roads Maintenance Agency</td>
</tr>
<tr>
<td>FRDP</td>
<td>Federal Roads Development Project</td>
</tr>
<tr>
<td>IDA</td>
<td>International Development Association</td>
</tr>
<tr>
<td>LGA</td>
<td>Local Government Authority</td>
</tr>
<tr>
<td>PAD</td>
<td>Project Appraisal Document</td>
</tr>
<tr>
<td>PAP</td>
<td>Project Affected Person</td>
</tr>
<tr>
<td>PRA</td>
<td>Participatory Rural Appraisal</td>
</tr>
<tr>
<td>PIU</td>
<td>Project Implementation Unit</td>
</tr>
<tr>
<td>PIM</td>
<td>Project Implementation Manual</td>
</tr>
<tr>
<td>PSP</td>
<td>Private Sector Partner or Private Sector Participation</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>ROW</td>
<td>Right of Way</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
</tr>
<tr>
<td>RSDT</td>
<td>Road Sector Development Team</td>
</tr>
<tr>
<td>SPIU</td>
<td>State Project Implementation Unit</td>
</tr>
<tr>
<td>SRMC</td>
<td>Sector Reform Management Committee</td>
</tr>
<tr>
<td>SSI</td>
<td>Semi Structured Interview</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

EX 1  INTRODUCTION

The Federal Government of Nigeria, through the Federal Ministry of Works (FMW), is beginning a major reconditioning of Nigeria’s federal road network. It has requested the assistance of the World Bank to meet the immediate and short term funding needs for the roads program, starting with key Unity Roads that link major cities around the nation. It has also requested support for Government’s efforts to institute policy and institutional reforms aimed at promoting improved service delivery, road management and financing. The Federal Roads Development project (FRDP) will proceed in several phases, each consisting of several packages for the rehabilitation and sustained maintenance of city-to-city segments of the highways in question. No new roads will be constructed, so there will be no land acquisition associated with the project.

The operations of the FRDP are undertaken by the Road Sector Development Team (RSDT) under the Federal Ministry of Works; and the FRDP is organized into three components to support both the implementation of the proposed reform and the financing of critically needed investments. The three main components are:

- Policy and Institutional Reforms
- Institutional Capacity Building
- Upgrading, Rehabilitation and Maintenance of Federal Roads

The development objectives of this project are consistent with the provisions of the RPF, specified as follows:

- To reduce road transport cost along the road links supported by the project;
- To introduce total asset management methods for delivery and management of federal roads;
- To plan and facilitate sustainable financing arrangements for the road sector.

The road rehabilitation falls under the component 3, Upgrading, Rehabilitation and Maintenance of Federal Roads. The planned rehabilitation work will bring some positive and negative impacts to the project community. As a result of the negative impacts of the project which is anticipated due to civil works to be undertaken, two World Bank Safeguard Policies are triggered: Environmental Assessment (OP 4.01) and Involuntary Resettlement (OP 4.12). OP 4.01 is triggered because of the civil works which is expected to affect the physical and natural environment adversely. It is also anticipated that the proposed civil works will impact negatively on the socio-economic lives of persons, especially those whose assets and/or means of livelihoods may be destroyed, displaced or disturbed, thereby giving rise to OP 4.12 trigger.

In view of the above, RSDT had prepared two safeguard frameworks, namely the Environmental and Social Management Framework (ESMF) and the Resettlement Policy Framework (RPF). These policy documents were prepared for the project at the country macro scope that is when specific sub-projects or thematic project scope had not been identified. While the ESMF recommendation amongst others required that RSDT should carry out an Environmental and Social Impact Assessment (ESIA) or an Environmental and Social Management Plan (ESMP) for specific project sites, the RPF recommended that a Resettlement Action Plan (RAP) be prepared when the project
thematically defined. At this stage of the project the Federal Roads under consideration for Rehabilitation have been thematically defined and Mokwa-Bida is enlisted as part of the road network to receive rehabilitation intervention.

Mokwa-Bida road lies on the A124 highway with starting point in Mokwa-Gana junction by Kainji Lake junction to kilometer 121 point at Minna junction Bida. The road links many towns and communities in Niger state. The dilapidated state of the road has posed enormous transport challenges.

**EX 2. APPLICABILITY OF ARAP INSTEAD OF RAP**

The World Bank has 10 safeguard policies which are used to ensure project sustainability for any project funded by the Bank. The use or applicability of these policies depend on which of them is/are triggered by sub-projects. One of those safeguards policies is called **OPERATIONAL POLICY 4.12: INVOLUNTARY RESETTLEMENT**. The Operational Policy (OP) 4.12 of World Bank is triggered in this project because project activities will cause physical displacement and restriction to access to source of livelihood.

Two instruments can be used for OP 4.12 trigger. In the event of major impacts (that is, if affected people will be physically displaced and more than 10% of their productive assets are lost or more than 200 people are to be displaced), a full Resettlement Action Plan (RAP) would be prepared.

While for minor impacts (that is, if affected people are not physically displaced and less than 10% of their productive assets are lost or fewer than 200 people are to be displaced), an Abbreviated Resettlement Action Plan (ARAP) would be approved.

For the Mokwa-Bida project, less than 10% of productive assets will be lost. Although a large number of PAPs (about 366 persons) will be affected, the actual number of people to be displaced physically and/or economically is 57; while majority (309 PAPs) are cases involving a shift-back, and therefore, will not affect PAPs income adversely. Therefore, the appropriate safeguard policy to be prepared is an Abbreviated Resettlement Action Plan (ARAP) rather than the Resettlement Action Plan (RAP).

**EX 3 AIMS AND OBJECTIVES OF THE ARAP**

The main aim of preparing this ARAP is to design methods and schemes for resettling or compensating the Project Affected Persons (PAPs) in the Mokwa-Bida road rehabilitation project. The goal is to improve decision making as regards the resettlement and compensation of persons that would be affected by the proposed road rehabilitation project.

**EX 4 METHODOLOGY OF STUDY**

The methods and approach for preparing this report is detailed in the report and includes the following:

- Collection and review of documents and maps relevant for the work and for the knowledge of the local area from the RSDT, World Bank and Federal Ministry of Environment
Abbreviated Resettlement Action Plan for the Mokwa-Bida Road Project

- Review of policy documents such as RPF, Land Use Acts, etc
- Identification of project affected communities and project affected persons and engagement in public consultations.
- Census of project affected population and inventory of the affected assets/items
- Preparation of a resettlement matrix and compensation budget including relevant training needs and its costing

EX 5 BASELINE ANALYSIS OF THE AFFECTED PROJECT AREA

Analysis based on the socio-economic survey/assessment carried out of the project area reveals as follows:

- The percentage of female to male PAPs is 22% : 78%
- There is high illiteracy rate among the PAPs
- The project population is characterized by low income and low standard of living
- PAPs are predominantly farmers and petty traders
- They are predominantly large household population

EX 6 MAJOR FINDINGS/IMPACTS OF THE PROJECT

Adverse socio-economic impacts are categorized as follow:

- A total of 366 persons will be affected by the project including:
  - 57 PAPs involving physical and/or economic displacement
  - 309 PAPs involving temporal disturbance from location of business; in which case a shift back from ROW will be required
- A total of 57 assets/structures will be affected in the project areas
- No acquisition of land is anticipated under this project

The categorization and summation of affected assets and PAPs in the project areas is presented as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>KUTIGI</th>
<th>ENAGI</th>
<th>MOKWA</th>
<th>BATATI</th>
<th>WUYA</th>
<th>BIDA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAPs for loss of land</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>PAPs for loss of economic trees</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>PAPs for removal of Kiosks</td>
<td>4</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>3</td>
<td>NA</td>
<td>7</td>
</tr>
<tr>
<td>Tables</td>
<td>70</td>
<td>22</td>
<td>35</td>
<td>37</td>
<td>27</td>
<td>109</td>
<td>300</td>
</tr>
<tr>
<td>Fences</td>
<td>2</td>
<td>NA</td>
<td>2</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>4</td>
</tr>
<tr>
<td>PAPs for removal of Thatch shop</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>1</td>
<td>NA</td>
<td>1</td>
</tr>
<tr>
<td>PAPs for displacement of Shop Balconies</td>
<td>5</td>
<td>NA</td>
<td>17</td>
<td>16</td>
<td>4</td>
<td>3</td>
<td>45</td>
</tr>
<tr>
<td>PAPs in Open Space</td>
<td>1</td>
<td>NA</td>
<td>2</td>
<td>NA</td>
<td>6</td>
<td>NA</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>82</td>
<td>22</td>
<td>56</td>
<td>53</td>
<td>41</td>
<td>112</td>
<td>366</td>
</tr>
</tbody>
</table>
Overall analysis of the compensation description shows that 309 PAPs fall within the category of those for temporal disturbance, and will be provided with “shift back cash assistance” because they will not be physically or economically displaced (see photo descriptions in appendices 3 and 4); while 57 PAPs will be physically and/or economically displaced. This latter category will require full income restoration compensation as contained in this report. Details of the analysis on location basis are presented below:

<table>
<thead>
<tr>
<th>CATEGORY OF IMPACTS/PAPS</th>
<th>KUTIGI</th>
<th>ENAGI</th>
<th>MOKWA</th>
<th>BATATI</th>
<th>WUYA</th>
<th>BIDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAPs for Shift-back Assistance</td>
<td>71</td>
<td>22</td>
<td>37</td>
<td>37</td>
<td>33</td>
<td>109</td>
</tr>
<tr>
<td>PAPs for Full Income Restoration Measures</td>
<td>11</td>
<td>N.A</td>
<td>19</td>
<td>16</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total number of PAPs by Locations</strong></td>
<td>82</td>
<td>22</td>
<td>56</td>
<td>53</td>
<td>41</td>
<td>112</td>
</tr>
</tbody>
</table>

**Vulnerable PAPs**

- Persons classified as vulnerable PAPs are women and aged persons (65 years and above). There are 80 vulnerable persons in the project area involving 78 women and 2 aged men.
- Adverse impacts will be mitigated in accordance with the provisions of the RPF and the World Bank’s policy, OP 4.12 on which the RPF is based. Income restoration provision has been made for the vulnerable PAPs as documented in this report.

**EX 7 BUDGET FOR ARAP IMPLEMENTATION**

The total budget for the ARAP implementation is **Fourteen Million, Four Hundred and Sixty Seven Thousand Three Hundred Naira (N14,467,300)only**. This is comprised as shown below:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>TOTAL IN NAIRA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.ARAP Compensation Budget</td>
<td>10,243,000</td>
</tr>
<tr>
<td>2.Capacity Building and enlightenment for ARAP Implementation (Lump sum)</td>
<td>1,200,000</td>
</tr>
<tr>
<td>3.Operating cost including Monitoring and Supervision of ARAP Implementation (10 % of ARAP compensation Budget)</td>
<td>1,024,300</td>
</tr>
<tr>
<td>4.Cost of engagement of consultant for compensation payment</td>
<td>2,000,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>N 14,467,300</strong></td>
</tr>
</tbody>
</table>
**EX 8 IMPLEMENTATION RESPONSIBILITIES AND SCHEDULE**

<table>
<thead>
<tr>
<th>ROAD PROJECT CYCLE</th>
<th>PHASE</th>
<th>ACTIVITIES</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PLANNING</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scoping and Screening</td>
<td>✓ Initial site visit &amp; consultations. ✓ Identification of Resettlement and Social issues ✓ Application of safeguard policies ✓ Categorization ✓ Action plan ✓ Screening Report ✓ WB No-Objection</td>
<td>Consultant; Supervision by FMW - PIU</td>
</tr>
<tr>
<td><strong>DESIGN</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Preparation of ARAP and consultations</td>
<td>✓ Draft ARAP ✓ Consultations ✓ WB No-Objection</td>
<td>Consultant; Supervision by FMW - PIU</td>
</tr>
<tr>
<td></td>
<td>Disclosure</td>
<td>✓ Disclosure of ARAP locally &amp; to WB Info Shop</td>
<td>FMW –PIU World Bank</td>
</tr>
<tr>
<td></td>
<td>Finalization and Incorporation</td>
<td>✓ Final version of ARAP ✓ Incorporation of ARAP into contract documents ✓ WB No-Objection</td>
<td>Consultant; Supervision by FMW –PIU</td>
</tr>
<tr>
<td><strong>EXECUTION</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Implementation and monitoring</td>
<td>✓ Implementation ✓ Monitoring &amp; reporting on environmental and social mitigation measures ✓ Monitoring and reporting of Resettlement and livelihood issues</td>
<td>Contractors Supervision by FMW -PIU/ and the community</td>
</tr>
<tr>
<td><strong>OPERATIONS</strong></td>
<td>Operations and maintenance</td>
<td>✓ Maintenance ✓ Monitoring and reporting of Resettlement and social livelihood issues</td>
<td>Contractors Supervision by FMW-PIU/ and the community</td>
</tr>
</tbody>
</table>
1 INTRODUCTION

1.1 Background

The Federal Government of Nigeria, through the Federal Ministry of Works (FMW), is beginning a major reconditioning of Nigeria’s federal road network. It has requested the assistance of the World Bank to meet the immediate and short term funding needs for the roads program, starting with key Unity Roads that link major cities around the nation. It has also requested support for Government’s efforts to institute policy and institutional reforms aimed at promoting improved service delivery, road management and financing. The Federal Roads Development project (FRDP) will proceed in several phases, each consisting of several packages for the rehabilitation and sustained maintenance of city-to-city segments of the highways in question. No new roads will be constructed, so there will be no major land acquisition associated with the project.

The operations of the FRDP are undertaken by the Road Sector Development Team (RSDT) under the Federal Ministry of Works; and the FRDP is organized into three components to support both the implementation of the proposed reform and the financing of critically needed investments. The three main components are:

- Policy and Institutional Reforms
- Institutional Capacity Building
- Upgrading, Rehabilitation andMaintenance of Federal Roads

The development objectives of this project is consistent with the RPF provisions which are:

- To reduce road transport cost along the road links supported by the project;
- To introduce total asset management methods for delivery and management of federal roads; and
- To plan and facilitate sustainable financing arrangements for the road sector.

The road rehabilitation falls under the component 3, Upgrading, Rehabilitation and Maintenance of Federal Roads. The planned rehabilitation work will bring some positive and negative impacts to the project community. As a result of the negative impacts of the project which is anticipated due to civil works to be undertaken, two World Bank Safeguard Policies are triggered: Environmental Assessment (OP 4.01) and Involuntary Resettlement (OP 4.12). OP 4.01 is triggered because of the civil works which is expected to affect the physical and natural environment adversely. It is also anticipated that the proposed civil works will impact negatively on the socio-economic lives of persons, especially those whose assets and/or means of livelihoods may be destroyed, displaced or disturbed, thereby giving rise to OP 4.12 trigger.

In view of the above, RSDT had prepared two safeguard frameworks, namely the Environmental and Social Management Framework (ESMF) and the Resettlement Policy Framework (RPF). These policy documents were prepared for the project at the country macro scope that is when specific sub-projects or thematic project scope had not been identified. While the ESMF recommendation amongst others required that RSDT should carry out an Environmental and Social Impact Assessment (ESIA) or an Environmental and Social Management Plan (ESMP) for specific project sites, the RPF recommended that a Resettlement Action Plan (RAP) or an Abbreviated Resettlement Action Plan (ARAP) be prepared when the project thematic scope or sites would have been defined.
At this stage of the project the Federal Roads under consideration for Rehabilitation have been thematically defined and Mokwa-Bida is enlisted as part of the road network to receive rehabilitation intervention.

Mokwa-Bida road lies on the A124 highway with starting point in Mokwa-Gana junction by Kainji Lake junction to kilometer 121 point at Minna junction Bida. The road links many towns and communities in Niger state. The dilapidated state of the road has posed enormous transport challenges.

1.2 Applicability of ARAP

As outlined in the RPF, the World Bank has 10 safeguard policies which are used to ensure project sustainability for any project funded by the Bank. One of those safeguards policies is called OPERATIONAL POLICY 4.12: INVOLUNTARY RESETTLEMENT. The Operational Policy (OP) 4.12 of World Bank is triggered when project activities cause physical displacement, restriction to access to source of livelihood and land acquisition. During civil works, major and minor impacts tend to cause displacement of population, demolition of productive assets and structures.

In the event of major impacts (that is, if affected people will be physically displaced and more than 10% of their productive assets are lost or more than 200 people are to be displaced), a full Resettlement Action Plan (RAP) would be prepared.

While for minor impacts (that is, if affected people are not physically displaced and less than 10% of their productive assets are lost or fewer than 200 people are to be displaced), an Abbreviated Resettlement Action Plan (ARAP) would be approved.

The inventory report for this project shows that only 57 PAPs will be displaced physically and/or economically. This corroborates the resettlement policy framework (RPF) report earlier undertaken for the project which indicates that there will be minor impacts because less than 200 persons and assets will be affected and less than 10% of productive assets will be lost. Therefore, the appropriate safeguard policy to be prepared is an Abbreviated Resettlement Action Plan (ARAP) rather than the Resettlement Action Plan (RAP).

The core requirement of the OP 4.12 – Involuntary Resettlement is as follows:

- Avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs.
- Assist project affected persons in improving their former living standards, income earning capacity, and production levels, or at least in restoring them back to the former status
- Encourage community participation in planning and implementing resettlement.
- Provide assistance to affected people regardless of the legality of land tenure.
1.3 **Aims and Objectives of the ARAP**

The main aim of preparing this ARAP is to design methods and schemes for resettling or compensating the Project Affected Persons (PAPs) in the Mokwa-Bida road rehabilitation project. The goal is to improve decision making as regards the resettlement and compensation of persons that would be affected by the proposed road rehabilitation project.

The specific objectives of the ARAP are to:

(a) Conduct a census survey of impacted persons and valuation of assets;

(b) Consult with the would be impacted Persons (PAPs);

(c) Describe compensation and other resettlement assistance to be provided; and

(d) Prepare a budget and time table for resettlement action.

This Policy (OP 4.12) covers direct economic and social impacts that both result from World Bank-assisted projects, and are caused by:

(a) The involuntary taking of land resulting in

(i) Relocation or loss of shelter;

(ii) Loss of assets or access to assets, or

(iii) Loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or not

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

1.4 **Scope of Work**

The scope of work underlying this ARAP is the identification of project impacts and affected population through the following:

- Thematic maps;

- Census that enumerates project affected persons (PAPs) and registers them according to location;

- An inventory of lost and affected assets at the household, enterprise, and community level;

- Analysis of surveys and studies to establish compensation parameters, to design appropriate income restoration and sustainable development initiatives;

- Identify baseline monitoring indicators

- Consultation with affected populations regarding mitigation of impacts and development opportunities

- Establish a “cut-off date” after which any new structures or arrivals along the Rights of Way will be barred from benefitting from the re-planning or resettlement exercises

- Provide a definition of displaced persons and compensation eligibility criteria

- Valuation of and compensation for losses
• Provide a description of resettlement assistance and restoration of livelihood activities
• Provide a detailed budget and implementation schedule
• Provide description of provisions for redress of grievances
• Provide a description of organizational responsibilities and,
• Provide a framework for monitoring, evaluation and reporting.

1.5 Methodology of Study

Presented below are the methods/approaches used in carrying out the preparation of this ARAP report.

• Initial meetings with RSDT: This meeting offered the opportunity to clarify relevant issues in the terms of reference and to agree on deliverables and timelines. The outcome of this meeting included the collection of the RPF, maps and other relevant documents
• The next step undertaken was the review of the various literatures and documents including the RPF, handbook on ARAP preparation, land Use Act and the Operational Policy (OP4.12) guideline
• Reconnaissance visit:

  Reconnaissance visit was embarked upon in the project area with a view to identifying the communities and familiarizing with the environmental, socio-cultural and economic peculiarities.

• Geographical coordinates of the affected communities was taking using geographical positioning system (GPS).
• Pictures taken of assets and PAPs as well as the affected population using high-resolution digital camera, Public consultation with affected communities and PAPs
• Thematic maps – the ARAP study relied on thematic aerial map produced during the RPF study. This map was useful to identify such features as population settlements, infrastructure, soil composition, natural vegetation area, water resources and land use patterns along the Mokwa-Bida road corridor.
• Census/inventory – Census of the project affected persons (PAPs) and assets in the project area was undertaken, and PAPs registered according to locations. All assets and heritages including crops, economic trees, shops, kiosks, and business corridors to be affected or obstructed by the planned road work were inventoried for economic valuation.
• Socio-economic assessment of PAPs – Assessment and analysis of PAPs socio-economic condition was undertaken using the information from the census report.
• Consultation with the affected population – This was based on the feedback communication that was gained through constructive public consultations in the project areas.
1.5.2 Literature Review

Relevant documents collected from RSDT, Federal Ministry of Environment, Niger state government and the World Bank was reviewed. The documents reviewed and presented in section 3 of this report include:

- Documentation gazette on the culture and people of the project area.
- The Resettlement Policy Framework
- The Nigerian Land Use Act

1.5.3 Identification of PAPS and Affected Assets

Identification of project affected persons (PAPs) was based on the following considerations:

- Owners of assets/structures along the right of way (ROW) of the highway usually about 5m radius from the road corridor;
- Owners/tenants of houses, structures or means of livelihood located within the ROW;
- Those found during census and before cut-off date engaged in economic activities within the ROW of the road;
- PAPs whose land or farm will be taken or removed due to the planned rehabilitation work;
- Owners of Economic trees that may be affected by the planned project.

The support staff and enumerators for this ARAP were trained and equipped with instruments including questionnaire and tape rule which was used to identify assets/PAPs and obtained required personal inventories of PAPs. To ensure that PAPs cooperate with the team, the Consultants engaged in wide consultation with the community leaders in each project affected community, dialogued with them and also through them, recruited temporal staffs that are familiar with the local terrain and culture. Consultation of PAPs also included a community consultation forum in each community attended by all PAPs and stakeholders in each community.
2.0 DESCRIPTION OF PROJECT AREA

2.1 Background

The Mokwa-Bida road under consideration for rehabilitation lies on the A124 highway and is found in Niger state of Nigeria. The proposed start point is Mokwa-Gana junction by Kainji Lake junction to kilometer 121 point after Wuya Suma in Bida. Niger state was created from the former North Western state on 3rd February 1976. The state shares boundaries with Kaduna and Federal Capital Territory in the east and south east respectively, Kebbi and Zamfara states in the north, Kwara and Kogi states in the south and Benin republic in the west. Niger state is the home state of the two of the Nigerias hydroelectric power stations- the Kainji dam and the Shiroro dam.

![Map of Nigeria showing Niger State in red color shading](image)

*Figure 2.1: Map of Nigeria showing Niger State in red color shading*

The geographical coordinate of the project starting point in Mokwa is 9°17'16"N and 5°35'41" E and terminates in Bida at 9°7'2"N and 5° 56'29"E. Mokwa, Bida and the entire project coverage area belong to the Nupe tribe which is one of the prominent ethnic tribes within the northern Nigeria. Geographically this location shares boundaries with the Federal Capital Territory (FCT) in the South East of Bida and Minna towards Suleja. While to the North it shares boundaries with Zungeru and North West by Zugurma towards Kontagora. In the South West end of Jebba it shares boundaries with Yoruba villages near Kabba in the West of River Niger towards Okene down to Lokoja.
2.2 Culture and People of the Project Area- Nupes

There are several ethnic groups in Niger state. They include Nupe, Gbahyi (Gwari), Fulani and Hausa. There are also minority ethnic groups such as Kadara, Koro, Baruba, Fulani, Ganagana, Dibo, Kambari, Kamuku, Pangu, Dukkawa, Gade and Ingwai. However, the LGAs benefitting from 121km road rehabilitation project (Mokwa, Bida, Lavun, Lapai and Edati) are predominantly Nupe speaking.

Nupes are found in Niger, Kogi and Kwara states and are believed to have settled in its location of the Bida emirate since 1352 (Y Kuti, 2003). The Nupe kingdom was founded by Tsoede, who was born in 1465. The early Nupe history recognized Tsoede and his fundamental contributions to the building of Nupe dynasty. Tsoede was the son of a Nupe mother and an Igala father who was raised at the Igala court in Idah Kogi state but later returned to his natal home in Nupeland.

The Nupe people have historical links with the Hausas of Katsina, Kano and Borno people. For example, both the towns of Abaji and Eggan have traditions which confirm that they were founded by men from Katsina. Bokana was first settled by a man from Kano (Hausa: Bakano i.e. a Kano man) while Kutigi and Enagi became the homes of settlers from Borno whose origin gave the whole region its name, Benn. They are said to be specifically from Kukawa.

2.3 Administrative Structure within the Project Area

The leadership style in the project area is the Emirship and the head of the town is addressed as the Etsu-Nupe. Usually, the Etsu-Nupe comes from the Bida emirate believed to be the capital of the Nupe land. There are three houses in Bida where Etsu Nupe rotates. These are:
- Usman Zaki house
- Masaba house
- Umaru Majigi house

The Etsu-Nupe appoints credible people to several traditional title offices. These title holders are the Etsu Nupe’s loyalists, who advise him from time to time. However, district heads are appointed to head several districts in the project area.

2.4 Population Structure and Distribution

Niger State had a total population of 3,885,000 people (2006 population census). Out of this, about 52 per cent were males; while 48 per cent were females. The population of the local government areas of project influence comprises as follow:

- Mokwa: 244,937
- Bida: 266,008
- Lavun: 209,917
- Edati: 160,321
2.5 Socio-economic Analysis of Project Affected Persons (PAPs)

Since one of the major significance of the ARAP is to ensure that PAPs are not made worse-off as a result of the proposed road rehabilitation project in their communities, therefore, a socio-economic analysis of PAPs is desirable to determine certain baseline data of the PAPs upon which ARAP monitoring and evaluation can be based. Table 2.1, therefore captures the indicators and data of socio-economic measurement of PAPs.

Table 2.1 Socio-economic analysis of PAPs

<table>
<thead>
<tr>
<th>Items</th>
<th>Description</th>
<th>% of Male</th>
<th>% of Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td>Male/female</td>
<td>59%</td>
<td>41%</td>
</tr>
<tr>
<td>Age</td>
<td>≤ 20</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>21-39</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>30-64</td>
<td>42%</td>
<td>58%</td>
</tr>
<tr>
<td></td>
<td>65-Above</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>Marital Status</td>
<td>Single</td>
<td>25%</td>
<td>75%</td>
</tr>
<tr>
<td></td>
<td>Married</td>
<td>43%</td>
<td>57%</td>
</tr>
<tr>
<td></td>
<td>Widow/Widower</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>Divorced</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Highest Education</td>
<td>No Education</td>
<td>40%</td>
<td>60%</td>
</tr>
<tr>
<td></td>
<td>Islamic</td>
<td>60%</td>
<td>40%</td>
</tr>
<tr>
<td></td>
<td>Primary</td>
<td>70%</td>
<td>30%</td>
</tr>
<tr>
<td></td>
<td>Secondary</td>
<td>80%</td>
<td>20%</td>
</tr>
<tr>
<td></td>
<td>Tertiary</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>
### Items | Description | % of Male | % of Female
--- | --- | --- | ---
**Occupation** | Farming | 55% | 45%
 | Trading | 80% | 20%
 | Self employed | 65% | 35%
**Average Income** | <N1000 | 40% | 60%
 | N1000-N1,999 | 60% | 40%
 | N2000-N4000 | 70% | 30%
 | N4,100-Above | 0% | 0%
**Av No of persons in Households** | 1-3 | 60% | 40%
 | 4-7 | 50% | 50%
 | 8-Above | 30% | 70%

*Source: Field Survey, September-November 2011*

The project affected persons/communities are made up of an agrarian population, where the economy and social life revolve around agriculture. The people are active farmers. Major crops grown are rice, sorghum, sugar cane, millet, melon, vegetables, yam, homestead livestock management and fishing. Food processing is entirely done by women. Also, marketing of farm produce is in the hands of women.

The outcome of the socio-economic analysis of project affected population, PAPs in particular reveals the following:

- High illiteracy rate
- Low income population
- Low standard of living
- Predominantly farmers and petty traders
- Large household population
- High vulnerability indicators
- Women are more disadvantaged socio-economically.

#### 2.6 Religion

Islam is the predominant religion in the project area and across the entire Nupe land, while Christianity is a common religion in very few communities where the pioneer activities of missionaries were recorded. Traditional religion was practiced before the introduction of Islam.
3.0: POLICY AND REGULATORY FRAMEWORK

Review of the following policy and regulatory frameworks guided the preparation of this ARAP:

3.1 The Resettlement Policy Framework (RPF)

In 2006, a World Bank Resettlement Policy Framework (RPF) was prepared as a guide to set out the general terms under which land acquisition/encroachment, and/or any form of involuntary displacement of persons from the land or right of way of the proposed FRDP can take place, to comply with the World Bank Operational Policy (OP 4.12) on Involuntary Resettlement. The RPF specified that Resettlement Action Plan (RAP) or Abbreviated Resettlement Action Plan (ARAP) needs to be prepared when the specific road projects would have been identified in order to address specific social impacts of projects on project affected persons (PAPs). It also provided a generic guideline for the preparation of RAP/ARAP.

The RPF specified that occupants who must be displaced will be moved at minimum cost and at short distance as possible. It also states that occupants who must be moved will be assisted physically by inclusion of preparatory site work in the works programme of the contractor and/or by payments to move shops and trading stalls. It also recommended the setting up of a dispute resolution mechanism that will address complaints and grievances that may emanate from the resettlement or compensation process.

Inventorying and Valuing of Affected Assets

The RPF’s submission as per Inventorying and valuing of affected assets is summarized as follows:

- The process for inventorying and valuing of assets starts with the forwarding of a survey document that shows the land one or another agency wishes to acquire for public purposes. The document requests Lands Department cooperation in the process. Local authorities are notified that an inventory and valuation exercise will be carried out.

- A commission led by valuators from Lands goes to the area to be taken. Representatives of each owner are told to be on their land, with a photograph of the owner to be attached to the inventory, which is the data for a claim for compensation. A local chief or influential leader accompanies the valuators.

- Crops are listed, together with the area planted in each. Individual economic trees are listed by species and state of maturity of each tree. Structures are listed by type, age, floor space, construction materials, and other key features. Land is not taken into account as such, regardless of any payment for lease rights that may have been made in the increasingly commercialized Nigerian land rights markets, where even many rural areas are being broken into surveyed plots leased to all comers.

- The field notes are taken back to the office and converted into an official valuation certificate, using the most recent table of values produced by the state government in question. (Contrary to some reports, there is no federal schedule of values for many years). Each crop or structure is listed, together with the value imputed. The certificate does not show the price used, but only the final result of the computation for each commodity or structure – it is therefore not transparent to the affected person how his compensation value has been arrived at. The certificate is signed by the Lands evaluator involved, the local authority, the requesting department, the engineer or other party who did the survey; it is countersigned by the claimant on acceptance of his copy.
• The total volume of compensation due, estimated on the basis of the predominant land use type in the preliminary survey by the design consultant, is added to the cost of construction as a —preliminary expense.‖ The contractor pays out the detailed claims that have been established through the process just described, and otherwise plays no role in the process. There is no formalized complaints process, nor any post-payment evaluation of the outcomes of the compensation exercise.

Inventoring and valuing of affected assets were undertaken following this process except that the procedure for land valuation was not necessary in this project since land acquisition was not required. Also, whereas the RPF supposes that the contractor pays out the detailed claim/compensation to PAPs because it is added to the cost of construction, it is highly advisable here that the implementing agency (RSDT) should take full responsibility for resettlement even before the construction phase. Therefore, the compensation budget need not be a delegated to the contractor handling road rehabilitation.

3. World Bank Safeguard Policies

The World Bank Group is made up of the International Bank for Reconstruction and Development (herein referred to as World Bank) and the International Finance Corporation (IFC). Whereas:

• The World Bank uses Safeguard Policies which apply to projects owned by States and the Public sector;
• The IFC uses performance standards, and are used for projects owned or sponsored by the private sector.

This project is a public good under the ownership of the Federal Ministry of Works therefore; the World Bank Safeguard Policies are used. The World Bank has ten (10) Safeguard Policies to reduce or eliminate the adverse negative effects of development projects, on the environment and communities/people and thereby achieving improve decision making. The World Bank policy on Involuntary Resettlement states that all occupants of an area who must be displaced are eligible for assistance that permits them to replace lost assets, recover their living standards and incomes to at least the pre-project state. This is irrespective of whether they are formal occupants (those with land titles) or not. The policy did not cover occupants who would come to occupy after the “cut of date”. This means that the Bank policy (OP 4.12) did not cover those who would later come to a land or an area around the project corridor or ROW to take advantage of compensatory assistances being offered to those have been living/using the place, up to the period of PAPs census/inventory

3.3 Nigeria Law/Land Use Act

In Nigeria land is controlled by individuals, corporations, local governments and state governments in accordance with the law. Simultaneously operating are two levels of land law, a customary system that varies by ethnic group and family type around the country and a “statutory” system based on English law established during the colonial period which operates in many urban areas and selected other areas around the country, usually, where institutions of the modern society and the economy have established rights under this latter system. Individuals and families hold heritable rights in land assigned to them or their ancestors under customary systems and grazing rights. Rights to economic trees and cropping rights may overlap physically on a given piece of land. Individuals and corporate entities hold
lease rights acquired within the statutory system or adjudicated by registration from customary tenure into the statutory system.

Whatever the legal status of a landholding by individuals, families, or corporations and other entities, government has the right to take land for public purposes. Local Governments in rural areas, and Local Governments in the urban or the State Governor with respect to developed land, can revoke either statutory or customary rights for public purposes, but the Constitution prescribes that “adequate compensation” shall be paid.

On land that is under customary law, sections 6 (5) and 6 (6) of the Land Use Act prescribed that compensation shall be paid for the value of unexhausted improvement on the land, and that alternative land shall be allocated for the lost of agricultural land.

Under section 29 (1) where a lease or other statutory right of occupancy is revoked, the holder of the right and the occupier shall be entitled to compensation for the value of their unexhausted improvements.

When a community holds the right of compensation, it can be paid to the community, to the chief or the leader of the community for the benefit of the community, or into a fund specified by the Governor for the purpose of benefit to the community. Section 29 (4) of the law further specifies that compensation will consist of any rent paid during the year of the taking, replacement cost less depreciation for buildings and other improvements, interests on any delayed payment and the value of any crop on the land. However, section 33 (1) prescribes that alternative accommodation can be provided in lieu of compensation payable, if appropriate to the circumstances.

Road Corridor Land

The Land Use Act 1978 (modified in 1990) under the Highway Act states that the right of way (ROW) belongs to the Federal Ministry of Works (FMW) as part of the sovereign domain of the nation. The FMW has the right to dispose of all such lands, whether in the roadway itself or in the road reserve, which extends for federal roads to 50 meters on either side of the center line of the highway.

Non-Road Corridor Land

The Land Use Act specified that non-road corridor lands in Nigeria belong to the Federal Government while land within the territory of each of the states is vested in the State Governors of the respective states to hold in trust for the public and for public interest.

In practice, government do not compensate known rightful owners of land/asset when the affected land/assets are located within the right of way of utilities. Rather, government enforces involuntary displacement by demolition of the structures and assets that are located within the land mapped for project.

3.4 Comparison between Land Use Act and World Bank OP 4.12

Presented in table 3.1 is the comparison of the Nigerian Land Use Act and the World Bank’s Operational Policy 4.12.
### Table 3.1: Comparism of Nigerian Land Use Act (1978) and World Bank’s OP 4.12

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>NIGERIAN LAW</th>
<th>WORLD BANK OP 4.12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Owners: statutory rights</td>
<td>Cash compensation based upon market value</td>
<td>Recommends land-for-land compensation, or cash compensation at replacement cost.</td>
</tr>
<tr>
<td>Land Owners: customary rights</td>
<td>Cash compensation for land improvements; compensation in kind with other village/district land</td>
<td>Equivalent value. If not, cash at full replacement value, including transfer costs.</td>
</tr>
<tr>
<td>Land Tenants</td>
<td>Entitled to compensation based on the amount of rights they hold upon land.</td>
<td>Entitled to some form of compensation subject to the legal recognition of their occupancy.</td>
</tr>
<tr>
<td>Land Users</td>
<td></td>
<td>Entitled for compensation for crops and September be entitled for land replacement and income loss compensation for minimal of the pre-project level.</td>
</tr>
<tr>
<td>Owners of Non permanent Buildings</td>
<td>Cash compensation based on prevailing market value</td>
<td>Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.</td>
</tr>
<tr>
<td>Owners of permanent Buildings</td>
<td>Cash compensation based on prevailing market value</td>
<td>Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.</td>
</tr>
</tbody>
</table>

The ARAP for this road project will be aligned with the World Bank Operational Policy (OP 4.12) which indicates best practices to rehabilitation of livelihoods of people affected by the implementation of the project. Hence, where there are gaps between the Land Use Act (1978) and the World Bank Policy (OP 4.12), in regard to compensation of PAPs, the World Bank’s Policy will apply since it is to fund the project.
4.0 IDENTIFICATION OF PROJECT IMPACTS AND PROJECT AFFECTED PERSONS

4.1 Approach to Impacts and PAPs identification

Section 1.5 provided full details on impacts and PAPs identification which included census/inventory survey and consultation with the PAPs. Consultation with the project community and PAPs was continuous and started during the reconnaissance visit in September 2011 up to the extended cut-off date on 31st of July 2012.

4.1.1 Road Corridor/Right of Way Re-consideration

Following the review of the initial submission by the ARAP Consultant in which the starting and end points of the road were not clear, and in which the definition of ROW was not well specified to reflect the Nigerian highway regulation the implementing agency met with the design engineer and the ARAP consultant on the subject matters. This was necessary to carry out the ARAP report based on the actual scope/boundaries of the project. During the meeting, it was decided that the right of way (ROW) for the Mokwa-Bida road rehabilitation is 10m from either side of the centre of the road. The Consultant was asked to revisit the inventory/census of PAPs based on this measurement.

4.2 Eligibility Criteria for Affected Persons

Affected person or PAP is any person with documented potential to suffer loss or damage to an asset, business, trade or loss of access to productive resources, as a result of the project. The PAP will be considered eligible for compensation and/or resettlement assistance. A person is eligible only if he/she was enumerated on or before the end date of the census and inventory exercise.

4.2.1 Cut-Off Date

The cut-off date for being eligible for compensation and/or resettlement assistance was shifted from the initial 1st November 2011 to the 31st of July 2012 which is the last day of extension during which the socio-economic survey was completed.

PAPs also include:
- Those who have formal legal rights of land (including customary and traditional rights recognized under the laws of the country); in this project there was none.
- Those who do not have formal rights to land at the time the census begins but have a claim to such land or assets and become recognized during the survey; and
- Those who have no recognizable legal rights or claim to the land they are occupying.

4.3 Proof of Eligibility

The PIU will consider various forms of evidence as proof of eligibility as stated in the RPF, to cover the following:
- Spot identification of a person from the identity card photo register undertaken during the census stage
- PAPs are expected to produce their code number which will be sent to them via their GSM phones
- For PAPs that are not in the photo album due to their religious reasons, and whose identities and asset inventory were taken, shall present two passports photographs in addition to being identified by the community leader or representative as the true bearer of the name in the compensation register.

4.4 Entitlement Policy
Since the project entails the rehabilitation of existing road network, we do not anticipate new land take; therefore, there is not going to be land displacement. There may however be temporal limitation on speed limit at the project site during the rehabilitation due to the presence of heavy duty machines and the excavation, refilling and compacting works. Road signs and alternative routes will be provided by the contractor to ensure that this does not significantly affect movement of people and their goods.

Following the above explanation, PAPs will not be entitled to land resettlement. Project affected persons (PAPs) are mainly vendors trading along the right of way (ROW) of the road corridor and those whose fences, trading tables, kiosks and balconies intercept the ROW of the project.

As a result, PAPs would be entitled to the following types of compensation and rehabilitation measures:

4.4.1 PAPs Losing Permanent Structures
The structures and other assets (including balconies, fences) of PAPs on the ROW of project corridor will be compensated for. The compensation will be based on market price for restoring or reconstructing/replacing such structures or assets as detailed in the RPF.

PAPs will be compensated for loss of livelihood income due to loss of business days. Subjectively, we assume that 30 days is the time required for PAPs to relocate and adjust to business in the alternative places. This is not the same thing as compensating for the period while construction lasts, as PAPs have been adequately informed that the corridors being affected are the ROW of public utility. Therefore, PAPs will be given one month notice after payment of compensation to relocate, and will not return back after the road rehabilitation.

4.4.2 Vendors and PAPs with Moveable Structures
These include all the PAPs whose trading tables and goods are displayed into the ROW. For most people in this category, shifting backward is a sustainable and optimal measure because there are available spaces backward. This category also includes those that displace their goods on the ground along the road corridor. PAPs will be given financial assistance to shift-back from the ROW. This is only a social responsibility measure to persuade PAPs to move backward. There will be no income restoration compensation.
4.4.3 PAPs with loss of economic trees
Full compensation will be paid for the estimated market values of the economic tree in at least one seasonal harvest plus the cost of plant and nurturing a new economic tree of same plant/seedling. However, no economic tree is to be affected in this project as trees along the ROW belong to the public. Therefore, no PAP is expected.

4.4.4 Relocation Assistance
PAPs will be assisted by cash for the cost of moving their belongings and assets such as kiosks, as applicable in the case of this project to a new place where PAPs wish to stay to continue their livelihoods.

4.5 Notification
Owners of affected properties have been notified in several ways. These included one on one notification during the socio-economic survey, and also during public consultation. Notification of cut-off date for PAPs was also communicated/publicized for a period of two weeks through the village leadership messenger.

4.6 Duration for Civil Works
Estimation of the duration for civil works/rehabilitation is two (2) years. This is based on progressive work approach which entails that all stages of work in a given place is expected to begin and close before moving to another community or site.

4.7 Inventory and Census of Affected Assets and PAPs
- A total of 366 persons will be affected by the project including:
  - 57 PAPs involving physical and/or economic displacement
  - 309 PAPs involving temporal disturbance from location of business; in which case a shift back from ROW will be required
- A total of 57 assets/structures will be affected in the project areas
- No acquisition of land is anticipated under this project

The categorization and summation of affected assets and PAPs in the project areas is presented as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>KUTIGI</th>
<th>ENAGI</th>
<th>MOKWA</th>
<th>BATATI</th>
<th>WUYA</th>
<th>BIDA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAPs for loss of land</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>PAPs for loss of economic trees</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Tables</td>
<td>70</td>
<td>22</td>
<td>35</td>
<td>37</td>
<td>27</td>
<td>109</td>
<td>300</td>
</tr>
<tr>
<td>PAPs for removal of Kiosks</td>
<td>4</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>3</td>
<td>NA</td>
<td>7</td>
</tr>
<tr>
<td>Fences</td>
<td>2</td>
<td>NA</td>
<td>2</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>4</td>
</tr>
<tr>
<td>PAPs for removal of Thatch shop</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>1</td>
<td>NA</td>
<td>1</td>
</tr>
<tr>
<td>PAPs for displacement of Shop Balconies</td>
<td>5</td>
<td>NA</td>
<td>17</td>
<td>16</td>
<td>4</td>
<td>3</td>
<td>45</td>
</tr>
<tr>
<td>PAPs in Open Space</td>
<td>1</td>
<td>NA</td>
<td>2</td>
<td>NA</td>
<td>6</td>
<td>NA</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>82</td>
<td>22</td>
<td>56</td>
<td>53</td>
<td>41</td>
<td>112</td>
<td>366</td>
</tr>
</tbody>
</table>
5. VALUATION AND COMPENSATION OF AFFECTED STRUCTURES AND PROPERTY

5.1 Introduction
Valuation of assets to be affected by the implementation of the project was conducted using a general principle adopted in the formulation of the compensation valuation which follows the World Bank’s Policy that lost income and asset will be valued at their full replacement cost such that the PAPs should experience no net loss.
The asset valuation was conducted by a qualified surveyor based on the current market prices in the concerned state of project influence.

5.2 Method of Valuation for compensation

Based on the conclusion that land acquisition is not anticipated in this project, no land resettlement will be carried out. Therefore, valuation of assets for this project is concerned with compensation of permanent and temporal assets to be displaced and the income restoration for loss of income by PAPs due to the project. The method of valuations is given as follows:

- **Replacement Cost Method for Assets/Structures**

  The Replacement Cost Method, which is used in estimating the value of the property/structure, is based on the assumption that the capital value of an existing development can be equated to the cost of reinstating the development on the same plot at the current labour, material and other incidental costs. The estimated value represents the cost of the property as if new.

- **Disturbance and Other Incidental Contingencies**

  Affected business premises which will have to close shop or be relocated will be given compensation for loss of business time/income and/or cash assistance to enable the relocation of affected property.

5.3 Category of Payments of Compensation

**Compensation to Owners of Immovable Structures**
Owners of Immovable Structures will be paid compensation that will be based on assessed values of their properties. The compensation will be paid by the RSDT which is the implementing agency.
Compensation to owners of assets will be based on the:
- cost of replacement of asset and/or;
- cost of agricultural crops/trees to be affected at full market price
Compensation to Owners of Movable Structures
Owners of moveable assets/structures will receive compensation equivalent to the cost of replacement of the structures /asset or where this is not applicable PAP will receive financial assistance to move the affected item from its present location to an alternative point.

Compensation for loss of Income
PAPs are entitled to compensation for loss of income whereby there is potential for the project to put them out of business or means of livelihood. Those under this category include:

- PAPs whose business structure will be removed
- PAPs that need to relocate involuntarily from their present business/work site
- PAPs whose access to business will be closed during the project operation stage

All PAPs in this category will be compensated based on their estimated daily income for 30 days. This is the period subjectively pegged to enable PAPs adjust in their new environment following shock from the disturbance from business as a result of the project.

It is also important to state that PAPs will not return back to the ROW during and after completion of project. This is the reason why their compensation must be done before commencement of the civil works to enable them plan and move to an alternative place.

5.4 Entitlement Matrix
Broad entitlement policy of the World Bank on involuntary resettlement consistent with the provision of the RPF, while the specific entitlement policy applicable to Mokwa-Bida Project area based on field inventory is presented in table 5.1

Table 5.1: Specific Entitlement Matrix for the Project Area

<table>
<thead>
<tr>
<th>Impact Items</th>
<th>Compensations</th>
<th>Shift back Assistance</th>
<th>Relocation Assistance</th>
<th>Income restoration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owners of Kiosk</td>
<td>√</td>
<td></td>
<td>√</td>
<td>√</td>
</tr>
<tr>
<td>Owners of Sales Table</td>
<td>√</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Owners of Balcony</td>
<td>√</td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Persons selling on Open space/floor</td>
<td>√</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Owners of Residential Fence</td>
<td>√</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Table 5.1 shows the categories of PAPs for compensation. It shows that shift back financial assistance will be given to PAPs using tables for sales and those that sit/sale on the open floor within the ROW. On the other hand, relocation assistance will be given to PAPs with a type of moveable assets (kiosks) while the owners of immovable items are not entitled to relocation assistance, but full compensation for their assets that will be demolished or displaced. Similarly, income restoration is given to PAPs whose means of livelihoods will be affected negatively.
5.5 Valuation of Resettlement/Compensation and Assistance Cost for PAPs

The cost of resettlement/compensation of PAPs including assistances to vulnerable persons and those losing incomes are evaluated as presented in a separate report “Census of Affected People”.

Overall analysis of the compensation description shows that 309 PAPs fall within the category of those for temporal disturbance, and will be provided with “shift back cash assistance” because they are not physically or economically displaced; while 57 PAPs will be physically and/or economically displaced. This latter category will require full income restoration compensation as contained in this report. Details of the analysis on location basis are presented below:

Table 5.2: Category of impact and Location

<table>
<thead>
<tr>
<th>CATEGORY OF IMPACTS/PAPS</th>
<th>KUTIGI</th>
<th>ENAGI</th>
<th>MOKWA</th>
<th>BATATI</th>
<th>WUYA</th>
<th>BIDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAPs for Shift-back Assistance</td>
<td>71</td>
<td>22</td>
<td>37</td>
<td>37</td>
<td>33</td>
<td>109</td>
</tr>
<tr>
<td>PAPs for Full Income Restoration Measures</td>
<td>11</td>
<td>NA</td>
<td>19</td>
<td>16</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>Total number of PAPs by Locations</td>
<td>82</td>
<td>22</td>
<td>56</td>
<td>53</td>
<td>41</td>
<td>112</td>
</tr>
</tbody>
</table>

The total budget for the ARAP implementation is **Fourteen Million, Four Hundred and Sixty Seven Thousand Three Hundred Naira (N14,467,300) only**. This is comprised as shown in table 5.3 below:

Table 5.3: Budget Breakdown for Full Implementation of ARAP

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>TOTAL IN NAIRA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ARAP Compensation Budget</td>
<td>10,243,000</td>
</tr>
<tr>
<td>2. Capacity Building and enlightenment for ARAP Implementation (Lump sum)</td>
<td>1,200,000</td>
</tr>
<tr>
<td>3. Operating cost including Monitoring and Supervision of ARAP Implementation (10 % of ARAP compensation Budget)</td>
<td>1,024,300</td>
</tr>
<tr>
<td>4. Cost of engagement of consultant for compensation payment</td>
<td>2,000,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>N 14,467,300</strong></td>
</tr>
</tbody>
</table>
6. INSTITUTIONAL ARRANGEMENT AND RESPONSIBILITIES

6.1 Introduction

The major institutions that are involved in the Resettlement process are the Road Sector Development Team- Federal Ministry of Works, the World Bank, and the District Resettlement Committee (DRC) in each project designated area.

6.3 Institutional Arrangement

The roles and responsibilities of the institutions regarding Resettlement Implementation and Grievance redress is as per table 6.1.

Table 6.1: Institutional Arrangement and Responsibilities for ARAP

<table>
<thead>
<tr>
<th>S/No</th>
<th>Stakeholders/ Institutions</th>
<th>Responsibilities</th>
</tr>
</thead>
</table>
| 1    | RSDT                      | ● Establishment of District Resettlement Committee (DRC).  
● Ensuring that the project conforms to World Bank safeguard policies, including implementation of the Abbreviated Resettlement Action Plan (ARAP), as required.  
● Engaging the services of contractors and consultants to carryout preparation and implementation of ARAP and subsequent engaging the service of external monitors for the ARAP implementation.  
● Approval of payments to consultants for ARAP activities carried out under the project.  
● Internal monitoring and evaluation of ARAP activities.  
● Preparation of quarterly and annual progress reports on ARAP implementation.  
● Submission of Reports to FMW, and World Bank for review. |
| 2    | World Bank                | ● Overall responsibility of ensuring that the OP 4.12 is complied with in the ARAP.  
● Responsible for the final review, clearance and approval of the ARAP. |
| 3    | Monitoring and Evaluation Officer from the RSDT | ● Ensures that there are sufficient resources (time, money and people) to supervise the implementation of compensation  
● Ensures that any changes during implementation process that have significant environmental or social impact are communicated to the FMW in time and advice on actions to be taken and costs involved.  
● Ensures that the PIU is sufficiently informed on monitoring results. |
| 4    | District Resettlement Committees (DRCs) | ● Being responsible for guiding compensation and resettlement activities in district areas.  
● Form a survey team to carry out Detailed Measurement Survey (DMS) for affected PAPs and assets; finalize DMS and Entitlement forms for each PAP.  
● Checking the unit prices of compensation as used in RP, suggestions for adjusting the unit prices in conformance with market prices/replacement costs (if required) to Project Implementation Unit for approval.  
● In co-ordination with RSDT, organize meetings with PAPs, communal authorities disseminate copies of Resettlement Information Booklet (RIB) and entitlement forms.  
● Based on the policy and proposed process/mechanism in ARAP, the DRCs prepare the detailed implementation plan (quarterly) and the together with RSDT pay entitlements to PAPs and implement for other activities in a timely manner.  
● Setting the complaints and grievances raised by complainants and suggest solutions for the outstanding issues to responsible institutions for improving of the ARAP implementation.  
● Organise seminars to disseminate the ARAP report to relevant stakeholders, communities, etc.  
● Assisting local people in overcoming the difficulties during the implementation period. |
| 5    | Project Affected Persons (PAPs) | ● Giving their own opinions and, or support on alternative project designs during Focused Group Discussion,  
● Support Community-based developmental project. |

Source: Adapted from RSDT, Enugu-Ikom -Ogoja ARAP Report
6.4. Grievances and Appeals Procedure

The objective of a proposed mechanism for complaint is to respond to the complaints of the PAPs in a timely and transparent manner. The provision of the RPF on grievance and appeal procedures was incorporated and detailed as follow:

- An affordable accessible complaints mechanism is in place to enable people with claims against the process to make their complaints
- Accessible appeal mechanisms start at the local level. At the time the inventory and valuation is done, the signing officers include a local leader, a representative of those displaced, and a representative of the works engineer. This is the group that should hear any complaint, as it includes authorities familiar with the local social reality, and, in the person of the representative of those displaced, another person who has been through the process.
- At the first stage, PAPs will register their complaints and grievances to the grievance redress committee which will have to provide a written response to the PAPs, within fifteen (15) calendar days of receiving the complaint.
- If the PAPs are not satisfied with the decision of the DRC, the PAPs should present the case to the PIU of RSDT within fifteen calendar days of receiving the written response from the DRC authorities. The decision of the DRC should be sent to PAPs by no later than fifteen calendar days of receipt of the PAPs appeal.
- A record should be kept of a hearing concerning the complaint, as well as of the reasons for finding for or against the complainant.
- A copy of the record, signed by the three officials, should be sent to FRDP, as well as to the complainant.
- If there is an appeal from this first process, it should be submitted to an independent alternative dispute mechanism outside the ministries concerned.
- The resettlement experts recruited for the phase of road design should locate such an appeals mechanism within the Federal Ministry of Justice or through some outside agency known for its success at resolving local complaints and disputes.

It is expected that the concerned members of the grievance redress mechanism will undergo training/sensitization workshop recommended in this report. While the setting of grievance mechanism is necessary it is expected that the following measures, should be put in place to avoid or at least minimize cases of grievances:

- Careful designing of the works to be undertaken
- Establishing the cut-off date with careful marking of structures
- Identification through photography, inventorying, and
- Establishing current compensation at full market value

6.4.1 Grievance Redress Mechanisms

A Grievance Redress Committee will be set up by FMW to address complaints from ARAP implementation. This committee will be directly under the RSDT-PIU and its members will include legal and accounts representatives of FMW, 2 or more representatives of the traditional authorities of project area of influence. The legal expert from the ministry shall be the secretary. The constitution of the grievance redress committee shall be effective from date of disclosure of the ARAP.

The timeline for implementation of the grievance resolutions shall be at most 15 days from the last day allowable for grievance and complaints submission following the end of ARAP disclosure.

The functions of the Grievance Redress Committee include:
• Provide support to PAPs on problems arising from loss of private properties and business area.
• Record the grievance of the PAPs, categorize and prioritize the grievances that need to be resolved by the committee; and
• Report to the aggrieved parties about the developments regarding their grievances and the decision of the project authorities.

The main objective of this procedure will be to provide a mechanism to mediate conflict and cut down on lengthy litigation, which often delays such infrastructural projects. It will also provide people who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately.

The committee will provide ample opportunity to redress complaints informally, in addition to the existing formal administrative and legal procedures. However, the major grievances that might require mitigation include:
• PAPs not listed;
• Losses not identified correctly;
• Inadequate assistance;
• Dispute about ownership;
• Delay in disbursement of assistance and improper distribution of assistance.
7. MONITORING AND EVALUATION

7.1. Internal Monitoring

Implementation of the Abbreviated Resettlement Action Plan (ARAP) will be regularly supervised and monitored by the Monitoring and Evaluation/Social Officer in coordination with staff of the FMW-PIU.

The findings will be recorded in quarterly reports to be furnished to the FMW-PIU, and the World Bank

7.1.1 Tasks of the Monitoring and Evaluation Officer

- Verify that the baseline information of all PAPs have been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this policy framework and the respective inventory and ARAP.

- Oversee that the ARAPs are implemented as designed and approved.

- Verify that funds for implementing the ARAPs are provided to the respective local level (district) in a timely manner in amounts sufficient for their purposes and that such funds are used by the Road Sector Development Team in accordance with the provisions of the ARAP.

- Ensure the identification and signature/thumb print of PAPs before and during receipt of compensation entitlements.

- Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

7.2. Independent Monitoring

An independent agency will be retained by the FMW to periodically carry out external monitoring and evaluation of the implementation of the ARAP. The independent agency will be either an academic or research institutions, non-governmental organizations (NGO) or an independent consulting firm. They should have qualified and experienced staff and their terms of reference acceptable to World Bank

In addition to verifying the information furnished in the internal supervision and monitoring reports, the independent monitoring agency will visit a sample of 10% of the Project affected Population in each relevant district, six months after the ARAP has been implemented to:

- Determine whether the procedures for PAPs participation and delivery of compensation and other rehabilitation entitlements have been done in accordance with the Policy Framework and the respective ARAP.

- Assess if the ARAP objective or enhancement or at least restoration of living standards and income levels of PAPs have been met.

- Gather qualitative indications of the social and economic impact of project implementation on the PAPs.

- Suggest modification in the implementation procedures of the ARAP, as the case may be, to achieve the principles and objectives of this policy framework.
The terms of reference for this task and selection of qualified agency will be prepared by the FMW-PIU in collaboration with the World Bank at the beginning of project implementation stage.

7.2.1. **Implementation Schedule**

Table 7.1 below summarizes the implementation schedule of the Abbreviated Resettlement Action Plan by phase, responsibilities and completion time for the Road Project Cycle.

**Table 7.1: Summary of Responsibility for Implementation of Abbreviated Resettlement Action Plan**

<table>
<thead>
<tr>
<th>ROAD PROJECT CYCLE</th>
<th>PHASE</th>
<th>ACTIVITIES</th>
<th>RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PLANNING</strong></td>
<td>Scoping and Screening</td>
<td>✓ Initial site visit &amp; consultations. ✓ Identification of Resettlement and Social issues ✓ Application of safeguard policies ✓ Categorization ✓ Action plan ✓ Screening Report ✓ <strong>WB No-Objection</strong></td>
<td>Consultant; Supervision by FMW-PIU</td>
</tr>
<tr>
<td><strong>DESIGN</strong></td>
<td>Preparation of ARAP and consultations</td>
<td>✓ Draft ARAP ✓ Consultations ✓ <strong>WB No-Objection</strong></td>
<td>Consultant; Supervision by FMW-PIU</td>
</tr>
<tr>
<td></td>
<td>Disclosure</td>
<td>✓ Disclosure of ARAP locally &amp; to WB Info Shop</td>
<td>FMW –PIU World Bank</td>
</tr>
<tr>
<td></td>
<td>Finalization and Incorporation</td>
<td>✓ Final version of ARAP ✓ Incorporation of ARAP into contract documents ✓ <strong>WB No-Objection</strong></td>
<td>Consultant; Supervision by FMW –PIU</td>
</tr>
<tr>
<td><strong>EXECUTION</strong></td>
<td>Implementation and monitoring</td>
<td>✓ Implementation ✓ Monitoring &amp; reporting on environmental and social mitigation measures ✓ Monitoring and reporting of Resettlement and livelihood issues</td>
<td>Contractors Supervision by FMW-PIU/ and the community</td>
</tr>
<tr>
<td><strong>OPERATIONS</strong> (POST-IMPLEMENTATION)</td>
<td>Operations and maintenance</td>
<td>✓ Maintenance ✓ Monitoring and reporting of Resettlement and social livelihood issues</td>
<td>Contractors Supervision by FMW-PIU/ and the community</td>
</tr>
</tbody>
</table>
8. COMPENSATION FUNDING ARRANGEMENT AND TIMETABLE

8.1 Budget for Resettlement activities related with the Road Project

Funding of the compensation budget for the Mokwa-Bida road project is to be fully funded by the Federal Ministry of Works via the Road Sector Development Team as the implementing agency.

8.2 Timetable for Abbreviated Resettlement Action Plan

The timetable and schedules for the completion of the Abbreviated Resettlement Action Plan can be seen in Table 8.1 below. The ARAP has to be completed and PAPs adequately compensated before operation in the designated project areas.

The timeline in table 8.1 is only indicative since the external factors not envisaged at this period such as delay in reviewing and addressing comments and other administrative and operational matters may cause a delay in the project time line.

Table 8.1: Timetable for Abbreviated Resettlement Action Plan

<table>
<thead>
<tr>
<th>No.</th>
<th>Activities</th>
<th>Completion time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Submission of Draft Final ARAP Report</td>
<td>June 2012</td>
</tr>
<tr>
<td>2</td>
<td>Field Verification and comments</td>
<td>July 2012</td>
</tr>
<tr>
<td>3</td>
<td>Update of comments</td>
<td>August 2012</td>
</tr>
<tr>
<td>4</td>
<td>Submission of Final ARAP Document</td>
<td>August 2012</td>
</tr>
<tr>
<td>5</td>
<td>Advertisement in Two Local Newspapers in Country</td>
<td>August 2012</td>
</tr>
<tr>
<td>6</td>
<td>Posted in the World Bank Info Shop</td>
<td>September 2012</td>
</tr>
<tr>
<td>7</td>
<td>Commencement of ARAP</td>
<td>September 2012</td>
</tr>
<tr>
<td>8</td>
<td>Completion of ARAP Implementation</td>
<td>September 2012</td>
</tr>
<tr>
<td>9</td>
<td>Commencement of civil work</td>
<td>October 2012</td>
</tr>
</tbody>
</table>

8.3 Training Needs

Based on the assessment of the institutional capacities of the FMW, implementation of the ARAP, it is recommended that FMW Contract technical assistance to provide training and operational support to the project implementation unit (PIU) and other agencies involved in the ARAP implementation. The training needs for the responsible institutions are identified in Table 8.2.
### Table 8.2: Recommended Training and Awareness

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Course Content</th>
<th>Target</th>
<th>Estimated Amount (₦)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Grievance Redress Mechanism</td>
<td>Conflict Management and Resolution in RAP</td>
<td>A maximum of 10 personnel from ARAP implementation committee: 1. PIU-RSDT 2. FMW 3. Representative of local authority</td>
<td>6,000,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td>N1,200,000</td>
</tr>
</tbody>
</table>
9. PUBLIC CONSULTATION

9.1 Purpose of the Consultations

In line with the requirements for social impact assessment by World Bank, public consultation was a major driver of this social safeguard assignment. Public consultation was used amongst other things to identify the population affected by the project. It also served the purpose of creating an enabling environment for input and feedback mechanism among the stakeholders. The principle outcome of the public consultation process was:

- The identification of PAPs
- Identification of concerns of the affected persons and community
- Communication of project objective to the concerned communities, and
- Identification of indicators for measuring performance of the ARAP implementation based on the socio-economic peculiarities of the affected project communities.

9.2 Public Consultation Process

Consultation was done at three venues to cover the four project affected communities. At Wuya-Suman meat market, held the public consultation for Wuya-Suman and Wuya-Kpansana project areas both in Egbako LGA. This was possible due to the close proximity of the two villages (less than 1 km radius). Another public consultation was held at Batati village, Egbako LGA while the last one was held in Kutigi town, Lavun LGA.

The following process guided the public consultations:

- Identification was made of the built up areas, particularly, the areas with potentials for involuntary resettlement based on aerial map/imagery
- Names of communities, the administrative organization and leadership structure were sought, and subsequently, a visit was made to the leaders and/or representatives of the community particularly to the groups that PAPs belong.
- The community leadership was responsible for notifying the community about the planned public consultation including date and venue.
- Public forum with stakeholders on the project matter
- Identification of PAPs and their social-economic baseline
- Inventory of PAPs and affected assets

9.3 Overview of Public Consultations Proceedings

Consultation at Wuya-Suma, Egbako LGA

Day and Time: The public consultation at Wuya-Suma was held at the Meat market on the 26th day of September 2011 by 2.00pm
Participation: 16 people participated in the forum including the community leadership, PAPs and the consultants

Concerns: The people of Wuya-Suma showed appreciation for the road rehabilitation project, and expressed readiness to move their assets away once the government is ready to carry on the road work. The leader of the community said that bad road has severely limited access to market of goods their goods over the years.
- They want the government to inform them early when the road project operation will take place to enable them remove their belongings;

Response to Concerns: The leader of the project team appreciated the community members and PAPs for their interest to move the project forward and for the suggestions and concerns raised.

Recommended Action:

It is recommended as follows:
- That a workable time line be given to PAPs for early evacuation of belongings,
- That the resettlement committee should ensure transparency in dispensing compensation benefits, and
- That contractor should show professional standards and social responsibility during road rehabilitation by providing temporary access way so that communities and commuters are not hindered from going about their normal businesses.
- PIU should ensure that compensation benefits reach the actual PAPs, and
- That practical alternative in the form of by-pass be constructed where feasible to enable the community’s movement during project operation phase.

Consultation at Kutigi, Lavun LGA:

Day and Time: The public consultation at Kutigi was held at town square on Friday the 28th day of September 2011 by 5.00pm

Participation: 23 people participated in the forum including the community leadership, market women, PAPs and the consultants

Concerns: The people of Kutigi showed appreciation for the road rehabilitation project, and expressed readiness to move their assets away once the government is ready to carry on the road work.
In addition the following concerns were noted:
- There was an apprehension over whether the project will come to be, or if it was a mere political statement because according to them, they are used to such by their leaders.
- There was an issue of how the compensation benefit was going to be shared in order not to exclude the real PAPs
- They also made a case for their youths to be engaged by contractors during the project execution

Response to Concerns:

The leader of the project team appreciated the community members and PAPs for their interest to move the project forward and for the suggestions and concerns raised.

Recommended Action: Based on the concerns raised, it is recommended as follows:

- That a workable time line be given to PAPs for early evacuation of belongings,
- That the resettlement committee should ensure transparency in dispensing compensation benefits, and
- That contractor should demonstrate social responsibility by engaging youths in the sub-activities that do not require much skills
- PIU should ensure that compensation benefits reach the actual PAPs

Consultation at Batati, Lavun LGA:

Day and Time: The public consultation at Batati was held at the primary school premises on Sunday 30th September 2011 by 4.00pm

Participation: 17 people participated in the forum including the community leadership, market women, PAPs and the consultants.

Concerns: The people of Batati welcomed the road rehabilitation project proposed to be carried out along their community. The following concerns were raised:

- That government should ensure that the youths in the community are carried along in employment during the proposed civil works
- That the government should help to construct a befitting market for the community so that PAPs can find a veritable alternative to move their trading activities

Response to Concerns:
In response the Resettlement expert promised to table their concerns to the government. He however, promised that the contractor will not hesitate to engage the services of the youths where possible but informed them that the responsibility of constructing a new market is outside the purview of this project since the right of way to be affected by the project will not affect any market site.

**Recommended Action:** Based on the concerns raised, it is recommended as follows:

- That contractor should demonstrate social responsibility by engaging youths in the sub-activities
- PIU should as much as possible liaise with the state government on the issue of construction of market to the village.
REFERENCE


Resettlement Policy Framework (RPF) for the Road Sector Development Team

Road Sector Development Team (2010), Engineering Design of Rehabilitation of Mokwa-Bida Road Project

Road Sector Development Team (2010), ARAP Report for Enugu-Abakiliki and Ogoja-Ikom Road


World Bank (2000), Resettlement and Rehabilitation Guidebook, Washington DC
APPENDICIES
APENDIX 1: SELECTED PICTURES FROM THE PROJECT SITES

A view of PAPs in Wuma Suma Community

Some Balconies to be affected by the Project

Public Consultation with affected population in Kutigi

A Table trader along the ROW of project
APPENDIX 2: PAPS PHOTO IDENTIFICATION REGISTER
Appendix 3: Type of Affected Assets/Impacts Requiring Full Income Restoration Measures
Appendix 4: Type of Affected Assets/Impacts Requiring Shift-back Assistance
APPENDIX 5: SOCIO-ECONOMIC INVENTORY INSTRUMENT FOR PROJECT AFFECTED PERSONS (PAPS)

Brief Introduction of project by personnel

SECTION A. IDENTIFICATION

1) Identification Number: 
2) Questionnaire administration from point of Right of Way please tick (a) Left side … (b) Right side 
3) Town/Location of Interview: 
4) Name and Signature of Interviewer: 
5) Name and Signature of Supervisor: 
6) Date and Time Interview took place: 

SECTION B: SOCIOECONOMIC ATTRIBUTES

7) Name of PAP: 
8) Gender of PAP (M) … (F) … 
9) Age of PAP: 
10) Contact /House Address of PAP: 

11) Religion (Christian) … (Moslem) … (Traditional) … (Others) … (Please Tick One)
12) Marital Status (Single) … (Married) … (Divorced) … (Widow/Widower) … (Please Tick One)
13) Number of wives: 
14) How long have you lived in this community: 
15) How many persons live in your Household (i.e. Eat from the same pot): 
16) How many persons in your household fall into the following age categories?

<table>
<thead>
<tr>
<th>CATEGORIES</th>
<th>MALE</th>
<th>FEMALE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4 yrs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5-9 yrs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10-18 yrs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18-24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20-24yrs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25-60 yrs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

17) What is your highest educational qualification? (a) None … (b) FSLC … (c) WASC/SSCE … (d) TCII/OND … (e) HND/Degree … (f) M.Sc/PhD … (g) Islamic studies……

18) How many members of your household fall under the following educational categories?
19) What are your Main and Secondary Occupations?

<table>
<thead>
<tr>
<th>CATEGORIES</th>
<th>OCCUPATION</th>
<th>MAIN</th>
<th>SECONDARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farming</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Craft making</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trading</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civil service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Company employment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self employment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housewife</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others (specify)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

20) What is your Annual Income?
   a) ₦0 – 50,000…… b) ₦51,000-100,000…… c) ₦100,101 - 500,000…… d) ₦500,000 and above…

21) If Annual Income is not known, what is your:
   a) Monthly income……………… b) Daily income…………

SECTION D FOR AFFECTED STRUCTURES/PAPs ONLY

22) Type of affected structure (i) Movable…… (ii) Immovable…………… (Please Tick One)

23) Identity of Affected Asset/Structure
   (a) Barren Land…… (b) Farm land … (c) House…(d) Fence……
   (e) Shop….(f) others, Please state) …………………………………………………

24) For Structure/House: What type (s) of roofing materials were used for the affected structure? (Please Tick the one (s) applicable)
   (a) Sod …. (b) Bamboo /palm… (c) Wood /planks… (d) Asbestos… (e) Corrugated iron sheets …
   (f) Aluminum…… (g) others (Pls state) …………………………………………………

25) What is the material of the floor of the Affected Structure? (Please Tick One)
   a.) Cement….. (b) Mud … (c) Tiles….. (d) Wood…… (e) others, pls state) …………………

26) Size of land affected in m²……………………………………………………………………

27) Size of Affected Structure in m² ……………………………………………………………

28) State the prevailing use of the land/structure………………………………………………

29) Estimated Age of Affected Structure …………………………………………………………

51
30). Condition of Affected Structure: **To be ticked or completed by the enumerator**

<table>
<thead>
<tr>
<th>AFFECTED STRUCTURE</th>
<th>CONDITION OF AFFECTED STRUCTURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME</td>
<td>VERY GOOD</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

31). How many rooms are in the Affected Structure? .......................................................... (State number in Figures)

32). Who owns the affected structure? **(Please Tick One)**

(a) Personal ........ (b) Landlord ...... (c) Company ...... (d) Local Govt ......................

(e) State Govt ........ (f) Federal Govt .............. (g) Others (Pls Specify) ......................

33). If rented, how much do you pay annually? ..................

**FOR BUSINESS PREMISES LOSS OF MAN HOUR**

34). What category does the business fall under? (a) Small scale  (b) Medium scale  (c) Large scale

35). What is your average daily income / sale? .................................................................

36). How long has the affected structure been in this location? ........................................

37). How many days in the week do you operate your business? ........................................

38). How many hours in a day do you operate your business? ...........................................

39). What implication will relocating have on your business?

(i) ..................................................................................................................

(ii) ..................................................................................................................

(iii) ..................................................................................................................

40). How do you think this impact can be minimized?

(i) ..................................................................................................................

(ii) ..................................................................................................................
APPENDIX 6: SUMMARY OF CONSULTATION ON SOCIAL RESPONSIBILITY PROJECT IN THE PROJECT AREA

Introduction
The need for social responsibility project in the project area was identified during field verification mission of the Mokwa-Bida road project by teams from RSDT, World Bank and the ARAP consultant. Observation of the lack of market in some project areas and the attendant result of people trading along the highway which poses road hazards and potential health risks made it critical as part of measures to ensure social and environmental sustainability of the project, to identify and site projects that could help to solve such and other related community needs.

Based on this, consultations and identification of priority communities for such community assistances was embarked upon with major considerations including:

- Concentration of settlement to be affected adversely by the road rehabilitation project
- Existing stock of socio-economic amenities such as market, health centre, borehole, etc
- Availability of land
- Distance away from nearest infrastructure
- Major concern of the project communities

Communities Identified for Social Responsibility Projects
Following the criteria given above, four communities were identified for assistance while the actual projects to be sited vary based on the outcome of wide consultation with community leaders. Below is a presentation on the summary of consultation with community leaders on the identification of projects critical to the community that will support the sustainability of the proposed road rehabilitation project.

<table>
<thead>
<tr>
<th>Communities</th>
<th>Persons Consulted</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Batati</td>
<td>Zubairu Mohammed (Village Head) Mohammed Baba (Secretary) and 12 others</td>
<td>Health Centre. Land provided behind the market square measuring about 35mx 25msq</td>
</tr>
<tr>
<td>2. Kutigi</td>
<td>Ezanuwa of Kutigi (VH), Kutigi Hassan (SBMC chairman) and others</td>
<td>Rehabilitation of Pry School with perimeter fencing measuring 132x103msq. Or a market as 2nd choice</td>
</tr>
<tr>
<td>3. Kpaki</td>
<td>Chief of Kpaki and others</td>
<td>Borehole required to be sited at the community sec. school</td>
</tr>
<tr>
<td>4. Wuya</td>
<td>Chief of Wuya and others</td>
<td>Market required. Land to be provided</td>
</tr>
</tbody>
</table>
Whereas the community leaders were allowed to suggest projects for their communities, the social team representing RSDT duly informed each community that the objectives of the proposed project were amongst others to:

- Ensure that PAPs trading within the ROW will have a befitting alternatives for the continuation of their livelihoods;
- Avoid or minimize road accidents that can be caused because of having economic activities near the highway;
- Identify with the community in critical soft project that will impact on the household of PAPs and the entire community.

**Preliminary Action Plan**

1. RSDT will harmonize the various community needs based on fund available to it for implementation
2. RSDT will liaise/consult further with the communities after its assessment of the various identified community needs vis-a-vis its budget for implementation. This is with a view to harmonize with the community on the projects it has chosen from the options given by the community
3. The design of the project will be done in conjunction with the community representative
4. RSDT will take delivery of land papers/MOU for the project from the community
5. All the outlined action steps will be undertaken within the life cycle of this project.
6. Final decisions, engineering designs and cost of project will be submitted to the World Bank for consideration and clearance by **October 2012**.