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Ministry of Tourism, Arts and Culture

TOURISM SECTOR DEVELOPMENT PROJECT

Preparation of Resettlement Policy Framework (RPF)

DRAFT REPORT
Revised

LIST OF ACRONYMS

AfDB	African Development Bank
COSPE	Cooperazione per lo Sviluppo dei Paesi Emergenti
DRM	Dispute Resolution Mechanism
EAR	Environmental Assessment Regulations
EHSD	Environmental Health and Sanitation Directorate
EPA	Environmental Protection Agency
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FC	Forestry Commission
GHCT	Ghana Heritage Conservation Trust
GMMB	Ghana Museums and Monuments Board
GoG	Government of Ghana
GREET	Ghana Rural Ecotourism and Travel Office
GRM	Grievance Redress Mechanism
GTA	Ghana Tourism Authority
MDA	Ministries, Departments and Agencies
MLGRD	Ministry of Local Government and Rural Development
MMDA	Metropolitan, Municipal and District Assemblies
MoTAC	Ministry of Tourism, Arts and Culture
NADMO	National Disaster Management Organization
NCRC	Nature Conservation Resource Centre
PCU	Project Coordinating Unit
PPMED	Project Planning, Monitoring and Evaluation Directorate
RC	Ricerca e Cooperazione
RPF	Resettlement Policy Framework
SNV	Netherlands Development Organisation
WB	World Bank
WD	Wildlife Division
WRC	Water Resources Commission

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Executive Summary

Introduction

The Government of Ghana (GoG), through the Ministry of Tourism, Arts and Culture has requested World Bank's assistance to prepare and implement a Tourism Sector Development Project. The Government seeks to promote the long ignored but potentially transformative sectors for an accelerated and inclusive economic development agenda. This implies committed removal of constraints and sustained improvements to the business- enabling environment complemented by efforts to be inclusive, diversify and enhance the tourism sector's offerings, currently dominated by the business segment. The proposed project has four primary components:
(1) Strengthening institutions and the tourism enabling environment; (2) Developing Tourism Sites and Destinations; (3) Tourism enterprise support; and (4) Project management, Monitoring & Evaluation.

The proposed activities particularly under component 2 will involve civil works to support both rehabilitation and construction of tourism infrastructure, access roads etc. These activities may impact on land and/or people (land acquisition, resettlement, and livelihood disruptions) and triggers the World Bank's Safeguards policies on Involuntary Resettlement OP 4.12 and Environmental Assessment OP 4.01. For the later, a separate Environmental and Social Management Framework has been prepared. In compliance with the policy requirements of the OP 4.12 and the laws of Ghana, MoTAC has prepared this RPF for ensuring that the project either avoids or minimizes any possible displacement or resettlement impacts.

Objectives of RPF

The development of a Resettlement Policy Framework (RPF) is a way to comply with the triggering of the Involuntary Resettlement policy (OP/BP 4.12). The purpose of the RPF is to establish the Project's resettlement and compensation principles and implementation arrangements; describe the legal and institutional framework underlying the Ghanaian system/framework (complemented with provisions aimed at addressing the Bank's requirements) for resettlement, compensation and resettlement entitlement matrix; define eligibility for compensation and resettlement; describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders; and provide procedures for up-taking and resolving project-related grievances and disputes. A framework is prepared at this stage because the location of investments will not be known by the time the project is approved by its Board. The World Bank's operational policy (BP/OP 4.12) and the laws of Ghana require that persons displaced by projects are compensated for their loss and/or assisted to re-establish their livelihoods to an extent commensurate to pre-project baseline conditions.

Approach to RPF study

The specific sites for sub-project investment are yet to be determined although there is general knowledge that most of the tourism sites are within the Western and Central Regions. Final selection will depend on the outcome of a selection criteria during implementation. Notwithstanding, in consultation with the key project persons at the Ministry, a representation of some tourist sites were

visited, to hold consultation with relevant local level public officials and local communities in order to anticipate the general environmental and social impacts typically associated in tourist areas.

Project objectives and components

The project is expected to:

- Number of international arrivals identifying "tourism" as their main purpose of visit.
- Average length of stay in targeted destination areas;
- Annual growth rates in international tourists at targeted attraction sites
- Additional private investment in tourism-related activities within project target areas.

The project will benefit:

- Public sector institutions (MoTAC, Local Government Municipalities) with increased capacities, improved systems and processes, increased revenues sources.
- Medium and Large Firms: diversification into leisure markets, increased market linkages and revenues.
- Micro small and medium enterprises: increased jobs, improved product quality and revenues from linkages.
- Communities around target tourism destinations: increased access to services, increased jobs from inclusion in growing tourism value chain.

As earlier stated, the proposed project has four primary components:

- Component 1: Strengthening institutions and the tourism enabling environment;
- Component 2: Developing Tourism Sites and Destinations;
- Component 3: Tourism enterprise support; and
- Component 4: Project management, Monitoring & Evaluation.

The activities in Component 2 will involve provision of infrastructural services (civil works support ranging from rehabilitation of yet-to-be identified existing sites, to new and yet to be identified sites). Matching grants to small and medium enterprises will also be provided under Component 3 to support SME growth in the tourism sector.

The following are a list of potential sites in the Western and Central Regions. As indicated, selection of the specific site to potentially benefit from the project will be determined during implementation based on a feasibility assessment and a set of criteria.

Western Region: 1) Ankasa Forest Reserve 2) Nzulezu village on stilts 3) Tano River cruise 4) Fort Appolonia 5) Ankobra River cruise 6) Fort St Antonio 7) Island development in Axim 8) Skills Development in Hotel management 9) Beach front development marina 10) Crocodile Pond Development 11) Mysterious Rocks 12) BUSUA beach redevelopment 13) Takoradi port development for cruise terminal 14) Shama beach development 15) Gold museums in mining towns 16) Heritage homes redevelopment.

Central Region: 1) Kakum park enhancement program 2) Elmina castle 3) Elmina lagoon development 4) Cape Coast castle

Policy, Regulatory and Institutional Framework

The principles and procedures for land acquisition and resettlement in this project are drawn mainly from relevant land acquisition laws, regulations and policy framework of Ghana and the World Bank safeguards policies. The legal and policy regime governing land acquisition for public projects in Ghana) is mainly The Constitution of Ghana (1992), the Ghana National Land Policy (1999), The State Lands Act (Act 125 of 1962) as amended and the Lands (Statutory Wayleaves) Act (Act 186 of 1963). The Constitution provides for individual property rights, the protection of those rights, and appropriate compensation from the government if it compulsorily acquires private person's property. The right to acquire land is governed by enabling legislation and this right is exclusively vested in the President. The, right to so acquire by the state can only be exercised if the "taking of possession or acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such a manner as to promote the public benefit" and "the necessity for the acquisition is clearly stated and is such as to provide reasonable justification for causing any hardship that may result to any person who has interest in or right over the property."

The Lands Commission is responsible for handling compensation claims flowing out of State acquisitions. The Land Valuation Division of the Lands Commission establishes compensation levels, using market value for lands, and generally replacement values for structures. Ghanaian law does not give illegal squatters or settlers the right to compensation, unless they can claim a right to the property under the Limitation Decree.

The Constitution requires that all people have access to the High Court in the case that there is a dispute with regard to his/her right or interest over the land or the amount of compensation being offered.

World Bank Safeguard Policy on Involuntary Resettlement

The World Bank's safeguard policy on involuntary resettlement, OP 4.12, (December 2001) is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to access to natural resources, may take place as a result of the project. It includes requirements that:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons physically displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

There are significant gaps between Ghanaian regulations and World Bank policies. These are summarized in the table below. Where there is discrepancy between national policy and the World Bank policies, under this project, gap filling measures have been identified and the World Bank policies will

apply in accordance with this RPF.

Comparison of Ghanaian Regulations with the World Bank Policies

Topic	Ghana legislation requirement	WB policy requirement	Proposed Gaps Filling Procedures
Timing of compensation payment	Prompt	Prior to displacement	Compensation payments are to be done prior to displacement.
Calculation of compensation	Fair and adequate Equivalent replacement cost approach. Depreciation factored.	Full replacement cost	The Full Replacement Cost Approach will be adopted for the calculation of compensation. No depreciation will be considered.
Squatters	No provision for PAPs with no claim whatsoever to land. Are deemed not to be eligible and therefore not entitled to compensation	Are to be provided resettlement assistance (but no compensation for land)	Squatters are to be provided resettlement assistance (but no compensation for land)
Resettlement	In the event where inhabitants have to be physically displaced, the State is to resettle them on *"suitable land with due regard for their economic well-being and social and cultural values"*.	Affected people who are physically displaced are to be provided with residential housing, or housing sites, or, as required, agricultural sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.	Physically displaced PAPs are to be provided with housing sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based (i.e. farmers, etc.). Alternatively, physically displaced PAPs can also be given equivalent cash compensation to be able to acquire similar land and put up a housing unit equivalent to the affected structure
Resettlement assistance	No specific provision with respect to additional assistance and monitoring.	Affected people are to be offered support after displacement, for a transition period	Affected people are to be offered resettlement support to cover a transition period
Vulnerable groups	No specific provision	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, elderly, women, children.	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women especially widows and single parent and children.
Information	The owner/occupier of the	Displaced persons and	Displaced persons and their

Topic	Ghana legislation requirement	WB policy requirement	Proposed Gaps Filling Procedures
and consultation	land must be formally notified at least a week in advance of the intent to enter, and be given at least 24 hours' notice before actual entry	their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.	communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.
Grievance	Access to Court of Law and Alternative Dispute Resolution (ADR) options	Appropriate and accessible grievance mechanisms to be established	Appropriate and accessible grievance mechanisms to be established via the informal ADR approach

Project Baseline

The World Bank issued the 'Ghana Tourism Scoping Diagnostic Report' in 2017. The report indicates that current economic value of tourism is unclear due to poor collection of arrival statistics and lack of recent expenditure and domestic tourism surveys. The high dependence on the business and corporate tourism market, along with the lack of mainstream diversification into tourism products, has led to nationwide slump in the sector in recent years. Domestic tourism is growing but at the present time involves travel for funerals and business rather than leisure.

Beyond Accra, Ghana's has four main types of leisure tourism productions: i) Forts and castle from the country's slave history ii) National Parks and Reserves, iii) Cultural events and traditional architecture of the Asante people in the North iv) and beaches.

The forts particularly, and the proximity of the beaches and parks, appear to be the primary drawcard for international leisure visitors. Elmina and Cape Coast are both impressive attractive sites and the colorful local fishing activity and historic town of Elmina is particularly interesting for tourists. However, there has been little attempt to capture revenue or add to the tourist experience at these sites and in the towns, poor sanitation is a particular deterrent to less handy travelers. Other issues include lack of access and parking, poor ticketing and upkeep, and lack of connection to other tourist sites. The management of the sites comes under the responsibility of the National Museums Monument Board.

Despite having only 15% of the land under protection, Ghana has a system of 21 protected areas, seven National Parks, five coastal Ramsar sites, six Resource Reserves, two Wildlife Sanctuaries and one Strict Nature Reserve. The most important two parks for visitors are Kakum National Park in the Cape Coast area and Mole National Park in the north west of the country. Kakum Park operates as a

public-private –partnership between the Forestry Commission and the Ghana Heritage Conservation Trust, is close to Cape Coast and is the most popular.

Project activities and potential environmental and social impact issues and concerns

The activities in Component 2 will involve provision of infrastructural services (civil works support ranging from rehabilitation of yet-to-be identified existing sites, to new and yet to be identified sites). The potential project infrastructure to be provided may include the following:

- Rehabilitation and refurbishment of old heritage buildings
- Construction and upgrading of private and public buildings (hotels, guest houses, shops, stalls, health posts, security posts, information centres etc)
- Construction and Upgrading of access roads
- De- silting of waterways and widening of river channels etc
- Construction of water associated infrastructure such as bridges, jetties
- Relocation of settlements
- Solid waste management
- Provision of public sanitation facilities (toilets, urinals etc)
- Etc

At this stage of the project, it is difficult to estimate the number of persons that will be adversely impacted by these interventions. Notwithstanding Based on an understanding of the social structure of the urban communities and the nature of the project activities, it is possible to suggest that the entire population of the two regions will be impacted either directly or indirectly. Most likely the direct Project Affected Persons (PAPS) will comprise individuals, farmers, traditional authorities, communities and companies/organizations whose lands, crops, structures and livelihoods will be impacted either temporally or permanently. The table below highlights some generic impacts anticipated during construction.

Generic project impacts on assets and livelihoods

Type of Activities	Potential Impact on Assets, Livelihoods					Mitigation Guides
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
Rehabilitation and refurbishment of old heritage buildings	No land required	No crops affected	Demolition or removal of permanent and/ or temporary structures anticipated	Some Livelihoods and economic activities may be disrupted including permanent displacement or temporary disruptions of business structures and facilities.	Cultural heritage resource to be preserved	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement.
Construction and upgrading of private and public buildings (hotel, guest houses, security posts, health facilities, shops, stalls)	Land may be required both temporarily and permanently	Crops may be affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	Not anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement.
Construction and upgrading of access roads	Land may be required both temporarily and permanently	Crops may be affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	Cultural heritage resources may be affected eg. Chance finds	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement
De- silting of waterways, construction of water associated	Land may be required both temporarily and permanently	Crops may be affected including vegetable	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected including permanent or temporary shops	Cultural heritage with respect to the affected rivers	ARAP or RAP to be prepared and implemented depending on the scope

facilities such as jetties, bridges		farmers along river banks				of involuntary resettlement
Solid waste recycling/ treatment/ disposal facilities	Land may be required permanently	No crops may be affected	Demolition or removal of structures anticipated	Livelihoods may be affected	No cultural issues anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement
Provision of public sanitation facilities (washrooms, toilets etc)	Land may be required permanently	Crops may be affected	No demolition or removal of structures anticipated	Livelihoods may not be affected	No cultural issues anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement
Relocation of settlements	Land may be permanently required	Some crops may be affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	Cultural issues anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement

Institutional responsibility and arrangement

A Project Implementation Unit (PIU) would be hosted within the Ministry of Tourism, Arts and Culture to be responsible for overall project management including safeguards and grievance redress. A safeguard specialist will be appointed as part of the PIU team. Since the project activities will be in the potentially selected sites, the respective regional GTA offices will be involved in project execution. Other agencies to be part of the implementation will include the Ghana Museums and Monuments Board as well as the Wildlife Division of the Forestry Commission and NGOs/CSOs like the Ghana Heritage Conservation Trust (GHCT) and local communities.

Dedicated implementation teams at the potential sites will be formed to participate in project planning/ coordination and implementation. They will work closely with the PIU and report to same through their head office in Accra. The regional teams will include assigned officers for Safeguards.

Local supervisory/ monitoring teams will be formed at each project tourist site to assist with the implementation of the project and will liaise with local communities to manage any safeguards related concerns.

The Resettlement process

Any impact of the project on land and/or people (land acquisition, resettlement, and livelihood restoration of affected people) will be addressed in compliance with the Constitution of Ghana, with other Ghanaian regulations, and with the World Bank safeguard policy on involuntary resettlement (OP 4.12). Where there are gaps or inconsistencies between Ghanaian laws and the World Bank policy, the World Bank policy OP 4.12 will apply in compliance with this RPF.

The resettlement preparation process will begin with screening of projects/ activities to determine if there is need for the preparation of any resettlement instrument (ARAP or RAP). A sample screening checklist for identify cases of involuntary resettlement has been provided in **Annex 1**. The number of affected people will determine whether the process is to include the preparation of a full RAP or of an ARAP. The PIU will use the regional GTA project teams to determine the number of affected persons/assets under any project activity that is likely to generate resettlement related or compensation issue.

Resettlement Action Plan (RAP): The RAP will be prepared where more than 200 individuals are displaced. The tasks/ToR and content for the preparation of the RAP has been given in **Annex 2**. All RAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing civil works.

Abbreviated Resettlement Action Plan (ARAP): The ARAP will be prepared where less than 200 individuals are displaced. The tasks/ToR and content for the preparation of the ARAP is given in **Annex 3**. All ARAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing project activities on the fields or civil works on the ground.

Census of Affected Persons & Assets/ Socio-economic baseline census: Upon identification of the need for involuntary resettlement in a sub-project, the project will carry out a census to identify the persons who will be affected by the sub-project. This will help the project to determine who will be eligible for assistance early enough in the project cycle. It will also help to prevent an inflow of ineligible people living

outside the sub-project area of impact but who might want to take advantage and claim for assistance. The completion of the census will mark the cut off-date for eligibility for compensation. **Annex 4** shows a framework for the census of affected assets and people.

Consultations during resettlement action planning and implementation: Consultations with stakeholders including PAPs will be an integral part in the ARAP or RAP preparation, implementation and monitoring processes at all stages and stakeholders should have access to the ARAP/ RAP. Consultations should happen in local language where possible; women should be consulted separately if that is more appropriate. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc.

Property Valuation and Compensation

The table below provides the general guideline for cost preparation and method for valuing affected assets/ properties taking a cue from sampled RPFs prepared for other public sector projects. In this context, the compensation is the amount required, so far as money can do so, to put the owner or user of a land or building in the same position as if his/her use and enjoyment has not been disrupted. In other words, it is based on the principle of "Full Replacement Cost".

General guidelines and methods for costs preparation

Item	Types	Method
Land	Customary lands, private lands	Prevailing market value of the land to be acquired if there is a vibrant and free land market. Otherwise a negotiated price will be agreed.
Structures	Any type of structure, e.g. mud houses, wooden structures, sandcrete block houses, etc	Full Replacement Cost method. No depreciation will be applied. It will also include cost of registration and transfer taxes.
Crops/Plants	Food and cash crops/economic plants (cassava, maize, oil palm tree, cocoyam, plantain etc)	Enumeration approach and applying updated LVD rates. Crop rates will take care of labour and equipment invested in the crop cultivation as well as the replacement cost of crops lost
Cultural heritage resources	Sacred groves, cemeteries, shrines	1. Option 1: Avoidance and an alternative site selected for project. 2. Option 2: Relocation of shrine if possible or performance of necessary rituals/pacifications in consultation with and acceptable to the traditional authorities or community leaders.
Loss of income and livelihood	Farming, businesses etc.	Estimation of net monthly/annual profit for farm/business based on records; application of net monthly/annual profit to the period when farm/business is not operating.
Disturbance allowance	-	10% of affected property value /compensation.

Eligibility Criteria and Entitlements

Project affected persons are described as persons affected by land acquisition, land occupation, relocation, or loss of income associated with the acquisition of land and/or other assets. Based on an understanding of the social structure of the urban communities and the nature of the project activities, it is possible to suggest that the most likely project affected persons (PAPS) will comprise individuals, farmers, traditional authorities, communities and companies/organizations as a whole.

Cut off date

The objective of the cut-off date is to establish a deadline for which project affected persons qualify for entitlement to compensation. Persons entering the Project Area after the Cut-Off Date are not eligible for compensation and/or resettlement assistance. It is imperative therefore that the cut-off date and its significance be publicly disclosed and widely disseminated to PAPs.

Eligibility Criteria and Entitlements

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
Land	Permanent acquisition of land, i.e. leasing of land	Landowner (individual, family, community/stool)	Owns the affected plot of land under Ghanaian laws including customary	1. Cash compensation for the lease as agreed among the parties via negotiation or prevailing market rates.
	Temporary occupation of land	Landowner (individual, family, community/stool)	Owns the affected plot of land under Ghanaian laws including customary	1. Compensation (in cash or kind) for the period of occupation as agreed among the parties via negotiation.
Crops (food/cash crops and economic trees inclusive)	Destruction of/ damage to standing crops	Owner or Farmer	Have grown the affected crop (regardless of related plot ownership)	1. Cash compensation for standing crops counted at valuation date and based upon updated LVD rates, and 2. Disturbance allowance of 10% of (1)
Structures	Destruction of immovable structures	Owner	Owns affected structure	1. Compensation at full replacement cost of structure 2. Cost of moving (e.g. persons/ goods in the structure under or belonging to owner) 3. Disturbance allowance of 10% of (1)
		Occupant	Live in or use the affected structure on rental basis (Occupant different from owner)	1. Cost of renting similar structure (e.g. for 6 months duration) 2. Cost of moving out to new place 3. Disturbance allowance of 10% of (1)
	Relocation of movable structures	Owner	Owns the affected structure	1. Cost of moving affected structure to new site 2. Disturbance allowance of 10% of (1)
		Occupant	Use or occupies the affected structure	1. Cost of moving occupants to new site 2. Disturbance allowance of 10% of (1) [NB: if owner is same as occupant, he/she will not be entitled to this disturbance allowance].
Livelihoods	Agriculture - destruction of economic or cash crops	Farmer	Use affected land for farming as livelihood sources (emphasis on perennial crops. Annual crops can be harvested prior to land entry or destruction)	1. Cash compensation for any temporary loss of income or livelihood incurred as a result of the project during the transition period (period required to re-establish farm elsewhere).
	Businesses	Business person (may be distinct from owner of structure	Operate a business on Project affected land, regardless of the land ownership situation (includes squatters)	1. Cash compensation of temporary loss of income or livelihood incurred because of the Project during the

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
		where business takes place)		period required to re-establish the business to pre-Project conditions
	Use of communal resources	User of such resources (can be individuals or communities)	Use communal resources as an element of livelihood	1. Assistance in identifying and accessing similar resources elsewhere 2. Cash compensation of temporary loss of income incurred because of the Project during the period required to access similar resources elsewhere/period required to provide alternative livelihood assistance
Cultural heritage resource (e.g. sacred site).	Relocation of or removal of or access to cultural heritage resource located on project site	Owner (individual or community). Local traditional authority	Use or pay homage to cultural heritage resource/ sacred site	Negotiate with traditional authority or community with regard to rites to be performed to ensure successful access to, relocation or removal of cultural resource/ sacred site.

Grievance Redress Mechanism

The objectives of the grievance process are to

- Provide affected people with avenues for making a complaint or resolving any dispute that may arise during the course of the implementation and determination of entitlements of compensation and implementation of the project;
- Ensure that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoid the need to resort to judicial proceedings.

Court cases are known to be cumbersome and time consuming. It is therefore proposed to make available a simple procedure for affected persons to be able to follow easily, and which will provide aggrieved people with an avenue for amicable settlement. Aggrieved people would however remain free to open a Court case without having registered their grievance as made possible by the Ghanaian law.

The general steps of the grievance process comprise:

- Registration/receipt of Complaints;
- Determining and Implementing the Redress Action;
- Verifying the Redress Action;
- Monitoring and Evaluation; and
- Dissatisfaction and Alternative Actions.

The project will establish a register of resettlement/compensation related grievances and disputes at each site. The receipt of complaints will include its logging and registration as this will help with monitoring the status of the grievances and ease of reporting on them. The existence and conditions of access to this register (where, when, how) will be widely disseminated within the project community/town as part of the consultation undertaken for the project in general.

The complaints will be lodged verbally or in writing to the manager of the tourism project office. The elected local Assemblyman/woman for the project area could also receive complaints from PAPs (because the Assemblyman/woman lives within the community and may be closer to the PAPs and some PAPs may prefer to route their complaints through the Assemblyman/woman and avoid undue transport and time cost to the office). The Assemblyman/woman will ensure that such complaints reach the designated person at the tourist project office within 24 hours via phone call or through any other means. The designated person will receive all complaints and shall officially register these complaints using the first section of the proposed complaint registration and resolution form provided in **Annex 6**. The designated person at the tourism project office will inform the regional GTA within 24 hours on any complaint lodged.

The table below presents a summary of the grievance redress procedure with institutional roles and responsibilities.

Schedule template for Grievance Redress

Steps	Process	Description	Time frame
1.	Grievance receipt and registration/ logging	-Face to face; phone; letter, recorded during public/ community meetings; recorded from Assemblyman/woman, etc -Significance assessed and grievance recorded or logged using the model complaint form and filed.	1-2 Days
2.	Development and implementation of response	-GRT meets or takes a decision on the grievance -Grievance assigned to appropriate party for resolution if necessary -Response development with input from relevant stakeholders -Redress response/action approved by GRT and logged -Redress response/update of progress on resolution communicated to the complainant -Start implementing redress action	5- 10 Days
3	Verifying the implementation of redress action	-Redress action implemented and verified by GRT. -GRT satisfied with implementation of redress action	10-15 Days
4	Close grievance or refer grievance to 2nd tier resolution	-Completion of redress action recorded or logged -Confirm with complainant that grievance can be closed or determine what follow up is necessary -Record final sign off of grievance If grievance cannot be closed, return to step 2 or recommend 2nd level settlement	15-25 Days
5	Court of law	-if 2nd level settlement does not address dispute, complainant can resort to court of law	Unknown
6	Monitoring and evaluation, and reporting	Grievance Redress Mechanism Process is documented and monitored	-

Institutional roles and responsibilities

The implementation activities will be under the overall guidance of the MoTAC PIU located at the Ministry. The responsibilities of the various institutions are presented in the table below.

Institutional framework

No.	Institution	Responsibility
1.0	PIU (MoTAC)	• Overall supervision of the RPF. • Trigger the process through screening and inventory of affected persons and assets and implement plan.
2.0	Regional GTA	• Assist with initial screening of subprojects and initial identification of PAPs • To assist with compensation negotiations (in kind) where necessary • To assist in grievance redress matters
3.0	Environmental Protection Agency (EPA)	• Review screening reports and advise on level of environmental assessment if necessary • Assist with training and capacity building of other institutions • Assist with external monitoring and evaluation RPF implementation and social impacts
4.0	Regional Land Valuation Offices/Lands Commission	• To assist in the valuation of affected properties and compensation due PAPs.
5.0	Traditional authorities, Community leadership	• To assist with community awareness creation, notifications and support in the inventory of affected persons and compensation related issues. • To assist in grievance redress matters
6.0	Consultants/NGO	• Prepare ARAP/RAP if necessary and assist with implementation and capacity building.
7.0	Ministry of Finance	• To provide funds for compensation payment.

The Ministry of Tourism, Arts and Culture has the overall responsibility for preparing the RPF and implementing same with World Bank approval. It will ensure that all compensation and resettlement related matters are carried out satisfactorily before the disbursement of funds for the project and rehabilitation/construction works commences.

Institutional strengthening and capacity building

The capacity of the various players both at MoTAC and GTA to implement the RPF and the ESMF is limited. There is the need to equip identified project persons with the understanding, skills and access to information, knowledge and training to enable them to perform effectively as safeguard persons.

The capacity building will include training workshops and production of guidance reports and tools. A comprehensive training programme has been recommended in the ESMF.

Estimated budget for RPF implementation

The estimated budget for implementing the RPF is US$369,00 and explained in the table below. This cost will be internalized into project costs. However, the budget for resettlement activities including compensation cost for affected assets will be developed from the specific social assessment studies and census during the preparation of the ARAP or RAP. The Ministry of Finance is expected to make funds available to the sector ministry i.e. the Ministry of Tourism, Arts and Culture for the payment of compensation.

Estimated budget for RPF implementation

	Activity	Description	Item	Unit cost, US$	No	Total Cost, US$
1.0	Training and Sensitization/ Awareness Creation	MoTAC PIU, Regional GTAs project team members including safeguard persons	Workshop	5,000.00	4	20,000.00
		Tourism project site officers, Assembly persons, Traditional Authority, Community leaders	Workshops	5,000.00	8	40,000.00
		NGOs, Design and Supervising engineers and Contractors	Workshops	4,000.00	2	8,000.00
		Radio Discussions	Local FM stations	5,000.00	-	5,000.00
2.0	RPF Disclosures	Disclosure of RPF - Advertisements	National Dailies	LS	-	3,000.00
		Disclosure of RPF – copies to stakeholders	All relevant stakeholders	LS	-	5,000.00
3.0	External Monitoring and Evaluation	EPA – Resource Person	Transport /Accommodation	4,000.00	4	16,000.00
4.0	Completion Audit	Local Consultant	Lump sum fees	40,000.00	1	40,000.00
5.0	Staffing	Social safeguards specialist	Emoluments (4 years)	48,000.00/ year	4	192,000.00
6.0	Logistical support	Project Safeguards	Transport	20,000	1	20,000.00
		LVD/ Lands Commission	Transport	20,000	1	20,000.00
7.0	**TOTAL**					**369,000.00**

1 INTRODUCTION

1.1 Background

The Government of Ghana (GoG) through MoTAC has requested World Bank's assistance to prepare a Tourism Sector Development Project. The GoG seeks to promote long ignored but potentially transformative sectors for accelerated and inclusive economic development agenda. This implies committed removal of constraints and sustained improvements to the business enabling environment complemented by efforts to be inclusive, diversify and enhance the tourism sector's offerings, currently dominated by the business segment. The proposed project has four primary components: (1) Strengthening institutions and the tourism enabling environment; (2) Developing Tourism Sites and Destinations; (3) Tourism enterprise support; and (4) Project management, Monitoring & Evaluation.

The activities in Component 2 will involve provision of infrastructural services. (civil works, both rehabilitation new constructions) targeted at different locations yet to be identified. Some of the works that may be implemented include Rehabilitation and refurbishment of old heritage buildings, construction and upgrading of private and public buildings, construction and upgrading of access roads, De-silting of water ways and widening of river channels, construction of water and sanitation associated infrastructures etc. Matching grants to small and medium enterprises will also be provided under Component 3 to support SME growth in the tourism sector. As per the World Bank's EA assessment, the proposed project is rated Category B.

In line with the World Bank's commitment to sustainable development, five Safeguards policies have been triggered to support the project development objectives. The policies include the Environmental Assessment (OP/BP 4.01), Natural Habitats (OP/BP 4.04), Physical Cultural Resources (OP/BP 4.11), Forests (OP/BP 4.36), and the Involuntary Resettlement (OP/BP 4.12). These policies combined with the relevant Ghanaian laws and regulations provide the frameworks for assessing and managing the social and environmental impacts of the project. Given that the specific sites and locations of project interventions have not yet been determined for investment, the Ministry is preparing an ESMF and RPF. The former has been prepared separately. The RPF will guide screening of future subprojects for land acquisition and resettlement impacts and mitigation planning. The RPF must be prepared, approved and disclosed publicly in Ghana and at the World Bank before the Bank will appraise the project.

The following are a list of potential tourist sites in the Western and Central Regions to potentially benefit from the project. The project through a screening criteria and feasibility assessment will determine which of these sites will eventually be selected for investment during implementation.

Table 1: Selected potential project tourist sites in the Western and Central Regions

No.	Region	Tourist sites
1.	Western Region	1. Ankasa Forest Reserve 2. Nzulezu village on stilts 3. Tano River cruise 4. Fort Appolonia 5. Ankobra River cruise 6. Fort st Antonio 7. Island development in Axim 8. Skills Development in Hotel management 9. Beach front development marina 10 Crocodile Pond DEVELOPMENT 11. Mysterious Rocks 12. BUSUA beach redevelopment 13 Takoradi port development for cruise terminal 14. Shama beach development 15. Gold museums in mining towns 16. Heritage homes redevelopment
2.	Central Region	17. Kakum park enhancement program 18. Elmina castle 19. Elmina lagoon development 20. Cape Coast castle

1.2 Objectives and principles of the RPF

Based on the land acquisition and resettlement risk presented by the project, the World Bank's policy on Involuntary Resettlement BP/OP 4.12 is applied. In compliance with the policy requirements and the laws of Ghana, the Ministry of Tourism, Culture and Arts is preparing a Resettlement Policy Framework (RPF) because, sub-project locations are not determined at this stage of the project.

The main purpose of this resettlement framework is to provide the principles and guidelines upon which resettlement and compensation activities will be undertaken throughout the project life. The RPF describes the;

- the legal and institutional context for resettlement planning and implementation, taking into considerations relevant country regulations and the World Bank policy on involuntary resettlement (OP 4.12),
- resettlement planning process as specific project locations are determined during the Project take-off and Resettlement Action Plan (RAP)s are required,

- Project-affected persons (PAPs), Eligibility criteria, and Resettlement 'Entitlement matrix". The matrix will include material measures including cash compensation, replacement of land and structures, and in some cases support for livelihood restoration.
- consultation procedures and participatory approaches involving PAPs and other key stakeholders; and
- Procedures for up-taking and resolving project-related grievances and disputes.

Generally, all resettlement and compensation activities under the project will be conducted in accordance with the provisions of relevant Ghanaian laws and the objectives of the World Bank involuntary resettlement policy; (i) avoid or minimize resettlement, (ii) compensate at full replacement cost, (iii) provide livelihood assistance (iv) provide specialized assistance for vulnerable households, etc

1.3 Approach to the RPF study

Prior to preparing the RPF, consultation was held with key project and technical personnel at the Ministry. Although the project is yet to determine the specific tourist sites for investments, some representative sites (in terms of anticipated project activities as well as possible environmental and social consequences) were visited and the key stakeholders at these sites including local communities were then consulted. The environmental and social issues identified in this report are therefore largely representative of the concerns to be elicited by the entire project.

Collection of baseline information

The RPF also draws from existing information of government's experience in the tourism sector, relevant country laws and regulations and other previous Bank projects from other countries. Some of these baseline information was collected and analyzed. The scope covers:

- Key components of the Project
- Relevant existing environmental and social policies, laws and regulations related to the environmental sanitation;
- Existing conditions of the main environmental and social components,
- Key environmental and social issues associated with the proposal,
- Key stakeholders in relation to the identified issues,
- Requirements for the detailed analysis of potential effects:
    - Technical studies required,
    - Public participation and stakeholder involvement,
    - Available information resources, including other ESA studies available as reference.

Stakeholder Consultation

Key stakeholders were defined as those to be directly affected by the proposed interventions, i.e. those that may be expected to either benefit or lose from the proposed alternative/project, particularly among the poor and the marginalized. Those directly involved included persons and

institutions with technical expertise and public interest in the Bank-supported programs as well as with linkages to the poor and marginalized.

The ultimate beneficiaries of this project include the communities who reside and/ or sometimes earn their living and must be protected from harm or undue consequences of the project. Some community leaders were therefore targeted for consultation. The Regional Tourism managers, Park managers and others responsible for the management of the various tourist sites will also benefit from improved policies, capacity development programmes and outreach and communication programmes and it was important to solicit their views. Other stakeholders including the private sector and civil society, will also benefit through the improved resource management practices. The key stakeholders interacted with included:

- Public officials with influence on the project (MoTAC, Tourist Development Authority, Museums and Monuments, Wildlife Division of the Forestry Commission etc)
- Local administrative assemblies (Nzema East Municipal Assembly and Twifo Heman District Assembly)
- Communities hosting fringing tourist sites and their leadership (Traditional authorities, Assemblypersons, Community Chairpersons etc)

Analysis of data and Content of report

The RPF will later guide the development of project-specific Resettlement Action Plans (RAPs) as needed. The framework describes the (i) national legislations pertaining to land rights, and compensation procedures for loss of property, social inclusion and assistance to squatters (ii) the additional ad hoc provisions to address the Bank requirements if any, (iii) the basic elements and procedures for a RAP. Overall, the RPF is consistent with the World Bank Policy as well as the relevant land acquisition and compensation laws and regulations of Ghana. The RPF includes the following;

Description of Project

The description contains (i) a summary of project components and activities; (ii) technical details of those components and/or activities that may require land acquisition and resettlement, and/or restricted access to assets and resources; and (iii) Rationale for preparing the RPF; and (iv) Objectives and principles of the RPF.

Institutional and Legal Framework

The review establishes the overall outline for the detailed legal framework to be conducted as part of the development of project specific RAPs and includes (i) relevant national laws, especially with regards to land ownership and tenure rights, taking of land and other assets, access to resources, valuation of assets, and dispute resolution (ii) World Bank policies on involuntary resettlement; (iii) Analysis of Ghanaian system gaps (laws and procedure) as against the World Bank requirements on Involuntary resettlement; and clearly recommend actions for bridging any gaps for the implementation of the project. The RPF indicates how gaps between national laws and Bank policies will be addressed.

Eligibility of persons for compensation and livelihood assistance

The RPF establishes a framework for determining a cut-off date for compensation that will precede development of the RAP and a description of different categories of impacted people that may be affected and defines the criteria to be used in identifying who is eligible for compensation for each category of population impacted.

RAPs information and preparation process

The RPF provides the guidelines for producing the RAP, in accordance with government legal requirements and designed to meet World Bank requirements. The RPF describes the step-by-step and critical information requirements for preparing substantive RAPs.

RAP Implementation Arrangements

The RPF includes a clear pathway for implementing resettlement action plans. The implementation arrangements covers how RAPs activities will be carried out, including how compensation will be negotiated/determined and paid, and other implementation related activities. The RPF identifies the organization and procedures for delivery of compensation including responsible agencies and outline mechanisms for monitoring and evaluating RAP implementation and completion.

Dispute Resolution and Grievance Redress Mechanisms

The RPF includes a detailed Project grievance redress mechanism (GRM) available to aggrieved/affected people for filing complaints and resolving disputes (including: language, distance, and cost) to affected people, and what recourse/appeal from the local grievance mechanism may be available.

Stakeholder Consultation

The RPF describes how PAPs will be consulted and how they will participate in planning, implementation, and monitoring of the projects included in the Program, once specific project activities and locations are known.

Grievance Redress Mechanism

The options available to PAPs for grievance redress about the process, the identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process are described. The RPF indicates how these would be disseminated and accessible to PAPs in a way that is clear and comprehensible to the PAPs.

Budget and Funding Arrangements

The RPF estimates an indicative budget covering compensation and resettlement costs and funding arrangements.

Consultation and Disclosure of RPF

The RPF describes appropriate consultation activities with stakeholders.

2 DESCRIPTION OF THE PROJECT

Ghana's tourism sector is undiversified, with an overdependence on business tourism. Tourism revenues as well as jobs are concentrated within large enterprises, mostly in Accra. The leisure sector appears de-prioritized by policy makers and has declined in recent years in terms of arrivals, revenues, and levels of investment. Yet strong underlying assets (internationally significant historical, cultural and natural tourism attractions) provide the opportunity for development for a range of markets. Opportunities exist to diversify the sector and throughout its value chain into leisure tourism utilizing the opportunities in the Western and Central Regions and in particular, the Cape Coast, Kakum, Elmina triangle as a pilot. The project will:

- Increase the number and expenditure of tourists on leisure activities
- Increase investments and jobs in the leisure market in Ghana
- Create a more inclusive sector (geographically and by supporting linkages throughout its value-chain).

The project will benefit:

- Public sector institutions (MoTAC, Local Government Municipalities) increased capacities, improved systems and processes, increased revenues sources.
- Medium and Large Firms: diversification into leisure markets, increased market linkages and revenues.
- Micro small and medium enterprises: increased jobs, improved product quality and revenues from linkages.
- Communities around target tourism destinations: increased access to services, increased jobs from inclusion in growing tourism value chain.

2.1 Description of Project Components

The GoG's stated over-arching goal for tourism is (i) to increase domestic tourism to spread income and improve cohesion, enhance cultural attractions, and build linkages with the cultural industrial sector and (ii) to ensure tourism develops in a responsible manner and that it contributes to the country's GDP, reduces poverty, ensures that its operation is not detrimental to the environment and the culture and traditions of the Ghanaian, and attracts a wide range of markets.

The Government has also set priorities for the sector to move beyond 'potential' to tourism being an actual GDP contributor. Areas to be urgently addressed include:
Sanitation: clean beaches- ending open defecation and creating better waste management systems
Education: top tourism and hotel school
Investment: direct support to investors to build hotels.

The priority geographical areas include the Marine Drive and then the Central, Western and the coastal belt of Ghana. Development should be private sector driven.

The proposed project has four primary components:

Component 1: Strengthening institutions and the tourism enabling environment;
Component 2: Developing Tourism Sites and Destinations;
Component 3: Tourism enterprise support; and
Component 4: Project management, Monitoring & Evaluation.

The activities in Component 2 will involve provision of infrastructural services (civil works support ranging from rehabilitation of ye:-to-be identified existing sites, to nevv and yet to be identified sites). Matching grants to small and mediu m enterprises will also be provided under Component 3 to support SME growth in the tourism sector. The proposed project is rated Category B and given the specific sites and locations of project interventions have not yet been identified, the project is required to prepare a Resettlement Policy Framework (RPF) The RPF must be prepared, approved and disclosed publicly in Ghana_ and at the World Bank before the Bank will appraise the project.

2.2 Project oversight and implernentation arrangement

Project implementation will be mainstreamed within the existing structure of the Ministry of Tourism, Arts and culture. Capacity of implementation units especially the PCU will be augmented through hiring of consultants subject to capacity assessment.

An overall Project Implementation Unit (PIU) would be hosted within the Ministry of Tourism, Arts and Culture. It will be responsible for overall management of implementation, monitoring and evaluation, reporting, fiduciary, safeguards, and grievance redress. The PIU may have the following staff: a Project Coordinator, and officers responsible for Finance, Procurement, Social Safeguards, Environmental Safeguards, Pubic Relations/Communication, Monitoring and Evaluation, and Social Accountability. Other supporting staff, as needed, may also be appointed.

The projects will be implemented by the agencies under the Ministry comprising the Ghana Tourism Authority and the Ghana Museums and Monuments Board. The latter is responsible for the various Forts and Castles and heritage sites in the country. Other collaborating institutions will include the Wildlife Division of the Forestry Commission and NGOs like the Ghana Heritage Conservation Trust (GHCT) and local communities. The safeguards arrangements are presented in later sections of this report.

The implementing agency will be facilitated by and mainstreamed into the existing planning coordination units at the regional level. Dedicated regional implementation teams within the regional GTAs in the Central and Western Regions will be formed from among the membership of the planning coordination. These will work closely with the PIU and report to same through their head office in

Accra. At a minimum, the regional team will comprise a Project Lead and dedicated officers responsible for Finance, Procurement, Safeguards, and M&E.

Dedicated local implementation teams will be formed at each project tourist site to be directly responsible for project activities on the ground including regular interactions with local communities. An organogram illustrating the institutional arrangement is given in the figure below.

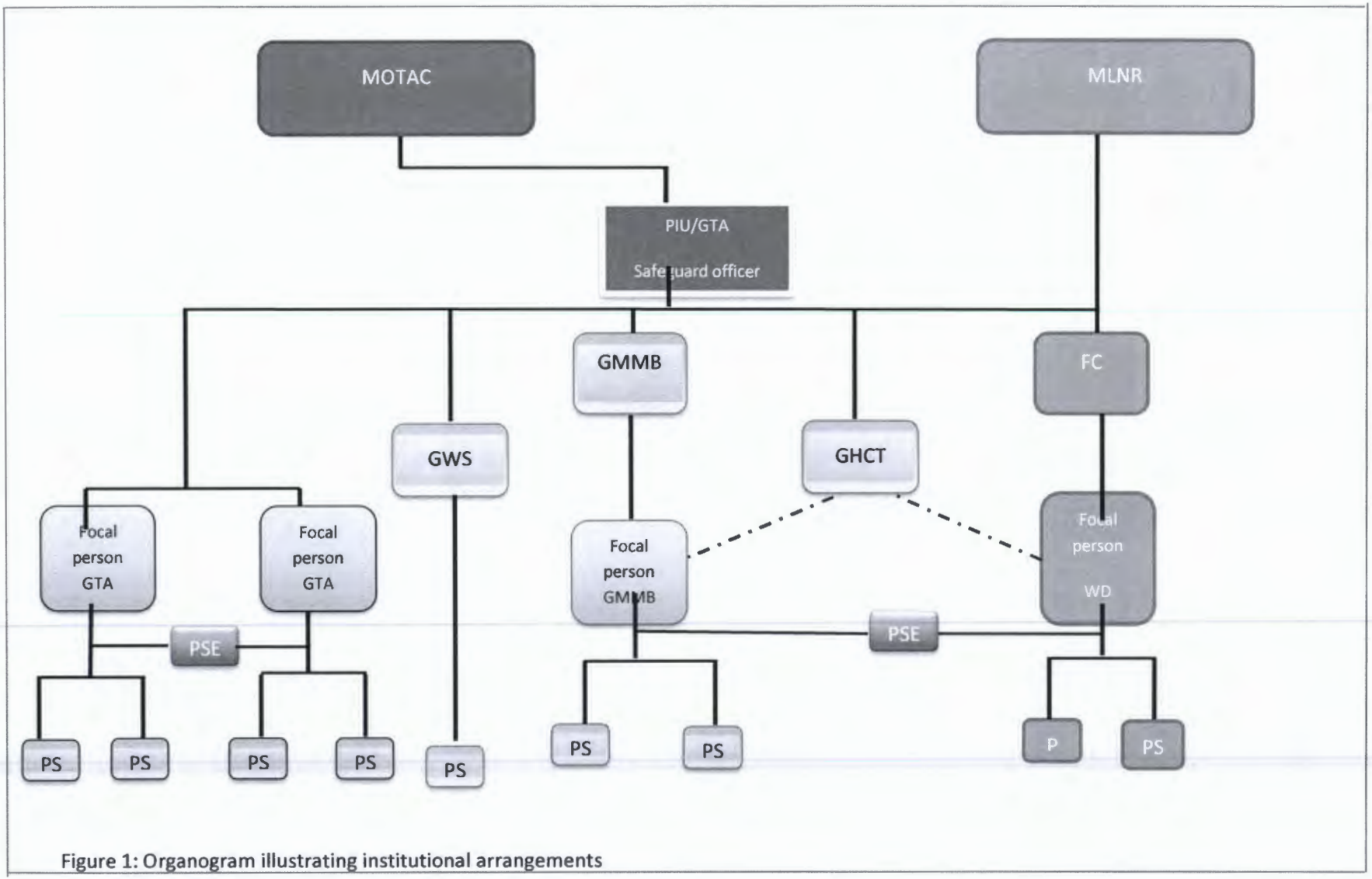

Figure 1: Organogram illustrating institutional arrangements

3 BASELINE CONDITIONS

3.1 Tourist attractions in the project regions

The Western Region

The Western Region of Ghana is an integrated complex of beautiful safe beaches and African touch beach resorts. It has the largest collection of European trading forts (later used in the slave trade); the highest tropical forests; numerous mines, picturesque villages and friendly people; and old architectural styles and vivacious festivals.

The region is located in the south-western part of Ghana and shares boundaries with the Central, Ashanti, and Brong-Ahafo regions. To the West it shares a border with the republic of Cote D'Ivoire. The region has 192Km of tropical beaches on the Atlantic Ocean and a tropical climate characterized by moderate temperatures all year round.

The native people of the Western Region are mostly Akans, speaking various dialects including: Ahanta, Nzema, Sefwi, Wassa, Brosa, and Pepesa. Pricipal religions are Christianity, African Aminism, and Islam.

Principal economic activities include agriculture (cash crops and food crops), fishing (commercial and subsistence), and mining and manufacturing. The main exportable produce are cocoa, timber, copra, coffee, rubber/latex, gold, manganese, and bauxite.

The Castles of the Western Region

The Western Region has a rich heritage demonstrated by the number of castles still open to visitors. The best examples in the region are:

- Fort St Appolonia at Beyin
- Fort cross at Dixcove (1693)
- Fort Batensteyn (1656) at Butri
- Fort Groot Fredericksburg at Princess Town
- Fort S. Antonio at Axim (1515)
- Fort Dorothea (ruins) at Akwida
- Fort Sebastian at Shama

The Village on Stilt of Nzulezu

An amazing village where life goes on in the centre of lake Tadane, just 90km west of Takoradi. The houses are built on stilts, and traditional village life adapts to the watery conditions. The excursion from Beyin involves a walk through the reeds at the lake's edge, and a trip in a dugout canoe to the village. The village welcomes visitors every day except Thursday, which is a sacred day.

Akatekyi Crocodile Pond

30km west of Takoradi, the local fetish priest entices the crocodiles from the water with a live chicken. Visitors are welcome every day except Wednesday, a sacred day.

The Beaches of the Western Region

Western region is famous for some of the best beaches in Ghana. Some of the most popular beaches are:

1 Busua Pleasure Beach – only 5km from fort metal cross
2 Sports Club Beach – behind the Atlantic hotel in Takoradi
3 Ajua Beach – just 200metres from Dadowa lagoon
4 Princess Town Beach – off the Takoradi/Elubo highway
5 Mimia Beach – a secluded beach with rocky cave perfect for picnics.

Dr. Nkrumah's Grave

The original grave of Dr. Nkrumah, first President of Ghana and now buried in the mausoleum in Accra, can be found at Nkroful, 83km west of Takoradi.

The Mines of Ghana

The western region has several mines that may be visited, by prior arrangement. The main sites are:

- Nsuta Manganese Mine – 20km southeast of Tarkwa
- Prestea Goldmine – 40km north of Tarkwa
- Tarkwa Goldmines – founded in the 1800s just 92km northwest of Takoradi

Cultural Festivals & Events

Sekondi Kundum: Oral tradition states that a hunter from Aboade saw dwarfs dancing to the rhythm of strange music while on a hunting expedition. The hunter watched these strange creatures perform their strange dance for one month and later brought the dance home. Another legend also says that there existed in the village of Aboade a palm tree, which is associated with the origin of the Kundum Festival. The fruits of this tree used to ripen once in a year, and with time, this period became a symbolic calendar in the lives of the people. The ripening of the palm fruit became the signal for the festival to begin.

The Nzemas later adopted Kundum. It is therefore not only the Ahantas who celebrate Kundum, but also the Nzemas. The Sekondi people also adopted Kundum when they settled at Sekondi. Although there are similarities in the way Kundum is celebrated among these people, there are some unique features in the way it is celebrated in every district. Through these festivals, the people remember their ancestors and ask for their help and protection. The festivals are also used to purify the whole state.

The Sekondi Kundum Festival may be regarded as a harvest festival, as well as a period for remembering the dead, cleansing the community and setting new goals for the coming year.
When the paramount chief sits in state to receive homage from his subjects, development projects are planned and means for raising funds are considered.

Wildlife & Nature

Akatekyi crocodile pond

About 30km west of Takoradi, at the Akatekyi Lagoon, this is a pond where crocodiles are enticed from the water by the incantations of a fetish priest and the protests of a live fowl.

Ankasa Conservation Area

Ankasa Conservation Area is twin Wildlife Protected Area comprising Nini-Suhien National Park and the Ankasa Resource Reserve. It is about 500km^2 situated in the Western Region of Ghana. Ankasa is the only area in the Wet Evergreen Forest Zoo. The Southwestern corner of the reserve is about 5 kilometres from the border town of Elubo. Takoradi is about 120 kilometres east.

Being the area with the highest rainfall in Ghana, Ankasa is the richest forest in terms of botanical diversity in the Country. Its natural resources are enough to announce its presence on the world tourism map as haven and Ghana's tourism address therefore, there is no wonder that Ankasa remains as one of the natural treasures of the nation.

Its attractions include:

Flora: Being the area with the highest in Ghana, Ankasa is the richest forest in terms of botanical diversity in the Country. About three hundred (300) plant species have been recorded in a single hectare. Notable among the plant is: Makore, Dahoma and Khaya. Ankasa is home to many well know plants including: Marantas, Glory bower, Bloody Lilly. There are also spectacular ferns and orchards.

Fauna: Charismatic and tourist-pulling animals such as the bongo and forest elephant as well as ten (10) primate species including the endangered Diana monkey and west African Chimpanzee abound in Ankasa. Bird fauna is also rich – at least 263 bird species have been recorded so far.

The Water Fall: The Ankasa rainforest serves as shed for many streams and rivers. Three of them from which the forest derives its name are the Ankasa, Nini and Suhien. The fascinating characteristics of these rivers are the rapids found on them. The breezes along the rivers and rattling noise of the rapids are a delight to tourists. The potential canoeing is been explored.

The Bamboo Cathedral: The spectacular Bamboo Cathedral is located at Nkwanta about 8km from the Ankasa gate of the Park. Though not a church building and has no human Bishop, a priest nor a creed, the site showcases nature's perfect architectural design. The giant and suppliant bamboos bow and criss-cross at their apex as if in a handshake to form a dome. The bamboos plants forming a canopy give the semblance of a cathedral over which the breeze presides a perfect habitation for relaxation.

Camping facilities: There are tourist camps for those wishing to stay for a few nights in the park. The camping facilities are made mainly with local building materials are located at the Ankasa Gate, Elubo Gate and Nkwanta.

The Amansuri Conservation Area

The Conservation is a project been undertaken by the Amansuri Conservation & Integrated Development Project with the aim of managing the pristine Amansuri wetland and its fresh water lagoon. The wetland has the stand of intact swamp forest in Ghana and home to varieties of animals like monkeys, crocodiles, marine turtles and birds. It has been selected as one of the Important Bird Areas in Ghana based on Birdlife International criteria.
The project is located within the Western Nzema Traditional Area in the Jomoro District, one of the 11 districts in the Western Region. The area is about 360km west of Accra.

Bia National Park
Bia National Park is bordered to the south with a 563 square kilometer Resource Reserve and is an International Biosphere Reserve Park. The reserves are situated in the transition between the moist evergreen and semi-deciduous tropical forest and cover much of the drainage for the Bia river. Bia became a protected area in 1935 and an official national park in 1974. Some of the tallest trees left in West Africa are found in this park. There are 62 species of mammals known to exist in the park including 10 primate species (three species of colobus, the Diana monkey and the chimpanzee, Pan troglodytes, among others), leopard, buffalo, the forest elephant, Loxodanta cyclotis, and the bongo, Tragelaphus euryceros. Over 160 species of birds including hawks, eagles, bulbuls, flycathers, the black-collared lovebird and the threatened white-breasted guineafowl live in this habitat. The park is the only known home of Agama sylvanus, a newly discovered species of lizard

Tourist attractions in the Central Region

The Region is famous for its ancient forts and castles and beautful coconut palm shaded beaches. Apart from Cape Coast, Elmina is the next well-known destination for tourists. However, the Region is rich in other fascinating historic places such as Anomabu, Abandze, Komenda and Moree.

Castles And Forts
Three of the castles have been designated World Heritage Monuments by the World Heritage Foundation under UNESCO. They are Cape Coast Castle, Elmina Castle and Fort St. Jago.

West African Historical Museum
The West African Historical Museum is located inside Cape Coast Castle and contains a growing collection of art and cultural objects from various parts of West Africa , for exampe ceremonial drums, old muskets, shackles from the slave trade and ancient pottery.

Beaches
Some of the best beaches in the Central Region are listed as Brenu Beach, Wirneba Beach, Gomoa Fetteh Beach with peaceful lagoons as winter home for migratorybirds.

Kakum and Assin Atandanso Nature Reserve
This reserve was formed to protect one of the last vestiges of Ghana's rapidly-vanishing tropical rain forest and the rare wildlife it contains.
The habitats of some of the world's rare and most endangered wildlife species, for example; the nearly

extinct Mona Monkey, Bongos, Royals Antelopes, Duikers, Forest Elephants, Giant Forest Hogs, Honey Badgers, African Civet Cats and Forest Buffalos.

Festivals and cultural events

The Central Region's culture is depicted through many interesting and colourful festivals throughout the year. These annual festivals serve a variety of purposes, such as purification of the "stools", cleansing communities of evils, ancestral veneration and supplications to the deities for prosperity and unity.

The festivals' major highlights include drumming, dancing and firing of musketry. Chiefs, adorned in rich Kente cloth and bedecked in gold, are paraded through the town in palanquins, shaded by huge and colourful parasols and include Bakatue, Edina Buronya, and Aboakyir (Deer Hunt) Festival, Fetu Afahye etc.

3.2 Overview of the Tourism Sector

The World Bank issued the 'Ghana Tourism Scoping Diagnostic Report' in 2017. The report indicates that current economic value of tourism is unclear due to poor collection of arrival statistics and lack of recent expenditure and domestic tourism surveys. Business and corporate tourism which dominates Ghana's travel and tourism sector has performed poorly recently because the expected robust growth and development of the oil and gas sector did not materialize. The high dependence on this market, along with the lack of mainstream diversification into tourism products, has led to nationwide slump in the sector.

The World Travel and Tourism Council (WTTC) estimates that tourism's direct contribution to GDP is however expected to increase by 5% annually between 2016 and 2026. The WTTC tourism employment data for 2015 lists 292,000 direct and 716,500 total jobs which correspond to a 2.6% and a 6.5% of the total national employment respectively. The UNWTO international tourist expenditure data suggest tourists spend about US$2,000 per trip. Also, 70% of total tourist expenditure is thought to come from business tourists and just 30% from leisure visitors.

Domestic tourism is growing but at the present time involves travel for funerals and business rather than leisure. The domestic leisure market is predominantly contributed by the expatriate community and a few wealthy Ghanaians. There are also regular school trips around the country as well as social groups (church groups, extended family, interest based groups) including organized tours by radio stations and other media groups.

<u>Major Constraints</u>

Three sector-wide constraints have been identifies as critical: i) lack of government prioritization of tourism ii) Multiplicity of government regulation, and iii) high cost of doing business. In addition, two constraints that are specific to the leisure market were identified: i) barriers to access, and ii) deterioration of the product and services.

Lack of Government prioritization of tourism: The most commonly stated private sector concern was long period of low prioritization of tourism from the government. The timing of this change seems to coincide with start of the four- year term of the former President John Dramani Mahama, who was Vice President but came into office in 2012 the death of the President John Atta Mills. Other related factors include Ebola crises of 2013 to 2016, the energy crisis of 2015 to 2016 (when power was rationed, brown-outs (knows as "dumsor") were frequent and the price of energy soared – see below), and the fact that the occurrences, and of unreliable statistics collection, there is low private sector confidence in government and a feeling that there is a lack of clear vision that has impacted the whole sector. The new Minister of Tourism seems determined to change this through the development of a new action strategy. It is critical to the development of the leisure market that the new strategy focuses on diversification of the sector. This will pave the way for the expansion of investment and job generation opportunities outside the capital.

Multiplicity of government regulations: The second most frequently mentioned constraint to private sector growth is the multiplicity of government regulation in tourism. More than 15 different taxes, permits, and levies have to be paid to the various government agencies every year, such as to fire services, the health department, environment, GTA, the food and hygiene department, etc. Some operators noted they were inspected two or three times a month and each time, more payments were requested by the inspections, as well as a rent-capture mentality that seemed to be counter to the role of government to support business growth. In order to kick-start the leisure segment, it important that there is an easing of regulation and that the provision of permits and licenses is streamlined and made more transparent. This is a sector-wide needed initiative which will increase competitiveness for all segments.

High cost of doing business: Linked to the high number of regulations is the generally high cost of doing business, a main contributor to high room rates, which has resulted in an uncompetitive leisure offering. Number one of the costs constraining growth is energy; it represents often as much as 40% of operational cost according to the Ghana Hotel Association. Energy costs in Ghana are four times the regional average due to poor transition, huge debt, multiple illegal connections, and a failure of government to pay energy bills. In 2015 the cost of purchasing 1KW of electricity was between and 15 cents in Ghana, while the South-Saharan regions average standsat 5 cents per Kw. This is likely to improve in thenext two years with an IFC funded ($1 bn) new power project. Other costs consistently mentioned by businesses were the high cost of airfares (dues to high landing fees and airport taxes), and the hgh cost of imported goods and services. The removal of all incentives for tourism businesses has put the sector at a further disadvantage relative to its neighbours. Final, the high cost of finance and unfavourable terms (high rates 12% to 14% and short payback periods (five years) and high cost of overdrafts have heightened investor risk. As the leisure market is highly cost sensitive, any reduction in the cost of doing business would go a long way towards the emergence of the new segment.

<u>Some specific constraints</u>

A number of the constraints facing tourism in Ghana have particular implications for the leisure market. These include cumbersome visa procedures, poor marketing, and deterioration of the product and service. Together with the sector-wide constraints, these have effectively led to the stagnation of international, inter-regional, and domestic demand.

Barriers to Access: For international visitors, the burdensome visa requirements are a significant hurdle (see box below). Whereas for business travelers, companies will take care of the process limiting any inconveniences to the traveler, for leisure tourists the inconvenience of the visa process (getting photos, letters of support) and the risk of mailing a passport is a significant deterrent.

Poor and ineffective marketing has further exacerbated the atrophy of the non-business related international visitor market. Though the Ghana Tourism Authority has an attractive and relatively new site, there is little interaction with the customers. Individual businesses are poorly marketed and not well profiled on Trip Advisor or other social media sites.

Deterioration of Leisure Product: Ghana possesses many tourism assets (natural and heritage based) but these are poorly integrated into the tourism offering, are largely underfunded, and lack visitor management plans and trained staff. There is no tourist signage in the country, no indication of UNESCO World Heritage status, very little renovation or interpretation of forts and castles or parks. Road congestion in and out of Accra due to poor urban plaining and limited tool booths, further reduce the appeal of a trip out of the capital. Once at a sites, there are no parking areas, limited food, or low-quality souvenir shops, and generally a lack of rent-capture due to low numbers and poor training. Restaurant and food service is notoriously slow. There is often over an hour wait for simple meal. Businesses complain of difficulty in finding trained staff, particularly those who have had practical and to just academic training provided by the universities and private colleges.

Figure 1: Key tourist sites in Ghana

4 POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK

The principles and procedures for land acquisition and resettlement in this project are drawn mainly from relevant land acquisition laws, regulations and policy framework of Ghana and the World Bank safeguards policies. The legal and policy regime governing land acquisition for public projects in Ghana are briefly described under the following sub-sections:

- Property and land rights, as defined by Ghanaian law and customary practice;
- Acquisition of land and other assets, including regulations over the buying and selling of these assets;
- Rights and eligibility to compensation, in particular, the accepted norms influencing peoples' basic rights to livelihood and social services;
- Dispute resolution and grievance mechanisms, specifically the legal and institutional arrangements for filing grievances or complaints and how those grievances are addressed through formal and informal systems of dispute resolution; and
- Comparison with World Bank OP4.12, using equivalence and acceptability standards.

4.1 Property and land rights

In Ghana, the legal provisions governing land ownership, land acquisition and resettlement for public-purpose governed by relevant sections of the Constitution of Ghana (1992), the Ghana National Land Policy (1999), The State Lands Act (Act 125 of 1962) as amended and the Lands (Statutory Wayleaves) Act (Act 186 of 1963),.

The Constitution under Article 20 (sections 1 and 2) provides for individual property rights, the protection of those rights, and appropriate compensation from the government if it compulsorily acquires private person's property. The right to acquire land is governed by enabling legislation and this right is exclusively vested in the President. The, right to so acquire by the state can only be exercised if the "taking of possession or acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such a manner as to promote the public benefit" and "the necessity for the acquisition is clearly stated and is such as
to provide reasonable justification for causing any hardship that may result to any person who has interest in or right over the property" (Constitution, Article 20). In such instances, the constitution also provides remedies for offsetting the impacts and hardships resulting from compulsory acquisition. These remedies include cash compensation, resettlement assistance, or both. Article (20) requires that the state makes "sufficient provision...for the prompt payment of fair and adequate compensation". Again it is expressly stated in Article 20(3) that where the compulsory acquisition involves the displacement of any inhabitants, the state shall resettle them on suitable alternative site, having regard to their Socio-cultural values and economic well- being and social and cultural values".

The Lands Commission is the government's agency responsible for handling compensation claims flowing out of State land acquisitions. The Land Valuation Division of the Lands Commission is mandated by the constitution to value assets that are affected by the acquisition and establish compensation values based market value for lands, and generally replacement values for structures. Ghanaian law does not give illegal squatters or settlers the right to compensation, unless they can claim a right to the property under the Limitation Decree. This exclusion of squatters is a significant gap from the World Bank's policies which recognizes and asserts the right of 'squatters' to compensation for loss of assets and not land. The RPF proposes to address this by extending compensation to 'squatters'.

The Constitution (Article 20) requires that all people have access to the High Court in the case that there is a dispute with regard to his/her right or interest over the land or the amount of compensation being offered. In the case of this project, PAPs may exercise this right in settlement of disputes concerning project impacts on their properties and the lack of commensurable amount of compensation. The project will however adopt a functional grievance redress mechanism (GRM) to first address disputes at the project level but the mechanism will also include the rights of PAPs to access courts where they deem it necessary.

The Constitution thus clearly provides that everyone has the right to own property, either individually or in conjunction with a group, and that "no person shall be subjected to interference with the privacy of his home, property, correspondence, or communication except in accordance with law and as may be necessary in a free and democratic society for public safety or the economic well-being of the country, for the protection of the rights and freedom to others." (Constitution, Article 18).

Land Tenure in Ghana

There are three types of land ownership in Ghana, 1. Customary Ownership, 2. State Ownership, and 3. Split Ownership. The type of ownership is dependent on the mode of acquisition. Customary lands are those that are acquired by customary practices; State Ownership refers to situations where the State compulsorily acquires lands. Split ownership occurs where the State under the enabling Laws – generally the Land Administration Act 1962 Act 123 (Section 7) vests Stool lands; and by this arrangement, the state takes over the legal interest in the land whilst the beneficial interests remains with the stool owning community. . The state, as the legal owner, thus has the right to sell, lease, manage, and collect rent on the land. Although vested lands are generally managed in the same way as State Lands, the boundaries are not determined through cadastral survey (which can lead to confusion with regard to land ownership), and often cover large expanses of land.

There are various landholding interests and/or rights in Ghana. Five main interests categorization in land are discussed in the RPF as follows:

- Allodial Title
- Customary Freehold
- Customary Tenancies

- The Common Law Freehold, and
- The Leasehold

The Land Title Registration Law of 1986 recognizes these types of interests in land.

4.1.1 Allodial Title

In the Ghanaian context, this is the highest interest capable of being held in land. The Allodial title is customarily communally owned and is generally held or vested in stools or skins. In some traditional areas, it is held by clans, families or individuals. Being generally in the form of communal interest in land it accrues to the entire community and is administered by the recognized traditional authority. The owner of the allodial title has complete and absolute freedom to use and dispose of the land only subject to the restrictions, or limitations or obligations as may be imposed by the general laws of the country.

The mode of acquisition of the allodial title is by: discovery by hunters or pioneers of the stool etc of unoccupied land and subsequent settlement thereof and use by the subject; conquest, purchase or gift.

4.1.2 Customary Freehold

The customary freehold is an interest or title which a member of the larger community which holds the allodial title acquires in the communal land. It is an interest which is held as of right by virtue of being a member of the community. It is of indefinite duration and thus potentially subsists forever.

The member who holds such interest has the right of beneficial occupation; unfettered use (also subject to the laws of the country). Upon death, the interest devolves on his/her successors in title and infinitum. This interest prevails against the whole world including the allodial title from which it was derived. The customary freehold may however be terminated by the occurrence of any of these occasions; failure of successors, compulsory acquisition by the state; sale or gift by owner, abandonment or forfeiture in rare circumstances where for example the holders deny the absolute title of the allodial owner.

4.1.3 Customary Tenancies

These are lesser interests in land and are created by the holder of the allodial title or customary freehold (or common law freehold). These types of tenancies are in nature share cropping arrangements. They are quite common in Ghana and occur when a tenant-farmer gives a specified portion of the farm produce to the land owner at each harvest time in consideration for use of the land. The two popular tenancy arrangements are the 'Abusa' and 'Abunu' schemes.

Other forms of customary tenancies in which the consideration from the tenant is not sharing of crops but cash or a combination of crops and money exist. The customary license is in this category.

4.1.4 The Common Law Freehold

This is an interest held for an indefinite period. It is derived from the rules of common law. The holder

of this interest has the right of beneficial occupation and may, subject to the laws of the land, use in any manner.

This type of freehold is created only by express grant. The grantor may thus impose terms on the grantee provided such terms are reasonable and not contrary to public policy. Currently, the laws of the land forbid non- Ghanaians from acquiring freehold in lands in Ghana

4.1.5 The Leasehold

This type of interest is also a creation of the common law and not Ghanaian customary law. It is an interest in land for a specified period. The leasehold may be granted by the allodial holder in respect of lands in which no conflicting interest exists; or by a customary freeholder; or common law freeholder.

In Ghana, leasehold may be for a maximum duration of 99 years. (Again non- Ghanaians can only acquire leases up to 50 years). Various terms and conditions may be imposed by the grantor including the payment of rent as consideration for the grant.

4.2 Acquisition Valuation and compensation process of Land and other Assets

Land Acquisition

In Ghana lands are acquired either by private treaty or compulsorily using the enabling legislations. The appropriate method is determined upon giving due consideration to such factors as the nature of the project, land requirements and/or the complexity of the tenurial arrangements.

Private Treaty Acquisition

This is the usual mode of land acquisition. It involves direct negotiation between the grantor (owner) and grantee (purchaser). The terms of grant are agreed upon normally after arm's length negotiation. Private treaty acquisition follows conveyancing principles. There are laws which however guide the process. The Conveyancing Decree (1973) provides that the transfer of an interest for a term of more than three (3) years must be in writing and signed by the grantor.

Again the laws on Stamping (Stamp Act) and registration need to be followed. Thus it is necessary that a document evidencing acquisition of an interest in land need to be stamped and registered at the Lands Commission in accordance with the Lands Commission Act (2008) Act 767.

Private treaty acquisition is however not suitable where the project area is large and/or involves the interest of a number of owners. Where there are conflicting ownerships and/or some of the owners are reluctant releasing the lands for the project, private treaty acquisition becomes problematic.

An important provision in the constitution includes the giving back of lands to the owners when such lands are not used for the purpose for which they were compulsorily acquired in the public interest.

The State Lands Act 1962 (Act 125 as Amended)

This is the principal Law under which private lands could be compulsorily acquired. The Law empowers the President to acquire any land for the public benefit.

The Act and its Regulation, that is, the State Lands Regulation 1962, L1 230 detail out the mechanism and procedure for compulsorily acquiring lands. It is a mandatory requirement that a copy of the instrument of acquisition be served on any person having an interest in or possession such lands or be affixed at a convenient place on the land and be published thrice in a newspaper circulating in the district where the land is situated.

The Act emphasizes the payment of compensation to the victims of acquisition made under the Act. Upon notification, the affected persons or group may request to claim compensation for affected lands or properties. Any claim for compensation must be made to the responsible Minister no more than sixth months after the date of declaration/notification made by the President. The Land Valuation Division will carry out an assessment if it is satisfied that the claimant has established proper claim which need to be paid for. The basis of the said Compensation should be either the market value or Replacement value. Costs of disturbance and incidental expenses or other damage suffered are to be considered in the award of compensation. An offer is then made to the claimant and upon acceptance; the acquiring agency, is advised to process payment.

One critical limitation of the Act is that not much premium has been given to the issue of public involvement in the acquisition process. Community consultations and involvement is therefore not mandatory.

Administration of Lands Act 1962, Act 123

Act 123 of 1962 was enacted to facilitate the management and administration of stool lands (and other lands). The Act empowers the Minister responsible for lands to manage stool lands in accordance with the provision of the law.

By section 7 of the Act 123 the President of the Republic may by Executive Instrument declare any stool land to be vested in trust and accordingly the state could administer such land as a trustee for the stool involved. In such situation the legal rights to sell, lease, collect rent, litigate and manage generally is taken away from the customary land owners and vested in the state. However, the equitable right in the land, which is right to enjoy the benefits, is retained by the land owner.

Similarly, the Act provides in section 10 that "the President may authorize the occupation and use of any land for any purpose which, in his opinion, is conducive to public welfare or the interest of the state". It is a requirement that a public notice shall be published in the Gazette giving particulars of the lands to be taken and the use to which it will be put. Persons whose interests are affected by "reasons of disturbance as a result of the authorization" so made are entitled to be paid.

The entitlements are however to be assessed by giving due consideration to the values of the land (and other losses suffered) and the benefits to be derived by the people in the area (by way of the use to which the state is going to put the land).

The difficulty of this law is that the nature of interest taken is not expressed in definite terms. Again stakeholder consultation and community involvement is not highlighted. It must be observed that the state does not normally use this section of the Act and thus occupation of lands is rarely exercised.

Lands Statutory Wayleaves Act 1963, Act186

The Lands Statutory Wayleaves Act 1963, Act 186 was enacted to facilitate the entry on any land for the purposes of construction, installation and maintenance of public utility works and creation of right of ways and other similar right for such works.

Works for which right of ways may be created are "highways or works for purposes of, or in connection with any public utility works". Highways have been defined in the Act as "any road, street, path, pavement, or square and includes any bridge, or other structure associated therewith". The Act and its accompanying Regulation, the Lands Statutory Wayleave Regulation 1964 (LI 334) provides the modalities and procedures for the acquisition of the Statutory right of ways. Thus, the mechanism for entry for survey works and construction has been spelt out in details. The owner/occupier is required to be given formal notification at least one week, about the intent to enter, and at least 24 hours prior to actual entry.

The right of way is legally established by the publication of an executive instrument. Losses and damages suffered are to be compensated for in accordance with the states procedure on compensation. Provision has also been made for restoration of affected lands where that is possible. In assessing compensation to be paid, consideration must be given to the increases of land values as a result of the installation or construction of works. A right of appeal by an aggrieved person is also provided for.

Clearly the desired issue of community consultation has not been given serious consideration. Again the provision of compensation assessment is unfair; especially the exemption from payment of compensation in cases where the land affected does not exceed twenty (20) percent of the affected persons total land holdings.

The Ghana Land Policy 1999

The Government of Ghana in 1999 put in place the above policy to serve as a broad framework and policy guidelines for land administration and utilization.

The main objective is to provide guidelines aimed at enhancing land management systems, land use, conservation of land resource and enhancing environmental quality. All these are intended to ensure coordinated and orderly use of land, a vital resource, by present and future generations.
Ultimately the policy seeks to give protection to proprietary rights and promote the concept of prompt payment of adequate compensation for compulsorily acquired lands and also create the enabling environment for community participation in sustained land management.

The Land Valuation Division responsible for the computation of compensation on the basis of market value in the case of land and replacement value for houses and other properties damaged or destroyed as a result of the acquisition. The State Lands Act defines market value as the amount the land would sell for on the open market at the time the wayleave is declared, using the principle of willing buyer – willing seller. Replacement value is used for compensation if there is no demand or market for the land due to the situation of the land or the purpose for which the land was used when the declaration of intent to acquire the land was made. The replacement value is the amount required for "reasonable reinstatement equivalent to the condition of the land at the date of said declaration". Cost of Disturbance is defined as the reasonable expenses incidental to any necessary change of residence of place of business by any person having a right or interest in the land.

4.3 Compensation

As discussed above the Ghanaian laws make provision for compensation when development projects affect people's land, property, or livelihoods. It also details the rights and privileges of citizens in dealing with the government and the compulsory acquisition of property. Below are the general areas worthy of notice:

Prompt and Adequate Compensation

The Constitution states that the state may only compulsory acquire property if a law exists that provides for the prompt payment of fair and adequate compensation (Constitution, Article 20). The State Lands Act as amended emphasizes the payment of compensation to the victims of acquisition made under the Act. The basis of the compensation should be either the market value or replacement value. Additionally the assessed, compensation amounts must take into account the cost of disturbance and incidental expenses or other damage suffered because of the resettlement.

Economic well-being and social and cultural values

The Constitution states that, where the state compulsorily acquires land, and where the state will resettle the displaced inhabitants, the state "shall resettle the displaced inhabitants on suitable alternative land with due regard for their economic well-being and social and cultural values".

Damage or Loss

The State Lands Act also makes provision for compensation for any person who suffers any loss or damage due to "the carrying out of any survey, as a result of installation, construction, inspection, maintenance, replacement, or removal of any specified work." The Minister will base the amount of compensation on any loss or damage, and may take into account how much the person's land has increased in value as a result of the installation or construction of the works.

Procedure for Claiming Compensation

The State Lands Act puts the onus on the affected person or group to put in a claim for compensation for affected lands. Any claim for compensation must be made to the Minister no more than sixth months after the date of declaration made by the President. The Land Valuation Division will carry

out an assessment if it is satisfied that the claimant has established proper claim which need to be paid for. An offer is then made to the claimant and upon acceptance; the acquiring agency is advised to process payment.

It needs to be stated that, there are some exemptions from Compensation. Act 125 states that, No person shall be entitled to any compensation for loss or damage if, in the opinion of the Minister; (1) any alleged damage to the land has been sufficiently address, and the land has been reinstated, (2) any alleged loss arising out of the deprivation of the use of any land, (3) the person alleging the loss has been offered other land of equivalent value, (4) the alleged damage is to movable property, and the property has been sufficiently restored or replaced, or (5) the works constructed do not substantially interfere with the enjoyment of land. The Lands (Statutory Wayleaves) Act 1963, Act 186 states that no compensation will be paid, in the case of highways, if the project damages or destroys less than one fifth of the total holdings of an affected person.

4.4 Dispute Resolution and Grievance Mechanism

The Constitution of Ghana (Article 20) states that compulsory acquisition of property by the State shall only be made under a law which makes provision for a right of access to the High Court. Access should be available to any person who has an interest in or right over the property, whether direct or on appeal from any other authority, for the determination of his interest or right and the amount of compensation to which he is entitled.

The State Lands Act (1962) provides avenues for people who are not satisfied with compensation to seek redress. Where any person is dissatisfied with the amount of compensation assessed by the Minister, but in no other case, the Minister may refer the matter to a Tribunal The tribunal shall consist of three persons appointed by the President, following consultation with the Chief Justice, and one of those persons shall be a Judge of the High Court who shall be chairman of the Tribunal.

4.5 Institutional Framework

Several public sector institutions represent tourism in different capacities, including:

- The Ministry of Tourism and Arts and Culture (MOTAC)
- The Ghana Tourism Authority (GTA)
- Metropolitan, Municipal and District Assemblies (MMDA)
- Lands Commission
- Environmental Protection Agency
- Forestry Commission

Ministry of Tourism, Arts and Culture (MoTAC)

The Ministry of Tourism was created in 1993 and has gone through a number of transformations over the years. The vision of the Ministry is to realize the sector's full potential in contributing to economic wealth, poverty reduction, environmental conservation, national cohesion, and achieve greater GDP

growth. The principle functions of the Ministry are:

- Policy formulation
- Planning and development
- Promulgation of legislation and regulations
- Encouraging investment
- Developing human resources for the sector
- Intergovernmental and industry relations
- International cooperation and relations

Ghana Tourism Authority

The Ghana Tourism Authority is the implementation and advisory arm of the Ministry. It was formed by the Tourism Act 817 in 2011 and replaces the Ghana Tourist Board. Its functions are:

- The regulation of tourism enterprises namely accommodation, catering, travel and charter operations through registration, inspection, licensing and classification
- The promotion and marketing of tourism, both in Ghana and outside Ghana, including the publication of tourism publicity and promotional materials, and participation in fairs and exhibitions
- Carrying out research and studies on trends in the tourism industry both at home and abroad to aid decision and policy-making
- Facilitating the development of tourist facilities and products.

Ghana Museums and Monuments Board (GMMB)

The Ghana Museums and Monuments Board (GMMB) is the legal custodian of Ghana's material cultural heritage (movable and immovable heritage). The Board was established in March 1957 – on the eve of Ghana's independence - as a result of the merger of the then interim Council of the National Museum of the Gold Coast and the Monuments and Relics Commission. The GMMB is governed by the National Liberation Council Decree (NLCD) 387 of 1969, now known as Act 387 of 1969, which was further strengthened by the Executive Instrument (E.I.) 29 of 1973.

The Ghana Museums and Monuments Board undertakes the following functions/activities:

- Equipping and managing all material cultural (movable and immovable) heritage of the nation
- Establishing, equipping and managing new museums
- Controlling the export, import, sale and change of ownerships of material cultural property through licensing and issuance of permits
- Establishing a National Register and keeping inventory of all material cultural (movable and immovable) heritage of Ghana
- Identifying and recommending for declaration as national monuments, structures, objects and sites of historical and cultural significance
- Undertaking research and publication of all matters relating to material cultural (movable and immovable) heritage.

The Ghana Museums and Monuments Board comprises two main divisions: the Museums and the

Monuments Divisions. These divisions are supported by three auxiliary departments:

- Education and Interpretive Department
- Administration and Finance Department
- Public Relations/Marketing Department

Forestry Commission

The Forestry Commission of Ghana is responsible for the regulation of utilization of forest and wildlife resources, the conservation and management of those resources and the coordination of policies related to them. The Commission embodies the various public bodies and agencies that were individually implementing the functions of protection, management, the regulation of forest and wildlife resources. These agencies currently form the divisions of the Commission:

- Forest Services Division (FSD)
- Wildlife Division
- Timber Industry Development Division (TIDD)
- Wood Industries Training Centre (Forestry Commission Training School)
- Resource Management Support Centre (RMSC)

The Wildlife Division is responsible for the management of the conservation areas including the Ankasa and Kakum national parks.

Environmental Protection Agency

The Environmental Protection Agency is the body responsible for ensuring compliance with laid down ESIA procedures in Ghana in accordance with the EPA Act 1994 (Act 490) and its amendment and Agency is expected to give environmental approval for Projects. The ESIA is being applied in Ghana to development projects as well as other undertakings as an environmental permitting pre- requisite and a major environmental management tool. The EPA is represented in all the ten (10) regions of the country and will support the project by exercising its permitting and monitoring powers. Though the Agency's technical capacity may be adequate there is some concern with regard to logistics especially transport and personnel which may therefore limit its effectiveness.

The Ghana EA procedures are largely in agreement with the World Bank policies and procedures and the former is now well entrenched in the country to assure satisfactory environmental and social performance of the potential projects to be developed under this project.

Metropolitan, Municipal and District Assemblies (MMDAs)

The Ministry of Local Government and Rural Development (MLGRD) exists to promote the establishment and development of a vibrant and well-resourced decentralized system of local government for the people of Ghana to ensure good governance and balanced rural based development. The Government of Ghana has been pursuing a policy of decentralisation to:

- Establish institutions through regional participation in decision making, and
- Devolve power and authority to the local level

There are 170 Metropolitan, Municipal and District Assemblies (MMDA) in Ghana. The MMDAs represent government at local level. They have been made responsible for the overall development of their constituencies and are mandated to be the legal planning authority. The National Development Planning Commission (NDPC) issues guidelines for the preparation of the districts' Medium-Term Development Plans. Preparation for the 5-year plans is participatory involving local stakeholders and civil society and annual budgets are set to implement the plans.

The Tourism Act 2011 decrees that GTA will be have an officer in each district. These will need to set up an office at or near the DA offices and build up a relationship with the assembly to ensure that tourism development is part of the MMDA's plan.

Civil society

Several non-governmental organizations (NGO) have ben quite active in the tourism sector over the years and have worked with government institutions to develop and in some cased manage tourism activities in Ghana.

In the Central Region, the *Ghana Heritage Conservation Trust (GHCT),* a not for profit NGO, was established in August 1996 to consolidate and further the progress made through the Natural Resources Conservation and Historic Preservation (NRCHP) Project, initiated by the Central Regional Administration in 1989. Its mission is to support and assist in the conservation, protection and maintenance of the Cape Coast and Elmina Castles and the Fort St. Jago, as well as the Kakum Conservation Area where they manage the tourism facilities with the Wildlife Division. As such they are geographically focussed within a part of the Central Region, although their goal is to be able to extend their conservation activities to other parts of the region and to Ghana as a whole, if possible.

The *Ghana Wildlife Society (GWS)* is a national environmental NGO that focuses on Education and Public Awareness, Development and Conservation projects throughout Ghana. It manages two community-based tourism initiatives: the visits to the Nzulezu village on stilts in Western Region near Beyin as part of the Amansuri Conservation and Integrated Development (ACID) and community-based eco-tourism as an alternative to farming and tree cutting in the forest at Afadjato in the Volta Region and part of the Afadjato Community Forest Conservation Project.

Over the years, NGO's such Nature Conservation Resource Centre (NCRC), Ghana Rural Ecotourism and Travel Office (GREET), Ricerca e Cooperazione (RC), Netherlands Development Organisation (SNV), Cooperazione per lo Sviluppo dei Paesi Emergenti (COSPE) have been involved in projects to increase the participation of local communities in the tourism sector.

Traditional rulers and chiefs

Traditional rulers are important to tourism development as often they own or control land that may be appropriate for tourism development, have strong ideas and opinions about what should be developed in their jurisdiction and can strongly influence local communities. Tourism should always be developed with the acceptance participation of the local communities living in the area. Where there is conflict between local chiefs, this often affects tourism development and community

participation.

4.6 World Bank Safeguard Policy on Involuntary Resettlement

The World Bank's safeguard policy on involuntary resettlement, OP 4.12, (December 2001) is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to access to natural resources, may take place as a result of the project. It includes requirements that:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons physically displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

According to OP 4.12, the resettlement plan should include measures to ensure that the displaced persons are:

- Informed about their options and rights pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
- Provided prompt and effective compensation at full replacement cost for losses of assets attributed directly to the project.

If the impacts include physical relocation, the resettlement plan should include measures to ensure that the displaced persons are:

- Provided assistance (such as moving allowances) during relocation; and
- Provided with residential housing, or housing sites, or as required, agricultural sites for which a combination of productive potential, location advantages, and other factors is at least equivalent to the advantages of the old site.

Where necessary to achieve the objectives of the policy, the resettlement plan also should include measures to ensure that displaced persons are:

- Offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and
- Provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training, or job opportunities.

4.7 Gaps between World Bank Safeguards Policies and Ghanaian Provisions

There are significant gaps between Ghanaian regulations and World Bank policies. These are summarized in **Table 2.** Where there is discrepancy between national policy and the World Bank policies, under this project, gap filling measures have been identified and the World Bank policies will apply in accordance with this RPF.

Table 2: Comparison of Ghanaian Regulations with the World Bank Policies

Topic	Ghana legislation requirement	WB policy requirement	Proposed Gaps Filling Procedures
Timing of compensation payment	Prompt	Prior to displacement	Compensation payments are to be done prior to displacement.
Calculation of compensation	Fair and adequate Equivalent replacement cost approach. Depreciation factored.	Full replacement cost	The Full Replacement Cost Approach will be adopted for the calculation of compensation. No depreciation will be considered.
Squatters	No provision for PAPs with no claim whatsoever to land. Are deemed not to be eligible and therefore not entitled to compensation	Are to be provided resettlement assistance (but no compensation for land)	Squatters are to be provided resettlement assistance (but no compensation for land)
Resettlement	In the event where inhabitants have to be physically displaced, the State is to resettle them on *"suitable land with due regard for their economic well-being and social and cultural values"*.	Affected people who are physically displaced are to be provided with residential housing, or housing sites, or, as required, agricultural sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.	Physically displaced PAPs are to be provided with housing sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based (i.e. farmers, etc.). Alternatively, physically displaced PAPs can also be given equivalent cash compensation to be able to acquire similar land and put up a housing unit equivalent to the affected structure
Resettlement assistance	No specific provision with respect to additional assistance and monitoring.	Affected people are to be offered support after displacement, for a transition period	Affected people are to be offered resettlement support to cover a transition period
Vulnerable groups	No specific provision	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, elderly, women, children.	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women especially widows and single parent and children.
Information and consultation	The owner/occupier of the land must be formally notified at least a week in advance of the intent to enter, and be given at least	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in

Topic	Ghana legislation requirement	WB policy requirement	Proposed Gaps Filling Procedures
	24 hours' notice before actual entry	offered opportunities to participate in planning, implementing, and monitoring resettlement.	planning, implementing, and monitoring resettlement.
Grievance	Access to Court of Law and Alternative Dispute Resolution (ADR) options	Appropriate and accessible grievance mechanisms to be established	Appropriate and accessible grievance mechanisms to be established via the informal ADR approach

5 PROJECT ACTIVITIES AND POTENTIAL IMPACTS ON ASSETS AND LIVELIHOODS

As listed earlier, the proposed project has four primary components:

1. Strengthening institutions and the tourism enabling environment;
2. Developing Tourism Sites and Destinations;
3. Tourism enterprise support; and
4. Project management, Monitoring & Evaluation.

The activities in Component 2 will involve provision of infrastructural services (civil works support ranging from rehabilitation of yet-to-be identified existing sites, to new and yet to be identified sites). The potential project infrastructure to be provided may include the following:

- Rehabilitation and refurbishment of old heritage buildings
- Construction and upgrading of private and public buildings (hotels, guest houses, shops, stalls, health posts, security posts, information centres etc)
- Construction and Upgrading of access roads
- De- silting of waterways and widening of river channels etc
- Construction of water associated infrastructure such as bridges, jetties
- Relocation of settlements
- Solid waste management
- Provision of public sanitation facilities (toilets, urinals etc)
- Etc

The nature and scope of planned works under the project may present some significant social and environmental risks. In particular, the process of implementing physical works and the (in)actions of contractors are expected to extend both positive and negative environmental and social impacts through interactions with the human and natural environment of the project.

Based on experiences with similar projects, the project implementation may result in physical and economic displacement of local populations, restriction of access to residential and commercial properties as well as occupational health and safety concerns and intrusion on physical cultural relics and natural protected environments. The environmental regulations of Ghana and the World Bank's operational policies on environmental and social safeguards require that projects that present significant risks to communities and the environment must assess, plan, avoid, minimize and as a last resort, mitigate negative effects, while extending the development benefits that are presented by the project. Table 3 below summarizes proposed works or subprojects and their general anticipated impacts on involuntary resettlement and f mitigation actions.

Table 2: Generic Project Impacts on Assets and Livelihoods

Type of Activities	Potential Impact on Assets, Livelihoods					Mitigation Guides
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
Rehabilitation and refurbishment of old heritage buildings	No land required	No crops affected	Demolition or removal of permanent and/ or temporary structures anticipated	Some Livelihoods and economic activities may be disrupted including permanent displacement or temporary disruptions of business structures and facilities.	Cultural heritage resource to be preserved	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement.
Construction and upgrading of private and public buildings (hotel, guest houses, security posts, health facilities, shops, stalls)	Land may be required both temporarily and permanently	Crops may be affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	Not anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement.
Construction and upgrading of access roads	Land may be required both temporarily and permanently	Crops may be affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	Cultural heritage resources may be affected eg. Chance finds	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement
De- silting of waterways, construction of water associated	Land may be required both temporarily and permanently	Crops may be affected including vegetable	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected including permanent or temporary shops	Cultural heritage with respect to the affected rivers	ARAP or RAP to be prepared and implemented depending on the scope

facilities such as jetties, bridges		farmers along river banks				of involuntary resettlement
Solid waste recycling/ treatment/ disposal facilities	Land may be required permanently	No crops may be affected	Demolition or removal of structures anticipated	Livelihoods may be affected	No cultural issues anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement
Provision of public sanitation facilities (washrooms, toilets etc)	Land may be required permanently	Crops may be affected	No demolition or removal of structures anticipated	Livelihoods may not be affected	No cultural issues anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement
Relocation of settlements	Land may be permanently required	Some crops may be affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	Cultural issues anticipated	ARAP or RAP to be prepared and implemented depending on the scope of involuntary resettlement n

6 PRINCIPLES, OBJECTIVES AND RESETTLEMENT PROCESS

6.1 Principles and Regulatory Framework

The WB principles regarding involuntary resettlement are the basic fundamental requirements that underpin the preparation and implementation of the resettlement instrument. These principles are intended to avoid, minimize or mitigate negative impacts of involuntary resettlement.

Any impact of this project on land and/or people (land acquisition, resettlement, and livelihood restoration of affected people) will be addressed in compliance with the relevant laws and regulations of Ghana, and with the World Bank safeguard policy on involuntary resettlement (OP 4.12). Where there are gaps or inconsistencies between Ghanaian laws and the World Bank policy, the World Bank policy OP 4.12 will apply in compliance with this RPF.

6.1.1 Minimization of Physical Displacement

In line with the World Bank safeguard policy OP 4.12, this project will consider design options to first avoid any displacement. Where displacement is unavoidable, alternatives will be explored to minimize or mitigate displacement. The following design procedures will be applied:

- To the extent possible, existing buffer areas/ reservations and government lands will be used;
- Wherever inhabited dwellings may potentially be affected by a component of a project activity or sub-project, an alternative site or land will be sought or the activity/sub-project shall be redesigned to avoid any impact on such dwellings and to avoid displacement/relocation accordingly;
- Wherever the impact on the land holding of one particular household is such that this household may not be sustainable in the long term, even if there is no need to physically displace the household, the project activity shall be redesigned or another house reconsidered to avoid any such impact;
- Minimization of land impact will be factored into project designs and technology selection and design criteria;
- Costs associated with displacement and resettlement will be internalized into project activity costs to allow for fair comparison of processes and sites;
- To the extent possible, project facilities will be located on lands with no structures;
- Land owners who have access to lands without encumbrances will be considered for use, especially for temporary acquisitions; and
- Infrastructure required by the project will be sited on government lands which has not been encroached or private lands which the owner is willing to release to the project under the programme without any compulsion.

6.1.2 Cut- off date

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

To ensure consistency between Ghanaian legal requirements and WB policies, this cut-off date should be the date of inventory of assets/properties.

In line with OP 4.12, the following three categories of affected people will be eligible to Project resettlement assistance:

a) Those who have formal legal rights to land (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country);
b) Those who do not have formal legal rights to land at the time of the cut-off-date but have a claim to such land or assets-provided that such claims are recognized under the laws of Ghana or become recognized through a process identified in the resettlement plan; and
c) Those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) above are provided compensation for loss of land and assets and other assistance as needed. Persons covered under (c) above are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, if they occupy the project area prior to the cut-off date.

In practice, this means that people usually considered in Ghana as "squatters" will be entitled to project assistance as long as they are present on site at the cut-off date. However, persons who encroach on any project area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons in the three categories above are provided compensation for loss of assets other than land (i.e. structures and crops). The cut-off date will be publicly disclosed and PAPs will be adequately informed.

6.1.3 Income and livelihood restoration

One paramount principle of World Bank safeguards is that where people are affected by land take, the aim of resettlement must be that they should be "no worse-off if not better off" after the resettlement has taken place. Where impact on land use is such that people may be affected in the sustainability of their livelihoods, preference will be given to land-for-land solutions rather than cash compensation, in consistency with the Constitution of Ghana and with OP 4.12.

This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their sustainability. Affected people will be monitored in the rehabilitation of their livelihood during, and after the transition period. Livelihood restoration measures will be assessed in

relevant Resettlement Action Plans (RAPs) and Abbreviated Resettlement Action Plans (ARAPs) depending upon the specific situation of the considered location.

6.1.4 Compensation payment

Compensation principles will be as follows:

- Compensation shall be paid prior to physical displacement / land entry; and
- Compensation for structures will be at full replacement value and land at the current market value or above.

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

6.1.5 Consultation- Grievance Mechanisms

The Ghanaian law requirements on consultation and information, as well as those related with grievance management, fall short of meeting WB requirements. The application of these will require:

- Meaningful information and consultation to take place before the process leading to displacement is launched in each particular location concerned for a project activity; and
- Specific grievance registration and processing mechanism to be put in place.

6.2 Objectives of the resettlement/ compensation program

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

- To avoid or minimize displacement and cash compensation as much as possible;
- To ensure that project affected people are consulted and their concerns included in the resettlement/compensation programme for implementation;
- To ensure that project affected people are adequately compensated for deprivation of use of land, loss of crops and structures (either farming or business/ residential structure or communal property);
- To compensate the affected units and enterprises for their loss at full replacement cost;
- To identify vulnerable groups including the elderly, physically challenged, women heads etc among the project affected people and prescribe any special assistance they may require in terms of extra attention during the implementation of the programme; and
- To meet both national regulatory and WB requirements.

6.3 Resettlement Processes

6.3.1 Categorization of project activities with respect to land needs

As far as land needs and resettlement requirements are concerned, two different situations may be encountered in the course of the implementation of the projects at any tourist site:

a. The project component has no land need other than already acquired State land (e.g. the existing river buffer zones or road reservations). But these lands may be encroached upon.
b. The implementation of the project component (e.g. construction of new solid waste facilities) may require land acquisition (e.g. involuntary land acquisition from individuals with freehold title and involuntary land acquisition from communities or encroached public lands).

In situation a) above, the fact that there is no land acquisition involved means that procedures required by the Ghanaian law do not need to be triggered. Proposed processes will therefore be consistent with WB requirements only. Situation b) is more complex because it implies that both Ghanaian procedures and WB requirements are to be followed.

6.3.2 Overview of the resettlement preparation process

According to the World Bank Operational Policies on involuntary resettlement, preparation of a resettlement instrument is a condition for appraising projects involving involuntary resettlement. In case of projects with sub-projects like the Tourism Development Project, the Bank requires that a satisfactory Resettlement Action Plan (RAP) or an Abbreviated Resettlement Action Plan (ARAP) that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the sub-project is accepted for Bank financing (OP/BP 4.12)

When specific site locations are determined, the resettlement preparation process will begin with screening of subprojects/ activities to determine if there is need for the preparation of any resettlement instrument (ARAP or RAP). A sample screening checklist to identify cases of involuntary resettlement is provided in **Annex 1**. The number of affected people will determine whether the process is to include the preparation of a full RAP or of an ARAP. The PCU will use the GTA project teams to determine the number of affected persons/assets under any project activity that is likely to generate resettlement related or compensation issue.

Resettlement Action Plan (RAP)

The RAP will be prepared where more than 200 individuals are displaced. The tasks/ToR and content for the preparation of the RAP is given in **Annex 2**. All RAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing civil works.

Abbreviated Resettlement Action Plan (ARAP)

The ARAP will be prepared where less than 200 individuals are displaced. The tasks/ToR and content for the preparation of the ARAP is given in **Annex 3**. All ARAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing project activities on the fields or civil works on the ground.

Census of Affected Persons & Assets/ Socio-economic baseline census

Upon identification of the need for involuntary resettlement in a sub-project, the project will carry out a census to identify the persons who will be affected by the sub-project. This will help the project to determine who will be eligible for assistance early enough in the project cycle. It will also help to prevent an inflow of ineligible people living outside the sub-project area of impact but who might want to take advantage and claim for assistance. The completion of the census will mark the cut off-date for eligibility for compensation. **Annex 4** shows a framework for the census of affected assets and people.

Consultations during resettlement action planning and implementation

Consultations with stakeholders including PAPs will be an integral part in the ARAP or RAP preparation, implementation and monitoring processes at all stages and stakeholders should have access to the ARAP/ RAP. Consultations should happen in local language where possible; women should be consulted separately if that is more appropriate. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc.

7 PROPERTY VALUATION AND COMPENSATION

7.1 Valuation of Properties

The purpose of the valuation is to assess the overall Compensation Payable as part of the assessment of resettlement related issues under this project. The scope of the valuation covers land, structures and crops/economic trees on the project site to be affected. Loss of income or disruptions to livelihoods are considered as far as it may be appropriate for payment of compensation for the period of disruption of farming /livelihood/business.

7.1.1 Basis of Valuation

The basis of the valuation are derived from the World Bank's Involuntary Resettlement Policy, OP 4.12; the States Lands Act 1962; and the Constitution of Ghana.

7.1.2 Valuation methods and compensation rates

The table 4 below provides the general guideline for cost preparation and method for valuing affected assets/ properties taking a cue from sampled RPFs prepared for other public sector projects. In this context, the compensation is the amount required, so far as money can do so, to put the owner or user of a land or building in the same position as if his/her use and enjoyment has not been disrupted. In other words, it is based on the principle of "Full Replacement Cost".

Land

The Market Comparison Approach (MCA) will be adopted for the valuation of land if there is a vibrant and free land market. It involves the direct comparison of the property's value determining features with those of the immediate and surrounding vicinity that sold recently. In applying this method, values of plots of land from the neighbourhood of the sites will be collected, compared, adjusted to take account of minor differences, and applied to arrive at the reported values. This is to ensure that the values obtained would be adequate to secure in-kind alternative land or cash compensation for the affected owners. Alternatively, the negotiation approach should be adopted if there is no availability of vibrant and free land market, in which case the investor or interested individual will negotiate with the land owner and agree upon an amicable price for the leasing of the land.

Structures

The full Replacement Cost Approach (RCA) will be adopted for the valuation of the structures. It involves finding the estimate of the gross replacement cost of a structure which is the estimated cost of constructing a substitute structure, having the same gross area as that existing, at prices current at the relevant date. For the purpose of this valuation, the affected assets/structures and development will not be depreciated in line with the World Bank requirements.

Crops/Economic Plants

The Enumeration Approach will be adopted for affected crops/economic plants under the project. The Enumeration Approach involves taking census of the affected crops (either by counting or area) and applying updated Land Valuation Division crop rates.

The existing approved Land Valuation Division crop rates available is of 2014. Updated valuation rates to be applied under this project will ensure that the crop rates compensate for the labour and equipment invested in the crop cultivation as well as the replacement cost of crops lost to ensure that the rates are in harmony with the full replacement value requirements.

7.1.3 Valuation responsibility

The Regional Valuation officers from the Lands Valuation Division of the Lands Commission will be engaged to value affected assets/properties based on the full replacement cost principle (which include transaction cost such as labour and transport cost). Certified private valuers may also be engaged where necessary especially involving private persons or if required to assist the process. These professional valuers to be used will be required to provide evidence where necessary that the rates applied are consistent with the "full replacement value" requirement.

7.2 Other considerations into the Compensation Package

Livelihood Assistance/Loss of Income

The estimation for loss of income (referred to as livelihood assistance) for affected businesses/ farmers will be generally based on the following factors:

- Estimated income of the business unit or farmers or daily sales of produce from farms; and
- Estimated period of construction or project activity which will disrupt business or commercial activity.

Losses of income for businesses will be estimated from net monthly/annual profit of the business verified by an assessment of visible stocks and activities, and similarly for a farm.

Resettlement/Relocation Assistance

Where PAPs are to be physically displaced or relocated, resettlement assistance should be provided to take care of the transport cost of mobilising and moving the affected properties to a new location and an accommodation assistance where affected persons will have to rent accommodation at the initial stages.

Disturbance Allowance

Cost of disturbance is one of the components to be considered when determining compensation for PAPs (especially for affected structures, crops and livelihoods) as provided in the State Lands Act 1962. However, the LVD does not provide specific breakdown or constituents for the various components of the LVD rates or values for public consumption. As a result, based on the experience from other WB funded projects, 10% of the assessed property/ loss of income if that is the only compensation

due the PAP was included in the RPF and applied during the preparation of the ARAPs and RAPs. It is recommended that this project also applies the 10% disturbance allowance.

7.3 Types of Compensation

The types of compensation recommended for use in the implementation of the RPF/ARAP/RAPs include cash payment and in-kind compensation.

Cash payment: Cash payment compensation will be calculated and paid in Ghana Cedis (GHS). Rates will be based on market value of land when known or estimated or negotiated and full replacement value of structures/crops.

b. In-kind compensation: In-kind compensation may include items such as land, buildings, building materials, seedlings, agricultural inputs, agricultural produce and financial credit for equipment etc.

7.4 Compensation Payments/ Claim

Compensation will be paid by cash or cheque to beneficiaries prior to the affected person vacating or releasing the land or property. The project will consider a reasonable timeframe to allow PAPs salvage any valuables before vacating the site. In cases where compensation will have to be paid in-kind, the PCU and the PAPs should confirm in the MOU if such in-kind compensation will be before or after releasing of land for the tourism project. Each eligible affected person will sign a compensation claim and commitment form (**see Annex 5**) together with the authorized project representative in the presence of a witness. The compensation claim form will clarify mutual commitments as follows:

- On the project side: commitment to pay the agreed compensation, including all its components (value of affected property- cash or in-kind, disturbance, assistance to farmers to continue with farming occupation and or relocation/transportation assistance if any);
- On the affected person's side: commitment to vacate or release the land by the agreed date.

Table 3: General guidelines and methods for costs preparation

Item	Types	Method
Land	Customary lands, private lands	Prevailing market value of the land to be acquired if there is a vibrant and free land market. Otherwise a negotiated price will be agreed.
Structures	Any type of structure, e.g. mud houses, wooden structures, sandcrete block houses, etc	Full Replacement Cost method. No depreciation will be applied.
Crops/Plants	Food and cash crops/economic plants (cassava, maize, oil palm tree, cocoyam, plantain etc)	Enumeration approach and applying updated LVD rates. Crop rates will take care of labour and equipment invested in the crop cultivation as well as the replacement cost of crops lost

Item	Types	Method
Cultural heritage resources	Sacred groves, cemeteries, shrines	1. Option 1: Avoidance and an alternative site selected for project. 2. Option 2: Relocation of shrine if possible or performance of necessary rituals/pacifications in consultation with and acceptable to the traditional authorities or community leaders. The project may negotiate any other options suggested by the PAP.
Loss of income and livelihood	Farming, businesses etc.	Estimation of net monthly/annual profit for business based on records; application of net monthly/annual profit to the period when business is not operating.
Disturbance allowance	-	10% of affected property value /compensation.

8 ELIGIBILITY CRITERIA AND ENTITLEMENT MATRIX

Project affected persons are described as persons affected by land acquisition, relocation, or loss of income associated with the acquisition of land and/or other assets. Based on an understanding of the social structure of the urban communities and the nature of the project activities, it is possible to suggest that the most likely project affected persons (PAPS) will comprise individuals, farmers, traditional authorities, communities and companies/organizations as a whole. **Table** below presents the eligibility criteria and entitlement matrix for the general categories of impacts that could occur under this project.

Table 4: Eligibility Criteria and Entitlements

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
Land	Permanent acquisition of land, i.e. leasing of land	Landowner (individual, family, community/stool)	Owns the affected plot of land under Ghanaian laws including customary	1. Cash compensation for the lease as agreed among the parties via negotiation or prevailing market rates.
	Temporary occupation of land	Landowner (individual, family, community/stool)	Owns the affected plot of land under Ghanaian laws including customary	1. Compensation (in cash or kind) for the period of occupation as agreed among the parties via negotiation.
Crops (food/cash crops and economic trees inclusive)	Destruction of/ damage to standing crops	Owner or Farmer	Have grown the affected crop (regardless of related plot ownership)	1. Cash compensation for standing crops counted at valuation date and based upon updated LVD rates, and 2. Disturbance allowance of 10% of (1)
Structures	Destruction of immovable structures	Owner	Owns affected structure	1. Compensation at full replacement cost of structure including cost of registration and transfer taxes 2. Cost of moving (e.g. persons/ goods in the structure under or belonging to owner) 3. Disturbance allowance of 10% of (1)
		Occupant	Live in or use the affected structure on rental basis (Occupant different from owner)	1. Cost of renting similar structure (e.g. for 3 months duration) 2. Cost of moving out to new place 3. Disturbance allowance of 10% of (1)
	Relocation of movable structures	Owner	Owns the affected structure	1. Cost of moving affected structure to new site 2. Disturbance allowance of 10% of (1)
		Occupant	Use or occupies the affected structure	1. Cost of moving occupants to new site 2. Disturbance allowance of 10% of (1) [NB: if owner is same as occupant, he/she will not be entitled to this disturbance allowance].
Livelihoods	Agriculture - destruction of economic or cash crops	Farmer	Use affected land for farming as livelihood sources (emphasis on perennial crops. Annual crops can be harvested prior to land entry or destruction)	1. Cash compensation for any temporary loss of income or livelihood incurred as a result of the project during the transition period (period required to re-establish farm elsewhere).

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
	Businesses	Business person (may be distinct from owner of structure where business takes place)	Operate a business on Project affected land, regardless of the land ownership situation (includes squatters)	1. Cash compensation of temporary loss of income or livelihood incurred because of the Project during the period required to re-establish the business to pre-Project conditions
	Use of communal resources	User of such resources (can be individuals or communities)	Use communal resources as an element of livelihood	1. Assistance in identifying and accessing similar resources elsewhere 2. Cash compensation of temporary loss of income incurred because of the Project during the period required to access similar resources elsewhere/period required to provide alternative livelihood assistance
Cultural heritage resource (e.g. sacred site).	Relocation of or removal of or access to cultural heritage resource located on project site	Owner (individual or community). Local traditional authority	Use or pay homage to cultural heritage resource/ sacred site	Negotiate with traditional authority or community with regard to rites to be performed to ensure successful access to, relocation or removal of cultural resource/ sacred site.

9 GRIEVANCE REDRESS MECHANISM

Grievance redress mechanism (GRM) is the institutions, instruments, methods, and processes by which a resolution to a grievance is sought and provided. The consultations of project affected persons and other key stakeholders at the very early stages of project implementation will ensure that their concerns are taken care of during implementation and would help minimize disputes or conflicts arising from implementation of any project activity.

9.1 Objective

The objectives of the grievance process are to

- Provide affected people with avenues for making a complaint or resolving any dispute that may arise during the course of the implementation and determination of entitlements of compensation and implementation of the project;
- Ensure that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoid the need to resort to judicial proceedings.

Court cases are known to be cumbersome and time consuming. It is therefore proposed to make available a simple procedure for affected persons to be able to follow easily, and which will provide aggrieved people with an avenue for amicable settlement. Aggrieved people would however remain free to open a Court case without having registered their grievance as made possible by the Ghanaian law.

9.2 Potential sources of grievance/ disputes

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

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

9.3 The Grievance Redress Process

The general steps of the grievance process comprise:

- Registration/receipt of Complaints;
- Determining and Implementing the Redress Action;
- Verifying the Redress Action;
- Monitoring and Evaluation; and
- Dissatisfaction and Alternative Actions.

9.3.1 Registration/ Receipts of complaints

The project will establish a register of resettlement/compensation related grievances and disputes at each site. The receipt of complaints will include its logging and registration as this will help with monitoring the status of the grievances and ease of reporting on them. The existence and conditions of access to this register (where, when, how) will be widely disseminated through local FM stations or beating of gong gong within the project community/town as part of the consultation undertaken for the project in general.

The complaints will be lodged verbally or in writing to the proposed tourism project office where a person will be designated to receive all complaints. The elected local Assemblyman/woman for the project area could also receive complaints from PAPs (because the Assemblyman/woman lives within the community and may be closer to the PAPs and some PAPs may prefer to route their complaints through the Assemblyman/woman and avoid undue transport and time cost to the office). The Assemblyman/woman will ensure that such complaints reach the designated person at the tourist project office within 24 hours via phone call or through any other means. The designated person will receive all complaints and shall officially register these complaints using the first section of the proposed complaint registration and resolution form provided in **Annex 6**. The designated person at the tourism project office will inform the regional GTA within 24 hours on any complaint lodged.

9.3.2 Determining and Implementing the redress action

When a grievance/dispute is recorded as per above-mentioned registration procedures, the Grievance Redress Team (GRT) will be called into action, and mediation meetings will be organized with interested parties. Minutes of meetings will be recorded.

The GRT (comprising the Assembly person, local community leader, representative from the Assembly and the regional GTA) will first investigate the foundation of the grievance and then determine the redress action in consultation with the complainant and concerned party if necessary. Otherwise, the grievance redress team will communicate to the complainant on the acknowledgement of the grievance, the redress action proposed and the timeframe for implementation.

The proposed redress action and the timeframe in which it is to be implemented will be discussed within 5 working days of receipt/registration of the grievance. The grievance issue should be resolved within 10 working days of receipt of complaints.

9.3.3 Verifying the redress action

The grievance redress team will visit the affected property site or get in touch with the complainant to confirm that the redress action is carried out. If the complainant is dissatisfied with the outcome of the redress proposal or action, additional steps may be taken to resolve the issue or reach an amicable agreement. Verification should be completed within one week of execution of the redress action.

9.3.4 Monitoring and Evaluation

The Monitoring and Evaluation Team from the PCU will monitor the activities of the Grievance Redress Team to ensure that complaints and grievances lodged by PAPs are followed-up and resolved amicably as much as possible. Specific indicators will include number of grievances received, number resolved within the stipulated time, number outstanding, number in court etc.

9.3.5 Dissatisfaction and Additional Steps

2nd Tier Amicable Mediation and Settlement

If the complainant is not satisfied with the decision of the grievance redress team, he/she can bring it to the attention of the PCU safeguard person. Otherwise the GRT should forward the issue to MoTAC PCU for further action. The PCU in consultation with the regional GTA safeguard person will set up an appropriate mediation team to resolve the issue within 2 weeks from the date of receipt of such a decision by the project. If such a time line is not possible, the PCU should inform the Chief Director, MoTAC and the complainant accordingly giving reasons and possible new date.

Appeal to Court

If the complainant remains dissatisfied with the mediation effort of the PCU and the Chief Director, the complainant has the option to pursue appropriate recourse via judicial process in Ghana. The Constitution allows any aggrieved person the right of access to Court of law. Courts of law will be a "last resort" option, in view of the above mechanism.

9.4 Membership, Function and Financing of the GRT

The Grievance Redress Team (GRT) will include the following:

- Proposed tourist project office representative,
- Representative of the Assembly;
- The elected local Assemblyman for the project area

- Representative of the community leadership/ traditional authority, and
- Regional GTA safeguard person.

In addition to the main function of resolving grievances, disputes, complaints and conflicts, the GRT will also

i. Ensure smooth implementation of the resettlement instrument;
ii. Establish dialogue with the PAPs; and
iii. Ensure that their concerns and suggestions are incorporated and implemented during the project.

It is important that the grievance redress teams be made known or be set up as soon as land acquisition or resettlement plan preparation starts. Disputes can arise from census operations and preliminary siting of subprojects and it is therefore important that the mediation mechanisms be available to cater for claim, disputes and grievances at the early stage. The activities of the GRT will be financed by the project.

9.5 Schedule Template for Grievance Redress and Institutional Responsibilities

The table below presents a summary of the grievance redress procedure with institutional roles and responsibilities.

Table 5: Schedule template for grievance redress

Steps	Process	Description	Time frame
1.	Grievance receipt and registration/ logging	-Face to face; phone; letter, recorded during public/ community meetings; recorded from Assembly person, etc -Significance assessed and grievance recorded or logged using the model complaint form and filed.	1-2 Days
2.	Development and implementation of response	-GRT meets or takes a decision on the grievance -Grievance assigned to appropriate party for resolution if necessary -Response development with input from relevant stakeholders -Redress response/action approved by GRT and logged -Redress response/update of progress on resolution communicated to the complainant -Start implementing redress action	5- 10 Days
3	Verifying the implementation of redress action	-Redress action implemented and verified by GRT. -GRT satisfied with implementation of redress action	10-15 Days
4	Close grievance or refer grievance to 2nd tier resolution	-Completion of redress action recorded or logged -Confirm with complainant that grievance can be closed or determine what follow up is necessary -Record final sign off of grievance	15-25 Days

Steps	Process	Description	Time frame
		If grievance cannot be closed, return to step 2 or recommend 2nd level settlement	
5	Court of law	-if 2nd level settlement does not address dispute, complainant can resort to court of law	Unknown
6	Monitoring and evaluation, and reporting	Grievance Redress Mechanism Process is documented and monitored	-

10 CONSULTATIONS AND DISCLOSURE

10.1 Stakeholder consultations

Stakeholders have been engaged during the preparation of this RPF. The list of stakeholders and discussions as well as concerns/ suggestions has been provided in the **Annex 7**. The stakeholders ranged from public officials to community members. Special meetings were held with women and youth to obtain their separate views and concerns.

10.2 Consultation and Disclosure Requirements for the RPF

The resettlement instrument will be disclosed in compliance with World Bank operational policy, OP 4.12, which states that:

"As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its website (infoshop). After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner."

As provided under WB policy OP 4.12, disclosure and consultation on the project's Resettlement Policy Framework will be organized as follows:

- Circulation of the draft RPF for comments to all relevant institutions (e.g. MDAs, MMDAs involved with the project, Land Valuation Division/Lands Commission, EPA, CSOs/ NGOs and the World Bank;
- Communication of comments to the Consultant for incorporation into a final RPF, together with World Bank comments; and
- Public Disclosure of final RPF (after reviewed and cleared by both GoG & World Bank) both in-country (e.g. relevant MMDAs, MDAs, regional EPA offices) and at the World Bank website.

11 VULNERABLE GROUP CONISDERATIONS

11.1 Identification of vulnerable groups

Vulnerable groups are those at risk due to the displacement, compensation, and resettlement process. There may also be some PAPs who are already vulnerable based on their existing conditions such poor health, disability, old age etc. project impact could worsen their condition. The project will identify such persons during census for the Resettlement Action Plan (RAP) or Abbreviated Resettlement Plan (ARAP) preparation when project scope and activities are properly identified and confirmed. The project will pay attention to the conditions of the following categories during implementation:

- The elderly, usually from 70 years and above;
- Widows, Women and children;
- Physically challenged persons;
- Mentally challenged/highly depressed persons;
- Affected Persons who are too ill, bedridden, hospitalized or stricken with HIV/AIDS;
- Unemployed youth;
- Female headed households; and
- Migrant/settler farmers without proper land documents.

11.2 Assistance to vulnerable persons

Assistance to vulnerable persons will be outlined in the RAP following the census and may take various forms depending on the circumstance of their vulnerability and needs. Assistance to vulnerable people may include but not limited to the following:

- Similar to all PAPs, assistance in financial literacy training especially for women and assistance in compensation payment procedures (e.g. going to the bank with them to cash the compensation cheque);
- Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery;
- Assistance in moving: providing vehicle, driver and assistance at the moving stage;
- Where compensation is determined in-kind payment, vulnerable persons should be paid in cash if they so desire;
- Assistance in building: providing materials, workforce, or building houses; and
- Access to Health insurance and assistance to medical facilities for critically ill PAPs.
- moving and rent subsidy for transition period.

11.3 Provisions to be made in RAPs/ARPs

Vulnerable people will be identified at census stage. Each RAP or ARAP developed under the project if any, should make precise provisions with respect to assistance to vulnerable groups. Identification of vulnerable people and identification of the cause and impacts of their vulnerability, either through direct interviews by the RAP/ARAP consultant or the proposed tourist project office at the project inception stage or RAP/ARAP stage is critical because often vulnerable people do not participate in community meetings, and their disability/vulnerability may remain unknown.

12 MONITORING AND EVALUATION

12.1 Objectives of monitoring and evaluation

Monitoring and Evaluation are key components of the RPF. The general objectives are:

- Screening and identifying subproject activities that require the preparation of an ARAP or RAP;
- Monitoring of specific situations or difficulties arising from implementation, and of the compliance with the objectives of the RPF and methods as set out in this RPF;
- Evaluation of the impacts of the Resettlement/Compensation Actions on PAPs' livelihood, environment, local capacities, on economic development and local communities.

Monitoring aims to identify and address implementation challenges during the course of the project, as required, while evaluation is intended at checking at the resettlement benefits that have been delivered to PAPs to ensure the output or outcome are consistent with the resettlement policies of the World Bank and relevant country laws. Monitoring and Evaluation reports will provide lessons for amending strategies and implementation in a longer term perspective.

12.2 Internal monitoring

12.2.1 Scope and content

Monitoring will address the following aspects:

- Social and economic monitoring:
    - Follow-up on the livelihood recovery status and business re-establishment of displaced or affected persons,
    - Follow-up on the socio- economic status of individuals benefitting from the project activities (livelihood, housing, etc,)
- Technical monitoring: status of infrastructure and housing construction where relevant;
- How complaints and grievances are managed.;

12.2.2 Monitoring indicators

The regional GTA will keep the following statistics on an annual basis:

- Numbers of households/individuals affected by the Project activities;
- Number of households/individuals physically or economically displaced;
- Numbers of households/farmers/individuals benefitting from the project activities;

- Number of women benefitting from the project activities;
- Number of youth (between the ages of 15 and 35 years) benefitting from the project activities;
- Number and sizes of individual, family or stool lands acquired for the project activities;
- Amounts of compensation paid; and
- Number of grievances registered and number resolved.

Reporting

The internal monitoring unit headed by the regional GTA safeguard officer will submit quarterly reports or as agreed to the PCU safeguard person. The report will at least cover status of compensation disbursement, nature of complaints, redress actions and follow-ups. An annual monitoring report will also be developed internally based on periodic reports.

12.3 Internal evaluation

12.3.1 Evaluation objectives

Reference documentation for the evaluation will be the following:

- This Resettlement Policy Framework;
- The Ghanaian laws and regulations as described in this RPF;
- The applicable World Bank Safeguard Policies, i.e. OP 4.12 "Involuntary Resettlement"; and
- ARAP or RAP prepared for the project activities.

The evaluation has the following specific objectives:

- General assessment of the compliance of the implementation of resettlement activities with objectives and methods as set out in this RPF;
- Assessment of the compliance of the implementation of resettlement activities with laws, regulations and safeguard policies as stated above;
- Assessment of resettlement and compensation procedures as they have been implemented;
- Evaluation of the impact of the resettlement and compensation programs on incomes and standard of living, with focus on the "no worse-off if not better-off" requirement;
- Identification of actions to take as part of the on-going monitoring to improve the positive impacts of the programme and mitigate its possible negative impacts, if any.

Evaluation of resettlement and compensation activities will be part of general assessment and review activities undertaken for the project activities as a whole. Internal evaluation arrangements will be carried out for the implementation of ARAPs/RAPs.

12.4 External monitoring and evaluation

The Project will engage a local consultant to carry out independent monitoring and evaluation of the RPF or any RAP/ARAP developed and implemented under this project. The Independent External Evaluation (IEE) will be done annually. The independent evaluation will determine:

- If all sub-project has been screened for Environmental and Social Risks
- If the right safeguards instrument has been prepared for sub-project that trigger involuntary resettlement

- If compensation payments have been completed in a satisfactory manner;
- If there are improvements in livelihoods and well-being of PAPs; and
- If grievances or conflicts emanating from the projects have been successfully resolved.

Several indicators will be used to measure these impacts. These include, among others,

- Comparison of income levels of PAPs before-and-after the RPF and or ARAP/RAP implementation;
- Comparison of income levels of households/individuals/ farmers benefitting from the Project;
- Livelihoods and employment assistance offered under the project and other accessible alternative incomes;
- Changes in standards of living/housing conditions of PAPs;
- Number of grievances and their status, time and quality of resolution;
- Number of vulnerable people/groups identified and assisted and impact of resettlement assistance provided on them;
- Number of demolitions if any after giving notice if any, and
- Number of PAPs paid in a given period in comparison with what was planned.

12.5 Completion audit

The World Bank Safeguard Policy, OP 4.12 states that upon completion of a project, the project proponent oversees an assessment to determine whether the objectives of the resettlement instrument have been achieved. Evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer-term perspective. The completion audit will allow the project to verify that all resettlement/compensation related measures identified in the RPF and any RAP/ARAP developed for that purpose were implemented or otherwise, and that compensation programmes have been completed in compliance with OP 4.12.

The audit will also evaluate and ensure that the actions prescribed in the RPF and any RAP/ ARAP and implemented had the desired effect. The Project may engage a local consultant to carry out the completion audit. The completion audit is to be undertaken after implementation of the RPF and or RAP/ARAP or when required to ascertain reported infractions in the RAP implementation process.

13 INSTITUTIONAL ARRANGEMENTS FOR THE IMPLEMENTATION OF THE RPF

13.1 Institutional responsibilities

The main institutions involved with the implementation of the compensation/resettlement related activities are:

- MoTAC Project Coordinating Unit;
- MDAs (MoTAC, MLNR, MLGRD, GTA, GMMB, FC (WD));
- MMDAs,
- Regional Land Valuation Offices;
- Environmental Protection Agency (EPA);
- Traditional Authorities/Community leadership;

The implementation activities will be under the overall guidance of the MoTAC PCU located at the Ministry. The responsibilities of the various institutions are presented in the table below.

Table 6: Institutional framework

No.	Institution	Responsibility
1.0	PIU (MoTAC)	• Overall supervision of the RPF. • Trigger the process through screening and inventory of affected persons and assets and implement plan. • Coordinate RAP preparation and implementation as required.
2.0	Regional GTA	• Assist with initial screening of subprojects and initial identification of PAPs • To assist with compensation negotiations (in kind) where necessary • To assist in grievance redress matters
3.0	Environmental Protection Agency (EPA)	• Review screening reports and advise on level of environmental assessment if necessary • Assist with training and capacity building of other institutions • Assist with external monitoring and evaluation RPF implementation and social impacts
4.0	Regional Land Valuation Offices/Lands Commission	• To assist in the valuation of affected properties and compensation due PAPs.
5.0	MMDAs	• Assist with the engagement of communities and PAPs

		• Assist with compensation payment arrangements including grievance redress
6.0	Traditional authorities, Community leadership	• To assist with community awareness creation, notifications and support in the inventory of affected persons and compensation related issues. • To assist in grievance redress matters
7.0	Consultants/NGO	• Prepare ARAP/RAP if necessary and assist with implementation and capacity building.
8.0	Ministry of Finance	• To provide funds for compensation payment.

The Ministry of Tourism, Arts and Culture has the overall responsibility for preparing the RPF and implementing same with World Bank approval. It will ensure that all compensation and resettlement related matters are carried out satisfactorily before rehabilitation/construction works commences.

The regional GTA will work with the proposed tourism project offices and the respective MMDAs to facilitate community orientation to fully understand and appreciate the processes and assist in implementation. Much of the work will be done at the tourism project site office with the assistance of the Assemblies being the local administrative authority, and with the support from the regional GTA to further ensure that:

- Communities are properly and adequately informed (timely) by the project consultants and contractors of the Plans, and also their rights and options relating to their properties that may be affected by the project and the compensation issues if any.
- Activities between different communities implementing the resettlement or compensation related plans are properly coordinated.
- Any grievances submitted by the affected persons are attended to as appropriate.

13.2 Resources, Technical Support and Capacity Enhancement

13.2.1 Resources available to deal with resettlement issues

The Project will engage a Safeguards specialist to be part of the PIU with allocated resources to manage, monitor and report environmental and social risks and impacts. In addition, the Project Coordination Unit will supervise the regional GTA safeguard persons to implement the RPF.

13.2.2 Technical support and capacity building

The capacity of the various players both at MoTAC and GTA to implement the RPF and the ESMF is very limited. There is the need to equip identified project persons with the understanding, skills and access to information, knowledge and training to enable them to perform effectively as safeguard persons.

The capacity building will include training workshops and production of guidance reports and tools. A comprehensive training programme has been recommended in the ESMF.

13.3 Preparation of ARAPs/ RAPs and setting up of resettlement management teams

Where an ARAP or RAP is prepared for this project, Resettlement Management Teams will be proposed and included in the documents. The resettlement management teams should consist of three smaller teams namely:

- Compensation Team;
- Grievance Redress Team; and
- Monitoring and Evaluation Team.

When the ARAPs/RAPs are finally approved for implementation, the PIU in consultation with the regional GTA will set up these resettlement management teams in line with the provisions in the ARAP/RAP. The Compensation Team will be responsible for organizing and ensuring that compensations due or payable to PAPs are made in line with the provisions and procedures of this RPF.

The Grievance Redress Team will be responsible for receiving and logging complaints and resolving disputes. The team will undertake follow-ups on all measures taken to resolve each grievance or dispute to ensure that redress actions are implemented by whoever is mandated to undertake such action. The Monitoring and Evaluation Team will be responsible for the monitoring of the resettlement instrument implementation to ensure that stated targets are met and project affected persons are duly compensated in line with the provisions in the resettlement instrument.

14 BUDGET AND FUNDING

14.1 Estimated budget to implement RPF

The estimated budget for implementing the RPF is presented in the table below.

Table 7: Estimated budget for RPF implementation

	Activity	Description	Item	Unit cost, US$	No	Total Cost, US$
1.0	Training and Sensitization/ Awareness Creation	MoTAC PIU, Regional GTAs project team members including safeguard persons	Workshop	5,000.00	4	20,000.00
		Tourism project site officers, Assembly persons, Traditional Authority, Community leaders	Workshops	5,000.00	8	40,000.00
		NGOs, Design and Supervising engineers and Contractors	Workshops	4,000.00	2	8,000.00
		Radio Discussions	Local FM stations	5,000.00	-	5,000.00
2.0	RPF Disclosures	Disclosure of RPF – Advertisements	National Dailies	LS	-	3,000.00
		Disclosure of RPF – copies to stakeholders	All relevant stakeholders	LS	-	5,000.00
3.0	External Monitoring and Evaluation	EPA – Resource Person	Transport /Accommodation	4,000.00	4	16,000.00
4.0	Completion Audit	Local Consultant	Lump sum fees	40,000.00	1	40,000.00
5.0	Staffing	Social safeguards specialist	Emoluments (4 years)	48,000.00/ year	4	192,000.00
6.0	Logistical support	Project Safeguards	Transport	20,000	1	20,000.00
		LVD/ Lands Commission	Transport	20,000	1	20,000.00
7.0	**TOTAL**					**369,000.00**

14.2 Budget for preparation and implementation of ARAPs/ RAPs

The estimated budget for implementing the RPF will be internalized into project costs. However, the budget for land acquisition including compensation cost for affected assets will be developed from the specific social assessment studies and mitigation/livelihood restoration measures to be developed under the preparation of the ARAP or RAP.

The cost will be derived from expenditures relating to (1) the preparation of the resettlement instrument, (2) relocation and transfer, (3) income losses and livelihood restoration plan, and (4) administrative costs. These bullet points give the cost centres:

Preparation of resettlement instrument (e.g. ARAP or RAP)

- Cost of survey of affected persons, valuation and inventory of assets
- Compensation payments for affected assets
- Fees of consultants/NGO to be engaged

Relocation Issues, if relevant

- Cost of moving and transporting items
- Cost of site and infrastructure development and services
- Subsistence allowance during transition
- Cost of replacement of businesses and downtime

Income and means of livelihood restoration plans

- Cost of estimating income losses and livelihood assistance

Administrative costs

- Operation and support staff
- Training and monitoring
- Technical assistance

The table below is a template for the itemization of budgets to be prepared under the resettlement plans with mainly cash compensation in mind. No resettlement housing is included. The template could be modified to suit local situation.

Table 9: Itemized budget

#	**ITEM**	**GHS**
1.0	**PREPARATORY PHASE COST**	
1.1	Inventory of affected persons, assets and livelihoods	
1.2	Valuation fees (LVD or private valuer)	
1.3	Preparation of resettlement plans or compensation reports	
1.4	***Subtotal 1 (Preparatory phase cost)***	

2.0	**COMPENSATION COST**	
2.1	Compensation for permanent acquisition of land	
2.2	Compensation for temporary occupation of land	
2.3	Compensation for destruction of standing crops	
2.4	Compensation for destruction of permanent immoveable structures	
2.5	Compensation for temporary displacement of moveable structures	
2.6	***Subtotal 2 (Compensation cost)***	
3.0	**LIVELIHOOD RESTORATION /MITIGATION MEASURES COST**	
3.1	Compensation for PAPs loss of income	
3.2	Compensation for business persons loss of income	
3.3	Cost of special assistance to vulnerable persons	
3.4	***Subtotal 3 (Livelihood restoration/mitigation cost)***	
4.0	**CAPACITY BUILDING & IMPLEMENTATION COST**	
4.1	Capacity building for key stakeholders	
4.2	Disclosure of resettlement instrument	
4.3	Logistical support and engagement of Safeguard Officer	
4.4	Cost for compensation disbursement/grievance redress/monitoring & evaluation activities	
4.5	Leg al fees (in case of court dispute)	
4.6	***Subtotal 4 (Capacity building & implementation cost)***	
5.0	**TOTAL COST (addition of all subtotals)**	
6.0	**CONTINGENCY (5%-10% OF TOTAL COST)**	
7.0	**GRAND TOTAL COST (Total Cost + Contingency)**	

14.3 Sources and arrangements for funding

According to its Involuntary Resettlement policy (OP 4.12), *"the Bank does not disburse against cash compensation and other resettlement assistance paid in cash, or against the cost of land (including compensation for land acquisition). However, it may finance the cost of land improvement associated with resettlement activities."*

Compensation, land acquisition and resettlement related issues will be funded by the Government of Ghana. The Ministry of Finance is expected to make funds available to the sector ministry i.e. the Ministry of Tourism, Arts and Culture for the payment of compensation.

ANNEXES

Annex 1:	Screening checklist for involuntary resettlement
Annex 2:	ToR and content for preparation of RAPs
Annex 3:	ToR and content for preparation of ARAPs
Annex 4:	Framework for census of affected assets and people
Annex 5:	Compensation claim and commitment form
Annex 6:	Complaint registration and resolution form
Annex 7:	List of stakeholders consulted and Summary of discussions/ suggestions/ Concerns