Government of Burkina Faso

Resettlement Policy Framework:
Community-Based Rural Development

August 2003

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Resettlement Policy Framework: 
Community-Based Rural Development

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Date: 8 May 2003

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CONTENTS

1 INTRODUCTION 1

1.1 BACKGROUND TO THE PROJECT 1
1.1.1 National Program for Decentralized Rural Development 1
1.1.2 The Sahel Integrated Lowland Ecosystem Management project 2
1.1.3 Implementation 3
1.2 COMMUNITY DRIVEN DEVELOPMENT INITIATIVE 4
1.3 SCOPE OF LAND ACQUISITION AND RESETTLEMENT UNDER CBRDP/SILEM 7
1.4 DEVELOPMENT OF A RESETTLEMENT POLICY FRAMEWORK 8
1.5 KEY DEFINITIONS 8

2 POLICY PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PLANNING 11

2.1 PRINCIPLES OF RESETTLEMENT PLANNING 11
2.1.1 Objectives of the Resettlement Policy Framework 11
2.1.2 General Principles 12

3 DESCRIPTION OF THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS 15

3.1 INTRODUCTION 15
3.2 IDENTIFICATION AND SCREENING OF MICRO-PROJECTS 16
3.2.1 Screening for Involuntary Resettlement 16
Baseline Study and Socio-economic Data 17
3.2.3 Preparation of a Resettlement Action Plan 17
3.3 REVIEW OF RESETTLEMENT ACTION PLANS 18
3.4 SAFEGUARD COMPLIANCE 19
3.4.1 Capacity Building 19

4 LIKELY CATEGORIES OF PROJECT AFFECTED PERSONS 20

4.1 IDENTIFICATION OF PROJECT AFFECTED PERSONS 20

5 ELIGIBILITY CRITERIA FOR DEFINING VARIOUS CATEGORIES OF PAPS 23

5.1 CRITERIA FOR PAP ELIGIBILITY 23

6 LEGAL AND REGULATORY FRAMEWORK FOR RESETTLEMENT 24

6.1 INTRODUCTION 24
6.2 LAND TENURE AND OWNERSHIP 24
6.2.1 Public Property 25
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.3</td>
<td>LAND TENURE UNDER CUSTOMARY RIGHTS</td>
<td>26</td>
</tr>
<tr>
<td>6.3.1</td>
<td>Traditional tenure regime</td>
<td>26</td>
</tr>
<tr>
<td>6.3.2</td>
<td>Traditional Categories of Land</td>
<td>26</td>
</tr>
<tr>
<td>6.3.3</td>
<td>Land Occupation for Micro-projects</td>
<td>28</td>
</tr>
<tr>
<td>7</td>
<td>RESETTLEMENT ENTITLEMENT POLICY</td>
<td>29</td>
</tr>
<tr>
<td>7.1</td>
<td>LEGAL BASIS FOR RESETTLEMENT ENTITLEMENT</td>
<td>29</td>
</tr>
<tr>
<td>7.2</td>
<td>LAND OCCUPATION FOR SUB-PROJECTS</td>
<td>29</td>
</tr>
<tr>
<td>7.3</td>
<td>ENTITLEMENTS RELATING TO VARIOUS CATEGORIES OF IMPACTS</td>
<td>29</td>
</tr>
<tr>
<td>7.3.1</td>
<td>Methods of valuing affected assets</td>
<td>29</td>
</tr>
<tr>
<td>7.3.2</td>
<td>Compensation payments and related considerations</td>
<td>30</td>
</tr>
<tr>
<td>7.4</td>
<td>COMPENSATION PROCESS</td>
<td>31</td>
</tr>
<tr>
<td>7.4.2</td>
<td>Community Compensation Payments</td>
<td>32</td>
</tr>
<tr>
<td>8</td>
<td>INSTITUTIONAL MECHANISMS AND ORGANISATIONAL PROCEDURES FOR DELIVERY OF ENTITLEMENTS</td>
<td>37</td>
</tr>
<tr>
<td>8.1</td>
<td>PROJECT CO-ORDINATION AND MANAGEMENT</td>
<td>37</td>
</tr>
<tr>
<td>8.1.1</td>
<td>National Level</td>
<td>37</td>
</tr>
<tr>
<td>8.1.2</td>
<td>Decentralized Administration</td>
<td>38</td>
</tr>
<tr>
<td>9</td>
<td>DESCRIPTION OF THE IMPLEMENTATION PROCESS AND ARRANGEMENTS</td>
<td>44</td>
</tr>
<tr>
<td>9.1</td>
<td>IMPLEMENTATION SCHEDULE</td>
<td>44</td>
</tr>
<tr>
<td>9.1.1</td>
<td>Preparation and Review of RAPs during Project Implementation</td>
<td>44</td>
</tr>
<tr>
<td>9.2</td>
<td>CONSULTATIONS AND INFORMATION DISCLOSURE</td>
<td>44</td>
</tr>
<tr>
<td>9.3</td>
<td>MECHANISMS FOR GRIEVANCE REDRESS</td>
<td>45</td>
</tr>
<tr>
<td>9.4</td>
<td>BUDGET AND SOURCE OF FUNDING</td>
<td>45</td>
</tr>
<tr>
<td>9.5</td>
<td>SUPERVISION MONITORING AND EVALUATION</td>
<td>46</td>
</tr>
</tbody>
</table>
INTRODUCTION

1.1 BACKGROUND TO THE PROJECT

1.1.1 National Program for Decentralized Rural Development

The Government of Burkina Faso (GOBF) received financing from the IDA, effective in December 2001 to support its Community Based Rural Development Project (CBRDP), which is a community-driven development program with local investment funds managed by communities and targeted to reduce poverty and promote sustainable development in rural areas. The program aims to be implemented in Burkina Faso’s 45 provinces over a period of 15 years, in three five-year phases. The program’s objective is to support poverty reduction and promote sustainable development in rural Burkina Faso through strengthened local governance and community empowerment, with a focus on marginalized groups. The CBRDP aims to be implemented within a decentralized rural development framework, and shall more specifically (a) support implementation of demand-driven micro-projects, and (b) conduct local capacity-building efforts.

The CBRDP’s long-term vision is one of participatory and representative local governments and institutions planning and managing their own development programs, and mobilizing the necessary resources through increased local revenues and government fiscal transfers. To achieve these goals, the program shall:

(i) Strengthen capacity of villages and local governments to prioritise, plan, implement, and maintain community-based investments;
(ii) Provide decentralized funding for demand-driven and community-managed rural infrastructure and services; and
(iii) Support Burkina Faso’s ongoing decentralization and PRSP processes.

Phase I of the CBRDP (2001-2005) will initiate the process, develop the capacity of rural areas to manage their own development in a sustainable, equitable and productive manner, and facilitate the emergence of rural municipalities or groups of municipalities. To that effect, it will couple capacity building activities and a demand-driven local investment fund to enable communities to learn by doing. Phase II (2006-2010) will build upon and expand the achievements of Phase I and scale up the program to a national level. Phase III (2010-2015) will consolidate what has been achieved and prepare an exit strategy.

The baseline project (CBRDP) has the following five components:

i. Build and reinforce local capacity building;
ii. Provide local investment funds;
iii. Build and reinforce institutional capacity building,
iv. Introduce a land tenure security pilot project; and
v. Strengthen and provide program coordination and monitoring and evaluation functions.

These components have overlapping timeframes for implementation.

Box 1.1

**Land Tenure Security Pilot Project**

The objective of this component in CBRDP is to improve land tenure security and access for all users, particularly the poor. It is expected to (i) foster equity and social peace, (ii) encourage investment and agricultural productivity, (iii) enhance the preservation and rehabilitation of natural resources, it will define and propose on the basis of field experiences an institutional, legal, technical and methodological framework for stable and equitable land tenure in rural areas. The pilot will be carried out in six test sites representative of land use and ownership problems associated with them. It will experiment with methodologies for recording and securing user rights, initiating the formalization of customary systems, resolving conflicts and demarcating land units. The process is expected to be demand-driven and participatory.

The Sahel Integrated Lowland Ecosystem Management (SILEM) project will not undertake any specific land tenure security pilot by itself. However, it will provide resources to advise and support communities of SILEM villages in their voluntary efforts to resolve land tenure issues or conflicts by providing them with facilitators, and by encouraging full participation of all stakeholders or social groups in the consultation processes, so as to efficiently improve and implement the endogenous conflict resolution mechanisms.

*Source: SILEM Project Appraisal Document, July 8, 2002.*

1.1.2

**The Sahel Integrated Lowland Ecosystem Management project**

The Sahel Integrated Lowland Ecosystem Management (SILEM) project, funded through the GEF financing window, is designed to provide supplemental support to the CBRDP. SILEM will provide incremental support for environmental and natural resource management related activities under each of these five components as listed above, in each of the Program's three phases.

SILEM's basic development objective is to strengthen the capacity of rural communities to undertake an integrated management of their ecosystems, so as to help reduce, mitigate and reverse to some extent the degradation of their natural resource base, and thereby alleviate, in a sustainable manner, poverty and vulnerability. In particular, SILEM will generate multiple and interconnected environmental benefits such as:

(a) Building capacity for sound, sustainable integrated ecosystem management planning (IEM) and implementation at local, regional and national levels;

(b) Reduce, mitigate, and reverse land degradation and desertification with adequate and innovative soil and water management technologies in lowlands as a means for improving the productivity and sustainability of plant and animal production systems, and for protecting natural habitats...
of local and global importance; and

(c) Strengthen the natural resource base and decrease vulnerability to climate change (drought and other stress factors) by improving conservation and maintaining (agro-) biodiversity at ecosystem, species and genetic level.

1.1.3 Implementation

CBRDP/SILEM’s (hereafter the Project) implementation follows the course that is being adopted by the overall national community-driven development (CDD) program of Burkina Faso, called the National Program for Decentralised Rural Development, or PNDRD. The PNDRD aims to build capacity for and support decentralisation throughout Burkina Faso’s 8,000 villages by the year 2010. The PNDRD will also support the ongoing participatory development process being carried out under Burkina Faso’s Poverty Reduction Strategy and Rural Development Strategy (PRSP). (1)

In the first phase (2001-2006), CBRDP plans to intervene in 26 provinces with a target of 2,000 villages. SILEM plans to intervene in its first phase (2003-2006) in only 100 villages to initiate and demonstrate IEM activities.

In the second phase (2006-2010), CBRDP will intervene in an additional 2,000 villages, with an ultimate goal to cover all 8,000 of Burkina Faso’s villages in the third phase, while SILEM will intervene in an additional 200 villages in the second phase, but no more than 600 villages by the end of the third phase. SILEM’s goal is to initiate, consolidate, and confirm IEM demonstration activities for replication throughout the country to be initiated – and funded – by communities themselves.

Both CBRDP and SILEM are administered, and finances are channelled through, the Project Coordination Unit (PCU), which works at the national, regional, provincial, and community levels. Table 1.1 illustrates the CBRDP’s roles and responsibilities at the national, regional, provincial, and village levels.

Table 1.1 CBRDP Administration

<table>
<thead>
<tr>
<th>Unit</th>
<th>Responsibility</th>
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<tr>
<td><strong>National Level</strong></td>
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<tr>
<td>CNCPDR</td>
<td>• Assures harmonisation of the different steps taken through decentralisation</td>
</tr>
<tr>
<td>Steering Committee</td>
<td>• Comprised of representatives of relevant Ministries and civil society, approves and supervises programs of activities</td>
</tr>
<tr>
<td>Project Coordination Unit</td>
<td>• Provides daily program management</td>
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<tr>
<td><strong>Regional Level</strong></td>
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<table>
<thead>
<tr>
<th>Unit</th>
<th>Responsibility</th>
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<tr>
<td>Regional Office for Accountability</td>
<td>- Five committees are in place to collaborate with the CCTPs to channel funding for CVGT/CIVGT development plans (PGTs)</td>
</tr>
<tr>
<td><strong>Provincial Level</strong></td>
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</table>
| Provincial Technical Coordination Committee (CCTP)                 | - Provides Provincial coordination to the CBRDP through direct intervention with villages  
- Provides indirect intervention in areas that are impacted by CBRDP activities  
- Ensures control over projects to ensure that benefits accrue at the provincial level  
- Provides quality assurance over which projects get funded through CVGT/CIVGTs  
- Ensures quality assurance at a provincial level to avoid duplication of efforts |
| Provincial Project Coordination Units (PRCU) (2)                    | - Support the CCTP in provincial coordination with the CBRDP and intervention with villages  
- Provide technical support to villages in community driven development  
- Assist in the identification and screening of micro-projects under the CBRDP  
- Responsible for reviewing micro-project applications for technical and financial feasibility |
| **Local Level**                                                     |                                                                                                                                                                                                                 |
| Village/Inter-Village Land Management Committee (CVGT/CIVGT)        | - Community-based organizations that devise community development plans and receive funding through the CBRDP for micro-projects.  
- Responsible for sub-project execution.                            |

**1.2 COMMUNITY DRIVEN DEVELOPMENT INITIATIVE**

The first component under Phase 1 of the Project aims to provide financial support to rural community development by co-financing socio-economic micro-projects proposed by villages or groups of villages themselves, as determined by their Village Land Management Committee, hereafter CVGT, or, if the projects are proposed by more than one board, through their Inter-Village Management Board, hereafter CIVGT.

The Project will co-finance any socio-economic collective micro-projects such as social infrastructure (schools, rural roads, health posts, markets, etc.) and natural resource management activities, as long as they are not included in the negative list and meet the eligibility criteria set out in the Program Implementation Manual, as is detailed in Figure 1.1.

(2) Also referred to provincial operational units (Equipes Opérationnelles, EO) in the CBRDP PAD.
Figure 1.1 Eligible categories of sub-projects

The non-exhaustive list of possible (eligible) projects at base of the investments provided in the evaluation manual consist of the following activities: I) activities relative to natural resource management II) socio-economic infrastructure III) agricultural infrastructure “rural areas” IV) training activities of communities V) activities which contribute to the battle against HIV/AIDS, etc.

- In order for projects to be considered, they must correspond to the following essential criteria:
- The activity derives from joint analysis and/or PG;
- Eligible projects must have involved several community members or a group at the time of the request;
- The concerned project and its investment plan must be achievable within a 12-month period;
- Eligible projects must satisfy budget criteria;
- The project should not be a financial investment of other investors; however, it is possible that the requested funds are complementary to finances allotted in another scope of the work;
- For projects within the scope of educational infrastructure and healthcare, the micro-project must conform to the guidelines of the appropriate Ministry (e.g., health, education, etc.)
- Projects within the scope of productive infrastructure for “rural municipalities” should be the objective of a financial assessment study, except in the case where the RTF provides elements that conform to the feasibility of the project.

The negative list is provided in Figure 1.2.

After a participatory assessment of their needs, villages will prepare Local Management Plans (PGT) prioritizing their needs based on village-level decision-making processes. This will include an Annual Investment Plan (AIP) that maps out the community’s financial commitment and anticipated external sources of funding, including the CBRDP. If the priorities identified are within the bounds of acceptable investments as determined by the Project, then steps towards signing a contract between the Project and the CVGT/CIVGT may be taken to implement the micro-project.
Figure 1.2  Negative List of Activities and Projects Ineligible for Investment

- Religious infrastructure (places of worship);
- Administrative buildings (except buildings for health and primary education personnel);
- Installation and equipment for sports and leisure activities;
- Secondary education and university institutions;
- Hospital centers;
- Maternity centers;
- Projects which have an environmental impact such as in the case where the mitigation activities are difficult to administer by the beneficiaries or cost more than 10% of the total investment.
- Activities already proposed through other sources of financing or already registered in the regional or national public development programs through which the finances were acquired;
- Income generating activities (shea butter press, boutiques, small business, etc.);
- Purchasing of mechanical materials (trucks, tractors, etc.);
- Production or purchasing of tobacco and drugs;
- Renovation of public bars or pubs.


The CVGT/CIVGT is responsible for executing sub-projects, and may recruit contractors and workers for this purpose, as well as independent outside technical experts for project supervision. The Project provides contract management support at the national level through service providers contracted for this purpose and through the technical services offered by the Provincial Technical Coordination Committees, or CCTPs and Provincial Project Coordination Units.

Financing for the Project will be determined using an estimate of US$3-5 per person per year for the CBRDP, and an additional US$2-4 per person for SILEM. This is in addition to contributions from the villages themselves, which will be about 20% of the total project cost (in kind and/or cash) for basic infrastructure sub-projects, and up to 50% or higher for productive investments. The average investment is expected to be less than US$ 10,000 (but must be less than US $30,000). This amount may vary based on the capacity of the CVGT/CIVGT to effectively use available resources. Villages will be encouraged by their governing CCTP to collaborate on the basis of common goals in order to make more effective use of pooled resources, where applicable. A special window (>US$30,000 - < US$ 150,000) can be made available to provide the provinces with resources to undertake larger structural works under CBRDP and large-scale NRM/Environment studies under SILEM.

The CBRDP is designed to be flexible in order that villages learn through hands-on experience about municipal management, and experiment with what works in their own communities. At the same time, oversight is provided at the provincial
level, which interacts directly with the CVGT/CIVGTs, and at the national level through their coordinating role.

Table 1.2  
CBRDP Steps from Inception to Implementation

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
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<tbody>
<tr>
<td>Step 1: A</td>
<td>CVGT/CIVGT prioritizes development needs and identifies an AIP that includes community contributions, projected user fees (where applicable) and expected Project funding over a five-year period.</td>
</tr>
<tr>
<td>Step 1: B</td>
<td>Project preparation by the CVGT/CIVGT includes an environmental and social screening to determine whether the proposed project will result in potential impacts and require a further impact assessment, and submits these to the PRCU for review.</td>
</tr>
<tr>
<td>Step 2</td>
<td>CCTP provides a simple review of the project preparation/screening materials to check for procedural regularity and conformity with sectoral policies. PRCU may make recommendations or require further analysis, turning the process back to the CVGT. If the PRCU approves the project, proceed to Step 3.</td>
</tr>
<tr>
<td>Step 3</td>
<td>Upon approval by the PRCU, the CVGT/CIVGT makes a deposit of its beneficiary contribution (1-2% of micro-project value) to their local investment fund, and a contract for the AIP is signed between the Project and the CVGT/CIVGT.</td>
</tr>
<tr>
<td>Step 4</td>
<td>Upon signature of the contract, Project funds are transferred into a local financial institution account that is opened in the name of the CVGT/CIVGT for implementation.</td>
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1.3

SCOPE OF LAND ACQUISITION AND RESETTLEMENT UNDER CBRDP/SILEM

Although the Government officially owns all of the land in Burkina Faso, traditional rights are acknowledged. In practice, for community-driven demand projects, land is acquired on an ad-hoc basis for each project within each community or group of communities. Participation and institutional consultation are increasingly integrated into community development in Burkina Faso, particularly in villages, which have benefited from the consultative approaches used at the village level by programs such as the PRSP process. (3)

CBRDP/SILEM-supported infrastructure micro-projects - primarily improvements to existing villages and provincial roads, irrigation and water control, wells and schools - are small in scale and are generally expected to cause little or no significant adverse impacts. Nonetheless, past community driven development (CDD) experience shows that such activities sometimes result in loss of land or loss of access to productive and other resources, particularly in the case of new physical works or changes in the situation of existing infrastructure.

1.4 DEVELOPMENT OF A RESETTLEMENT POLICY FRAMEWORK

The following is a Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons (hereafter RPF) developed to address the potential land acquisition, displacement and involuntary resettlement of individuals and communities which may be induced by possible community demand for construction and/or rehabilitation of micro-projects such as roads, bridges, buildings, structures, water supply and sanitation facilities, and other civil work through the CBRDP/SILEM Project.

The Resettlement Policy Framework was prepared by the consultants, Environmental Resources Management Ltd (ERM) with funding through a GEF grant, working closely with the Task Team Leader and Task Team in Washington DC and with the National Project Coordination team in Ouagadougou.

The objective of this RPF is to identify and set forth principles and procedures to be followed in order to compensate people who may be negatively affected by the Project so as to ensure that they will be assisted to improve, or at least restore their living standards, income and/or production capacity levels to pre-Project levels. This framework is being prepared in parallel with two other documents:

- an Environmental and Social Management Framework (ESMF), which provides the appropriate tools and mechanisms to screen micro-projects for potential social and environmental impacts and recommends programs for training and capacity building; and

- a Process Framework which is developed to address the potential negative social impacts the CBRDP/SILEM Project may have on access to resources as a result of micro-projects operating in classified areas.

Micro-project screening measures proposed under the RPF will ensure that no major land acquisition or resettlement related impacts occur.

As indicated in the OP 4.12 (par 29), "for each subproject included in a project that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing."

Thus, for any micro-projects requiring acquisition of land or other assets, mitigation measures under an Abbreviated RAP shall be provided consistent with this framework.

1.5 KEY DEFINITIONS

The terms used in this document are defined as follows:
Compensation means payment in cash or in kind of the replacement value of the acquired property, or the replacement value of lost resources as a result of a micro-project.

Community Affected Person (CAP) a distinction is made between persons/families who are impacted as a result of a micro-project, and communities who are impacted as a result of a larger land-strategy, as is proposed through SILEM.

Dislocation Allowance is a form of compensation provided to eligible persons who are displaced from their dwelling, whether they are landowners or tenants, and who require a transition allowance, paid by the project. Dislocation allowances may be graduated to reflect differences in income levels, and are generally determined according to a schedule set at the national level by the implementing agency.

Displacement refers to the removal of people from their land, homes, farms, etc. as a result of a project’s activities. Displacement occurs during the involuntary taking of lands which results 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.

Displacement can also result from involuntary restriction or access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of PAPs.

Land Acquisition is the process whereby a person is compelled by a public agency to alienate all or part of the land s/he owns or possesses, to the ownership and possession of that agency, for public purpose in return for a consideration.

Micro-project means any micro-project to be financed under the CBRDP/SILEM.

Policy Framework refers to the present document which is the overall Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons for the CBRDP/SILEM. The Policy Framework describes the process and methods for carrying out resettlement under the Project, including compensation, relocation, and rehabilitation of persons affected by the Project.

Project Affected Person (PAP) includes any person or persons who, on account of the execution of the Project, or any of its components or micro-projects or parts thereof, would have their:
(i) right, title, or interest in any house, land (including residential, agricultural, forest and grazing land) or any other fixed or moveable asset acquired or possessed, in full or in part, permanently or temporarily; or
(ii) business, occupation, work, place of residence or habitat adversely affected; or
(iii) standard of living adversely affected.

Project Affected Family (PAF) consists of all members of an extended family operating as a single economic unit, regardless of the number of households, who are adversely affected by a project or any of its components. For resettlement purposes, PAPs shall be dealt with as members of Project Affected Families (PAFs).

Resettlement Action Plan (RAP) means the resettlement action plans prepared for specific micro-projects.

Rehabilitation means the compensatory measures provided under the RPF other than payment of the replacement value of acquired property.

Relocation means the physical relocation of PAFs from their pre-project place of residence.

Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard.

Replacement Value means the value determined to be fair compensation for productive land based on its productive potential, the replacement cost of houses and structures (current fair market price of building materials and labor without depreciation), and the market value of residential land, crops, trees, or a percentage thereof, and other commodities.

Resettlement means all the measures taken to mitigate any and all adverse impacts of the Project on PAP's/PAF's property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation.

Resettlement Action Plans (RAP) means the detailed resettlement action plans prepared for specific micro-projects.
2 POLICY PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PLANNING

2.1 PRINCIPLES OF RESETTLEMENT PLANNING

Issues related to land tenure and involuntary resettlement are highly sensitive in community development and if not addressed adequately and early in a program or project design can easily become a source of conflict for individuals and communities, and give rise to severe economic, social and environmental risks. This is particularly true in developing countries such as Burkina Faso.

Poor planning can result in negative impacts in the following areas:

- Loss of productive systems and/or assets/or income sources, leading to increased poverty and loss of economic base;
- Reduced availability of resources due to in-migration leads to increased competition, and potential for environmental degradation; and
- Cultural identity, traditional authority and community empowerment thwarted by “progress”, leading to disaffection and social breakdown.

By developing a resettlement framework, appropriate mechanisms can be put in place to avoid these impacts during the process of development, and mitigate potential impacts should they occur.

2.1.1 Objectives of the Resettlement Policy Framework

This RPF further incorporates the principles outlined in the World Bank’s Operational Policy (OP) 4.12 for Involuntary Resettlement, and the laws of Burkina Faso, specifically but not limited to Law No. 014/96/ADP (1996), agrarian and land reorganization in Burkina Faso.

The principles and resettlement measures under the policy shall apply to all micro-projects funded under the Project, whether or not the scale and complexity of the resettlement issues requires preparation of a Resettlement Action Plan (RAP).

A Resettlement Policy Framework, as defined under the OP 4.12, is developed in lieu of a RAP when it is highly unlikely that impacts can be identified prior to micro-project appraisal. This is usually the case with social development funds and community driven development programs, in which micro-projects have not been identified at the early stages of project preparation.
The goal of the resettlement policy is to: “improve, or at least, restore, incomes and standards of living for project affected persons.” (4)

The resettlement policy shall apply to all displaced persons, whether by physical displacement or loss of livelihood, regardless of the total number affected, the severity of the impact and whether or not they have legal title to the land. As guided by the World Bank’s Operational Policy 4.20 for Indigenous People, the resettlement policy should pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous groups and ethnic minorities or other displaced persons who may not be adequately protected through Burkina Faso’s land compensation legislation.

As village-level investments are generally relatively small in scale, the number of persons to be adversely affected by land acquisition is likely to be minimal. Accordingly, planning and reporting requirements are kept as simple and straightforward as possible.

2.1.2 General Principles

The general principles for the framework can be summarized as follows:

a) Resettlement and land acquisition shall be minimized as much as possible. Where land acquisition is unavoidable, the project shall be designed to minimize adverse impacts on the poorest segments of the population (e.g. those holding less than 1 ha).

b) PAP/PAFs shall be compensated, relocated and rehabilitated, if required, so as to improve their standard of living, income earning capacity and production capacity, or at least to restore them to pre-Project levels.

c) All PAP/PAFs residing in or cultivating land, or having rights over resources within the affected area as of the date of the census survey are entitled to compensation for their losses and/or income rehabilitation. Lack of legal rights or title to the asset(s) taken for the Project shall not bar the PAP/PAFs from receiving compensation, rehabilitation and relocation measures to achieve the objectives set forth under (b) listed above.

d) Means of resettlement, or compensatory mechanisms for successful resettlement, refers to everything involved in the process and planning for resettlement. This may include, but is not excluded to: compensation at full replacement cost for houses and other structures; agricultural land of equal productive capacity; replacement of residential land of at least of equal size and not less than 200 sq. m.; dislocation allowance and transition subsidies;

full compensation for crops, trees and other similar agricultural products at market value; other assets; and appropriate rehabilitation measures to compensate for loss of livelihood.

e) PAP/PAFs forced to relocate due to their places of residence being acquired shall be provided full assistance for transportation and re-establishment of their home and shall be provided a dislocation allowance, in addition to provision of residential land and the replacement cost of their home, set at market value, not including depreciation.

f) Replacement residential and agricultural land shall be as close in nature as possible to the land that was lost, and acceptable to the PAP/PAF.

g) Where the total amount of agricultural land acquired from a PAP does not exceed the threshold of 20% for those with holdings more than 1 ha, or 10% of land for those with holdings less than 1 ha, cash compensation may be paid in lieu of land-for-land compensation provided that:

i. The PAP/PAF receives full replacement value for the land and all assets on it, without any deductions for depreciation;

ii. The PAP/PAF stands to benefit directly from the Project through an increase in income which shall off-set the loss of land, such that net production after Project completion is equal to, or greater than, pre-Project production; and

iii. Prior agreement has been reached on acquisition of land through a negotiated settlement at a rate acceptable to the PAP or all members of the PAF, at replacement value.

h) Above the thresholds set forth in (g) above, land-for-land is the preferred option. Land-for-land may be substituted by cash above the threshold provided that:

i. Suitable land is not available in the proximity of the Project area;

ii. PAPs/PAFs willingly accept cash compensation for land, and are paid as set forth in (g) above; and

iii. Cash compensation is accompanied by appropriate rehabilitation measures that together with Project benefits results in restoration of PAP/PAF incomes to at least pre-Project levels.

i) The resettlement transition period shall be minimized. In general, land-for-land compensation shall be provided to the PAP/PAF, and rehabilitation measures shall be completed prior to the expected start-up date of works in the respective micro projects. In rare cases, cash compensation may be provided in exchange for land. In these rare cases, the PAF shall be consulted, and must be in agreement with regards to how to use the cash compensation,
in order to demonstrate that they will not soon be homeless or without revenue in the future.

j) A micro-project shall have the willing endorsement of PAPs/PAFs. To this end, PAPs/PAFs shall be informed about the potential impacts of a designated project and shall be engaged in discussions regarding their preferences and implementation arrangements. Further, PAPs/PAFs shall be informed of methods and procedures for pursuing grievances at any time, whether or not the PAPs/PAFs has endorsed the Project.

k) Should resettlement occur as a result of the Project, the pre-Project level of community services and access to resources shall be maintained or improved.

l) Any acquisition of, or restriction on access to resources owned or managed by PAPs/PAFs as common property shall be mitigated by arrangements ensuring access of those PAPs/PAFs to equivalent resources on a continuing basis.

m) Financial and physical resources for resettlement and rehabilitation shall be made available when and as required.

n) Resettlement programs shall include adequate institutional arrangements to ensure effective and timely design, planning and implementation of resettlement and rehabilitation measures.

o) Adequate arrangements for effective and timely internal and external monitoring shall be made on implementation of all resettlement measures.
3 DESCRIPTION OF THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS

3.1 INTRODUCTION

Resettlement planning shall be mainstreamed into the CBRDP/SILEM design so as to ensure that all development activities are appropriately screened for potential impacts. The steps for resettlement planning are illustrated in Figure 3.1.

As indicated in the OP 4.12, for all subprojects included in a project, the Bank requires that a satisfactory RAP or abbreviated RAP that is consistent with the RPF be submitted to the Bank for approval prior to Bank financing. However, the OP 4.12 (para. 30) also suggests that:

“For certain projects, subproject abbreviated RAPs may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. In all cases, implementation of the resettlement plans is subject to ex post review by the Bank.”

Figure 3.1 Resettlement Planning Process for Micro-Projects
3.2 IDENTIFICATION AND SCREENING OF MICRO-PROJECTS

Micro-project screening is used to identify the types and nature of potential impacts related to the activities proposed under the Project and to provide adequate measures to address the impacts. Screening for resettlement issues shall be part of the environmental and social screening, as is detailed in Chapter 6 of the Environmental and Social Management Framework (ESMF). Measures to address resettlement shall ensure that PAPs are:

a) Informed about their options and rights pertaining to resettlement;
b) Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives; and
c) Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the micro-project(s).

3.2.1 Screening for Involuntary Resettlement

Micro-project screening will be incorporated into the micro-project application form that CVGT/CIVGTs must submit as part of their local development plan (PGT) to the PRCU and CCTP. The goal is to identify and consider resettlement issues as early as possible. The general guidelines to determine whether a resettlement plan is required are as follows:

- For micro-projects that are determined to result in minor impacts, defined under the OP 4.12, when "the affected people are not physically displaced and less than 10% of their productive assets are lost", then an abbreviated RAP is required.

- For projects that may result in more significant impacts, i.e., physical displacement of people, and more than 10% of their productive assets are lost, then a RAP will be prepared.(5)

- For projects not anticipated to result in displacement, and where loss of assets are anticipated to be negligible, then this information shall also be indicated in the micro-project application form along with a request to waive the requirement for an Abbreviated RAP. The PRCU, with CCTP support if necessary, shall determine in these cases whether an Abbreviated RAP is required for project approval.

(5) Under the OP 4.12, an abbreviated RAP is required for projects where impacts on the entire displaced population are minor, or fewer than 200 people are displaced. However, under the PNDP activities, it is highly unlikely that resettlement will occur; hence, in most cases, it is anticipated that an abbreviated RAP rather than a RAP will be required under the program.
3.2.2 Baseline Study and Socio-economic Data

An important aspect of preparing a RAP is to collect baseline data within the project targeted areas to assess potentially affected populations/communities. This is to be accomplished as part of the screening process. The micro-project application form shall require an identification of PAPs/PAFs on the individual and household levels, with special attention to vulnerable groups (women, children, the elderly, female-headed households, ethnic minorities, etc.).

Baseline data for micro-project RAPs will include: number of persons; number, type, and area of the houses to be affected; number, category and area of residential plots and agricultural land to be affected; and productive assets to be affected as a percentage of total productive assets.

3.2.3 Preparation of a Resettlement Action Plan

A RAP or Abbreviated RAP (as required) shall be prepared for micro-projects that have been determined to result in negative impacts. When a RAP or an Abbreviated RAP is required, communities shall submit completed studies along with their RAPs micro-project application to the PRCUs for approval.

Detailed guidelines for preparing a RAP and an abbreviated RAP are available on the World Bank’s website and in the World Bank’s Resettlement and Rehabilitation Guidebook. As has been discussed, it is anticipated that the impacts of the CBRDP will be minimal, and an abbreviated RAP is more likely to be used. The basic elements of an abbreviated RAP are provided in Box 3.1. (6)

Box 3.1 Basic Elements of an abbreviated RAP

- Description of the micro-project
- Potential impacts of the micro-project
- Relevant findings of the socio-economic survey
- Legal and institutional framework for resettlement
- Eligibility criteria for compensation
- System of Valuation and compensation of losses
- Resettlement measures (timelines, systems)
- Site selection, site preparation and relocation
- Environmental protection and management
- Community participation in decision making
- Integration with host populations
- Grievance procedures
- Institutional arrangements for implementation
- Implementation schedule, including a detailed budget and source of funding
- Arrangements for monitoring and evaluation

3.3 **REVIEW OF RESETTLEMENT ACTION PLANS**

As has been discussed, the PRCU is responsible for reviewing and approving the development plans approved by CVGTs/CIVGTs. The CCTP shall provide a review of micro-project eligibility for funding based on field appraisals, which includes results of the environmental and social screening used. In turn, the CCTPs shall be monitored through random and periodic assessment of reviews by the National PCU.

It is anticipated that not all CVGTs/CIVGTs will have the institutional capacity to prepare the required studies and plans; nor is it necessarily in the best interests of the project for communities to prepare their own studies, given potential conflicts of interest. Thus, where capacity exists, the Project will enter into contracts with private providers (firms), NGOs or Government technical services to provide the needed services.

EIAs and RAPs developed for micro-projects will also be reviewed to ensure compliance with the Bank’s safeguard policies. The safeguard criteria for micro-project approval is described in Box 3.2.

**Box 3.2 Safeguard Criteria for Micro-Project Approval**

- The micro-project has undergone an environmental and social screening in compliance with the relevant World Bank safeguard policies (OP 4.01, OP 4.12), and in line with the processes identified in the ESMF.

- An Environmental Impact Assessment and socio-economic baseline study have been carried out for projects with potential environmental and social impacts.

- An Resettlement Action Plan (RAP) or abbreviated RAP has been prepared for micro-projects with potential land acquisition or displacement of people.

- The need for land acquisition and legal title to land used for micro-projects has been determined, along with identification of necessary measures to address these, including an implementation strategy.

- The proposed micro-project should ensure that land acquired/required is not (a) in disputed areas, (b) cultural property, (c) negatively affecting indigenous peoples, and (d) is not in natural habitats or protected areas.

Although each Provincial Coordination Unit (PRCU) will review micro-applications independently and at the provincial level, each PRCU must also take into consideration the cumulative impacts of the micro-projects as a whole. The
Project's support for cooperation between and amongst communities to pursue common development goals may help to mitigate cumulative impacts. Further, the development of AIPs, which are based on a five-year local management plan (PGT) should serve to highlight potential problems well in advance. 

(7) Still, the PRCU must be diligent in this regard, and work with the Project at the national level to address these potential impacts.

After clearance from the World Bank and later the PRCU, the compensation, resettlement and rehabilitation activities of the RAP will be satisfactorily completed and verified by the communities before funds can be disbursed for the micro-project.

3.4 Safeguard Compliance

For quality assurance, it is recommended that RAPs prepared for micro-project during the first year be furnished to the World Bank, as well as the PCU, for review to ensure that the RAPs produced initially are in line with the OP 4.12. Gaps in quality shall be addressed through training at the provincial (CCTP) level for relevant service providers and reviewers, funded by the project as part of the technical support budget. Subsequent RAPs prepared throughout the rest of the project can then be reviewed by the PRCUs, with an annual independent review process led by the PCU. At this point, World Bank clearance will not be necessary.

3.4.1 Capacity Building

Capacity building shall be integrated into micro-project preparation at the community level through technical assistance (e.g., training) that will allow communities to conduct an initial screening of their own micro-project proposals for environmental and social issues. This training will be incorporated into the CVGT/CIVGT training program budget, which is a sub-component of the CBRDP/SILEM Program. This sub-component is centred on the organizational, management, and technical skills required for CVGT/CIVGTs and their subcommittees to successfully plan, implement, and maintain village level investments. The PCU and PRCUs will also receive training in micro-project review.

All training will include capacity to develop mitigation measures to address environmental and social impacts and to monitor performance. Capacity building will be targeted at decentralized levels (village, province, region, national), in line with Burkina Faso’s PNDRP, to ensure that resettlement planning is mainstreamed throughout public administration, specifically as it relates to the Project, providing a linkage with the development of rural municipalities as a key project goal. This is described in detail in Chapter 6 of the Environmental and Social Management Framework.

(7) The PRCU contracts the services of local private firms to assist villages in preparing their AIP and PGT.
4 LIKELY CATEGORIES OF PROJECT AFFECTED PERSONS

4.1 IDENTIFICATION OF PROJECT AFFECTED PERSONS

One of the critical issues in bringing the entire community together to select, finance, and implement subprojects is how to ensure an equitable and representative decision-making process. Vulnerable groups are a priority to the Project, as they most often lack the coping mechanisms to deal with a sudden loss of resources, or with displacement. Hence, vulnerable groups are to be mainstreamed through their inclusion in village level committees (CAS) as part of the CVGT/CIVGTs, especially in the selection, financing, and implementation of micro-projects. It should be noted that different villages have different characteristics, and vulnerable groups will vary from village to village and region to region, although a common characteristic relates to poverty levels and the strength of coping mechanisms.

As part of the micro-screening process, Project Affected Persons must be identified. At this stage, identification of vulnerable individuals/groups is also required, along with the mechanism/indicators by which they are identified (e.g., land tenure, socio-economic status, gender, etc.). A sample format of this is provided in Chapter 6 of the ESMF.

Project Affected Persons (PAPs) are defined as “persons affected by land acquisition, relocation, or loss of incomes associated with (a) acquisition of land or other assets, and (b) restriction of access to legally designated parks and protected areas.”(8)

At this stage of preparation, it is not possible to quantify the estimated likely number of PAPs or PAFs as the micro-projects and other activities anticipated through CBRDP/SILEM have not yet been identified.(9)

However, as Burkina Faso’s rural areas are largely agricultural/pastoral in nature, the likely affected persons can be categorized into three groups, namely:

i. Affected Individual – an individual who suffers loss of assets or investments, such as land, property, and/or access to natural and/or economic resources as a result of the micro-projects and activities, and to whom compensation is due. For example, an affected individual is a person who farms a plot of land that shall be affected by the Project, or who has built a structure that is now required by micro-project, or whose livelihood depends on public access to lands which are to be affected by the project.


(9) The types of micro-projects to be financed under the CBRDP have been provided under an indicative list in the PAD.
ii. **Affected Household** - a household is affected if one or more of its members is affected by Project activities, either by loss of property, land, loss of access or otherwise is affected in any way by Project activities. This provides for:

a) Members of households including men, women, children, dependant relatives and friends, as well as tenants;
b) Vulnerable individuals who may be too old or ill to contribute to subsistence or other agricultural production;
c) Opposite-sex relatives who cannot reside together because of cultural rules, but who depend on one another for their daily existence; and
d) Other vulnerable people who cannot participate in production, consumption, or co-residence for physical or cultural reasons.

iii. **Vulnerable Households and/or Individuals** - vulnerable households and/or individuals may have different land and resource needs from the majority of households, or have needs unrelated to the amount of land available to them. Further, vulnerability is often related to gender and other social structures, and land tenure issues within a community. This generally includes, but is not limited to:

a) **Women**: Women tend to be marginalized in the development process due to traditional community structures with highly stratified gender roles – for example, women in Burkina Faso do not have the right to own land. In particular, unmarried women who are dependent on sons, brothers, or others in the community for support and for economic livelihood tend to be highly vulnerable, as are small-scale female farmers who may rely on males in the community to perform gender-specific tasks in exchange for a percentage of the crop or other payment.

b) **Herders/Nomads**: Due to traditional land-tenure patterns, herders and nomads are vulnerable because their access to land for grazing is contingent upon the agriculturalists’ agreeing to grant them access. Traditionally, herders were welcomed due to the provision of fertilizer from the livestock. However, as fertilizer plants become more common and accessible to rural farmers, and given population growth and limited natural resources, herders are particularly vulnerable.

c) **Youth**: Youth in rural areas may become marginalized because they lack social status within the community until they “come of age”, and are not generally included in decision-making processes which are often the responsibility of a Council of Elders, or the Village and/or Land Chief.

d) **Migrants**: Migrants are those who have left their homes for environmental, economic, social, or political reasons. For example,
several thousand Burkinabé living in Côte d’Ivoire may return to their villages as a result of the political violence there; other non-Burkinabé migrants may also enter Burkina Faso as a result of conflict in West Africa. They are particularly vulnerable, as they may not have connections to the land; and they may face alienation due to existing resource pressures.
5 ELIGIBILITY CRITERIA FOR DEFINING VARIOUS CATEGORIES OF PAPS

5.1 CRITERIA FOR PAP ELIGIBILITY

PAPs shall be entitled to compensation based on the status on their occupation of the affected areas. Under the World Bank's OP 4.12 and the Laws of Burkina Faso (see Section 6), PAPs are defined as:

a) Those who have formal legal rights to land (including customary and traditional rights).
b) Those who do not have formal legal rights to land at the time of the census but have a claim to such land or assets provided that such claims are recognized through a process identified in the resettlement plan.
c) Those who have no recognizable legal right or claim to the land they are occupying.

OP 4.12 specifies that those individuals covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with the policy. Individuals covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the Government of Burkina Faso, and which is acceptable to the World Bank. All persons included in (a), (b), or (c) above are to be provided with compensation for loss of assets other than land.

Individuals or families who encroach upon the Project area after the cut-off date are not entitled to compensation or any other form of resettlement assistance as set forth by this framework.

Should actual houses fall within the area to be acquired under a proposed micro-project, owners or occupants, or PAFs, of those houses shall be considered eligible for resettlement. Should any of the resources being adversely affected be owned or managed as common property within a village or among groups of villages, all those with an interest in those resources shall be entitled to resettlement and/or compensation.
6 LEGAL AND REGULATORY FRAMEWORK FOR RESETTLEMENT

6.1 INTRODUCTION

Since Burkina Faso’s independence in 1960, the Government and various projects have attempted to devise a village institution at the local level that includes members of the different socio-cultural groups within a village. In 1996, the Agrarian Reform Law (RAF) gave a legal existence to village level committees (Commissions Villageoises de Gestion des Terroirs, or CVGT) that are designed to play a role in land evaluation, allocation and confiscation. In February 2000, the Government passed a decree broadening the CVGT’s range of development responsibilities, enabling them to manage public funds. In this sense, the CVGTs are now facilitating the transition towards developing rural municipalities; under certain circumstances, CVGTs may also federate into inter-village committees (CIVGT). Importantly, however, CVGTs and CIVGTs are not substitutes for rural municipalities once these are effectively operational.

The importance of land tenure issues is best highlighted by the promulgation of the law on agrarian and land tenure organisation (RAF), which affirmed the State’s ownership of all land in the country, except for a very small area covered by formal titles. The RAF was intended to enable all Burkinabé citizens to gain access to agricultural land regardless of their origin, while also breaking the power of traditional chiefs, by establishing an elected village committee to administer land.

The effect of this law is that all untitled land is owned as a right by the State. In practice, the diversity of situations and the verbal nature of most agreements and other traditional transactions limit the RAF’s effectiveness, creating a sense of insecurity with regards to land tenure issues. In the rural setting, the law is quite difficult to implement, reducing its legitimacy. In practice, traditional rules are abided by.

This has significant implications for the legal and regulatory framework. This section provides a brief overview of how the Burkina Faso’s laws and regulations, particularly when understood in conjunction with the World Bank’s OP 4.12, address resettlement issues.

6.2 LAND TENURE AND OWNERSHIP

There are a number of laws and decrees related to land tenure, property rights, and expropriation in Burkina Faso. These are highlighted in Table 6.1. This resettlement framework considers these laws and those of the World Bank Operational Policy OP 4.12.
Table 6.1 Laws and Decrees relating to Land Tenure and Property Rights

<table>
<thead>
<tr>
<th>Legislation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law No. 014/96/ADP, 23 May 1996</td>
<td>The law determines the fundamental principles for agrarian and land reorganisation in Burkina Faso, development of the management of rural and urban land, such as systems of organisation of water, forests, animals, fish, mineral ores from quarries and mines, as well as the regulation of land rights.</td>
</tr>
<tr>
<td>Decree 97-054/PRES/PM/MEF</td>
<td>Conditions for and application of Law No. 014/96/ADP.</td>
</tr>
<tr>
<td>Law No. 041/98/AN, 06 August 1998</td>
<td>Regarding organisation of territorial administration in Burkina Faso</td>
</tr>
<tr>
<td>Law No. 043/98/AN, 09 August 1998</td>
<td>Regarding programming the implementation of decentralisation</td>
</tr>
</tbody>
</table>

6.2.1 Public Property

Under Burkina Faso’s Law No. 014/96/ADP (23 May 1996), national land consists of all land and real estate or equivalent, that is situated within the national territory limits, and those which are acquired by the State.

However, customary land rights exist among ethnic groups throughout the areas where the Project will be implemented. Land use patterns in Burkina Faso are largely based on customary law that exists in parallel to the official law.

The RAF recognizes six kinds of titles for land occupation:

- arrêter d’affection – for public offices’ occupation and activities;
- arrêter de mise à la disposition – for non-economic activities (church, culture, etc.)
- permis d’occuper – for temporary activities
- permis d’exploiter – for industrial or commercial use
- bail (lease) – for permanent activities

Further a “village” is defined as the smallest administrative unit for governance, based on the following two criteria:

1. It must comprise more than 100 inhabitants or 20 households;
2. It must be at least 5 kilometers from an existing administrative village

In practice, however, these criteria, and the law, are not very well integrated into customary tenure, which remains dominant, especially in rural areas.
6.3 LAND TENURE UNDER CUSTOMARY RIGHTS

Customary tenure for land rights is the accepted and dominant form of tenure in rural Burkina Faso. Although land and resources, particularly within the conservation sites, have been nationalised, they are subjected to the traditional tenure regime in terms of day-to-day management.

6.3.1 Traditional tenure regime

While village organisation varies throughout the country, it is often structured on the basis of lineage, gender and age, depending on ethnicity and history. Generally, the Village Chief is head of the main lineage, and rules with the help of an Elders council. There is also generally a Land Chief (tingsoba), may or may not be the Village Chief, and may even live in another village.

This is a common feature in Burkina Faso, particularly where the boundaries of the protected areas are not clearly demarcated. Community members farm, gather, trap and hunt within what they perceive as their village territories; part of these territories is often found inside the protected areas.

In contrast, the codified tenure system defines access and use rights in terms of the principles of private ownership that necessitates registration but takes no account of the principles underlying customary land and resource access tenure. Under this system, all land and resources belong to the State, except where a parcel of land has been registered.

6.3.2 Traditional Categories of Land

Local communities usually categorize land in the following ways according to its use:

- Inhabited, cultivated, and fallow land,
- Exploited bush,
- Bush that is not frequently exploited, and
- Community forests and protected areas.

These uses are categorized by rights ranging from the individual to the community level.

Inhabited, Cultivated and Fallow Land

Inhabited and cultivated land is generally exploited by individuals. Clearing bush requires heavy labor and usually occurs from September to the start of the April - June season. Customary rights recognize the labor that an individual invests in clearing and maintaining land. Individual farmers have control over the land they clear as long as they keep it in cultivation. Among all ethnic groups, immediate
blood kin also have residual rights to any land a recently deceased person was cultivating. If there are no close classified relatives, or once the individual ceases to use this land, it begins to revert back to the community. For this reason, individuals may not relinquish land they are using to an outsider without the general agreement of the village.

**Exploited Bush**

Exploited bush is considered community land. Even if a village moves, it still retains residual rights to its exploited land. Others can use it but generally check first with the village. When a village falls apart or ceases to exist, its land reverts to the district-wide pool.

**Bush Not Frequently Exploited**

Bush that is not regularly exploited may be used by anyone. However, bush may contain trees that have been protected by individual farmers who once farmed this land. These farmers would have first claim to the fruits of these trees, even though the land has reverted to bush.

**Community Forests and Protected Areas**

Conservation sites are considered communal or open access land where exploitation of the natural resources is free to all members of the village community. Each village claims primary, though not exclusive, rights to its perceived village territories usually identified using natural features (trees, rivers or streams). These boundaries, it is believed, are determined by village founders and elders and knowledge of them is passed from generation to generation.

Community members normally live, farm, gather and hunt within their perceived territories. People from other communities are free to hunt in perceived territories of other villages if they are passing through or pursuing an animal, but would ask permission to make more than a casual hunting or gathering expedition. Within each perceived village territory, an individual looking for land to cultivate, after ensuring that no one else has a prior claim to the plot, approaches the village chief and/or village council for permission to cultivate it.

Once an individual has obtained permission to clear the land for cultivation, a claim is established. People moving into tribal areas not owned by them and wanting land to farm may either rent or buy. Land over which there are no individual claims is communal, implying that all community members have equal rights to it and its resources.
6.3.3 Land Occupation for Micro-projects

Acquisition of land to be used by the local communities for development of micro-projects under the CDBRP/SILEM will be governed by the Laws of Burkina Faso and by the World Bank’s OP 4.12.

The CVGT has administrative control of the village lands and acts as a liaison between the government and the inhabitants of the village. At present, local communities are operating on their own land, and by customary law require the approval of the chief of other villages if they require land that is not within their domain. If a proposed micro-project requires more land than is available within a community, arrangements must be agreed to by the chief of all other potentially affected villages, and the implementing village will have to obtain legal title to the land with a land certificate through the GoBF. In these instances, the CVGT/CIVGT shall work with the PRCUs, with assistance from the PCU as needed to mediate and facilitate the acquisition. The PCU shall also provide guidance to the PRCUs and CVGT/CIVGT on addressing issues related to legal title of land.
7 RESETTLEMENT ENTITLEMENT POLICY

7.1 LEGAL BASIS FOR RESETTLEMENT ENTITLEMENT

In cases where laws for compensation and resettlement are inadequate, the procedures for compensation as described in OP 4.12 are applicable. In Burkina Faso, the entitlement policy for the CBRDP/SILEM shall be based on the legislation discussed in Section 6 and on the World Bank's OP 4.12.

7.2 LAND OCCUPATION FOR SUB-PROJECTS

The lands to be acquired and used by the CBRDP/SILEM would be governed by the Laws of Burkina Faso as well as the Operational Policy OP 4.12 (Involuntary Resettlement). For the purposes of the Project, administrative and financial concerns related to the acquired land shall be decentralized to the level of the CVGT/CIVGT.

7.3 ENTITLEMENTS RELATING TO VARIOUS CATEGORIES OF IMPACTS

Project Affected Persons and Families (PAPs/PAFs) shall be entitled to compensation either in cash payments, in-kind contributions, or in the form of assistance, as described in Table 7.1.

Table 7.1 Forms of Compensation

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Payments</td>
<td>Compensation will be calculated and paid in the national currency. Rates will be adjusted for inflation.</td>
</tr>
<tr>
<td>In-Kind Compensation</td>
<td>Compensation may include items such as land, houses, other structures, building materials, seedlings, agricultural inputs and financial credits for equipment.</td>
</tr>
<tr>
<td>Assistance</td>
<td>Assistance may include a dislocation allowance, transportation, and labor.</td>
</tr>
</tbody>
</table>

In the following types of compensation and rehabilitation measures, as detailed in Table 7.1:

7.3.1 Methods of valuing affected assets

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

- State-owned land;
- Privately owned land; and
- Assets held under customary rights.
State owned land would be allocated freely (perhaps except for processing and registration fees); however the CVGT/CIVGT would be expected to pay to acquire land in this category in cases where the state-owned land is being used by individual and/or household farmers. Privately owned property, as well as state owned land would have to be acquired at the market value. The guiding principle is that whoever was using the land to be acquired by the Project would be provided other land of equal size and quality.

However, according to Burkina Faso law, assets held under customary rights on state-owned land would have to be valued according to the following method for compensation:

- Micro-projects would compensate for assets and investments, including land labor, crops, buildings, and other improvements, according to the provisions of the resettlement plan.
- Compensation rates would be market rates as of the date and time that the replacement is to be provided. As such, current prices for cash crops would have to be determined.
- Compensation would not be made after the entitlement cut off date in compliance with this policy.
- Home sites located in communal property will only be compensated for the replacement value of the structure being acquired.

Because the World Bank policy on resettlement, (OP 4.12), makes no distinction between legal and customary rights, not only assets and investments will be compensated for, but also land. Thus, a customary landowner or land user on state owned land shall be compensated for land, assets, investments, loss of access etc. at market rates at the time of loss.

7.3.2 Compensation payments and related considerations

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

Making compensation payments raises some issues regarding inflation, security, and timing. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur, thus market prices shall be monitored within the time period that compensation is being made to allow for adjustments in compensation values.

The question of security, especially for people who will be receiving cash compensation payment, needs to be addressed by the CVGT/CIVGT, with oversight from the PRCUs. Local banks and micro-finance institutions should work closely with the government at this level to encourage the use of their
facilities, which will positively impact the growth of the local economies. The time and place for in-kind compensation payments shall be decided upon by each recipient in consultation with the CVGT/CIVGT. Monetary payments should be paid at a time in relation to the seasonal calendar.

7.4 COMPENSATION PROCESS

The compensation process for micro-projects shall involve several steps to be carried out in accordance with the measures set out in the micro-project RAPs. These steps include:

(a) Public Participation

Public participation with local communities shall be an ongoing process throughout resettlement planning. PAPs shall be notified by the CVGT/CIVGTs during the identification of micro-projects and consulted with as part of the screening process. To ensure that any sensitive areas are accurately identified during this procedure, all necessary village chiefs, religious leaders, other elders and individuals who control fishing areas, wild trees and bee hives, for example will accompany the survey team to the site. The subsequent socio-economic survey will record all relevant information about the PAPs, and ensure that this is accurately reflected in the RAP in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation has been carried out satisfactorily.

(b) Notification

Landowners shall be notified by the CVGT/CIVGT that their property is required for development of the micro-project. The user shall be informed through a formal notification, both written and verbal, to be delivered in the presence of the village chief and the PRCUs.

(c) Documentation of Holdings and Assets

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

The types of compensation shall be clearly explained to, and agreed with, PAPs/PAFs. The local community shall draw up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected and agreed upon by the PAP/PAF and the CVGT. A person selecting in-kind compensation shall complete an order form, which is signed and then witnessed. This contract shall then be read aloud in the presence of the affected party and the village chief and local leaders prior to signing.

(e) Compensation Payments

Any and all handling of property such as land and buildings and compensation payments shall be made in the presence of the affected party and village chief and leaders.

7.4.2 Community Compensation Payments

In the context of the CBRDP, community compensation shall be in-kind only for a community as a whole in the form of reconstruction of the structure to at least the same standard or equivalent better standard to that being built by local NGOs in the area to serve the same function. Examples of community compensation include:

- School buildings (public or religious structures)
- Wells or hand pumps for water
- Market places
- Roads or bridges
- Storage warehouse
- Community land with public access rights
### Table 7.2 Compensation Matrix

<table>
<thead>
<tr>
<th>General Description</th>
<th>Definition</th>
<th>Compensation approach</th>
<th>Compensation Mechanism</th>
<th>Implementation</th>
<th>Monitoring &amp; Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Loss of Agricultural Land:</strong> Greater than 20% of the PAP/PAF's total landholding</td>
<td>Area in cultivation, being prepared for cultivation, or that was cultivated during the last agricultural season.</td>
<td>Loss of land, labor, and crop loss shall be compensated by the CVGT/CIVGT with funds from the Project, through provision of land of equal productive capacity and which is satisfactory to the PAP/PAF.</td>
<td>Use a single rate regardless of the crop, incorporating the combined highest value of all staple crops lost, at market value, and the labor costs in preparing new land (the average costs of clearing, plowing, sowing, weeding twice, and harvesting the crop), which is to be updated to reflect values at the time compensation is paid.</td>
<td>Land mapping shall be performed at the time of micro-screening by the CVGT/CIVGT or a contracted service provider.</td>
<td>The PRCU shall review the compensation determination to ensure transparency and adherence to the policy, subject to an annual review.</td>
</tr>
<tr>
<td><strong>Loss of Agricultural Land:</strong> Less than 20% of the PAP/PAF's total landholding</td>
<td>Same as above.</td>
<td>Same as above. However, if the PAP/PAF so wishes, cash compensation equal to the full replacement cost of equivalent land at market value may be provided as an alternative.</td>
<td>Same as above.</td>
<td>For this, the entire PAF must be in agreement to accept cash in lieu of equivalent land. The PAF must also agree with the CVGT/CIVGT or its delegated subcommittee (CAS) on a spending plan for using the money in a productive manner that will benefit all PAF members. This plan shall be submitted along with the abbreviated RAP and kept on file with the PRCU.</td>
<td>The CVGT/CIVGT shall pay particular attention to the PAF/PAF, to ensure that the compensation is used productively and for the benefit of all family members. A monitoring plan shall be agreed in tangent with the spending plan.</td>
</tr>
<tr>
<td>General Description</td>
<td>Definition</td>
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<tr>
<td>Loss of Residential Buildings and Structures: Greater than 5% of total area/structure</td>
<td>Includes abandoned structures as a result of resettlement or relocation, or those which are directly damaged by construction.</td>
<td>Based on drawings of PAP/PAF's home and its related structures/support services. Average replacement costs will vary based on the different types of buildings and structures, as well as the numbers and types of materials used in construction (e.g., bricks, rafters, straw, doors, etc.).</td>
<td>Prices for construction materials shall be based on the average prices in different local markets; costs for transportation and delivery of these items to the acquired replacement land or building site; and estimates of construction of new buildings, including labor costs. Cash and/or credits will be paid based on replacement costs.</td>
<td>Drawings and information on construction materials shall be performed at the time of the micro-screening. Average prices shall be determined at the time of compensation.</td>
<td>The PRCU shall provide an initial review of compensation measures at the time of application for a micro-project, subject to an annual review.</td>
</tr>
</tbody>
</table>

| Loss of Residential Buildings and Structures: Less than 5% of total area/structure | Same as above. | Cash compensation for the loss shall be provided at full replacement cost acceptable to the PAP/PAF. | Same as above. | If the impact on the land/structure is such that the remaining residential land is insufficient to rebuild the lost structure, then the entire land and structure may be ceded to the Project by the PAP/PAF in exchange for equivalent land. | The PRCU shall provide an initial review of compensation measures at the time of application for a micro-project, subject to an annual review. |

<p>| Loss of Residential Buildings and Structures: Tenants | Non-owners who lease a building or structure for residential purposes | Tenants shall receive assistance for rent and moving expenses, but shall not be relocated. | Tenants shall be provided with a cash grant from the Project equal to 3 months' rental fees at the prevailing market rate, shall be assisted in identifying alternative accommodation, and shall be provided with a disturbance allowance, as deemed by the Project, to account for loss of income and additional expenses incurred by moving. | Tenants shall be identified when site selection is discussed within the CVGT/CIVGT for specific micro-projects. Tenants shall be provided with adequate notice of their relocation. | The PRCU shall provide an initial review of compensation measures at the time of application for a micro-project, subject to an annual review. |</p>
<table>
<thead>
<tr>
<th>General Description</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Temporary Loss Of Land:</strong></td>
<td>Land that will be acquired for a set period of time as a result of the project</td>
<td>PAP/PAF shall be compensated for their (temporary) loss of income, standing crops, and for the cost of soil restoration and damaged infrastructure based on prevailing market rates.</td>
<td>All damages to private land or property including crops shall be compensated at prevailing market rates including compensation for tenants, if any, that includes rental fees and dislocation allowances for when the land/structure is inaccessible.</td>
<td>Negotiations between contractors and landowners so that expenses can be included in the bid price.</td>
<td>The CVGT shall provide a mediator/technical assistance if necessary to facilitate negotiations.</td>
</tr>
<tr>
<td><strong>Loss of Business:</strong></td>
<td>Buildings and structures for income-generating activities</td>
<td>Prevailing average market value for building and materials, in addition to cash compensation for lost business.</td>
<td>Compensation shall include (i) provision of an alternative business site(s) in an equivalent business area; (ii) cash compensation for lost business structure reflecting full replacement cost of the structures (without depreciation); and (iii) cash compensation for lost income during transition.</td>
<td>Buildings and structures shall be valued at the average prevailing market rate given the nature of their structure and the prices of materials used in construction. Lost income shall be calculated based on the business’ past income records, or based on the average incomes of similar stores in the area.</td>
<td>The PRCU shall provide an initial review of compensation measures at the time of application for a micro-project, subject to an annual review.</td>
</tr>
<tr>
<td><strong>Loss of Other Assets</strong></td>
<td>Fixed assets other than land (e.g., fencing)</td>
<td>Replacement shall be negotiated with the owner and shall form part of the construction contract for the micro-project.</td>
<td>When possible, replacement shall be of an equivalent value and in-kind. Replacement costs shall be determined prior to construction and included as part of the bid price.</td>
<td>The CVGT/CIVGT and the PAP/PAF shall negotiate prices based on prevailing market rates.</td>
<td>The CVGT/CIVGT shall be responsible for inspecting the replacement asset to ensure it is acceptable with the PAP/PAF within two weeks of reinstatement.</td>
</tr>
<tr>
<td><strong>Loss of non-productive fruit and shade trees</strong></td>
<td>These trees often have recognized local market values, depending on species and age.</td>
<td>Younger trees may be replaced with trees of the same species, in addition to supplies to support the trees’ growth (e.g., a water bucket, fencing, and a shovel).</td>
<td>No compensation for minor pruning of trees.</td>
<td>The PRCU shall provide an initial review of compensation measures at the time of application for a micro-project, subject to an annual review.</td>
<td></td>
</tr>
<tr>
<td>General Description</td>
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<tr>
<td>Loss of access to resources: grazing land</td>
<td>Compensation shall be provided in the form of access to other, equivalent grazing whenever possible. In-kind compensation may also be offered, if agreed to between the Project and the PAP.</td>
<td>Compensation shall be determined based on negotiation between the CVGT and the PAP for the current year only, and only for the duration of time when lands are inaccessible; in other words, if the project restricts access at a mid-point of the dry season, then the PAP may be compensated for the remainder of the time the PAP anticipated to graze.</td>
<td>Negotiations between the CVGT and the PAP may be mediated by the PRCU.</td>
<td>The PRCU shall provide an initial review of compensation measures at the time of application for a micro-project, subject to an annual review.</td>
<td></td>
</tr>
<tr>
<td>Loss of access to resources: materials (e.g., fruit, wood, herbs, etc.)</td>
<td>Compensation shall be paid for those resources that provide the foundation for livelihoods - whether these are used for domestic or productive use.</td>
<td>If land/sustainable resources of equivalent value are not available for compensation, cash or in-kind compensation shall be provided, based on prevailing local market rate for the specific materials, and the CVGT/CIVGT shall make efforts to provide alternative sources of livelihoods for the PAPs.</td>
<td>PAPs losing access to resources shall be identified and notified as part of the compensation process. The CVGT/CIVGT shall take all possible measures to provide alternative sources of income-generating activities for PAPs, particularly those identified as vulnerable.</td>
<td>Any issues with regards to access to resources shall be addressed in the Annual Audit, in collaboration with the PRCU and the Department of Forestry, as part of CONEDD.</td>
<td></td>
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</tbody>
</table>
8 INSTITUTIONAL MECHANISMS AND ORGANISATIONAL PROCEDURES FOR DELIVERY OF ENTITLEMENTS

8.1 PROJECT CO-ORDINATION AND MANAGEMENT

Compensation and relocation of displaced persons will be funded like any other activity eligible under the project's administrative and financial procedures, described in more detail in the Project Implementation Manual.

8.1.1 National Level

The National Project Co-ordination Unit (PCU) of CBRDP has the overall responsibility for implementing the Resettlement Policy Framework and for ensuring that all compensation, resettlement and rehabilitation activities are satisfactorily completed before providing approval for disbursement of funds for micro-projects in the case of abbreviated RAPs.

Funding will be processed through this unit, which has been set-up and staffed with several members including a Project Coordinator and a Financial Specialist, who were appointed prior to project negotiations and credit effectiveness. The PCU manages the day-to-day functions and project activities, *inter alia*, ensuring availability of funds and technical assistance at decentralized levels, i.e. departments and communes.

The key roles of the PCU in terms of resettlement planning are to:

- Facilitate the discussion between the villages and the communes (provinces) regarding compensation for land acquired for the micro-projects;
- Monitor the Provincial Project Coordination Units (PRCUs) work to ensure that the activities are carried out in a satisfactory manner;
- Organize the necessary orientation and training for the provincial, departmental and commune officials so that they can carry out consultations with communities, support communities in carrying out RAPs and implement the payment of compensation and other measures (relocation and rehabilitation entitlement) to PAPs in a timely manner;
- Ensure that progress reports are submitted to the World Bank office in Ouagadougou on a regular basis.
8.1.2 Decentralized Administration

At the decentralized level, project administration and resettlement planning run in parallel, and are divided into three levels: (a) provincial, (b) commune, and (c) village. Figure 8.1 and 8.2 illustrate the process of administration and the paragraphs below describe each level of responsibility in more detail.

(a) Provincial level

The PCU is supported at the provincial level by the establishment of CCTPs. The CCTP is responsible for (a) providing provincial coordination to the CBRDP through direct intervention with villages; (b) ensuring control over projects to ensure that benefits accrue at the provincial level; and (c) providing quality assurance over which projects get funded through CVGT/CIVGTs. Project Coordination Units (PRCUs) have been established in CCTPs.

These PRCUs are responsible for (a) supporting the CCTP in provincial coordination with the CBRDP and intervention with villages; (b) providing technical support to villages in community driven development; (c) assisting in the identification and screening of micro-projects under the CBRDP; and (d) reviewing micro-project applications for technical and financial feasibility.

CVGT/CIVGTs have or will be set-up and staffed with an administrator and accountant among others. These members have or will be appointed under terms acceptable to the World Bank. The CVGTs/CIVGTs will be responsible for channeling funds to beneficiaries; launching capacity building activities; coordinating activities within the province and the CVGTs/CIVGTs, inter-village land management committees, and managing the monitoring and evaluation system.

(b) Commune level

At this level, a CVGT Village land management committee/ CIVGT inter-village land management committee will be established with the responsibility to:

- Ensure that potentially involved village residents are informed regarding investments and their rights and options relating to land or other assets that may be involved;
- Review and approve micro-project proposals prior to appraisal for any investment activities requiring access to private owned or utilized land or other assets;
- Coordinate activities between different communities,
- Ensure timely provision of compensation in cash or in kind, as required;
• Review Contractor performance to ensure that any temporarily utilized land is adequately restored;

• Respond to any grievance submitted by PAPs; and

• Supervise micro-projects implementation with regular missions in the field.

c) Village level

At the village level, communities will be involved through participatory approaches in the development of micro-project proposals, in the environmental and social screening of each micro-project and in preparing the necessary safeguard requirements (Environmental and Social Assessments, RAPs) as required. This is explained in more detail in Chapter 6 of the Environmental and Social Management Framework.
Figure 8.1 Lines of Reporting and Advice on Resettlement Planning

Village

CVGT/CIVGT and Comité d’Action Spécifique

Commune/Province

CCTP & Provincial Coordination Units

National

CBRDP/SILEM PCU

CONED and World Bank

Contract Service Providers

PRCU

Environmental & Social Mitigation Officers

Natural Resources Management Officer

Annual Performance Review

Report format (d)

Report format (e)

Report format (f)
<table>
<thead>
<tr>
<th>Administrative Level</th>
<th>Process</th>
<th>Technical Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village/Community</td>
<td></td>
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</tr>
</tbody>
</table>
| Village/Inter-Village Land Management Committee (CVGT/CIVGT) | - Carries out screening and scoping of proposed micro-project using the environmental and social screening forms  
- Determines based on screening results whether the proposed micro-project requires a RAP/abbreviated RAP  
  - If micro-project requires a RAP, then prepares the plan and submits the micro-project application form with a completed RAP/abbreviated RAP to the appropriate CDC  
  - If micro-project does not require a RAP, then submits the micro-project application form for review to the appropriate CDC | Pool of qualified consultants and/or civil servants will be made available through CBRDP and SILEM, primarily during the first year, to support the PRCUs in reviewing the appraising RAPs submitted by communities. These individuals will be familiar with land tenure policies and compensation procedures in Burkina Faso. This pool of individuals will also provide technical support to PRCUs in reviewing RAPs and will be available to visit villages and assist in training communities in the preparation of RAPs. |
| Commune/Inter-village | | |
| CVGT | - Reviews and approves micro-project applications (within 30 days) based on technical and financial feasibility (including the submitted EIAs/ESIAs, RAPs and mini-pest management and mini-waste management plans)  
- Submits approved applications to the PCU for funding | |
| Province | | |
| Provincial Project Coordination Units (PRCUs) | - Reviews and approves applications (within 21 days)  
- Ensures that potentially involved village residents are informed regarding investments and their rights and options relating to land or other assets that may be involved  
- Coordinates activities between different communities and organizes permitting and licensing for proposed projects  
- Responds to any grievance submitted by PAPs  
- Once PRCU approves the applications, CVGTs will channel funds to beneficiaries and launching capacity building activities  
- Will also coordinate activities within the province, and manage the monitoring and evaluation system  
- Responds to any grievance submitted by PAPs  
- Ensure that compensation has been carried out satisfactorily before construction is approved for micro-project | Representatives from DGEF, and CBRDP/SILEM will work directly with the PRCUs and CVGTs to assist with the review and approval of applications. Proposed Land acquisition and communal planning Specialist will provide needed input and assistance |
| World Bank | - Provides technical guidance and support particularly during 1st year of program implementation | |
More specifically, village representatives will assist the CIVGT/CVGT in:

- Scheduling open meetings to ensure that potentially involved village residents are informed regarding proposed investments, and their rights and options relating to land or other assets that may be involved;
- Identification of impacts on land and assets, individuals potentially involved, and the amounts and types of lands and other assets sought from each individual;
- Scheduling open meetings for public validation of field measurements and maps relating to siting of proposed activities, and public disclosure and validation of any land-related agreements;
- Seeking voluntary contributions or negotiated land acquisition;
- Preparing required reports on matters relating to land acquisition;
- Facilitating compensation in kind and exemptions from local contributions in relation to land acquisition;
- Conducting public meetings to review commune-level annual reviews of implementation performance, to solicit villagers' view on the adequacy of implementation, and to address any grievances, if possible.
9 DESCRIPTION OF THE IMPLEMENTATION PROCESS AND ARRANGEMENTS

9.1 IMPLEMENTATION SCHEDULE

For each micro-project, a detailed implementation schedule of the various activities to be undertaken will be included in each micro-project's RAP. Likewise, for each micro-project, resettlement schedules will be coordinated with the civil works schedules. Payment of compensation and provision of other rehabilitation entitlements (in cash or in-kind), and relocation if that is the case, will be completed at least one month prior to the scheduled start-up date of works in the respective work site.

9.1.1 Preparation and Review of RAPs during Project Implementation

At this stage in project preparation, it is not possible to predict the number of RAPs that will be produced during the 1st year of project implementation. However, it is likely that there will be very few RAPs required for proposed micro-projects as the majority of land that is required is communal land and has been pre-determined for specific use by the community. As outlined in Figure 8.2, once the micro-project applications along with RAPs are submitted for review, the CVGTs and the PRCUs have a certain time frame set for review of the documents. This time frame will be agreed to by the GoBF once the Resettlement Policy Framework has been accepted by the Government.

Annual Performance Audit

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

9.2 CONSULTATIONS AND INFORMATION DISCLOSURE

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

Consultations will occur throughout the entire project cycle, (a) the socio-economic study, (b) the resettlement plan, (c) the environmental impact assessment, and (d) during the drafting and reading of the compensation contract. This is compliant with the primary objective of the CBRDP and SILEM,
which is to ensure a participatory approach towards community driven development.

Prior to any negotiations, and prior to any land acquisition proceedings, the Village Land Management Committees (CVGT) must provide information to any PAPs about key provisions of this Framework. Potentially affected individuals must be informed that they are not obligated to voluntarily contribute land for micro-project purposes, that involuntary acquisition of land without appropriate compensation is not permitted, and that lodging of a valid objection by an affected landowner will be sufficient cause for micro-project approval to be delayed or withheld.

Additional information to be disclosed will include:
- Entitlement to replacement in kind or compensation at replacement cost;
- Methods to be used in establishing compensation rates;
- Procedures for pursuing grievances, including contact information.

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

9.3 MECHANISMS FOR GRIEVANCE REDRESS

At the time the RAP is approved and individual compensation contracts are signed, PAPs will have been informed of the process for expressing dissatisfaction and to seek redress. Each village will have an opportunity to comment on annual commune review of micro-project implementation performance. Any grievances may be addressed as part of the review process.

If PAPs are not satisfied with proposed entitlements of implementation arrangements, or are dissatisfied with actual implementation, they can also seek satisfaction through the CIVGT and/or CVGT or its designated officials. If this does not result in resolution of issues, PAPs can also make their grievance verbally or in written form to provincial level officials responsible for project facilitation and information dissemination. If this procedure is also inadequate, PAPs can proceed to make their grievance verbally or in written form to the PCU.

At each level, specified authorities should record receipt of grievances and reply to the PAPs within ten days after receiving the grievances. PAPs will be exempt from any administrative or legal charges associated with pursuing grievances.

9.4 BUDGET AND SOURCE OF FUNDING

Each abbreviated RAP will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how the funds will flow as well as the compensation schedule. The RAP will also clearly state where the sources of land and fund will come from.
As the borrower, the Government of Burkina Faso carries official responsibility for meeting the terms of this framework, including financial obligations associated with land acquisition. In practice, government funds will not be regularly available for Village Land Management Committees (CVGT) for this purpose. Therefore, where a micro-project is proposed which requires land acquisition, and where no sufficient sources of necessary compensation funds can be identified, the proposal will be disqualified.

In the case of the SILEM, intermediate sources of support for land acquisition will include the following:

- For every minor land acquisition, where the value of the land taken from an individual is approximately equal to the share of the cash contribution for which the person is responsible, exemption of individuals contributing cash for necessary village communal fund contributions may be sufficient compensation; and/or

- With the approval of the relevant commune officials, village cash contributions (at least 3% of estimated micro-project costs) collected from unaffected villagers may be used for payment of compensation to PAPs.

9.5 Supervision Monitoring and Evaluation

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

Arrangements for monitoring by implementing agency

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

As part of the resettlement plan goals, the monitoring shall evaluate the following:

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

To facilitate the monitoring procedure, the following indicators in Table 9.1 will be used to evaluate the implementation of RAPs:
Table 9.1  
**Indicators for Monitoring and Evaluating RAPs**

<table>
<thead>
<tr>
<th>Monitoring</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outstanding compensation or resettlement contracts not completed before next agricultural season</td>
<td>→ Outstanding individual compensation or resettlement contracts</td>
</tr>
<tr>
<td>Communities unable to set village-level compensation after two years</td>
<td>→ Outstanding village compensation contracts</td>
</tr>
<tr>
<td>Grievances recognized as legitimate out of all complaints lodged</td>
<td>→ All legitimate grievances rectified</td>
</tr>
<tr>
<td>Pre-micro project production and income (year before land used) versus present production and income of PAPs, off-farm income trainees, and users of improved agricultural techniques</td>
<td>→ Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation</td>
</tr>
<tr>
<td>Pre-micro project production versus present production (crop for crop, land for land, etc)</td>
<td>→ Equal or improved production per household</td>
</tr>
</tbody>
</table>

**World Bank supervision arrangements**

The World Bank will undertake periodic project supervision in the provinces and communes to assess compliance with the Framework requirements, and to recommend any corrective measure that may be necessary to resolve implementation problems or inadequacies.

To facilitate Bank supervision, all approved RAPs will be available for Bank review at the Provincial Project Coordination Units (PRCUs), and all village-level land use reports, including Statements of Voluntary Contribution and Statements of Negotiated Agreements, will also be available at the communal level.