

REPUBLIC OF GHANA



**GHANA PRODUCTIVE SAFETY NET PROJECT 2 (P175588)
(GPSNP 2)**

RESETTLEMENT POLICY FRAMEWORK (RPF)

FEBRUARY 2021

TABLE OF CONTENTS

LIST OF FIGURES.....	III
LIST OF TABLES	III
ABBREVIATIONS AND ACRONYMS	IV
GLOSSARY OF KEY TERMS	VI
EXECUTIVE SUMMARY	VIII
1 PROJECT BACKGROUND.....	1
1.1 PROJECT DESCRIPTION AND OBJECTIVE	1
1.2 PROJECT COMPONENTS.....	2
1.2.1 <i>Component 1: Productive Inclusion program.....</i>	<i>2</i>
1.3 METHODOLOGY EMPLOYED DURING THE PREPARATION OF THE RPF.....	5
2 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK.....	6
2.1 RELEVANT WORLD BANK ENVIRONMENTAL AND SOCIAL STANDARDS	6
2.1.1 <i>ESS 5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlements</i>	<i>6</i>
2.1.2 <i>ESS 10 - Stakeholder Engagement and Information Disclosure</i>	<i>7</i>
2.2 RELEVANT NATIONAL POLICY AND LEGAL FRAMEWORK	7
2.2.1 <i>The 1992 Constitution of Ghana (Articles 18 and 20)</i>	<i>7</i>
2.2.2 <i>National Land Policy, 1999</i>	<i>8</i>
2.2.3 <i>The State Lands Act 1962, Act 125.....</i>	<i>8</i>
2.2.4 <i>The State Lands Regulation of 1962 (LI 230)</i>	<i>9</i>
2.2.5 <i>The Lands (Statutory Wayleaves) Act, 1963</i>	<i>9</i>
2.2.6 <i>The Lands (Statutory Wayleaves) Regulation of 1964 (LI334)</i>	<i>9</i>
2.2.7 <i>Survey Act 1962, Act 127</i>	<i>9</i>
2.2.8 <i>Land Title Registration Act 1986, PNDCL 152</i>	<i>10</i>
2.2.9 <i>Lands Commission Act 2008, Act 767</i>	<i>10</i>
2.2.10 <i>Land Use and Spatial Planning Authority (LUPSA) Act 2016, Act 925</i>	<i>10</i>
2.2.11 <i>Office of the Administrator of Stool Lands Act, 1994 (Act 481)</i>	<i>10</i>
2.2.12 <i>Alternative Dispute Resolution Act 2010 (Act 798)</i>	<i>11</i>
2.3 LAND ADMINISTRATION AND INSTITUTIONAL FRAMEWORK.....	11
2.3.1 <i>MMDAs and the Physical Planning Department.....</i>	<i>11</i>
2.3.2 <i>Lands Commission.....</i>	<i>12</i>
2.3.3 <i>Environmental Protection Agency (EPA)</i>	<i>13</i>
2.3.4 <i>Traditional Authorities</i>	<i>13</i>
2.4 GAPS BETWEEN GHANA REGULATIONS AND WORLD BANK STANDARDS	13
3 PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION	16
3.1 PRINCIPLES.....	16
3.1.1 <i>Regulatory Framework</i>	<i>16</i>
3.1.2 <i>Minimization of Displacement</i>	<i>16</i>
3.1.3 <i>Cut-off date.....</i>	<i>17</i>
3.1.4 <i>Compensation</i>	<i>17</i>
3.1.5 <i>Income and livelihood restoration</i>	<i>17</i>
3.1.6 <i>Vulnerable Persons</i>	<i>17</i>
3.1.7 <i>Consultations and Grievance mechanisms</i>	<i>17</i>
3.1.8 <i>Community Involvement and Sensitization.....</i>	<i>18</i>
3.1.9 <i>Categories of Resettlement Plan Reporting</i>	<i>18</i>
3.2 OBJECTIVES OF THE RESETTLEMENT/ COMPENSATION PROGRAM.....	18
4 SOCIOECONOMIC CHARACTERISTICS AND LAND TENURE IN GHANA	19

4.1	LOCATION AND SIZE	19
4.2	DEMOGRAPHIC CHARACTERISTICS.....	19
4.3	ECONOMIC CHARACTERISTICS	21
4.4	PROPERTY AND LAND RIGHTS IN GHANA.....	24
4.4.1	<i>Customary Ownership</i>	24
4.4.2	<i>State Ownership</i>	25
4.4.3	<i>Vested Lands (Split Ownership)</i>	25
4.5	CRITICAL EMERGING LAND TENURE ISSUES	25
5	POTENTIAL PROJECT IMPACTS ON ASSETS AND LIVELIHOOD AND MITIGATION	27
5.1	ASSESSMENT OF SOCIAL IMPACTS	27
5.2	MITIGATION MEASURES	29
5.3	IMPACTS ON VULNERABLE GROUPS.....	30
5.4	GENDER ASSESSMENT OF PROJECT IMPACT ON WOMEN	31
6	VALUATION, ELIGIBILITY AND ENTITLEMENTS.....	32
6.1	VALUATION OF ASSETS	32
1.1.1	<i>Basis of Valuation</i>	32
1.1.2	<i>Valuation Methods</i>	32
1.1.3	<i>Valuation Responsibility</i>	34
6.2	ELIGIBILITY	34
6.3	CUT-OFF DATE	35
6.4	ENTITLEMENT	35
7	ORGANISATIONAL ARRANGEMENTS, IMPLEMENTATION AND PROCEDURE FOR DELIVERY OF ENTITLEMENTS	40
7.1	INSTITUTIONAL ARRANGEMENTS AND RESPONSIBILITIES	40
7.2	RESOURCES, TECHNICAL SUPPORT AND CAPACITY ENHANCEMENT	42
7.3	PRIORITY TASKS AND PREPARATION AND REVIEW OF RAPS	42
7.4	RESETTLEMENT PLANNING PROCESS	42
7.4.1	<i>Land Access/ Acquisition Procedure and Compensation</i>	42
7.4.2	<i>Public Participation</i>	43
7.4.3	<i>Notifications</i>	43
7.5	PROCEDURE FOR DELIVERY OF ENTITLEMENTS	43
7.5.1	<i>Involvement of Public Sector Agencies</i>	44
7.5.2	<i>Notification of land resource holders</i>	44
7.5.3	<i>Documentation of Holdings and Assets</i>	44
7.5.4	<i>Agreement on Compensation and Preparation of Contracts</i>	44
7.5.5	<i>Compensation Payments and Related Considerations</i>	45
7.5.6	<i>Time Frame</i>	45
8	PUBLIC CONSULTATION, DISCLOSURE AND GRIEVANCE MANAGEMENT	46
8.1	PUBLIC CONSULTATION	46
8.2	RPF DISCLOSURE	47
8.3	GRIEVANCE REDRESS MECHANISM	47
8.3.1	<i>Rationale</i>	47
8.3.2	<i>Institutional Framework for Grievance Redress</i>	48
8.3.3	<i>Grievance Redress Process</i>	49
8.3.4	<i>Recommended Grievance Redress Time Frame</i>	49
8.4	GRIEVANCE DOCUMENTATION AND REPORTING	50
9	MONITORING & EVALUATION AND REPORTING	51

9.1	GENERAL OBJECTIVES OF MONITORING AND EVALUATION	51
9.2	ARRANGEMENTS FOR MONITORING AND EVALUATION	51
9.3	MONITORING INDICATORS	52
9.4	ANNUAL PERFORMANCE AUDIT	53
9.5	COMPLETION AUDIT	56
9.6	RAP IMPLEMENTATION REPORTING AND DOCUMENTATION	56
10	IMPLEMENTATION SCHEDULE, BUDGET AND FUNDING	57
10.1	IMPLEMENTATION SCHEDULE	57
10.2	ESTIMATED BUDGET FOR RPF IMPLEMENTATION	57
10.3	BUDGET FOR PREPARATION AND IMPLEMENTATION OF RAPs	58
10.4	ARRANGEMENTS FOR FUNDING	58
11	REFERENCES	59
12	ANNEXES	60

LIST OF FIGURES

FIGURE 4-1: MAP OF GHANA SHOWING THE CURRENT 16 ADMINISTRATIVE REGIONS	20
FIGURE 4-2: INCIDENCE OF POVERTY IN GHANA	22
FIGURE 4-3: ESTIMATED NUMBER OF POOR PERSONS IN GHANA	23
FIGURE 8-1: INSTITUTIONAL FRAMEWORK FOR GRIEVANCE REDRESS	49

LIST OF TABLES

TABLE 2.1: COMPARISON OF GHANAIAN REGULATIONS WITH WORLD BANK REQUIREMENTS	14
TABLE 5.1: POTENTIAL SOCIAL BENEFITS.....	27
TABLE 5.2: POTENTIAL ADVERSE SOCIAL IMPACTS	28
TABLE 5.3: PROPOSED MITIGATION MEASURES FOR POTENTIAL IMPACTS	29
TABLE 6.1: GENERAL GUIDELINES AND METHODS FOR COSTS PREPARATION.....	33
TABLE 6.2: ELIGIBILITY CRITERIA.....	34
TABLE 6.3: ENTITLEMENT MATRIX	37
TABLE 7.1: INSTITUTIONAL ARRANGEMENTS AND RESPONSIBILITIES	40
TABLE 7.2: SUB-PROJECT IMPLEMENTATION PROCESS AND INSTITUTIONS INVOLVED	41
TABLE 8.1: PROPOSED GRM TIME FRAME.....	49
TABLE 9.1: INDICATORS FOR MONITORING AND EVALUATING RPF/RAPs.....	54
TABLE 10.1: ESTIMATED BUDGET FOR RPF IMPLEMENTATION	57

ABBREVIATIONS AND ACRONYMS

BZCO	Bolga Zonal Coordinating Office
CAP	Community Action Plan
CCMI	Climate Change Mitigation Intervention
CERC	Contingency Emergency Response Component
CF	Community Facilitator
CWSA	Community Water and Sanitation Agency
CMA	Case Management Assistant
CMO	Case Management Officer
CSOs	Civil Society Organisation
DA	District Assembly
DASH	Daily Attendance Sheet
DFR	Department of Feeder Roads
EI	Executive Instrument
EIA	Environmental Impact Assessment
EP	Environmental Permit
EPA	Environmental Protection Agency
E&S	Environment and Social
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESS	Environmental and Social Standards
ESSS	Environmental and Social Safeguards Specialist
FR	Feeder Roads
GIDA	Ghana Irrigation Development Authority
GoG	Government of Ghana
GNHR	Ghana National Household Registry
GPSNP	Ghana Productive Safety Net Project
GPSNP 2	Ghana Productive Safety Net Project 2
GRM	Grievance Redress Mechanism
GSOP	Ghana Social Opportunities Project
GSS	Ghana Statistical Service
IDA	International Development Association
IPF	Investment Project Financing
LEAP	Livelihood Empowerment Against Poverty
LI	Legislative Instrument
LIPW	Labour Intensive Public Works
LUSPA	Land Use and Spatial Planning Authority
LVD	Land Valuation Division
M&E	Monitoring and Evaluation
MCA	Market Comparison Approach
MDAs	Ministries, Departments and Agencies
MIS	Management Information System
MLGRD	Ministry of Local Government and Rural Development
MMDAs	Metropolitan, Municipal and District Assemblies
MoFA	Ministry of Food and Agriculture
MoF	Ministry of Finance
MoGCSP	Ministry of Gender, Children and Social Protection
MOUs	Memorandum of Understanding
NBSSI	National Boards for Small Scale Industries
NDPC	National Development Planning Commission

NGO	Non-Governmental Organisation
OASL	Office of the Administrator of Stool Lands
PAP	Project Affected Person
PDO	Project Development Objective
PI	Productive Inclusion
PIU	Project Implementation Unit
PMT	Proxy Means Test
POC	Project Oversight Committee
PPD	Physical Planning Department
RAP	Resettlement Action Plan
RCA	Regional Community Animator
RCC	Regional Coordinating Council
RCO	Regional Coordination Office
RoW	Right of Way
RPF	Resettlement Policy Framework
SACs	Site Advisory Committees
SCD	Systematic Country Diagnostic
SEDD	Small Earth Dams and Dugouts
SEP	Stakeholder Engagement Plan
SWCES	Single Window Citizens Engagement Service
TOR	Terms of Reference
TZCO	Tamale Zonal Coordinating Office
WZCO	Wa Zonal Coordinating Office
ZC	Zonal Coordinator
ZE	Zonal Engineer

GLOSSARY OF KEY TERMS

Asset: Any property owned by a person, group of persons or an institution/ agency.

Census: A field survey carried out to identify and determine the number of Project Affected Persons (PAPs) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement, and other measures emanating from consultations with affected communities and the local government institutions.

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

Compensation: The payment in kind, cash or other assets given in exchange for the acquisition of land or restriction on land use including fixed assets; and other assistance to rehabilitate or cushion the impacts from displacement.

Cost of disturbance: the reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land. This can either be determined and paid separately or factored into the valuation rate to be applied.

Cut-off Date: The date established by the Project as the deadline for entitlement to any form of compensation.

Economic Displacement: Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) which results from the construction or operation of a project or its associated facilities.

Eligibility: The criteria for qualification to receive benefits under a resettlement program.

Entitlements: The benefits set out in the resettlement instrument (RPF, RAP), including financial compensation; the right to participate in livelihood restoration programs; housing, house sites and service provision; and, transport and other short-term assistance required to resettle or relocate.

Full Replacement Cost: The method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs associated with asset replacement. In applying this method of valuation, depreciation of structures and assets are not be taken into account.

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

Land Acquisition: This refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. "Land" includes anything growing on or

permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

Livelihood: This refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

Market Value: the sum of money which the land might have been expected to realise if sold in the open market by a willing seller or to a willing buyer.

Physical Displacement: Loss of shelter and assets resulting from the acquisition of land or restrictions on land use associated with a project that requires the affected person(s) to move to another location.

Project: The Ghana Productive Safety Net 2.

Project-Affected Person (PAP): A person that loses assets and/or usage rights and/or income generation capacities (e.g. land, structures, crops, businesses) because these assets/rights/capacities are located in land to be acquired or restricted or leased or used for needs of the Project.

Relocation: A process through which physically displaced individuals or households or communities are provided with a one-time lump sum compensation payment for their existing residential structures and move from the Project Area.

Resettlement: A process through which physically displaced persons are provided with replacement plots and residential structures at a designated site. Resettlement includes initiatives to restore and improve the living standards of those being resettled.

Resettlement Assistance: refers to activities that are usually provided during, and immediately after relocation, such as moving allowances, residential housing, or rentals or other assistance to make the transition smoother for affected households.

Stakeholders: Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

Vulnerable Persons: People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

EXECUTIVE SUMMARY

Introduction

The Government of Ghana (GoG), in implementing the proposed Ghana Productive Safety Net Project 2 (GPSNP 2), is committed to complying with Ghanaian laws, and the World Bank Environmental and Social Standard 5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, ESS 5.

The purpose of developing a Resettlement Policy Framework (RPF) at this stage of the Project is to outline the framework and principles for execution of the Project compensation/ relocation/resettlement and livelihood related issues for project affected persons as early as possible in project development. This will allow for early and effective disclosure to key stakeholders, and subsequent feedback and inputs, prior to development of a main Resettlement Action Plan (RAP) for subproject activities.

Project Rationale and Objective

GPSNP2 is based on a predecessor project the Ghana Productive Safety Net Project (GPSNP) (P164603). The GPSNP, which is currently under implementation, builds on a previous project – the Ghana Social Opportunities Project (GSOP), which was implemented from 2010 to 2018. The GPSNP became effective in July 2019 and supports the Government to strengthen its social safety net system toward improving the welfare and productivity of the poor. The GPSNP comprises of five main components: (i) Productive Inclusion, (ii) LEAP Cash Transfers, (iii) LIPW program, (iv) SP Systems Strengthening, and (v) Project Management. The GPSNP2 seeks to scale up the interventions under GPSNP to intensify the Government's social safety net response to the COVID-19 pandemic. The Project will directly contribute toward the goals of Ghana's 'Coordinated Program of Economic and Social Development Policies (2017–2024)', which sets-out the Government's vision for 'a strong economy that expands opportunities, inspires people to start businesses, stimulates expansion of existing businesses, and ultimately leads to the creation of jobs, increased economic growth and aggregate incomes'. The GPSNP-2 also directly contributes toward the World Bank Group's twin goals of ending extreme poverty by 2030.

GPSNP 2 will be implemented from July 2021 through December 2024 and is intended to:

- Scale up Productive Inclusion, LIPW, and LEAP to cover more households that are poor, vulnerable, or hard-hit by the COVID-induced economic crisis in both rural and urban areas;
- Strengthen the social protection program delivery infrastructure, including the completion of GNHR;
- Continue the further integration of ICT solutions into the program delivery chain, including monitoring; and
- Integrate structures and processes that improve the shock-resilience and responsiveness of the social protection system.

The Project Development Objective (PDO) of the GPSNP 2 is to support the Government to expand and enhance social safety nets that improve the income and productivity of the poor. The project's performance in achieving its development objective will be measured through the following key outcome indicators:

1. Number of households that receive the full set of support through the Productive Inclusion (PI) program and start a new, or enhance an existing, income-generating activity
2. Number of households that participate in the Labour-Intensive Public Works (LIPW) program
3. Number of households that receive cash benefits from the Livelihood Empowerment Against Poverty (LEAP) program

4. Number of social protection programs that use data from the Ghana National Household Registry (GNHR) to target benefits and services to intended beneficiaries

The GPSNP 2 will be composed of six components as follows:

- Component 1: Productive Inclusion program
- Component 2: Labour-Intensive Public Works program
- Component 3: Livelihood Empowerment Against Poverty program
- Component 4: Social Protection System Strengthening
- Component 5: Project Management, Coordination, and Capacity Building
- Component 6: Contingency Emergency Response

Need for the preparation of RPF

Out of the components outlined above, activities of component 2, Labour Intensive Public Works (LIPW), are the most likely to result in land acquisition and resettlement. These activities include:

Rehabilitation and Maintenance of Small Earth Dams and Dugouts (SEDDs) with Accompanying Irrigation Facilities. Small earth dams and dugouts are significant to improving access to irrigation and agricultural productivity in the Savannah belt of the country, where underground water sources are insufficient to provide for domestic and livestock needs through the dry season. Where dams allow for dry season irrigated agriculture, it has a dramatic impact on local livelihoods, greatly reducing the incentive to migrate away from the region during the dry season. The Project will select dams where the storage capacity does not exceed 250,000m³ and a height of 5m.

Rehabilitation and Maintenance of Rural Feeder and Access Roads. These assets are particularly useful for connecting remote communities to larger, commercial/urban centres. This boosts access to markets and improves labour productivity. The Project will preferably rehabilitate feeder roads between 3 and 5 km.

Climate Change Mitigation Interventions. This will include seedling production, cultivation of fruit trees and cash crops (such as cashew), and wood lots on degraded communal and public land (preferably between 5 and 40 hectares) to mitigate climate change, support catchment and watershed protection and biodiversity conservation.

Activities to support national sanitation and flood mitigation efforts in peri-urban and urban areas. This will focus on addressing insanitary conditions within cities which remain a major environmental challenge.

Potential Social Impacts

The project is expected to have both positive and negative social impacts on assets and livelihoods.

The potential positive social impacts include:

- **Mass employment of poor and vulnerable persons under the LIPW component.** Large numbers of people and households will be gainfully employed during the slack agricultural period. This will significantly discourage rural-urban migration during such periods.
- **Skills development under the PI component.** Through the Productive Inclusion sub-component of the project beneficiaries will receive varied training to enable them earn sustainable incomes aside the temporary employment the rehabilitation of the facilities offer. Such skills include: shea-butter processing, livestock rearing, rice parboiling and basket and hat weaving, etc., in addition to business management and life skills.
- **Improvement of infrastructure and social facilities at poor communities.** The rehabilitation and maintenance of feeder roads/ access roads, small earth dams and dugouts in rural areas and

construction of sanitation facilities in rural and urban poor areas will improve the conditions of these facilities/ infrastructure for effective use and benefits to the communities.

- **Female empowerment.** The Project has as one of its aims to employ 60 percent of the participants as women. This will contribute towards enhancing the economic empowerment of women, especially those that are household heads.
- **Financial inclusion.** The Project will use electronic means (e-zwich) in payments to beneficiaries, which would allow them to possess transaction accounts. Access to a transaction account is a first step toward broader financial inclusion since it allows people to save money and send and receive payments. A transaction account can also serve as a gateway to other financial services.
- **Enhanced institutional capacity to support decentralization.** The support to community institutions will particularly enhance community involvement in decision processes affecting their interests, gender issues and other environmental and social related activities in their immediate neighbourhoods.

The potential negative social impacts include:

- **Involuntary resettlement.** Implementation of subproject activities will require land. Land acquisition or use will impact landowners, properties such as structures/ crops on the land, and the use of the affected property will affect livelihoods of affected persons.
- **Change in land use leading to loss of livelihoods and conflicts.** With land clearance, pastoralists will lose grazing land (especially in the south where degraded lands are not used). Hunters, palm wine tappers and other people who depend on the land for forms of livelihood would also be displaced. Land use could change from grazing land to plantations (in case of CCMI). During or after project implementation, there could be conflicts between pastoralists and plantation managers in circumstances where not enough grazing lands are available.
- **Impact on culturally sensitive areas.** Culturally sensitive areas could be affected by the construction/ rehabilitation of infrastructure, especially with the feeder roads and land take for the SEDDs.

The proposed GPSNP2 activities under Labour Intensive Public Works program component may involve land acquisition and/or economic displacement. Therefore, in compliance with the laws of Ghana and World Bank Environment and Social Standard 5, the MLGRD has prepared this RPF as a guide to address potential impacts related to any land take that will lead to resettlement or negative effects on livelihood of affected people.

Objectives of the RPF

The objectives of the RPF are:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- To avoid forced eviction
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant; and
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Country Legal Framework on land administration and resettlement related issues

The relevant national policies and laws regarding resettlement related land acquisition and compensation issues under this project include:

- The 1992 Constitution of the Republic of Ghana
- National Land Policy, 1999
- The State Lands Act, 1962 (Act 125)
- The State Lands Regulation of 1962 (LI 230)
- The Lands (Statutory Wayleaves) Act, 1963 (Act 186)
- The Lands (Statutory Wayleaves) Regulation of 1964 (LI 334)
- Survey Act 1962, Act 127
- Land Title Registration Act 1986, PNDCL 152
- Lands Commission Act, 2008 (Act 767)
- Land Use and Spatial Planning Authority (LUPSA) Act, 2016 (Act 925)
- Office of the Administrator of Stool Lands Act, 1994 (Act 481)
- Alternative Dispute Resolutions Act, 2010 (Act 798)

Key institutions involved in land administration and or resettlement related activities in line with this RPF include:

- Metropolitan/Municipal/District Assemblies (MMDAs) and the Physical Planning Department
- Lands Commission
- Office of the Administrator of Stool Lands (OASL)
- Environmental Protection Agency (EPA)
- Traditional Authorities

Land ownership may be categorized into these 3 main forms:

- Customary land comprising stool and family lands;
- Public land comprising state and vested lands; and
- Privately- owned lands.

Applicable World Bank Environmental and Social Standards

The applicable World Bank Environmental and Social Standards for the preparation and implementation of this RPF include:

- ESS 5 – Land Acquisition, Restrictions on Land use and Involuntary Resettlement; and
- ESS 10 - Stakeholder Engagement and Information Disclosure.

Proposed project resettlement /compensation policy and principles

Driving principles and policy of the RPF are as follows:

- **Regulatory Framework:** Any impact of the GPSNP 2 on land and/or people (land acquisition, restrictions on land use, physical displacement/resettlement, livelihood restoration of affected people) will be addressed in compliance with the Constitution of Ghana, with other Ghanaian regulations, and with the World Bank Environmental and Social Standard 5 – Land Acquisition, Restrictions on Land use and Involuntary Resettlement. Where there are gaps or inconsistencies between Ghanaian laws and the World Bank Standards, the World Bank ESS 5 will apply.

Minimization of Displacement:

- The project will focus mainly on public lands or communal land or stool lands vested in the traditional authorities.

- Poor landowners, traditional authorities, communities and farmers who already own and or have access to lands will be considered.
- Where land acquisition or restriction on land use is required for sanitation facilities or other project infrastructure, such lands should not have or host settlements or dwellings such that affected persons will be 200 or more.
- Wherever inhabited permanent dwellings/ structures, or communal properties such as cemeteries or religious places may potentially be affected by a component of a GPSNP 2 sub-project, the sub-project shall be reassessed to avoid any impact on such permanent dwellings or communal properties and to avoid displacement/relocation accordingly.
- Culturally sensitive sites such as cemeteries, sacred groves and shrines, as much as possible, will be avoided and not relocated; and where required access given to local communities to visit such sites.
- Costs associated with the preparation of the resettlement instrument will be internalized into sub-project costs.
- Government of Ghana will be responsible for providing funds to pay compensation.
- For each sub-project involving land acquisition of displacement of squatters/ illegal farmers, a cut-off date based upon the date of inventory of assets/ properties will be used, taking into account the likely implementation schedule of the sub-project, to minimize encroachment of non-eligible occupants into Project affected spaces.
- People occupying Project-affected land at the cut-off date are eligible to Project resettlement proposal or entitlement, which includes those who have legal rights to land, including customarily recognized rights, and occupants who have no legal right to the land they are occupying. In practice, this means that people usually considered in Ghana as “squatters”/ illegal occupants will be entitled to Project assistance as long as they are present on site at the cut-off date.
- Where impact on land 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, and livelihood restoration measures will be taken.
- Valuation of affected property will be at full replacement cost, which takes into account the present value of the affected property without depreciation at open market value and associated transaction costs.
- The compensation package will include the full replacement value of the affected property plus livelihood assistance or resettlement assistance plus disturbance allowance and movement cost where necessary.
- Compensation shall be paid prior to displacement/ land acquisition.
- Compensation payment procedure: Each eligible affected person will sign a compensation payment dossier or form in the presence of a witness to confirm acceptance of compensation package.
- Information and consultation will take place before the process leading to displacement is launched in each location concerned by a sub-project.
- Vulnerable people will be specifically taken care of during inventory of PAPs and special assistance or measures put in place for them.
- A dedicated dispute resolution/ grievance redress mechanism will be put in place as the first option of managing disputes.
- The law courts will be the last option for handling disputes.

Implementation Arrangements

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

- Ministry of Local Government and Rural Development (MLGRD)
- Rural Development Coordinating Unit (RDCU), MLGRD
- Environmental Protection Agency (EPA)

- Regional Lands Commission (Land Valuation Division/Survey and Mapping Division)
- Regional Coordinating Councils (RCCs)
- District Assemblies (Physical Planning Departments)
- External Consultants
- Communities
- Traditional Authority
- Project Affected Persons (PAPs)

The implementation activities will be under the overall guidance of the Rural Development Coordinating Unit (RDCU) of the Ministry of Local Government and Rural Development (MLGRD). Implementation responsibilities are detailed in this RPF. Much of the workload will be done by the RDCU in close collaboration with the RCC/ MMDAs, beneficiary communities and the Regional Lands Commission. It is advised that the implementation frontline staff should benefit from some capacity building through ESF trainings as part of the implementation of this RPF.

Grievance Redress Mechanism

GPSNP 2 will continue to use and consolidate the Single Window Citizens Engagement Service (SWCES) system established under GSOP and scaled up during GPSNP for implementing the grievance redress process. The SWCES was operationalized in December 2017 and provides a centralized channel for beneficiaries of all social protection programs and other stakeholders to raise grievances, report malpractices, and request information on all social programs for free. This has been operationalized through the creation of the 'Helpline of Hope' Call Center that hosts toll-free phone lines and SMS. Operational staff will sensitize beneficiaries and project stakeholders on its use. Assigned project case management officers will facilitate the tracking and resolution of cases, reporting back to the SWCES to ensure that there is a streamlined collation of cases to enhance transparency and accountability.

A four-tier grievance redress arrangement has been developed to ensure that disputes or grievances are resolved, and litigation is avoided as much as possible. The levels include:

- **Community Level.** Community Facilitators (CFs) will be appointed at all LIPW sites as focal points for all LIPW- related grievances, in addition to the setup of a 3 - member Case Management Committee at the Community level.
- **District Level.** At the DA level, the LIPW Desk Officer will act as a focal point for Case Management and will be required to liaise with the statutory Public Relations and Complaints Committee to resolve all LIPW related grievances that would be referred to the DA level.
- **Regional Level.** There will be assigned to each regional office a Case Management Assistant who will receive all LIPW cases and refer same to the Regional Coordinator who will in turn refer the case to the Regional Community Animator, to follow up and ensure the resolution of these complaints.
- **National Level.** There will be an Environmental and Safeguards Specialist (ESSS) at the RDCU and Case Management Officer (CMO) at the who will be responsible for the registration and overall case management process of the Project.

In the event that a PAP is still not satisfied with a resolution, the grievance will be sent to the MLGRD and subsequently to a court of law for redress. Grievances are expected to be submitted through the Helpline of Hope Call Centre toll free lines (0800 800 800 and 0800 900 900) and/or through letters or walk ins This information will be made available during sensitization of communities and beneficiaries.

Monitoring and Evaluation

Monitoring and evaluation will be carried out during the implementation of the resettlement program. The objectives include:

- Monitoring of specific situations or difficulties arising from the implementation, and of the compliance of the implementation with objectives and methods as set out in this Resettlement Policy Framework;
- Evaluation of the impacts of the resettlement/ compensation actions on PAPs' livelihood, environment, local capacities, on economic development and settlement.
- The monitoring will focus on the following:
- Whether affected individuals, households, and communities were able to maintain their pre- project standard of living, and even improve on it; and
- Whether local communities remain supportive of the project.

Implementation Schedule

The implementation schedule for the resettlement program will be determined by the following major activities:

- Preparation, approval and disclosure of RPF
- Implementation of RPF – training and workshops
- Confirmation of subproject activities
- Screening of subproject activities for resettlement related issues
- Preparation, approval and disclosure of RAPs
- Implementation of RAPs
- Implementation of LIPW

Budget and Funding

The estimated budget for implementing the RPF which will cover the following key activities is approximately USD 200,000:

- Consultations and disclosure workshops
- Training and sensitization on RPF and WB ESS 5 for national, regional/ district stakeholders, traditional authorities/ communities;
- Awareness creation through radio discussions and adverts
- GRM activities; and
- M& E activities

The World Bank does not disburse against compensation and therefore the Government of Ghana will be responsible for payment of compensation under the GPSNP 2.

1 PROJECT BACKGROUND

1.1 Project Description and Objective

The Ghana Productive Safety Net Project (GPSNP) -2 is a follow-on project to the Ghana Productive Safety Net Project (GPSNP) (P164603), which is currently under implementation by the Government, which builds on a previous project – Ghana Social Opportunities Project (GSOP) (P115247), which was implemented from 2010 to 2018.

The GPSNP-2 directly contributes toward the goals of Ghana’s ‘Coordinated Program of Economic and Social Development Policies (2017–2024)’, which sets-out the Government’s vision for ‘a strong economy that expands opportunities, inspires people to start businesses, stimulates expansion of existing businesses, and ultimately leads to the creation of jobs, increased economic growth and aggregate incomes’. To this end, this policy document identifies four key goals towards building a prosperous country, namely; (a) creating opportunities for all Ghanaians; (b) safeguarding the natural environment; (c) ensuring a resiliently built environment; and (d) maintaining a stable, united and safe country. Further to these commitments, the Coordinated Program identifies the role of social protection in reducing poverty, vulnerability, inequality, and enhancing shared growth and prosperity.

It also contributes directly to the Government’s National Social Protection Policy, which aims to: (a) reduce poverty by 50 percent through increased and improved effective and efficient social assistance for poor and vulnerable Ghanaians, (b) enhance employment opportunities through the promotion of productive inclusion and decent work to sustain families and communities, and (c) increase access to social security and social insurance for all Ghanaians.

The GPSNP-2 will also directly contribute towards the World Bank Group’s twin goals of ending extreme poverty by 2030 and boosting shared prosperity among the bottom 40 percent. It is also firmly aligned with the World Bank’s draft Systematic Country Diagnostic (SCD), as well as pillar three of Ghana’s Country Partnership Strategy (2013–2018) which aims to protect the poor and vulnerable and expand social protection through strengthening the relevant GoG institutions to increase efficiency in the use of resources designed for social protection, improve the mechanism by which individuals can take advantage of expanding opportunities, and withstand external shocks. Finally, the project is consistent with the World Bank’s Social Protection Strategy (2012–2022), which promotes the development of a social protection system that is equitable, fiscally sustainable, responsive, and scalable and the World Bank’s Africa Social Protection Strategy (2012–2022).

The Ghana Productive Safety Net 2 (GPSNP 2) is a follow-on project to GPSNP to ensure expansion of social safety net programs in addressing poverty and vulnerability in Ghana, particularly in the wake of the COVID-19 pandemic where the country’s economy, like most others in the world, has been hard hit.

GPSNP2 is a USD 100 million World-Bank financed operation, to be implemented from July 2021 to December 2025. It is intended to:

- Scale up productive inclusion (PI), labor-intensive public works (LIPW), and livelihood empowerment against poverty (LEAP) cash transfers program to cover more households that are poor, vulnerable, or hard-hit by the COVID-induced economic crisis in both rural and urban areas;
- Strengthen the social protection program delivery infrastructure, including the completion of GNHR;

- Continue the further integration of ICT solutions into the program delivery chain, including monitoring; and
- Integrate structures and processes that improve the shock-resilience and responsiveness of the social protection system.

The Project Development Objective (PDO) of the GPSNP 2 is to support the Government to expand and enhance social safety nets that improve the income and productivity of the poor. The project's performance in achieving its development objective will be measured through the following key outcome indicators:

- Number of Productive Inclusion (PI) program participants who start a new, or enhance an existing, income-generating activity
- Number of households that participate in the Labour-Intensive Public Works (LIPW) program
- Number of households that receive cash benefits from the Livelihood Empowerment Against Poverty (LEAP) program
- Number of social protection programs that use data from the Ghana National Household Registry (GNHR) to target benefits and services to intended beneficiaries

1.2 Project Components

The GPSNP 2 will be proposed to have six components as follows:

- Component 1: Productive Inclusion program
- Component 2: Labour-Intensive Public Works program
- Component 3: Livelihood Empowerment Against Poverty program
- Component 4: Social Protection System Strengthening
- Component 5: Project Management, Coordination, and Capacity Building
- Component 6: Contingency Emergency Response.

1.2.1 Component 1: Productive Inclusion program

The objective of this component is to support productive inclusion activities for poor households in targeted rural communities and introduce the program to urban populations. In Ghana, the urban poor include head porters primarily migrating from the northern areas, street children, slum dwellers, and a large proportion of people with disabilities. These populations are not all household dwellers, thus present an added complexity in targeting and addressing the various dimensions of poverty. This component will therefore introduce productive inclusion in urban areas, adapting the design and implementation of the PI program to the new context and population by drawing on operational experience and research findings from urban PI initiatives in other countries and local learning-by-doing.

For both rural and urban areas, this component will finance a structured set of activities geared towards empowering the micro-enterprise owners with the prerequisite skills for their enterprises to thrive including:

- training on life skills and microenterprise;
- training on business management and vocational skills
- start-up cash grants;
- microenterprise coaching and mentoring; and marketing.

This component will also continue to make inroads in improving the agricultural productivity of poor households, given that smallholder farming remains a main stay of many poor people in Ghana. This will include connecting poor households to existing IDA and Government agricultural interventions.

Component 2: Labour-Intensive Public Works program

The objective of this component is to extend income-earning opportunities to poor households through LIPW, which maintain or rehabilitate assets that improve the productivity of communities and respond to the anticipated effects of climate change. This component will therefore finance: (i) payments to beneficiaries in exchange for their work rehabilitating or maintaining productive community or public assets; (ii) financing the costs of capital inputs for the sub-projects; (iii) supervision of the LIPW sites; (iv) capacity building for small-scale contractors, Municipalities and District Assemblies (MDAs) and other actors in LIPW delivery; and (v) information sessions to beneficiaries on human capital (such as on nutrition) and behavioural change around savings. Under GPSNP 2, LIPW will introduce public works programs in peri-urban and urban areas including activities to support national sanitation effort and flood prevention. LIPW activities will contribute directly towards efforts to mitigate the effects of climate change in both rural and urban areas. In the northern savannah areas, climate change is anticipated to increase the frequency and intensity of droughts. Investing in small earth dams and dugouts, as well as the climate mitigation interventions, will contribute towards providing green jobs while ensuring regular access to water in these areas. In the urban areas, LIPW will focus on addressing insanitary conditions within cities which remain a major environmental challenge.

Component 3: Livelihood Empowerment Against Poverty (LEAP) program

GPSNP 2 will continue to support the LEAP cash transfers program in providing cash transfers to the poor, with the goal to smoothen their consumption. GPSNP2 aims to support LEAP in four main directions. First is the better targeting of LEAP to the poorest households. Households in current LEAP communities will be reassessed for their eligibility status. Up-to-date, relevant data for the reassessment and Proxy Means Test (PMT)-based targeting are expected to be drawn from GNHR. Second is ensuring LEAP benefit adequacy, for which discussions are underway on potential inflation-indexed benefits and a level of benefits that is pegged at a higher level of average consumption among beneficiary households. Third is extending the LEAP program to new needy households. Fourth is the further decentralization of LEAP implementation and M&E arrangements, with responsibilities shifted down to regional, district, and community officials.

Component 4: Social Protection System Strengthening

The objective of this component is to continue to develop a robust, resilient SP delivery system by:

- completing data collection of the GNHR in all sixteen regions of Ghana;
- completing the roll out of a Single Window Citizen Engagement Service (SWCES) for national use to promote an improved grievance redress mechanism;
- providing technical assistance for the completion of the social protection M&E framework and systems, including conducting an impact evaluation for the project, and maintenance of project MIS’;
- completing decentralization of systems at the local level;
- promoting linkages to other social services including National Health Insurance;
- continuing investments in the promotion of financial capabilities and behavioural change initiatives; and
- developing structures and operationalizing systems to respond to climate and economic shocks, including a pilot social insurance scheme to increase resilience and protect the livelihoods of beneficiaries engaged in agribusiness.

Component 5: Project Management, Coordination, and Capacity Building

Under this component, GPSNP 2 will support project management, coordination, and capacity building initiatives toward ensuring satisfactory implementation progress in and performance of interventions under the previous project components.

Component 6: Contingency Emergency Response (CERC)

A CERC will allow for the rapid reallocation of project proceeds in the event of a natural or manmade disaster or crisis that has caused, or is likely to imminently cause, a major adverse economic or social impact. A specific Emergency Response Operations Manual will apply to this component, detailing financial management, procurement, E&S mitigation, and any other necessary implementation arrangements.

Component for which an RPF is required

Out of the components outlined in Section 1.2, activities under Component 2: Labor-Intensive Public Works (LIPW) are the most likely to result in land acquisition and resettlement. The proposed activities under LIPW include:

Rehabilitation and Maintenance of Small Earth Dams and Dugouts (SEDDs) with Accompanying Irrigation Facilities. Small earth dams and dugouts are significant to improving access to irrigation and agricultural productivity in the Savannah belt of the country, where underground water sources are insufficient to provide for domestic and livestock needs through the dry season. Where dams allow for dry season irrigated agriculture, it has a dramatic impact on local livelihoods, greatly reducing the incentive to migrate away from the region during the dry season. The Project will select dams where the storage capacity does not exceed 250,000m³ and a height of 5m.

Rehabilitation and Maintenance of Rural Feeder and Access Roads. These assets are particularly useful for connecting remote communities to larger, commercial/ urban centres. This boosts access to markets and improves labor productivity. The Project would preferably rehabilitate feeder roads between 3 and 5 km.

Climate Change Mitigation Interventions. This will include seedling production, cultivation of fruit trees and cash crops (such as cashew), and wood lots on degraded communal and public land (preferably between 5 and 40 hectares) to mitigate climate change, support catchment and watershed protection and biodiversity conservation.

Activities to support national sanitation and flood mitigation efforts in peri-urban and urban areas. This will focus on addressing insanitary conditions within cities which remain a major environmental challenge, as well as contributing towards activities that will mitigate floods.

As specific project locations are not currently known, it is not possible to determine the exact nature or extent of any physical and /or economic displacement that may occur. Hence, a Resettlement Policy Framework (RPF) is prepared at this stage to address involuntary resettlement in the project as the scope, scale, locations and number of sub-projects have not been fully defined. However, the participating agencies will prepare site-specific Resettlement Action Plans (RAPs) when sufficient details and specific sites of LIPW sub-projects are fully determined.

1.3 Methodology employed during the preparation of the RPF

The following approach was adopted in the preparation of the RPF:

Desktop Review: This consisted of the review of relevant documentation (both print and electronic) available and they include the PAD, GPNRP RPF and safeguards implementation reports, documents, relevant national legislations, as well as World Bank's ESS 5. These reviews provided information on the national legislations that regulate land related issues in the country, with reference to compulsory land acquisition and highlighted the Bank ESS 5.

Field visits and consultations with potential PAPs: The visits and the consultations provided the opportunity to:

- to discuss with the local communities about the project and its requirements for land and any social issues the potential beneficiaries may wish to raise;
- Identify specific interests and discuss potential roles and responsibilities of stakeholders that would facilitate their participation, ownership and sustainability of the project.
- Assess/ reconfirm the potential project areas and likely resettlement issues that may arise as a result of the LIPW subproject activities.

The consultations took the form of engagement with representatives of relevant government agencies and focus group discussions with potential project beneficiaries at the community level.

The national and regional level institutions consulted for GPSNP 2 include the Ministry of Employment and Labour Relations, Ghana Statistical Services, Youth Employment Agency, Ministry of Food and Agriculture, Ministry of Education, Labour Department, Microfinance and Small Loans Centre (MASLOC), Ministry of Education, Ministry of Health, Ghana Health Service, Office of the Head of Local Government Service (OHLGS), Ghana Education Service, Department of Social Welfare, National Vocational Institute (NVTI), and the Department of Community Development.

The District Assemblies (DAs) consulted included Ho West and North Tongu in the Volta Region, Shai OsuDoku in the Greater Accra Region, Nandom in the Northern Region, East Mamprusi in the North East Region, North Gonja in the Savannah Region and Nanumba South In the Northern Region. At the community level, Unit Committee members, Assembly members, women groups, Traditional Authority, LIPW and PI beneficiaries and community members were consulted. Representatives from the respective DAs included District Social Welfare and Community Development Officers, District Directors of Agriculture, and District Works Engineers, The communities consulted included; Duffor (Shai OsuDoku DA), Kanjo-Kura (Nanumba South DA), Holuta, Avatime- Biakpa, and Avenui (Ho West DA). See Annex B for more information on consultations.

2 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

The relevant World Bank Environmental and Social Standards (ESSs) and the national legal framework applicable to the preparation and implementation of the RPF are described below to guide implementation of the Project.

2.1 Relevant World Bank Environmental and Social Standards

The applicable World Bank Environmental and Social Standards for the preparation and implementation of this RPF include:

- ESS 5 – Land Acquisition, Restrictions on Land use and Involuntary Resettlement; and
- ESS 10 - Stakeholder Engagement and Information Disclosure.

2.1.1 ESS 5 – Land Acquisition, Restrictions on Land Use and Involuntary Resettlements

“Involuntary resettlement” refers to instances where project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood) or both. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

The ESS 5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. The cardinal objectives of this Standard are to avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives and also to avoid forced eviction.

Other objectives of the ESS 5 include:

- Providing timely compensation for loss of assets at replacement cost and assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced;
- To conceive and execute resettlement activities as sustainable development programs that will enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use:

- Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights;

- Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
- Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
- Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

2.1.2 ESS 10 - Stakeholder Engagement and Information Disclosure

It requires the proponent or client to engage with stakeholders throughout the project life cycle, from the preparation stage and during project implementation, and in a timeframe that enables meaningful consultations with stakeholders.

Resettlement related activities are expected to be planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected, and addressing and responding to grievances.

2.2 Relevant National Policy and Legal Framework

The legal and institutional framework in Ghana over land administration, land tenure, and land expropriation is complex. The relevant national policies and laws with regard to resettlement related, land acquisition and compensation issues under this Project include:

- ◆ The 1992 Constitution of the Republic of Ghana
- ◆ National Land Policy, 1999
- ◆ The State Lands Act, 1962 (Act 125)
- ◆ The State Lands Regulation of 1962 (LI 230)
- ◆ The Lands (Statutory Wayleaves) Act, 1963 (Act 186)
- ◆ The Lands (Statutory Wayleaves) Regulation of 1964 (LI 334)
- ◆ Survey Act 1962, Act 127
- ◆ Land Title Registration Act 1986, PNDCL 152
- ◆ Lands Commission Act, 2008 (Act 767)
- ◆ Land Use and Spatial Planning Authority (LUPSA) Act, 2016 (Act 925)
- ◆ Office of the Administrator of Stool Lands Act, 1994 (Act 481)
- ◆ Alternative Dispute Resolutions Act, 2010 (Act 798)

2.2.1 The 1992 Constitution of Ghana (Articles 18 and 20)

The implementation of the proposed project involves expropriation of land/ property and/ or acquisition of right of way by the Government. The 1992 Constitution of Ghana makes provisions that protects the right to private property and sets principles under which citizens may be deprived of their property in the public interest.

Article 18 provides that *“Every person has the right to own property either alone or in association with others.”*

Article 20 (1) of the 1992 Constitution of Ghana states:

No property of any description or interest in or right over any property shall be compulsorily taken possession of or acquired by the State unless the taking of possession or acquisition is necessary in the interest of defence, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such manner as to promote the public benefit.

Article 20 (2) of the Constitution states that compulsory acquisition of property by the State shall only be made under a law which makes provision for:

- The prompt payment of fair and adequate compensation; and
- a right of access to the High Court by 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.

Article 20 (3) of the 1992 Constitution of Ghana describes the circumstances under which displacement of people can occur:

Displacement of people

Clause 3 of Article 20 states that:

“Where a compulsory acquisition or possession of land effected by the State in accordance with clause (1) of this article involves displacement of any 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.”

2.2.2 National Land Policy, 1999

The National Land Policy of 1999 provides guidelines and policy actions for land use (agriculture, forestry, extractive industry, settlement, and infrastructure). The Policy aims at enhancing conservation and environmental quality, thereby preserving options for present and future generations. The key objectives of the Land Policy, which are relevant to the Project, are the protection of the rights of landowners to receive adequate compensation for land acquired, the promotion of public awareness of the proposed project and their legal rights at all levels, and community participation in sustainable land management.

2.2.3 The State Lands Act 1962, Act 125

The State Lands Act 1962, Act 125 and its amendment Act, 2000 (Act 586) vests in the President of the Republic the authority to acquire land for the public interest via an executive instrument (EI). It also gives responsibility for registering a claim on the affected person or group of persons and provides details of the procedure to do this. The mechanisms for the acquisition are established in the Act and its Regulation – State Lands Regulation (1962) Legislative Instrument (LI) 230. Once the EI is published, the lands specified are deemed to be acquired and vested in the president. Consequently, all previous interests are removed. However, failure to comply with the necessary processes and procedures established under Act 125 will render the acquisition null and void.

In addition, the State Lands Act, 1962, details the different elements to be taken into consideration when calculating compensation and these include:

- “Cost of disturbance” means the reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land;
- “Market value” means the sum of money which the land might have been expected to attract if sold in the open market by a willing seller or to a willing buyer,
- “Replacement value” means the value of the land where there is no demand or market for the land by reason of the situation or of the purpose for which the land was devoted at the time of the declaration made under section 1 of this Act, and shall be the amount required for reasonable

- re-instatement equivalent to the condition of the land at the date of the said declaration; and
- “Other damage” means damage sustained by any person having a right or interest in the land or in adjoining land, by reason of severance from or injurious affection to any adjoining land.

2.2.4 The State Lands Regulation of 1962 (LI 230)

The State Lands Regulation of 1962 (LI 230) was enacted pursuant to Act 125 and provides general guidelines and directions for implementing the provisions of Act 125 regarding compulsory acquisition of land and consequential compensation. Regulation LI 230 calls for the establishment of Site Advisory Committees (SACs), which are technical bodies whose task it is to consider all requests for compulsory acquisition of lands and advise on the suitability of the lands for the intended projects. The SACs are composed of professionals from state land agencies, public work departments, and utilities. The recommendations of the SACs are forwarded to the Regional Minister for approval.

2.2.5 The Lands (Statutory Wayleaves) Act, 1963

The Lands (Statutory Wayleaves) Act, 1963 (Act 186) details the process involved in occupation of land for the purpose of the construction, installation and maintenance of works of public utility, and for the creation of right-of-ways (RoW) for such works. Where a RoW must be established in the public interest, the president may declare the land to be subject to such statutory wayleave. On publication of a wayleave instrument specifying the area required, and without further assurance, the land shall be deemed to be subject to wayleave. Once the property owner is served a copy of the Way leaves, he/she has three months from that date within which to make a compensation claim.

The key elements of this Act include the following:

- 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 24-hour notice before actual entry;
- Any damage due to entry must be compensated in accord with the procedures established by the Minister unless the land is restored or replaced;
- In the case of highways, no compensation shall be paid, unless the land taken is more than one fifth of the total holdings of an affected person;
- Where a right of way must be established in the public interest, the President may declare the land to be subject to such statutory wayleave; and
- On publication of a wayleave instrument specifying the area required, and without further assurance, the land shall be deemed to be subject to wayleave. Compensation is then determined and paid, with the right of appeal to a Tribunal established by the President, in parallel with the Lands Act, 1962.

2.2.6 The Lands (Statutory Wayleaves) Regulation of 1964 (LI334)

The Lands (Statutory Wayleaves) Regulation of 1964 (LI334) restates the principles of the Act 186, in that the State retains the power to compulsorily acquire any area of land for public use if necessary and pay prompt and appropriate compensation to the original owner(s) of said land. LI334 also establishes provisions for Wayleave Selection Committees to determine the optimal routing and to ensure that the selected wayleaves are consistent with urban and rural planning. Occupiers of current RoWs have no right to compensation under Ghanaian law if they occupied the RoW after its formal declaration.

2.2.7 Survey Act 1962, Act 127

The Survey Act 1962, Act 127 relates to geological, soil and land survey. Part II of the Act deals with demarcation and survey of lands. Under the law, the sector minister may appoint official surveyors and the Chief Survey Officer (Director of Surveys) may license private surveyors. It is the official surveyor or

licensed surveyor that shall certify plans for attachments to instruments of conveyance, leases, assignment, charge or transfer. Under the law it is an offence to damage, destroy or alter any boundary mark.

The Act 127 gave legal backing to the Director of Surveys to carry out cadastral and other surveys through official surveyors who work directly under him at the Survey Division of the Lands Commission. It also gave authority to the Director of Surveys to recommend from time to time experienced surveyors to the Minister responsible for Lands to be licensed to undertake surveys.

2.2.8 Land Title Registration Act 1986, PNDCL 152

The Law provides for accurate parcel or cadastral maps which would reduce fraud, multiple registrations and reduce litigation. It also provides for publication and adjudication of conflicts. The certificate of title to the land is indefeasible and can only be cancelled by a court of law. The Land Title Registration Law provides for the registration of all interests held under customary law and also the common law. Under this law the registrable interests include (i) allodial title, (ii) usufruct/ customary law freehold, (iii) freehold (iv) leasehold, (v) customary tenancies and (vi) mineral licenses.

2.2.9 Lands Commission Act 2008, Act 767

The Lands Commission Act 2008 re-establishes the Lands Commission to integrate the operations of public service land institutions in order to secure effective and efficient land administration to provide for related matters. The objectives of the Commission include among others to:

- Promote the judicious use of land by the society and ensure that land use is in accordance with sustainable management principles and the maintenance of a sound eco-system; and
- Ensure that land development is effected in conformity with the nation's development goals.

Currently, the Commission has the following Divisions: Survey and Mapping; Land Registration; Land Valuation; and Public and Vested Lands Management.

2.2.10 Land Use and Spatial Planning Authority (LUPSA) Act 2016, Act 925

This Act revises and consolidates the laws on land use and spatial planning, provide for sustainable development of land and human settlements through a decentralised planning system, ensure judicious use of land in order to improve quality of life, promote health and safety in respect of human settlements and to regulate national, regional, district and local spatial planning, and generally to provide for spatial aspects of socio economic development and for related matters. Section 104 (1a) provides for compensation of a person whose property is adversely affected by the operation of a scheme or by the execution of a work under a scheme under this Act.

2.2.11 Office of the Administrator of Stool Lands Act, 1994 (Act 481)

The OASL Act 1994, Act 481 establishes the Office of the Administrator of Stool Lands as enshrined in Article 267 (2) of the 1992 Constitution and it is responsible for establishment of stool land account for each stool, collection of rents and the disbursement of such revenues. The Administrator is charged with the management of stool lands and in accordance with the provisions in the 1992 Constitution, 10% of the gross revenue goes to the Administrator of Stool Lands for administrative expenses whilst the remainder is disbursed as follows:

- 25% to the stool through the traditional authority for the maintenance of the stool;
- 20% to the traditional authority;

- 55% to the District Assembly, within the area of authority of which the stool lands are situated.

2.2.12 Alternative Dispute Resolution Act 2010 (Act 798)

The purpose of the Act is to “...provide for the settlement of disputes by arbitration, mediation and customary arbitration, to establish an Alternative Dispute Resolution Centre and to provide for related matters.” The Act further defines Alternative Dispute Resolution “as the collective description of methods of resolving disputes otherwise than through the normal trial process” (Section 135). The ADR Act covers both domestic and international arbitration in Ghana and the enforcement of both domestic and foreign arbitral awards within the jurisdiction.

Under Section 1, Application, the Act applies to matters other than those that relate to

- the national or public interest;
- the environment;
- the enforcement and interpretation of the Constitution; or
- any other matter that by law cannot be settled by an alternative dispute resolution method.

2.3 Land Administration and Institutional Framework

Key institutions involved in land administration and or resettlement related activities in line with this RPF include:

- Metropolitan/Municipal/District Assemblies (MMDAs) and the Physical Planning Department;
- Lands Commission;
- Office of the Administrator of Stool Lands (OASL);
- Environmental Protection Agency (EPA);
- Traditional Authorities.

2.3.1 MMDAs and the Physical Planning Department

The Local Governance Act 2016, Act 936 establishes and regulates the local government system and gives authority to the MMDAs to exercise political and administrative power in the districts, provide guidance, give direction to, and supervise all other administrative authorities in the districts. The MMDAs are under the Ministry of Local Government and Rural Development.

The MMDAs are mandated to initiate programmes for the development of basic infrastructure and provide municipal works and services as well as be responsible for the development, improvement and management of human settlements and the environment in the district.

The Land Use and Spatial Planning Authority (LUSPA) is responsible for sustainable development of land and human settlements through a decentralised planning system, and currently operates at the regional and district levels, with the responsibility for designing plans (planning schemes) and controlling settlements.

LUSPA, as a decentralised institution, forms part of the District Assembly structure as the Physical Planning Departments, which replaced the erstwhile Town & Country Planning Department; and at the regional level as the Regional Land use and Spatial Planning Authority.

The Physical Planning Departments which have the mandate of planning schemes and controlling settlements would lead the DAs in the land acquisition process.

2.3.2 Lands Commission

The Commission currently has the following Divisions:

- Public and Vested Lands Management
- Land Valuation
- Land Registration
- Survey and Mapping

Public and Vested Lands Management Division of the Lands Commission

The Public and Vested Lands Management Division of the Lands Commission is the principal land management organisation of the government. All public land is vested in the President of Ghana and held in trust by him for the people of Ghana. The Public and Vested Lands Management Division manages all public land on behalf of the President. In each of the regions of Ghana (occur for the previous ten regions and new offices yet to be created for the new 6 regions), a branch, known as the Regional Lands Commission, performs the functions of the Lands Commission. In addition to managing public lands on behalf of government, its other mandates include among others providing:

- Advise the government and local authorities on policy matters, and to ensure that the development of individual parcels of land is consistent with area development plans; and
- Advise on and assist in the execution of a comprehensive programme of land title registration.

The acquisition of any rights of exclusive possession over public lands would necessitate discussions with the relevant Regional Lands Commission for a lease over the selected site.

Land Valuation Division (LVD)

It was established in 1986 (PNDC Law 42) as the Land Valuation Board (LVB). However, the LVB was brought under the Lands Commission as the Lands Valuation Division with the promulgation of the Lands Commission Act 2008, Act 767. The LVD is responsible for all valuation services for the government, including assessing compensation to be paid as a result of land acquisition or damage to an asset in view of a government project.

The Division keep rates for crops which are applicable nation-wide. The LVD has offices in all previous ten (10no.) regions of Ghana (yet to create offices in the new 6 regions) and 44 district offices. The district offices are involved only in 'rating valuation' and that any valuation taking place has to be undertaken by the Regional offices which have certified valuers. The LVD also keep records of private sector certified valuers.

Land Registration Division of the Lands Commission

It was established in 1986 as the Title Registration Advisory Board under Section 10 of the Land Title Registration Act, 1986. However, it was brought under the Lands Commission as the Lands Registration Division with the promulgation of the Lands Commission Act 2008, Act 767. The Division ensures registration of title to land and other interests in land; maintains land registers that contains records of land and other interests in land; ensures registration of deeds and other instruments affecting land, among other functions.

Survey and Mapping Division of the Lands Commission

It was established in 1962 under the Survey Act 1962, Act 127 as the Survey Department. The Department was brought under the Lands Commission as the Survey and Mapping Division with the promulgation of the Lands Commission Act 2008, Act 767. The Division supervises, regulates and controls the surveys and

demarcation of land for the purposes of land use and land registration. It also supervises, regulates, controls and certifies the production of maps. It is responsible for planning all national surveys and mapping among other functions.

2.3.3 Environmental Protection Agency (EPA)

The EPA is established under the EPA Act, 1994 (Act 490) and is responsible for the protection of the environment and this include the human/ socioeconomic environment as well. The Agency is under the Ministry of Environment, Science, Technology and Innovation. Its functions include the following amongst others:

- Advise the Minister on the formulation of policies on all aspects of the environment and in particular make recommendations for the protection of the environment;
- Ensure compliance with any laid down environmental and social impact assessment procedures in the planning and execution of development projects, including compliance in respect of existing projects;
- Act in liaison and co-operation with government agencies, district assemblies and other bodies and institutions to generally protect the environment; and
- To promote effective planning in the management of the environment.

The EPA is the main government body for receiving and reviewing all Environmental and Social Impact Assessment reports. Currently, Resettlement Plan reports sent to the EPA for review are usually attached to the mainstream Environmental Impact Assessment (EIA) Reports. The Agency is yet to develop a general guideline or format for the preparation of a Resettlement Plans as it has done for the preparation of an EIA report. The EPA has offices in all the previous ten regions of Ghana and zonal offices which takes care of a cluster of districts.

2.3.4 Traditional Authorities

In the 1992 Constitution, chieftaincy together with its traditional councils is guaranteed and protected as an important institution in the country. This institution operates in tandem with the Ministry for Chieftaincy and Traditional Affairs, which is the official Ghanaian agency responsible the creation of linkages between the Government of Ghana and the traditional authorities in the country.

In Ghana land is owned predominantly by customary authorities (stools, skins, clans and families). Together they own about 78% of all lands while the State owns about 20% with the remaining 2% owned by the state and customary authorities in a form of partnership (split ownership), (Larbi, 2008). Article 267 (1) of the 1992 Constitution avers that all stool lands in the country shall vest in the appropriate stool on behalf of, and in trust of the subjects of the stool in accordance with customary law and usage. All revenue from stool lands are collected and disbursed by the Office of the Administrator of Stool Lands (OASL).

2.4 Gaps between Ghana Regulations and World Bank Standards

There are significant gaps between Ghanaian regulations and World Bank requirements. These are summarized in Table 2-1.

Table 2.1: Comparison of Ghanaian Regulations with World Bank Requirements

Topic	Ghana legislation requirement	WB Requirements	Gaps Filling Procedures
Timing of compensation payment	Prompt	Prior to displacement	Compensation payments are done prior to displacement.
Calculation of compensation	Fair and adequate	Full replacement cost	The Replacement Cost Approach (RCA) will be adopted for the calculation of compensation. Others will include cost of movement, disturbance cost, livelihood restoration measures, etc., depending on the type of impact
Squatters	No provision. Are deemed not to be eligible and therefore not entitled to any compensation	Are to be provided resettlement assistance (but no compensation for land)	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 <i>“suitable land with due regard for their economic well-being and social and cultural values”</i> .	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.)
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
Gender and Vulnerable groups	No specific provision	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women, children, indigenous peoples, and ethnic minorities	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women 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 24 hours' notice before actual entry.	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.

Topic	Ghana legislation requirement	WB Requirements	Gaps Filling Procedures
		participate in planning, implementing, and monitoring resettlement.	
Disclosure	No specific provision	RPF and subsequent resettlement instruments, such as RAPs, should be submitted for public disclosure purposes	Resettlement instrument prepared including RPF will be submitted for public disclosure purposes
Grievance Redress	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 in the RPF. The law court will be a last resort as much as practically feasible.
Use of resettlement instrument	No clear provision	Can use RPF, RAP, Process Framework	Will use RPF, RAP process framework as appropriate

(*NB squatters do not have authorised permission from landowners, traditional or government authority or property owners to settle in the present location or occupy or use the property)

3 PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION

3.1 Principles

3.1.1 Regulatory Framework

The key principles for conducting involuntary resettlement are to:

- avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- avoid forced eviction
- mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- conceive and execute resettlement activities as sustainable development programs, providing sufficient resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant; and
- ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Any impact of the GPSNP 2 on land and/ or people (land acquisition, restrictions on land use, physical displacement/ resettlement, livelihood restoration of affected people) will be addressed in compliance with the Constitution of Ghana, with other Ghanaian regulations, and with the World Bank Environmental and Social Standard 5 – Land Acquisition, Restrictions on Land use and Involuntary Resettlement. Where there are gaps or inconsistencies between Ghanaian laws and the World Bank Standards, this RPF which is consistent with the World Bank ESS 5 will apply.

3.1.2 Minimization of Displacement

In line with the World Bank ESS 5, displacement of people will be minimized through the following:

- The project will focus mainly on public lands or communal land or stool lands vested in the traditional authorities.
- Poor landowners, traditional authorities, communities and farmers who already own and or have access to lands will be considered.
- Where land acquisition or restriction on land use is required for sanitation facilities or other project infrastructure, such lands should not have or host settlements or dwellings such that affected persons will be 200 or more which will require the preparation of RAP;
- Wherever inhabited permanent dwellings/structures, or communal properties such as cemeteries or religious places may potentially be affected by a component of a GPSNP 2 sub-project, the sub-project shall be reassessed to avoid any impact on such permanent dwellings or communal properties and to avoid displacement/relocation accordingly;
- Culturally sensitive sites such as cemeteries, sacred groves and shrines as much as possible will be avoided and not be relocated; and
- Costs associated with displacement and resettlement will be internalized into sub-project costs to allow for fair comparison of processes and sites.

3.1.3 Cut-off date

In accordance with ESS 5 and for sub-project activities under GPSNP2, where land acquisition or restriction on land use will be required, and there are properties or occupants on the land, a cut-off date taking into account the likely implementation schedule of the sub-project will be determined. Preferably the cut-off-date will be based upon the date of inventory of assets/ properties.

3.1.4 Compensation

One cardinal principle of the World Bank Environmental Standard 5 on Land acquisition, restrictions on land use and involuntary resettlement is that project affected persons should be *no worse-off, if not better off*, after the compensation or resettlement has taken place. The compensation package will include loss of income or livelihood restoration assistance or relocation assistance as appropriate.

Compensation principles will be as follows:

- Compensation shall be paid prior to displacement/ land entry;
- Compensation will be at full replacement value.

The “full replacement value” includes the full cost of materials and labour required to reconstruct a building of similar surface and standing. In applying this method of valuation, depreciation of structures and assets are not taken into account. In other words, the affected person must be able to have their structure/property rebuilt in a different location using the compensation paid for the old building.

3.1.5 Income and livelihood restoration

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 ESS 5. This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their sustainability.

Livelihood assistance or restoration measures will be assessed in relevant resettlement instruments to be prepared such as RAPs depending upon the specific situation of the considered location. They may include the following:

- Agricultural development and support measures (agriculture, livestock, provision of inputs/ extension services);
- Micro-finance support (savings and credit), and other small-scale enterprise or business development activities; and
- Skill development and training.

3.1.6 Vulnerable Persons

During inventory of project affected persons under GPSNP2, activity with impact on livelihoods or displacement of affected people, vulnerable persons will be identified in order for special assistance or measures to be put in place for them.

3.1.7 Consultations and Grievance mechanisms

Meaningful consultations and information disclosure to take place before the process leading to displacement is launched in each particular area or location affected by a GPSNP 2 subproject activity.

A grievance registration and processing mechanism to be put in place, as early as possible to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons or project affected persons.

3.1.8 Community Involvement and Sensitization

Communities to benefit from the GPSNP 2 will be sensitized on the project and likely project impacts and the extent of their involvement to ensure project success. Measures instituted to address negative project impacts if any should be well communicated to the communities.

3.1.9 Categories of Resettlement Plan Reporting

Whether land acquisition is involved or not, the number of affected people and the impact of the land-take will determine whether the process is to include the preparation of a full Resettlement Action Plan (RAP). The Ministry of Local Government and Rural Development and the Rural Development Coordinating Unit (RDCU) will use the project implementation units at the MMDA offices to determine the number of affected persons under any GPSNP 2 subproject activity that is likely to generate resettlement related or compensation impact. These PIUs will also be responsible for implementing and reporting on RAPs

3.2 Objectives of the resettlement/ compensation program

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

- To ensure that project affected people are consulted and their concerns included in the resettlement/ relocation programme for implementation.
- To ensure that project affected people are adequately compensated for loss of property or restrictions on the property use, e.g. land, crops and structure, or communal property.
- To compensate the affected units and enterprises for their loss at full replacement cost.
- To ensure that physically displaced persons are properly relocated or resettled.
- To identify vulnerable groups including the elderly, physically challenged, women, children, poor people, and farmers among the project affected people and prescribe any special assistance they may require in terms of extra attention during the implementation of the programme.
- To ensure that gender considerations are factored in the whole program and a significant proportion of individual beneficiaries are women.
- To comply with both country and World Bank requirements on land acquisition, restrictions on land use and involuntary resettlement.

4 SOCIOECONOMIC CHARACTERISTICS AND LAND TENURE IN GHANA

4.1 Location and Size

The subproject component activities will be implemented across the country. Ghana is situated on the west coast of Africa and lies within longitudes 3°5'W and 1° 10'E and latitudes 4°35'N and 11°N, with a total area of 238 540 km.² The country has a north south extent of about 670 km and a maximum east-west extent of about 560 km. It shares borders with Côte D'Ivoire to the west, Burkina Faso to the north, and Togo to the east. To the south are the Gulf of Guinea and the Atlantic Ocean. The country is divided into 16 administrative regions and 254 Metropolitan, Municipal and District Assemblies (MMDAs), the units of targeting for the Project. (Figure 4-1).

4.2 Demographic Characteristics

Ghana's population as at 2010 stood at 24,658,823, comprising 12,024,845 (48.8%) males and 12,633,978 (51.2%) females, culminating into a sex ratio of 95.2. Ghana 2020 population was estimated at 31,072,940 based on Worldometer elaboration of the United Nations data. On regional basis, Ashanti Region is the most populous, with a population of 4,780,280, representing 19.4 percent of the country's total population followed by Greater Accra, with a population of 4,010,054 (16.3%). The least populous regions are Upper West with 702,110 persons constituting 2.8 percent of the total population and Upper East with 1,046,545 persons or 4.2 percent of Ghana's population. Population density stood at 103 persons per square kilometre in 2010. Average household size also stood at 4.4 (Ghana Statistical Service, 2012).

Ghana has a youthful population, thus consisting of a large proportion of children under 15 years, and a small proportion of elderly persons (65 years and older). The proportion of the population living in urban areas is 50.9 percent, with the level of urbanization varies from region to region. In terms of ethnicity, Akans are the predominant ethnic group in Ghana (47.5%), followed by the Mole Dagbani (16.6%), the Ewe (13.9%) and Ga-Dangme (7.4%). The Mande forms the smallest ethnic group (1.1%) in Ghana. For religion, 71.2 percent of the population profess the Christian faith, followed by Islam (17.6%). Only a small proportion of the population either adhere to traditional religion (5.2%) or are not affiliated to any religion (5.3%).

Literacy in Ghana is quite high, with majority (74.1%) of the population 11 years and older being literate. A large proportion (67.1%) of the population can read and write in English. About one-fifth (20.1%) can read and write in the English language only while 53.7 percent of the population can read and write in at least one Ghanaian language (Ghana Statistical Service, 2012).



Figure 4-1: Map of Ghana showing the current 16 administrative regions

Source: ([Map and Regions in Ghana - Ghana Permanent Mission to the United Nations \(ghanamissionun.org\)](http://Map_and_Regions_in_Ghana_-_Ghana_Permanent_Mission_to_the_United_Nations(ghanamissionun.org)))

4.3 Economic Characteristics

Of population aged 15 years and older, 71.1 percent are economically active and of these, most are employed (94.7%). Only 5.3 percent are unemployed. Females in this age group are more likely to be unemployed (5.8%) than males (4.8%). Most of the regions¹ have relatively high proportions of economically active persons. However, the highest proportion of economically active persons is in the Brong-Ahafo Region (74.4%) and the lowest is in the Ashanti region (69.4%). The proportion of unemployed population is highest in Greater Accra (7.8%) and lowest in Upper East (2.8%).

About two-fifth (41.2%) of the economically active population aged 15 years and older are skilled agricultural, forestry and fishery workers. About 21 percent is also engaged as service and sales workers while 15.2 percent is craft and related trade workers. Skilled agricultural, forestry and fishery work remain the dominant occupation for both males (44.9%) and females (37.7%). However, a much higher proportion of females (31.7%) than males (10.2%) is engaged as service and sales work. This pattern is generally the same for most of the regions, with the three northern regions (Northern, 73.3%; Upper West, 72.3%; Upper East, 70.1%) having relatively high proportions of the economically active population engaged as skilled agricultural, forestry and fishery workers.

According to Ghana Statistical Service, 2015, there is a high concentration of poverty in the North Western part of Ghana. Though incidence in the districts of the South Western parts is very low, there are however few districts with relatively high incidence. The concentration of poor persons is mainly observed in the northern than the southern districts of Ghana (Figures 4-2 and 4-3). Among the districts in Ghana, East Gonja in the Northern Region stands out as the district with most of the poor persons.

Districts in the Southern Ghana on the other hand show very low concentration of poor persons, there are few districts with high number of poor persons, but these numbers cannot be compared to what pertains to districts in the northern part of Ghana. Aside poverty incidence rate and number of poor persons, high depth of poverty is marked in districts in the northern half of the country as well. Across the country, inequality exists but follows no pattern. The poverty mapping exercise has revealed a striking pattern that would not have been apparent. In an effort to reduce poverty in Ghana, households in the poorest districts would be targeted for GPSNP 2.

¹ Note that administrative Regions have been realigned from 10 to 16. This information reflects the 10 regions.

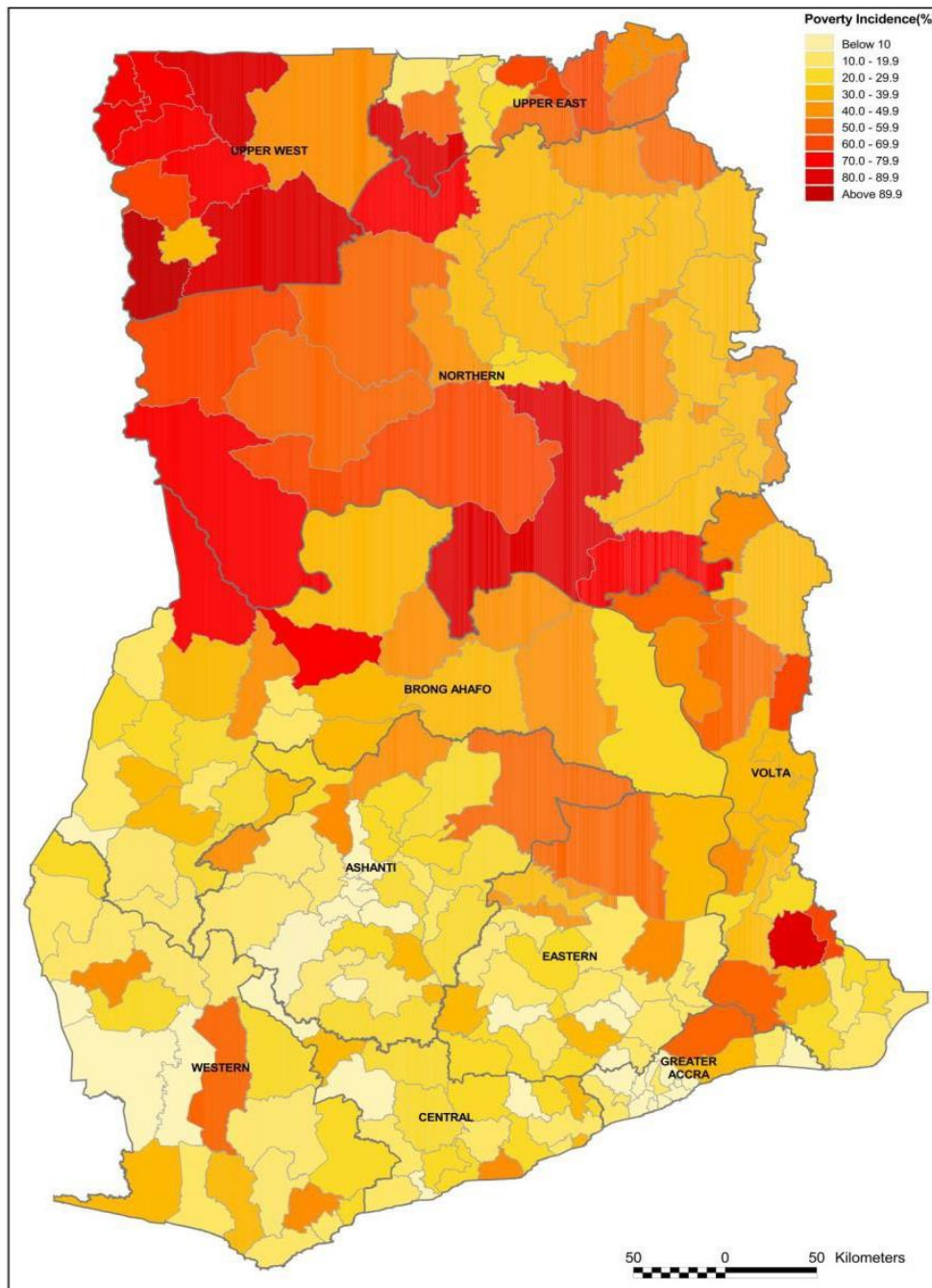


Figure 4-2: Incidence of Poverty in Ghana

Source: Ghana Statistical Service, 2015

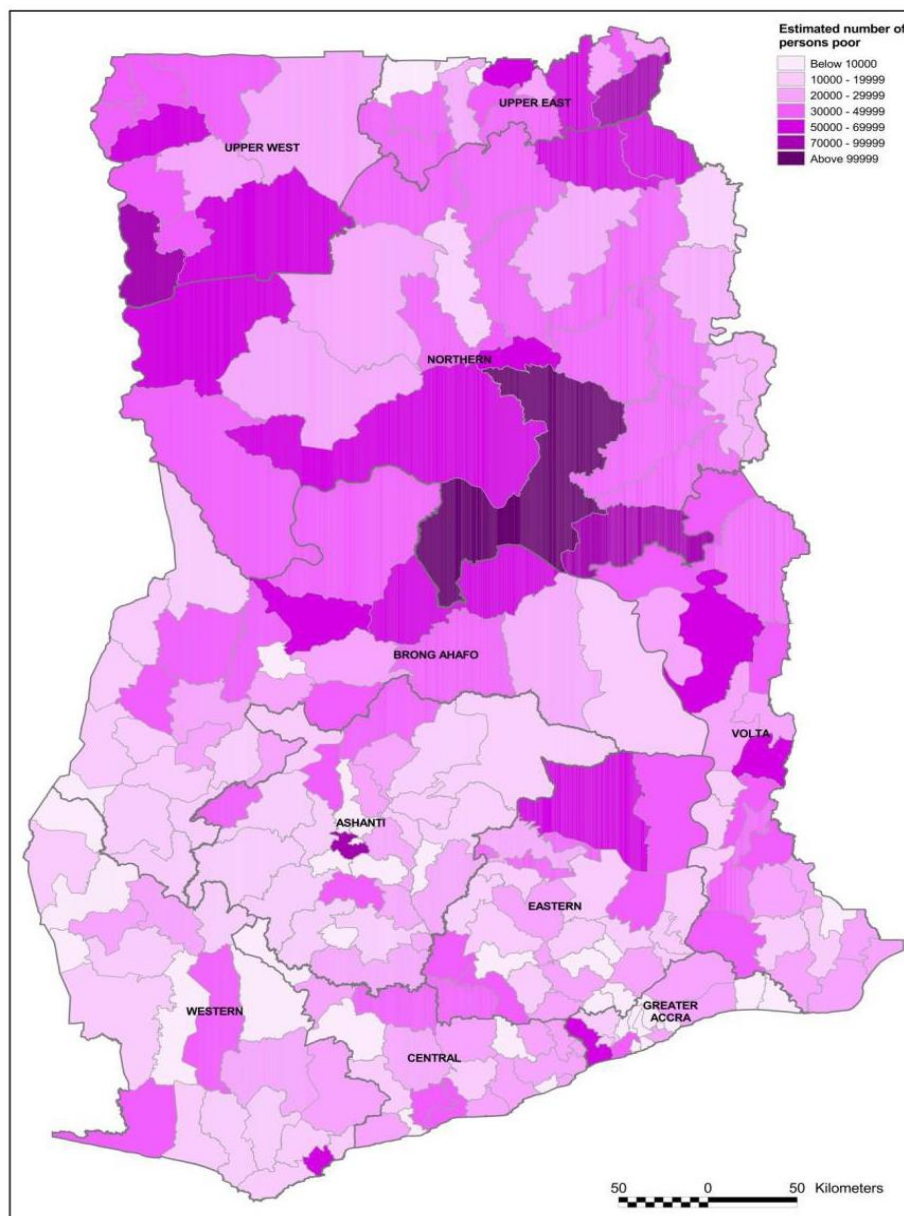


Figure 4-3: Estimated Number of Poor Persons in Ghana

Source: Ghana Statistical Service, 2015

4.4 Property and Land Rights in Ghana

The Constitution states 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). There are three types of land ownership in Ghana and these would be taken into consideration in the acquisition of land for subprojects under the Project:

- Customary ownership;
- State ownership; and
- Split Ownership.

The Land Title Registration Law of 1986 recognizes four types of customary ownership in land (detailed below) whereas the other two categories only contain one form of ownership each.

4.4.1 Customary Ownership

a) Allodial Title

This is the highest interest recognized by customary law. It is normally communally owned and is generally held or vested in stools or skins. In other traditional areas, this interest is held by subgroups like sub-stools, clans, families, or individuals. The owner of the allodial land holds this land under no restrictions or obligations other than those imposed by the law of Ghana.

b) Freehold Title

This is divided into customary law freehold and common law freehold.

i) Customary Law Freehold (Usufructuary Title).

Refers to an interest held by subgroups or individuals in land that is known to be owned allodially by a larger community. It can be acquired by cultivation or succession. It is perpetual, inheritable, and the holder has the right to sell, lease, or grant agricultural tenancies on the land. The land holder can occupy the land and derive economic benefit from it. The government and/or the allodial landowner may terminate holding rights if the land holder fails to produce successors, through compulsory acquisition, if the holder abandons the land, or in rare circumstance where the holder denies the absolute title of the allodial owner.

ii) Common Law Freehold.

Refers to an interest in land that stems from the sale or gift to a person outside the community, by the community that holds the allodial title to the land. The land holder's rights, and any dispute settlement mechanism, are defined by common law. This type of freehold is created by express grant. The grantor may impose terms on the grant, provided those terms are reasonable and not contrary to public policy. Only Ghanaian citizens may acquire freehold title to land.

c) Leaseholds

This is the right to occupy and develop the land granted for a certain period of time. Ghanaian law specifies 99 years for Ghanaian citizens, and 50 years for non-Ghanaians. A lease may be granted either by the holder of the allodial title or a customary freeholder. It is a creation of the common law. The grantor may impose various terms on the lease, including the payment of rent.

d) Customary Tenancy

Owners of the allodial title or customary freehold can create various lesser interests (than those described above). These types of tenancies are usually share-cropping arrangements. Under “*abusa*” tenancy, the tenant farmer is entitled to a third of the produce from the land. Under “*abunu*” tenancy, the farmer is entitled to half of the produce.

4.4.2 State Ownership

State land is the land which the state has compulsorily acquired for public purposes or in the public interest, as specified in the Constitution. Under such ownership, the allodial rights become vested in the government, which thus allows the government to, for example, lease or allocate the land to state institutions, individuals or organizations. Cadastral surveys are used to determine the boundaries of state lands.

4.4.3 Vested Lands (Split Ownership)

Split ownership occurs when the state takes legal ownership of the land, but the customary owner retains the equitable interest in the land. 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.

4.5 Critical Emerging Land Tenure Issues

In Ministry of Lands and Forestry (2003), some emerging land tenure issues were discussed, which will be critical in understanding land tenure issues for the success of the Project.

➤ *General Indiscipline in the Land Market*

This is characterised by a high spate of land encroachments, multiple sales of same parcels, unapproved development schemes, haphazard development, leading to environmental problems, disputes, conflicts and endless litigation.

➤ *Absence of a National Database on Land Ownership*

There is no national database on land ownership. This coupled with undetermined boundaries of customary lands and a lack of reliable maps and plans, result in the use of unapproved, old or inaccurate maps, leading to land conflicts and litigation among stools, skins and other land owning groups. There is no doubt at all that the custodians of customary lands know in general where their boundaries lie but since these boundaries have not been demarcated on the ground so much confusion arise when demand for land increases near the boundaries. There are so many land disputes in the country but when each is studied critically it will be realised that it eventually goes down to the boundaries between the major land owning groups – between Dagbon and Gonja, between Akyem and Ashanti, between Asokore and Effiduase, etc. The absence of a national database is also reflected in a lack of documentation on various rights and interests in land, a basic shortcoming of customary tenure.

➤ *Chieftaincy Disputes*

Chieftaincy disputes affect customary ownership and disposition of stool and skin lands. A registrar at one of the Traditional Councils once indicated that about 70 percent of chieftaincy disputes have land issues – disposition of the land and accountability for the proceeds from the land – as one of the core reasons for preferring destoolment charges. This creates uncertainty regarding the right person to deal

with for land. Sometimes some of the decisions on chieftaincy disputes also create problems for land administration. Where for example, after a chief has reigned for some time, his nomination, election and enstoolment is declared null and void without any consequential provisions on the acts the chief might have performed, including land dispositions whilst he was a chief. This leaves grantees of the destooled chief without any security of tenure and usually they have to re-negotiate for the land afresh. Sometimes where the land is not developed, it is re-granted to another person without taking into cognisance the acts of the destooled chief.

➤ *Distribution of Stool/ Skin Land Revenue*

There is inequitable distribution of stool/ skin land revenue in favour of the state rather than the landowners as provided in Article 267(6) of the 1992 Constitution, creating a lot of poverty among the landowners. Under this provision the stool/skin landowners are entitled to only 22.5% of the total revenue. The state takes 59.5% and the traditional council 18%. This remark is particular important at reaching terms of the benefit sharing arrangements under the Project after VLD.

➤ *Weak Land Administration System*

A weak land administration system characterised by lack of comprehensive land policy framework, fragmented institutions for land administration, reliance on numerous (quantitatively) but inadequate (qualitatively) and outdated legislation, lack of adequate functional and coordinated geographic information systems and networks, as well as of transparent guidelines, slow disposal of land cases by the courts, poor capacity and capability to initiate and coordinate policy actions, let alone resolve contradictory policies and policy actions among various land delivery agencies. There is lack of consultation, coordination and cooperation among land development agencies, resulting sometimes in overlapping and duplication of functions and efforts.

➤ *Lack of Consultation with Customary Landowners*

There is lack of consultation with customary landowners in decision-making for land allocation, acquisition, management, utilisation and development, which has generated disputes between the state and the private landowning groups and within communities. The experience in the past has been the use of state structures to dominate the administration of land ownership, land rights, tenures and land development to the detriment of customary owners and adequate support and protection of customary practices.

5 POTENTIAL PROJECT IMPACTS ON ASSETS AND LIVELIHOOD AND MITIGATION

5.1 Assessment of Social Impacts

The project is expected to have both positive and negative social impacts on assets and livelihoods. Provisions are made under this RFP to minimize all the negative impacts including those of socio-economic significance. Provisions are also made in this RFP to accommodate all potential situations, including cases that entail actual displacement and livelihood restoration assistance in accordance with the Ghana Legal Framework and World Bank Environmental and Social Standard on Land acquisition, restrictions on land use and involuntary resettlement.

The project activities will not require acquisition of new lands but will involve the use of existing lands for the rehabilitation and maintenance of existing infrastructure and climate change activities. However, the project is expected to finance the following activities under component 2 (rehabilitation and maintenance of rural feeder and access roads and small earth dams and dugouts, climate change mitigation interventions including cultivation of fruit trees and cash crops and woodlots on degraded communal and public land and construction of rural and urban sanitation facilities. These are envisaged to be small scale, community focused and will take place largely in existing footprints using local labour. There is however the potential loss of property and livelihood from the rehabilitation, maintenance and climate change works.

Communal and public lands will first be considered for the construction of sanitation facilities in rural and urban areas. However, if the public or communal lands available for the sanitation facilities are not suitable due to environmental conditions, then privately-owned property/land would have to be acquired at the market value.

There is no sufficient information to estimate the number of PAPs at this stage. However, based on an understanding of the social structure of rural, peri-urban and urban communities and the nature of the project activities, the categories of population most likely to be adversely impacted include but not limited to individuals, farmers, pastoralists, hunters, herbalist, land owners, traditional authorities and communities as a whole. The potential social benefits and negative impacts associated with the project are described in Tables 5-1 and 5-2 respectively.

Table 5.1: Potential Social Benefits

No.	Impact	Description of Potential Impact/Issue	Social Significance
1	Mass Employment	Large numbers of people and households would be gainfully employed during the slack agricultural period. This would significantly discourage rural-urban drift during such periods.	Major
2	Skills Development	Through the Productive Inclusion sub-component of the Project, varied training including vocational skills would be imparted onto the beneficiaries to enable them to earn sustainable incomes aside the temporary employment the rehabilitation of the facilities offer. Such skills include; shea-butter processing, livestock rearing, rice parboiling and basket and hat weaving, etc.	Major

No.	Impact	Description of Potential Impact/Issue	Social Significance
3	Improvement of infrastructure and social facilities at pro poor communities	The rehabilitation and maintenance of feeder roads/ access roads, small earth dams and dugouts in rural areas and construction of sanitation facilities in rural and urban poor areas will improve the conditions of these facilities/infrastructure for effective use and benefits to the communities.	Major
4	Female Empowerment	The Project has as one of its aim to employ 60% of the participants as women. This would eventually lead to the economic empowerment of women, especially those that are household heads.	Major
5	Financial Inclusion	The Project would use electronic means (e-zwich) in the payment to beneficiaries, which would allow them to possess transaction accounts. Access to a transaction account is a first step toward broader financial inclusion since it allows people to save money and send and receive payments. A transaction account can also serve as a gateway to other financial services.	Moderate
6	Enhanced Institutional Capacity to Support decentralization	The support to community institutions would particularly enhance community involvement in decision processes affecting their interests, gender issues and other environmental and social related activities in their immediate neighbourhoods.	Moderate

Table 5.2: Potential Adverse Social Impacts

No.	Impact	Description of Potential Impact/Issue	Social Significance
1	Involuntary Resettlement	Possible cases of involuntary resettlement are expected during construction/rehabilitation of infrastructure. This will mostly involve loss of agricultural land for Climate Change Mitigation Intervention (CCMI) intervention and for expansion of reservoir and catchment areas for SEDD, and construction of sanitation facilities.	Major
2	Local economy such as employment and livelihood, etc.	With land clearance, pastoralists would lose grazing land (especially in the south where degraded lands are not used). Hunters, palm wine tappers and other people who depend on the land for forms of livelihood would also be displaced.	Major
3	Economic and non-economic trees	Project activities would also lead to loss of economic trees and non-productive fruit and shade trees. This would be the instance for all three sub-project types.	Moderate
4	Land use and utilization of local resources	Land use will likely change from grazing land to plantations (in case of CCMI). During or after project implementation, there would be conflicts between pastoralists and plantation managers in circumstances where not enough grazing lands are available.	Moderate
		Loss of access to medicinal plants may result.	Low
5	Social conflict	Possible misdistribution of benefit among key stakeholders.	Moderate
6	Cultural heritage	Culturally sensitive areas will be avoided. Less sensitive areas may be affected by the construction/ rehabilitation of infrastructure, especially with the feeder roads and land take for the SEDDs.	Low

5.2 Mitigation Measures

The mitigation measures will consider issues such as (1) income levels of affected persons, (2) other non-monetary sources of livelihood, (3) constraints and opportunities for income generation, (4) number of persons not able to revert to previous occupation, and (5) existing skills of affected persons. Baseline and follow-up surveys would be conducted to ensure that livelihood restoration for PAPs is met. The proposed mitigation measures are captured in Table 5-3.

Table 5.3: Proposed Mitigation Measures for Potential Impacts

No.	Impact	Impact Description	Mitigation Measures and Monitoring
1	Involuntary Resettlement	Possible cases of involuntary resettlement are expected during construction/ rehabilitation of infrastructure. This will mostly involve loss of agricultural land for CCMI intervention and for expansion of reservoir and catchment areas for SEDD.	1. Avoid relocation or displacement of dwelling or landed assets by changing facility location or rerouting. 2. Prefer degraded lands for CCMI projects 3. Compensation of established landowners only where resettlement is unavoidable 4. No land acquisition (involuntary or otherwise) should occur on land that is under dispute.
		Cases of voluntary land agreements (customary land) resulting in restriction of access, use, customary ownership rights.	1. Consultations with all relevant parties beyond the chiefs 2. Proper E&S screening undertaken to ensure sub-projects do not result in displacement or loss of assets or access 3. Sufficient documentation to support the land donation consultations and agreement (including benefit sharing arrangements if any)
2	Local economy such as employment and livelihood, etc.	With land clearance, pastoralists would lose grazing land (especially in the south where degraded lands are not used). Hunters, palm wine tappers and other people who depend on the land for forms of livelihood would also be displaced.	1. Allocation of alternative grazing grounds for Animals 2. Assist those who depend on the land for livelihood to identify and access similar resources with similar potentials elsewhere in consultation with them. 3. Open as one of the alternatives, participation of those whose livelihoods are affected in LIPW.
3	Economic and noneconomic trees	Project activities would also lead to loss of economic trees and non-productive fruit and shade trees. This would be the case for LIPW sub-project types.	1. Avoid the removal of trees especially in the cases of tree planting. Also avoid for SEDD and FR unless highly necessary. 2. Translocation or replacement planting to compensate for the loss of any tree.
4	Land use and utilization of local resources	Land use will like change from grazing land to plantations (in case of CCI). During or after project implementation, there would be conflicts between pastoralists and plantation managers in circumstances where not enough grazing lands are available.	1. Allocation of alternative grazing grounds for animals in consultation with pastoralists, farmers and local community leadership.

No.	Impact	Impact Description	Mitigation Measures and Monitoring
		Loss of access to medicinal plants may result.	1. Identification and avoidance of medicinal plants for CC sub-projects 2. Replanting of plants for the case of FR and SEDD sub-projects
5	Social conflict	Possible misdistribution of benefits among key stakeholders	Consultation with stakeholders to reach an agreement.
6	Cultural heritage	Culturally sensitive areas would be affected by the construction/ rehabilitation of infrastructure, especially with the feeder roads and land take for the SEDDs	Avoid culturally sensitive areas

5.3 Impacts on Vulnerable Groups

Vulnerable groups in this context are those at risk of becoming more vulnerable due to the displacement, compensation, and resettlement process. Experience from implementation of GSOP and GPSNP identified vulnerable persons to include but not limited to:

- The elderly, usually above 60 years;
- Widows;
- Children;
- Disabled persons (mentally or physically)
- Women (especially landless women);
- Female heads of households;
- Herdsmen (Cattle); and
- Migrant farmers (without land title).

Assistance to Vulnerable People

The project will identify vulnerable persons during census for the Resettlement Action Plan (RAP) preparation when project scope and activities are properly identified and confirmed. This step is critical because often vulnerable people do not participate in community meetings (because most often they are shielded by the society and fronted by other individuals), and their disability/vulnerability may remain unknown.

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, the project will ensure they participate in financial literacy training especially for women and assistance in compensation payment procedures (e.g., going to the bank with PAP 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 during moving;
- Assistance in locating and growing of fodder banks for the herdsmen for cattle grazing;
- Ensuring migrant and settler farmers are included in the consultations regarding the RPF/RAP and compensation and have their share of the compensation and assist in finding alternative sites for farming and also set as an option to incorporate them into activities of the Project;

- Assistance in building: providing materials, workforce, or building houses;
- Health care if required at critical periods: moving and transition period;
- Provisions to be made in RAPs. Each RAP developed under the Project would make precise provisions with respect to assistance to vulnerable groups, for example amongst assistance possibilities listed above; and
- Monitoring and continuation of assistance after resettlement and/or compensation, if required.

5.4 Gender Assessment of Project Impact on Women

The project recognizes that women's rights to own and use land is an issue with lots of implications on their welfare. In some parts of Ghana, especially in the south, women are allowed to own land and cultivate crops. The key challenge in accessing land is however lack of capital. In northern Ghana however, women do not mostly own land but are actively involved in small holder farming. These make it intricate for gender issues to be mainstreamed in different aspects of the project. Otherwise, the target groups, especially women would most likely face the following adverse effects:

- insecurity in land acquisition and tenure;
- inability to expand their farms;
- continued operation at subsistence level using old and unproductive tools and farming practices;
- loss of farms without adequate compensation;
- loss of livelihood for entire families;
- resettlement without due regard to the welfare of the target groups;
- restricted access to improved economic and social infrastructural facilities;
- limited ability and capacity to diversify their operations;
- depressed employment opportunities especially for the youth;
- non motivation to form associations to improve their wellbeing;
- Increase gender disparities among men and women; and
- exposure to greater economic disparities resulting in worsening of poverty among the target groups.

The Project will be guided by a Gender Inclusion Plan (already developed under GPSNP) which will include gender-specific actions considered for resettlement planning and participation in project benefits. In terms of gender participation, the predecessor projects, GSOP/GPSNP had as one of its key development indicators to employ at least 60 percent of women as beneficiaries on the LIPW component, and GSOP achieved at 61 percent. To date, GPSNP has 62 percent female beneficiaries. GPSNP 2, under the public works component, will maintain, and build on this target to continue to give more opportunities to women.

6 VALUATION, ELIGIBILITY AND ENTITLEMENTS

Under the GPSNP 2, efforts will be made to minimize impacts on land, people and property, loss of livelihood, and access to resources due to the execution of works under the LIPWs.

6.1 Valuation of Assets

1.1.1 Basis of Valuation

The basis of the valuation of any affected property under the GPSNP 2 will be in accordance with the requirements of the World Bank's ESS 5; the States Lands Act 1962; and the Constitution of Ghana.

1.1.2 Valuation Methods

Table 6-1 provides the general guideline for cost preparation and method for valuing affected assets/properties under the GPSNP 2. Valuation of affected properties will be at full replacement cost which is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement.

Land

With regards to land, "replacement cost" is defined as follows:

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

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 could be adopted if there is no availability of vibrant and free land market, in which case the interested individual will negotiate with the landowner and agree upon an amicable price for the leasing of the land.

Structures

With regard to structures, "replacement cost" is defined as follows:

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

The Replacement Cost Approach (RCA) will be adopted for the valuation of the structures. The RCA is based on the assumption that cost and value are related. 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, plus any other transaction cost.

For the purpose of this valuation, the affected assets/structures and development will not be depreciated and the value of salvage materials are not taken into account nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

Crops/ Economic Plants

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

Methods used by the Land Valuation Division to calculate rates are not disclosed and are kept confidential. However, realistic valuation rates will be applied under the GPSNP 2 to meet the “full replacement cost” requirements under the World Bank standards. Realistic valuation rates for the crops will be derived by applying appropriate depreciation, inflationary, labour and production cost factors to the prevailing LVD rates to ensure that the rates are in harmony with the full replacement cost/ value requirements.

Alternatively, realistic rates could also be derived through new calculations based on sound valuation principles and methods. Crops to be valued will generally be categorized into annual and perennial crops. The value of annual crops will be based on the cost of production method while valuation of perennial crops will be based on the investment method of valuation.

Livelihood/ Supplementary Assistance and Disturbance Cost

Loss of income for farmers/ businesses will be estimated from net monthly/ annual profit of the farm/ business verified by an assessment of visible stocks and activities. In addition to the compensation, a disturbance cost will be determined and paid as allowances or factored into the valuation rate as appropriate in line with the State Lands Act.

Table 6.1: General guidelines and methods for costs preparation

Item	Types	Method
Land	Communal and public lands	1. No compensation required. No valuation expected.
	Private lands	2. 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. 3. Disturbance to the landowner as determined by the valuer 4. Supplementary assistance representing loss of income where applicable
Building, structures	Any type of structure, e.g., mud houses with thatch roofing/ sandcrete block houses, etc.	Full Replacement Cost method. No depreciation to be applied.
Farm crops	Economic plants/ food crops	Enumeration approach and applying updated LVD rates.
Cultural resources	Sacred groves, cemeteries, shrines	1. First option is avoidance. 2. Relocation method would be used and should be done in consultation with and acceptable to the traditional authorities or community leaders.

Item	Types	Method
Losses of income and livelihood	Farming, 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	the reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land	To be determined by the professional valuer during the valuation exercise as appropriate

1.1.3 Valuation Responsibility

This will be executed by the Land Valuation Division, which is the government's statutorily accredited valuation body. The Regional Valuation officers from the Lands Valuation Division will be engaged to value affected assets/ properties based on the replacement cost principle. Certified private valuers may also be engaged where necessary or if required to assist the process.

6.2 Eligibility

Displaced or affected persons in the Project would be classified as persons or groups:

- Who have formal legal rights to land or assets (including customary and traditional rights recognised under the law;
- Who do not have formal legal rights to land or assets at the time the census begins, but have a claim to land or assets that is recognized or recognizable under national law; or
- Who have no recognizable legal right or claim to the land or assets they occupy or use.

The project activities will involve the use of existing lands for the rehabilitation and maintenance of existing infrastructure and climate change activities. However, this RPF has made provision for any new land take that may arise under the project if necessary. The three different land asset types identified for use under the project are:

- State-owned or public land;
- Communal land; and
- Privately-owned land.

Based on an understanding of the social structure of the rural communities and the nature of sub-components, it is possible to suggest that the most likely affected persons will comprise both individuals, farmers, landowners, traditional authorities and communities as a whole. The eligibility criteria are provided in Table 6-2.

Table 6.2: Eligibility Criteria

Category of affected persons	Assets	Type of compensation
Persons with formal legal rights to land, who forfeit land for subproject activity.	Lands/ farmlands	To be provided compensation for land lost. However, if owner is benefiting from project by using his/her land for the fruit or woodlot development, no compensation is expected.
Customary leaders who hold land in trust for community members		No compensation expected. Communal lands to be used as part of project.

Persons with customary claims of ownership or use of land recognized by community leaders (including the landless and migrants)		To be provided compensation for land lost. Owner to be provided with alternative lands to use. However, if owner is benefiting from project by using his/her land for fruit or woodlot development, no compensation expected.
Persons with no recognizable legal right or claim to land they are occupying, e.g., squatters, illegal farmers/illegal settlers.		To be provided resettlement or livelihood assistance in lieu of compensation for land occupied or loss of farming activities.
Farmers/persons or communities or DAs using public lands		No compensation for use of public lands. Public lands to be used for the project
Persons encroaching on land after the notification of cut-off date.		Not eligible for compensation or any form of resettlement assistance.
Communities or individuals likely to be restricted in access and use of cultural heritage sites	Access and Use Restrictions	To be provided access to cultural heritage sites or resources based upon a consultative agreement or arrangement between the communities and the DAs/ TAs
Farmers/persons whose properties other than land to be affected	Crops/ structures such as residential structures, economic trees, food crops	To be provided compensation for loss of property other than land and other assistance where appropriate.

6.3 Cut-off date

In accordance with World Bank ESS 5 and for each sub-project activities under GPSNP 2, a cut-off date will be established, when the enumeration of persons and the inventory of their property and income sources in the identified project areas are carried out for specific resettlement instrument preparation. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal. Compensation would not be made after the cut-off date in compliance with this policy. In practice, persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

A cut-off date taking into account the likely implementation schedule of the sub-project will be determined. Preferably the cut-off-date will be based upon the date of inventory of assets/ properties.

The cut-off date and its significance would be widely disseminated to PAPs and publicly disclosed. Because there is a time lapse between the cut-off date and the time actual productive investments (civil works, etc.) would start, the project will pay special attention to secure the sites from speculative and opportunistic invasion.

6.4 Entitlement

Table 6-3 hereunder presents the matrix of entitlements for the different categories of impacts, likely to be encountered. The entitlement could be in the form of replacement of assets if possible, cash

compensation, livelihood assistance, relocation assistance or as agreed between the parties involved. The principle of the valuation for such entitlements is the full replacement cost approach.

State-owned land and communal land would be allocated freely; however, the DAs and beneficiary communities would be expected to pay for any affected property or structure or crop belonging to an individual or group on these lands. Communal and public lands will first be considered for the construction of sanitation facilities in rural and urban areas. However, if the public or communal lands available for the sanitation facilities are not suitable due to environmental conditions, then privately-owned property/ land would have to be acquired at the market value.

Table 6.3: Entitlement Matrix

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
Land and RoW use and restrictions on access to land	Permanent acquisition of land	Landowner (individual, household, stool/skin)	Person with formal legal right to land/without formal legal right to land but have claims to property (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country).	Replacement with an equivalent piece of land located in the vicinity of the affected area. If land is not available, then cash compensation at full replacement value as well as disturbance allowance as determined by the valuer. -Community land – compensation to be granted to communities unless project is not for community. -Community land (where project is for the community, no compensation to be granted to community for use of communal land).
	Temporary acquisition of land	Landowner (individual, household, stool/skin)	Person with formal legal right to land/without formal legal right to land but have claims to property (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country).	<ul style="list-style-type: none"> • Full reinstatement to pre-project conditions; • Rent to be agreed upon for the period during which land is occupied. • Community land (where project is for the community, no compensation to be granted to community for use of communal land).
	Acquisition of RoWs	Landowner (individual, household, stool/stool)	Person with formal legal right to land/without formal legal right to land but have claims to property (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country)	No compensation shall be paid, unless the land taken is more than one fifth of the total holdings of an affected person in line with the Lands (Statutory Wayleaves) Act, 1963 (Act 186). Cash compensation to be negotiated based on value plus Disturbance allowance as determined by the valuer. Community land– compensation to be granted to communities.
	Acquisition of land or RoW	Squatter	Person with no formal legal right to land have no claims to property	No compensation for land. Undepreciated value of structure (if any) in cash + right to salvage materials + costs of shifting + resettlement assistance as agreed by the project and document, e.g. in the RAP.

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
	Loss of access to resources (grazing land, wood, herbs, etc.) due to restrictions on access to land	Tenant or farmer	Have legal right or recognizable claim to the use of the resources	Compensation shall be provided in the form of access to other equivalent resource, e.g. grazing land, forest, whenever possible plus cost of moving to the new site. Alternative sources of livelihood may also be offered, as agreed between the project and the PAP. Livelihood opportunities will be offered in a timely fashion before displacement.
Crops	Destruction/ damage of crops	Landowner/ tenant/ or farmer	Have grown the affected crop irrespective of land ownership.	<ul style="list-style-type: none"> • Cash compensation for crops not ready for harvesting at time of entry, and negotiated with LVD; • Disturbance allowance 10% or as determined by the valuer
Structures	Destruction of permanent immovable structures	Owner	Confirmed owner (with evidence) of affected structure irrespective of land ownership	Resettlement to a similar dwelling in a similar location + resettlement assistance, or <ul style="list-style-type: none"> • Cash compensation at full replacement value of structure, plus • Cost of moving, plus • Disturbance allowance (10%) or as determined by the valuer
		Occupant	Tenant	<ul style="list-style-type: none"> • Cost of moving • Disturbance allowance (3 months rent)
	Temporary displacement of moveable structure	Owner/ Tenant	Confirmed owner (with evidence) of affected structure irrespective of land ownership or tenant	<ul style="list-style-type: none"> • Cost of displacing the affected structure • Cost of moving the affected structure back to project affected land • Disturbance allowance of 10%
Livelihoods	Agriculture	Farmer(s) as distinct from affected plot owner(s)	PAPs have been using affected land for agriculture irrespective of ownership situation	<ul style="list-style-type: none"> • Cash compensation of any loss of income • Assistance to livelihood restoration
	Businesses	Businessperson as distinct from owner of structure	PAP has been operating business on project affected land irrespective of ownership (includes squatters)	<ul style="list-style-type: none"> • Cash compensation for temporary loss of income • Assistance to livelihood restoration

Asset	Type of Impact	Entitlement Units	Eligibility criteria	Entitlements
	Use of communal resources	User of such resources (individuals /communities)	Use of communal resources for livelihood (e.g. community individuals or groups such as Fulani Herdsmen, hunters, and other vulnerable groups)	<ul style="list-style-type: none"> • Assistance to identify and access similar resource elsewhere • Cash compensation of temporary loss of income

7 ORGANISATIONAL ARRANGEMENTS, IMPLEMENTATION AND PROCEDURE FOR DELIVERY OF ENTITLEMENTS

7.1 Institutional Arrangements and Responsibilities

The institutional arrangements would be built on existing structure in the MLGRD and the statutory government agencies responsible for the implementation of resettlement activities in Ghana as follows:

- Ministry of Local Government and Rural Development (MLGRD)
- Project Implementation Unit, MLGRD
- Environmental Protection Agency
- Regional Lands Commission (Land Valuation Division/Survey and Mapping Division)
- Regional Coordinating Councils
- District Assemblies (Physical Planning Departments)
- External Consultants
- Communities
- Traditional Authority
- PAPs

The roles or responsibilities of these actors in the resettlement program implementation are provided in the Table 7-1 and institutions to be involved with sub-project activities provided in Table 7-2.

Table 7.1: Institutional Arrangements and Responsibilities

Institution	Role in RPF/RAP Implementation
Ministry of Local Government and Rural Development (MLGRD) PIU	<ul style="list-style-type: none"> • Oversight responsibility in the implementation of LIPW through RDCU, RCOs and DAs • Monitor Project to ensure land acquisition and resettlement activities are adhered as stipulated in the RPF • Procurement of consultant for RAP preparation • Preparation of TOR for RAP in collaboration with RCOs • Seek clearance from the World Bank on ToRs and instruments prepared • review RAP prior to submission to the Bank for review and clearance • RAP disclosure • RAP implementation • Monitor RAP implementation • RAP completion audit • Build capacity of implementing agencies on the RPF/RAP preparation and implementation process • Liaise with the World Bank to build capacity of implementing agencies on the ESF and ESS5
Ministry of Finance	<ul style="list-style-type: none"> • Provide finance for compensation payment to PAPs
Rural Development Coordinating Unit (RDCU), MLGRD	<ul style="list-style-type: none"> • Core mandate of implementing the project through RCOs and DAs. • Environmental and Social Safeguards Specialist (ESSS) and Case Management Officers (CMOs) to oversee the implementation of the RPF/RAPs • The ESSS and CMOs will identify, screen the subproject sites and prepare terms of references for the preparation of RAPs, review RAPs and will see to the

Institution	Role in RPF/RAP Implementation
	implementation of these instruments with the RCOs and DAs.
Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> Responsible for ensuring compliance with laid down ESIA procedures in Ghana in accordance with the EPA Act 1994 (Act 490) In country approval of RAPs for implementation
Regional Lands Commission	<ul style="list-style-type: none"> Responsible for effective and efficient land administration. Valuation of land and properties and compensation assessment.
Regional Coordinating Offices	<ul style="list-style-type: none"> Provide technical backstopping and monitoring to the implementing DAs. Monitor land acquisition process and resettlement activities of DAs Disclosing RPF/ RAP Instruments
District Assemblies (Physical Planning Departments - PPD)	<ul style="list-style-type: none"> Responsible for the implementation of the Project. Land acquisition for sub-project implementation Implementation of resettlement measures, including payment of compensation and other resettlement assistance
Traditional Authority	<ul style="list-style-type: none"> Provision of land for sub-project implementation Assist in the preparation of RAPs
Communities	<ul style="list-style-type: none"> Provision of land for sub-project implementation Assist in the preparation of RAPs
PAPs	<ul style="list-style-type: none"> Provision of land or access to land for sub-project implementation Assist in the preparation of RAPs Receipt of compensation and resettlement assistance
Contractor	<ul style="list-style-type: none"> Contractor engaged by the project shall be responsible for reinstatement of affected properties for which cash or direct compensation was not made to the PAP.

Table 7.2: Sub-project Implementation Process and Institutions Involved

Task	Institution(s) Responsible
A. Involuntary Resettlement	
Sub-project screening	RDCU, DAs and Communities
Preliminary assessment of resettlement issues	RDCU, DAs and Communities
Assessment of the need for rerouting / re-siting certain sub-project components in case they affect inhabited dwellings, landed assets or other critical sites	RDCU, DAs and Communities
Confirm need for resettlement/ compensation actions	RDCU, DAs and Communities
Prepare RAP for National and World Bank approval	RDCU, DAs (with the consultation of LVD)/ External Consultants (with the consultation of LVD) and Communities/ PAPs
Review Resettlement Plans	RDCU, EPA, DAs
World Bank reviews and clears RAPs	World Bank E&S team and Regional Safeguards Advisor
Public Consultations and disclosure of RAPs (in- country and World Bank external website)	RDCU, EPA, DAs, WB

Task	Institution(s) Responsible
Use Resettlement Plans to comply with the process required to undertake land acquisition and compensation payment	RDCU, Regional Land Valuation Division, DAs, Communities
Budgeting of costs	RDCU, DAs
Payment of compensation	MLGRD, RDCU, RCC, DAs.
Grievance Redress	RDCU, Regional Land Valuation Division, DAs, Communities.
Incorporate social risk and impacts identified during subproject appraisal and their mitigation measures as clauses in contract	RDCU and DA

7.2 Resources, Technical Support and Capacity Enhancement

The RDCU has an Environmental and Social Safeguard Specialist (ESSS) available to deal with resettlement/ compensation related issues in particular. Compliance with World Bank ESF requirements needs some capacity building at both the national and regional/ district levels. A training workshop is proposed as part of this RPF and/or during RAP implementation.

7.3 Priority Tasks and Preparation and Review of RAPs

As soon as GPSNP 2 sub-projects are determined in sufficient details, preliminary screening or assessment of resettlement/ compensation related issues should be carried out to confirm: (i) if land acquisition is involved; (ii) if implementation of subproject activities will impact on livelihoods and assets of people; and (iii) if implementation of subproject activities will also cause physical or economic displacement of people.

If any of these is triggered, then the number of affected people should be estimated to confirm which category of resettlement instrument to be prepared for implementation, i.e., a RAP. Accordingly, the required RAP would be prepared by the ESSS, approved by the World Bank (no objection) and implemented by the DAs. Sample outline for the preparation of RAP is captured in Appendix A1 and A2, respectively.

The Terms of Reference for the needed RAP (See Appendix A3 for Sample) to be prepared by the RDCU and the DAs in consultation with the World Bank or by a Consultant to be engaged for that purpose.

7.4 Resettlement Planning Process

The resettlement planning and compensation process shall involve several steps to be carried out in accordance with the measures set out in GPSNP RAPs. The key ones include:

7.4.1 Land Access/ Acquisition Procedure and Compensation

The project activities will not require compulsory acquisition of new lands but will involve the use of

existing lands for the rehabilitation and maintenance of existing infrastructure and climate change activities.

As a result, the problems of both private treaty and compulsory acquisition, as well as the volatile nature of issues regarding land acquisition may not arise under GPSNP 2. However, prior to the use or acquiring the land, due diligence approach will be followed by carrying out private consultations with the aim of achieving the following:

- Identifying the rightful owners
- Identification of the boundaries
- Current occupants
- Nature of property to be affected due to the project activities
- Negotiation of compensation and resettlement

This procedure will reduce antagonism to the project and elicit the required co-operation from the project-affected persons, as well as to demonstrate to the World Bank that the required steps have been taken to reduce the negative effects of the project.

7.4.2 Public Participation

Public participation of local communities shall be an on-going process throughout resettlement planning. PAPs shall be notified by DAs during the identification of sub-projects and consulted with as part of the screening process. The subsequent socio-economic survey would record all relevant information about PAPs and ensure that this is accurately reflected in the RAPs in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation have been carried out satisfactorily.

7.4.3 Notifications

Notification will occur at various stages of the resettlement planning. Notification includes discussing the desire to acquire land for sub-projects, discussing alternatives and options, discussing compensation arrangements, and discussing grievance mechanisms, together with landowners. The cut-off date for affected property enumeration and valuation for compensation payment shall be disclosed to affected parties and stakeholders as part of the notification process. The types of compensation will also be clearly explained to PAPs.

7.5 Procedure for Delivery of Entitlements

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

The Regional Land Valuation Officers with support from RDCU would review the compensation determination to ensure transparency and adherence to the policy, subject to World Bank's approval. Subject to the final decision on the exact position of the site and its dimensions, the approved entitlements or amounts would be communicated to the implementing agency or unit for delivery or payment to the beneficiaries. Compensation would be paid before the owners/occupiers are made

to vacate their properties for commencement of construction or works.

The RDCU would ensure that no construction begins until project-affected persons have been resettled if physical relocation is needed and/or received their compensations (according to World Bank ESS 5). All compensation, whether cash payments and/or non-cash or structure provisions, would be given to project-affected persons prior to any request for vacation of land/property and before commencement of construction.

Compensation and resettlement would be funded by the Ministry of Local Government and Rural Development (through the DAs under the supervision of the RCCs) like any other activity eligible under the projects' administrative and financial management rules and manuals. The compensation process which would involve several steps would be in accordance with the individual project site resettlement plans. The compensation process would incorporate the following:

7.5.1 Involvement of Public Sector Agencies

Institutions such as the EPA, District, Municipal and Metropolitan Assemblies and the Physical Planning Department will be involved in the process of resettlement and their roles clearly spelled out.

7.5.2 Notification of land resource holders

The user or his representative will be informed through both a formal notification in writing and by verbal notification delivered in the presence of all stakeholders or their representative.

7.5.3 Documentation of Holdings and Assets

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

7.5.4 Agreement on Compensation and Preparation of Contracts

All types of compensation will be clearly explained to the individual or household or community or group. A property evaluation team comprising the Land Owner(s)/ property owners, the Local Community, Area Council, District Assembly with the support of the Regional Lands Commission and Land Valuation offices will draw up a contract listing all properties to be affected and land to be used, and the types of compensation (cash and/ or in-kind) selected. A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract will be read aloud in the presence of the affected party and other stakeholders such as the Assemblyman/ woman or representatives of traditional authorities prior to signing.

7.5.5 Compensation Payments and Related Considerations

Compensation payments will be made for affected properties in the presence of the affected party and officials of the District/ Municipal Assemblies and a representative of the Traditional authority or EPA. The Ministry of Local Government and Rural Development (through the participating DAs) would be responsible for compensations payment for affected assets and investments, including land, buildings, economic trees, crops, etc., according to the provisions of the resettlement plan.

Individual and household compensation will be made in cash, in kind and/or through assistance. Every effort will be made to instil the importance of accepting in-kind compensation if feasible.

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

The question of security, especially for people who will be receiving cash compensation payment, needs to be addressed by beneficiary community or the compensation payment team. Local banks and micro-finance institutions should work closely with the government at this level to encourage the use of their facilities, which will positively impact the growth of the local economies. The time and place for in-kind compensation payments shall be decided upon by each recipient in consultation with the DAs and beneficiary communities.

7.5.6 Time Frame

Taking cognizance of the potentially low scale and scope of resettlement issues that would arise, the processing of compensation application for payment by the government would be expedited over an average maximum period of one month. An additional two weeks will be allowed for exceptional circumstances where there could be some complexities or challenges.

No construction will begin until project-affected people have been resettled if physical relocation is necessary and/ or received their full compensation (according to World Bank ESS5). Additionally, the property owners must be given adequate notice of not less than one month after payment of compensation to vacate affected assets and relocate depending on the nature of relocation or resettlement.

8 PUBLIC CONSULTATION, DISCLOSURE AND GRIEVANCE MANAGEMENT

8.1 Public Consultation

Public consultations have been carried out during the preparation of the RPF and subsequent implementation of the GPSNP 2. Taking into cognisance the consultations that were carried out during the preparation of the project Environmental and Social Management Framework (ESMF) and the GPSNP2 Stakeholder Engagement Plan (SEP), this RPF sought to review and deepen consultations to share the project information, identify project resettlement risk and receive feedback to improve the design of the project and the RPF and RAP preparation and implementation. The consultations were held with key representative stakeholders at the national, regional, district and community levels.

The national and regional level institutions consulted under GPSNP in the form of workshops in Bolgatanga and Accra included the Environment Protection Agency (EPA), Ghana Irrigation Development Authority (GIDA), Ghana Feeder Roads Authority, Department of Feeder Roads (DFR), Regional Co-ordinating Council, Forestry Services Division, Ministry of Food and Agriculture, Labour Department, Ghana Health Service, Department of Community Development, Department of Social Welfare, Department of Co-operatives, Department of Gender, Environmental Health Department, Wildlife Services Division, Ministry of Trade and Industry- National Boards for Small Scale Industries (NBSSI), Representative of Regional House of Chiefs, Lands Commission, Contractors' Association Representative and Ghana National Fire Service.

The District Assemblies (DAs) consulted included Talensi and Bongo DAs in Upper East Region and Ajumako Enyan Esiam DA in Central Region. At the community level, Area Council and Unit Committee members, Traditional Authority, LIPW beneficiaries and community members were consulted. The communities consulted included Gaare (Talensi DA) and Gorogo (Bongo DA), both in Upper East Region and Enyan Abaasa and Breman Essiam under Ajumako Enyan Esiam DA in Central Region.

Some highlights of the consultations with all these stakeholders include the following:

- Preference of DA, Communities and Traditional Authorities for voluntary land donation (VLD) as practiced under GPSNP
- Where VLD cannot be established ESS 5 applies (DAs to pay compensation and resettlement assistance)
- Proper documentation of lands voluntarily donated to serve as a pre-requisite for DA qualification for interventions in the form of Memorandum of Understanding (MoUs) (including site plans)
- Agreements for enforceable benefit sharing arrangements amongst stakeholders to be part of MoUs to prevent social conflicts
- Individuals losing livelihood from land take to be employed as part of the beneficiaries undertaking the work.
- Avoid coercion in the acquisition of land.
- Engage all the necessary stakeholders and ensure proper documentation of land.

The key stakeholders engaged as part of the preparation of the RPF and ESMF include the Zonal Coordinating Offices of the RDCU – Zonal coordinators, Engineers, and Case Management assistants

- Kumasi Zonal Coordinating Office

- Tamale Zonal Coordinating Office
- Bolga Zonal Coordinating Office, and
- Wa Zonal Coordinating Office

Appendix B of this RPF shows evidence of consultation and pictures from some of the engagement for the RPF and ESMF.

8.2 RPF Disclosure

The RPF would be disclosed in compliance with relevant Ghanaian regulations and the World Bank Standard. It would be disclosed at the offices of the Chief Directors, MLGRD and MoGCSP, National, Regional and Zonal Offices of EPA, RDCU and offices of Participating DAs and in English and local language. Finally, it will be disclosed at the websites of the MLGRD, MoGCSP, and the World Bank's external website.

Consultations during resettlement action planning and implementation: Consultations with stakeholders including PAPs will be an integral part in the RAP preparation, implementation and monitoring processes. Consultations will happen in local language where possible; gender specific consultations will be held as appropriate. The consultation process will ensure the participation of the youth, and groups at risk of exclusion. RAP would also be disclosed at the various district offices, website of the Project and local communities in a form that is understood and accessible.

8.3 Grievance Redress Mechanism

8.3.1 Rationale

Land access and or acquisition and project activities that could affect other individual or group or communal properties could lead to complaints, misunderstandings, conflicts and disputes. There will therefore be a grievance mechanism that would provide all aggrieved stakeholders a platform to raise their concerns.

GPSNP 2 will continue to use and consolidate the Single Window Citizens Engagement Service (SWCES) system established under GSOP and scaled up during GPSNP for implementing the grievance redress process. The SWCES was operationalized in December 2017 and provides a centralized channel for beneficiaries of all social protection programs and other stakeholders to raise grievances, report malpractices, and request information on all social programs for free. This has been operationalized through the creation of the 'Helpline of Hope' Call Center that hosts toll-free phone lines and SMS. Operational staff will sensitize beneficiaries and project stakeholders on its use. Assigned project case management officers will facilitate the tracking and resolution of cases, reporting back to the SWCES to ensure that there is a streamlined collation of cases to enhance transparency and accountability.

Information on the GRM as well as the measures put in place to protect them against any reprisal for its use would be made available as part of the project's sensitization activities in the beneficiary communities. Key activities will include community meetings with various groups, local radio discussions, use of public information campaigns, and through community monitoring visits.

8.3.2 Institutional Framework for Grievance Redress

Community Level

The appointment of Community Facilitators (CFs) at all LIPW sites as focal points for all LIPW- related grievances (CFs are to be provided with files and copies of Form “A” to record and document all cases). CFs would be appointed after a competitive selection process by the DAs.

Provision for a 3 - member Case Management Committee at the Community level comprising;

- The Chief’s Representative
- A women’s Representative
- A male opinion leader, preferably a member of the Unit Committee/ Assembly member or leader of the dominant religious sect.

The membership of this Committee would be validated by the Beneficiary Group/workforce). CFs are required to submit monthly reports on all cases that were recorded at the respective sites.

District Level

At the DA level, the LIPW Desk Officer would act as a focal point for Case Management and would be required to liaise with the statutory Public Relations and Complaints Committee to resolve all LIPW related grievances that would be referred to the DA level. Key departments that have relations with resettlement activities would always be duly consulted, especially the Physical Planning Departments.

Regional Level

There would be assigned to each regional office a Case Management Assistant who would receive all LIPW cases and refer same to the Regional Coordinator who would ensure the resolution of these complaints. Key departments that have relations with the implementation of resettlement activities would always be duly consulted, especially the Regional Offices of Lands Commission, Land Use and Spatial Planning Authority and Environmental Protection Agency.

National Level

There would be an Environment and Social Safeguards Specialist (ESSS) at the RDCU and a Case Management Officer (CMO) at the SWCES Call Center of the MoGCSP who will be responsible for the overall Case Management process of the Project as shown in Figure 8-1 below. The CMO will register the grievance in the Unified Case Management System (UCMS) of the SWCES and generate monthly reports for the project. Key departments that have relations with the implementation of resettlement activities would always be duly consulted, especially Lands Commission, Land Use and Spatial Planning Authority and Environmental Protection Agency.

In the event that a PAP is still not satisfied with a resolution, the grievance would be sent to the MLGRD and subsequently to a court of law for redress. Grievances are expected to be submitted through letters, phone calls and SMS to the SP Call Centre toll free lines (0800 800 800 and 0800 900 900.) This information would be made available during sensitization of communities and beneficiaries.

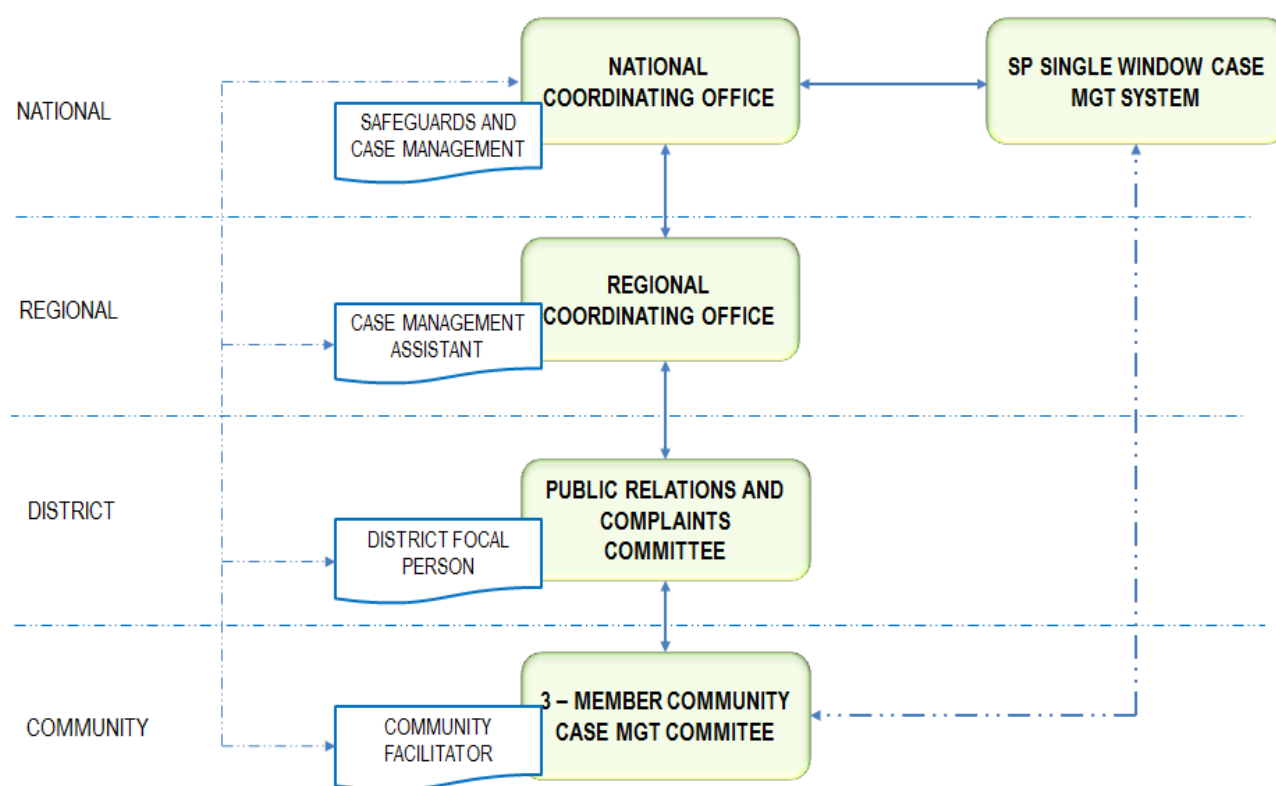


Figure 8-1: Institutional Framework for Grievance Redress

8.3.3 Grievance Redress Process

The Grievance Redress process indicates the process and levels of reporting, resolution and feedback response to a case or grievance, and establishes timelines for resolution. It explicitly shows the timelines for the resolution of a grievance at each level of the institutional framework developed for the GPSNP 2.

8.3.4 Recommended Grievance Redress Time Frame

As much as possible, the SWCES uses electronic data collection and recording tools to reduce the costs of reporting, expand the capacity to monitor, and improve communication flows from the community level to the national level. The UCMS thus allows data to be captured electronically and for smooth compilation of reports. The table below generally presents the recommended time frames for addressing grievances or disputes received related to SP Programs.

Table 8.1: Proposed GRM Time Frame

Step	Process	Time frame
1	Receive and register grievance	within 24 hours
2	Acknowledge	within 24 hours
1	Receive and register grievance	within 24 hours

Step	Process	Time frame
2	Acknowledge	within 24 hours
3	Assess grievance	Within 2 Days
4	Assign responsibility	Within 2 Days
5	Development of response	within 21 Days
6	Implementation of response if agreement is reached	within 21 Days
7	Close grievance	within 30 Days
8	Initiate grievance review process if no agreement is reached at the first instance	within 30 Days
9	Implement review recommendation and close grievance	within 30 Days
10	Grievance taken to court by complainant	As applicable

8.4 Grievance Documentation and Reporting

The UCMS is designed to capture data on all cases received and resolved. Resolved and escalated grievances/cases are documented daily in the system with unique IDs generated for the assigned Case Management Officer. Cases received are then directed to the relevant programs for resolution and the process for resolution subsequently tracked. Monthly case/ grievance reports are generated from the system by the Case Management Officer and reports shared with the Project Coordinator to inform management decisions. Quarterly reports are also be generated and reported to the MLGRD and the World Bank as part of the project's progress reporting. Periodic reports are generated within a reasonable time frame for stakeholders, as appropriate, upon request.

The ESSS and assigned CMOs will be assigned cases through the SWCES or will submit cases that are received at the local levels to the SWCES. Once cases are lodged in the SWCES, a ticket will be generated for the project, and the ESSS and/or CMO will initiate its resolution, track progress, and follow the case to its resolution. Once a case is resolved, the assigned CMO will document the case resolution in the SWCES UCMS and officially close the case. Recording through the UCMS will allow for updating information as necessary, generation of periodic reports, and a central repository for cases so they can be assessed as needed.

9 MONITORING & EVALUATION AND REPORTING

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

9.1 General Objectives of Monitoring and Evaluation

Monitoring and Evaluation are key components of the Resettlement Policy Framework. The general objectives are:

- Monitoring of specific situations or difficulties arising from the implementation, and of the compliance of the implementation with objectives and methods as set out in this Resettlement Policy Framework;
- Evaluation of the impacts of the resettlement/compensation actions on PAPs' livelihoods, environment, local capacities, on economic development and settlement.

Monitoring aims to correct implementation methods during the course of the project, as required, while evaluation is intended at checking whether ESS 5 requirements have been complied with and providing lessons learnt for amending strategies and implementation in a longer-term perspective. Monitoring will be internal and evaluation will both be internal and external.

9.2 Arrangements for Monitoring and Evaluation

Arrangements for monitoring would fit with the overall monitoring plan of the GPSNP 2, which includes national level and decentralized monitoring through the RDCU, RCCs and DAs.

In terms of frequency, the RDCU would conduct quarterly monitoring to ensure compliance with the RPF and report to the MLGRD and the World Bank as part of the Project's Quarterly Progress Reporting, while the DAs would embark on monthly monitoring schedules and feed the RDCU. The MLGRD would embark on bi-annual monitoring regimes and suggest mitigation measures on the implementation of the resettlement policy.

The monitoring would focus on the following:

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

The primary aim of the M&E process is that the RDCU would carry out continuous process monitoring of the RAP in order to detect and rectify inconsistencies that may emerge during implementation. The monitoring of the RAP would provide the managers and other stakeholders with continuous feedback on implementation. Lessons learnt would be critical to informing the RDCU and other key stakeholders on the direction of the resettlement and a redesign of elements of the RAP if necessary.

The RAP relevance, performance, efficiency, and impact (both expected and unexpected) in relation to the objectives shall be periodically monitored and evaluated. The evaluation would assess whether resettlement objectives were appropriate and whether they were met, specifically, whether livelihoods and living standards have been restored or enhanced. The evaluation strategy is to pay attention to timing, tasks, and achievement of RPF objectives. It is imperative to closely monitor asset loss, the

income, and livelihood situations of affected persons throughout the resettlement process. Specific responsibilities would be assigned to independent consultants or NGOs/ CSOs. As part of the evaluation process, there is the need to make provision to ensure the participation of the affected community in the monitoring and to use the response as a constructive resource for improvement. Feedback from the affected community is the best yardstick to assess the general satisfaction with the project. Participatory monitoring can be achieved for instance, by including community representative(s) in the monitoring team, regularly consulting key persons in the community or regular surveys among the affected persons. The resettlement evaluation shall take place during and after implementation.

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

The RDCU will be responsible for the monitoring and evaluation of the activities stipulated in the RAP. The Project Oversight Committee (POC), MLGRD, Land Valuation Division, Ministry of Finance and the Environmental Protection Agency shall act as independent monitors. Upon completion of the program, the RDCU shall undertake impact and beneficiary assessment to determine whether the objectives of the resettlement policy have been achieved.

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

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

As an additional measure but not to substitute responsibility of the RDCU, the World Bank would regularly, during each implementation supervision mission evaluate progress and impacts of RAPs, identify constraints and suggest mitigation measures on the implementation of RAPs as required by the resettlement policy framework.

9.3 Monitoring Indicators

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

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

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

To facilitate the monitoring procedure, the following indicators in the Table 9-1 will be used to evaluate the implementation of the RAPs.

9.4 Annual Performance Audit

An annual performance audit would be carried out once a year, preferably by independent consultants to be hired by the RDCU, in order to ensure that RAPs are being implemented in compliance with the Resettlement Policy Framework, and that compensation payments have been carried out satisfactorily. The audit would also ascertain the impact of VLD. The audit report would be submitted to the RDCU and to the World Bank for clearance.

Table 9.1: Indicators for Monitoring and Evaluating RPF/RAPs

Type of	Basis of Indicators	Responsible
Sub-project identification and screening	<ul style="list-style-type: none"> Have all Sub-projects been screened for E&S risk? How many sub-projects require the preparation of follow up RAPs after E&S screening? How many sub-project RAPs have been prepared and disclosed? 	RDCU & DAs
Budget and Time Frame	<ul style="list-style-type: none"> Have all land acquisition and resettlement teams been appointed and mobilized for work on schedule? Are resettlement implementation activities being achieved against implementation plan? Are funds for resettlement being allocated to resettlement agencies on timely and adequate manner? Have funds been disbursed according to RAP? Has all land been acquired and occupied in time for project implementation? 	MLGRD, RDCU & DAs
Delivery Entitlements	<ul style="list-style-type: none"> Have all affected persons received entitlements according to numbers and categories? Have the affected persons received payments on time? Have all replacement land plots or contracts been provided? Are income and livelihood restoration activities being implemented as set out in the income restoration plan? Are the affected persons able to access cultural sites and activities? Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production? 	RDCU & DAs
Consultation, Grievance and Special issues	<ul style="list-style-type: none"> Have consultations taken place as scheduled including meetings, groups, and community activities? How many affected persons know their entitlements? Have any affected persons used the grievance redress procedures? How many complaints have been received? Have conflicts been resolved within a stipulated time? What were the outcomes? 	RDCU & DAs
Voluntary Land Donations	<ul style="list-style-type: none"> Number of subprojects requiring VLD What is the size of land donated for each subproject? Number of consultations held Number of land donations processed and documented Delivery of entitlement or assistance in compliance with the terms and conditions for VLD, if any 	RDCU & DAs

Type of	Basis of Indicators	Responsible
Benefit monitoring	<ul style="list-style-type: none"> • What changes have occurred in patterns of occupation, production and resource use compared to the pre-project situation? • What changes have occurred in income and expenditure pattern compared to pre-project situation? • What changes have taken place in key social and cultural parameters relating to living standards? • What have been the changes in cost of living compared to pre-project situation? • What changes have occurred for vulnerable groups? 	RDCU & DAs

9.5 Completion Audit

As part of the World Bank requirements, upon completion of a project, the project proponent oversees an assessment to determine whether the objectives of the resettlement instrument have been achieved. The completion audit will allow the RDCU, the World Bank, and other relevant stakeholders to verify that all resettlement measures identified in the RAPs were implemented or otherwise, and that compensation programmes have been completed in compliance with ESS 5. The audit will also evaluate that the actions prescribed in the RAP and implemented had the desired effect.

The RDCU, in consultation with the World Bank, will engage a consultant or auditor to carry out the completion audit. The completion audit is to be undertaken after implementation of the RAPs (i.e. compensation programs).

9.6 RAP Implementation Reporting and Documentation

What to document:

- All disclosed Instruments
- Minutes of all consultation and disclosure meetings and workshops (including pictures where feasible)
- Sub-project Environmental and Social screening reports/forms
- EPA permits
- RAP/ Compensation Reports
- New resettlement issues not anticipated during preparation
- Site meetings, any meeting that discusses key project issues
- Changes in decisions regarding resettlement related matters
- Land lease agreement or MOU for voluntary land donations
- Grievance records
- E&S field visit reports, etc.

RAP implementation updates will be part of the overall project reports. Separate RAP implementation report will be provided on request by the World Bank and for other relevant discussions.

10 IMPLEMENTATION SCHEDULE, BUDGET AND FUNDING

10.1 Implementation Schedule

Upon completion of screening of selected sub-projects within the beneficiary DAs of potential involuntary resettlement, for each sub-project that triggers the ESS 5, a detailed implementation schedule of the various activities to be undertaken will be included in each sub-project's Resettlement Action Plan (RAP). Likewise, each sub-project resettlement schedule will be coordinated with the civil works schedules applicable to LIPWs. Payment of compensation and provision for other rehabilitation entitlements (in-cash or in-kind), and relocation, if that is the case, will be completed at least one month prior to the scheduled start-up date of works at the respective work site.

The implementation schedule will be determined by the following major activities:

- Preparation, approval and disclosure of RPF
- Implementation of RPF – Training and Workshops
- Confirmation of subproject activities
- Screening of subproject activities for resettlement related issues
- Preparation, approval and disclosure of RAPs
- Implementation of RAPs
- Implementation of LIPW

10.2 Estimated Budget for RPF Implementation

The estimated budget for implementing the RPF is presented in Table 10-1.

Table 10.1: Estimated Budget for RPF Implementation

Activity	Description	Item	Unit cost \$)	Qty	Total Cost (\$)
Consultations and disclosure	Community, District, Regional and National Consultations	Workshops	Lump sum	10	10,000.00
Training and sensitization on RPF and WB ESS5	National Stakeholders	Workshop	5,000.00	1	5,000.00
	DA/ Regional Stakeholders	Workshop	10,000.00	5	50,000.00
	Traditional Authorities, Communities, CFs	Community Sensitizations	Lump Sum	-	50,000.00
Awareness Creation	Radio Discussions	Local FM Stations	Lump Sum	-	5,000.00
	Advertisements	National Dailies	Lump Sum	-	8,000.00
Grievance Redress Mechanism	Formation and training of Community Grievance Committees and GRM Awareness	-	Lump sum	-	20,000.00
Monitoring and Evaluation	RAP implementation monitoring and evaluation	Fieldwork	Lump sum	-	40,000.00

Activity	Description	Item	Unit cost \$)	Qty	Total Cost (\$)
Sub-Total					188,000.00
Contingency (approximately 5%)					9,400.00
TOTAL					197,400.00

10.3 Budget for Preparation and Implementation of RAPs

The budget would be developed from the specific social assessment studies and mitigation/livelihood restoration measures to be developed. It will cover resettlement activities including compensation cost for affected assets. The cost will be derived from expenditures relating to: (1) the preparation of the resettlement/compensation action plan, (2) relocation and transfer, (3) income and means of livelihood restoration plan, and (4) administrative costs (5) M&E costs, (6) GRM, (7) consultations and disclosure, and (8) contingency.

A template for the preparation of budgets to prepare and implement RAPs is provided as **Appendix C**. This cost of preparing the instruments would be borne by the Project, whilst the cost of implementing the RAP would be borne by the implementing DAs. This has been the practice under the MLGRD for World Bank projects and this project would rely on that establishment.

10.4 Arrangements for Funding

According to the Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS 5), 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 and land access or acquisition (if necessary) will be funded by the Government of Ghana. Fund channelling arrangements are to be determined by the MLGRD and the MMDAs.

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12 ANNEXES

Annex A: Involuntary Resettlement Instruments

A1: INDICATIVE OUTLINE OF A RESETTLEMENT ACTION PLAN (RAP)

(Reference: World Bank ESS 5).

1. Description of the sub-project and of its potential land impacts
 - 1.1 General description of the project and identification of the project area
 - 1.2 Potential impacts. Identification of
 - 1.2.1 Project component or activities that give rise to resettlement;
 - 1.2.2 Zone of impact of such component or activities;
 - 1.2.3 Alternatives considered to avoid or minimize resettlement; and
 - 1.2.4 Mechanisms established to minimize resettlement, to the extent possible, during project implementation.
2. Objectives. The main objectives of the resettlement program
3. Socio-economic studies and census of affected assets and affected livelihoods. The findings of socio-economic studies and census to be conducted with the involvement of potentially displaced people include:
 - 3.1 Standard characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
 - 3.2 The magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic.
 - 3.3 Information on vulnerable groups for whom special provisions may have to be made;
 - 3.4 Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
 - 3.5 Other studies describing the following
 - 3.5.1 Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
 - 3.5.2 The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
 - 3.5.3 Public infrastructure and social services that will be affected; and
 - 3.5.4 Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
4. Legal and Institutional Framework.
 - 4.1 Summary of the information included in this RPF
 - 4.2 Local legal specificities if any
 - 4.3 Local institutional specificities
 - 4.3.1 Identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;

- 4.3.2 Assessment of the institutional capacity of such agencies and NGOs; and
5. Eligibility and entitlements. Based on the definitions and categorization in this RPF (see entitlement matrix), definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
6. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
7. Resettlement measures:
 - 7.1 Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy.
 - 7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation of those selected.
 - 7.3 Legal arrangements for regularizing tenure and transferring titles to PAPs.
 - 7.4 Housing, infrastructure, and social services.
 - 7.5 Environmental protection and management.
 - 7.6 Community participation. Involvement of PAPs and host communities
 - 7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities
 - 7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in the RPF
8. Grievance procedures. Based on the principle mechanisms described in this RPF, description of affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
9. Organizational responsibilities. The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.
10. Implementation schedule. Based on the template presented in the RPF, present an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. Costs and budget. Tables showing itemized cost estimates for all resettlement activities (see Section 13 of this RPF), including special assistance to vulnerable persons and other contingencies.
12. Monitoring and evaluation. Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

A2: TORs for the RAP Preparation

1.0 Introduction

The World Bank has supported the Government of Ghana to strengthen its social protection system since 2010 through various interventions including the Ghana Social Opportunities Project (GSOP) implemented from 2010 to 2018, and the Ghana Productive Safety Net Project (GPSNP), which became effective in July 2019 and is currently under implementation. GPSNP had the objective of supporting GoG to strengthen safety net systems that improve the productivity of the poor. During the height of the COVID-19 pandemic, the GPSNP was instrumental in supporting the delivery of additional cash transfers to LEAP beneficiaries, and other targeted poor and vulnerable individuals outside of safety nets programming, using existing systems and processes. The project also reduced hours of work for Labor-intensive Public Works beneficiaries while maintaining daily wages. GPSNP was restructured in August 2020 to intensify the Government's social safety net response to the pandemic. Specifically, funds have been reallocated within the project to allow for previous and planned emergency cash transfers to existing LEAP program beneficiaries and to new beneficiary groups. The project will exhaust its financing by March 2022.

In response to these dire effects, particularly to the poor, vulnerable, and based on lessons from the emergence of COVID-19, the Ghana Productive Safety Net Project 2 (GPSNP2) is being designed to build on the gains made through GPSNP and GSOP. This new project is proposed to undertake more significant social protection actions to promote relief and recovery for poor, vulnerable, and hard-hit populations, with an increased focus of support to the urban poor. GPSNP2 seeks to improve productivity, social inclusion, expanding income earning opportunities to poor households, and providing relief to extremely poor households due to the effects of the COVID-19 pandemic. The focus areas of this project will be: (i) expansion of LEAP cash transfers program; (ii) scale up of productive inclusion activities; (iii) scale up of labor-intensive public works (LIPW); and (iv) consolidation and decentralization of systems strengthening activities, and linkages to social services. The proposed new project will also include a contingency component – CERC – to allow for additional financing arising from any future large-scale, negative shocks. Out of the components outlined, activities of the LIPW are the most likely to pose major environmental and social risks. The LIPW is expected to reach 60,000 poor households across 80 districts, in both rural and urban areas.

The proposed menu of subprojects under LIPW are presented in the table below:

Activity	Description
Rehabilitation and maintenance of rural feeder and access roads (Rural and Urban)	These assets are particularly useful for connecting remote communities to larger, commercial/urban centers. This boosts access to markets and improves labor productivity.
Rehabilitation of small earth dams and dugouts (Rural)	Small earth dams and dugouts are significant to improving access to irrigation and agricultural productivity in the Savannah belt of the country, where underground water sources are insufficient to provide for domestic and livestock needs during the dry season. Investing in such structures will be increasingly important as droughts become more frequent and intense as a result of climate change.

Climate change mitigation interventions (Rural and Urban)	Afforestation and reforestation, through seedling production, cultivation of fruit trees and cash crops (such as cashew), and woodlots, on degraded communal and public land will be undertaken to mitigate climate change and support catchment and watershed protection and biodiversity conservation.
Improved Water Supply (Urban)	Provision of community standpipes and house connections (where practical) by connecting the community to the nearest water supply system in conjunction with the Low-Income Customer Support Unit (LICSU) of the Ghana Water Company Limited and the Community Water and Sanitation Agency. Construction of protected hand-dug wells and drilling of boreholes in peri-urban communities where there is no piped water supply.
Improved Sanitation Facilities (Rural and Urban)	Provision of household toilets with associated handwashing facilities which meet the basic national standards. Innovative strategies shall be adopted in densely populated LIUCs where space constraints are a major challenge.
Solid Waste Management (Rural and Urban)	Support to introduce basic community solid waste collection services (refuse collection) by community members. Training in various waste reduction strategies and in re-use and recycling of different categories of waste. Undertaking communal and household composting where feasible.
Flood Mitigation Measures (Urban)	Where communities are flood prone, training in flood early warning systems, identification of safe havens during flooding events, construction of basic drainage improvement structures including gutters and floodwater storage mechanisms shall be carried out.

2.0 Background to the Project

GPSNP-2 is prepared under the World Bank Environmental and Social Framework. The Environment and Social risks of the project is Moderate. Eight out of the ten standards relevant for this project are:

- ESS 1: Assessment and Management of Environmental and Impacts;
- ESS 2: Labour & Working Conditions;
- ESS 3: Resource Efficiency and Pollution Prevention and Management;
- ESS 4: Community Health and Safety;
- ESS 5: Land Acquisition, Restrictions on Land use and Involuntary Resettlement;
- ESS 6: 'Biodiversity Conservation and Sustainable Management of Living Natural Resources;
- ESS 8: Cultural Heritage
- ESS10: Stakeholder Engagement and Information Disclosure

ESS 1 (Environmental Assessment) and ESS 5 (Land Acquisition and Restrictions on Land Access and Involuntary Resettlement) require resettlement instruments to be prepared when specific subproject sites are identified during implementation mainly due to activities under the Labour-Intensive Public Works (LIPW). LIPW involves execution of infrastructural activities in the areas of feeder roads and small earth dams/dugouts and rehabilitation of community degraded lands.

At the time of project preparation, the exact locations for these LIPW activities were unknown. Consequently, an Environmental and Social Management Framework (ESMF) and a Resettlement Policy Framework (RPF) were prepared to guide the project in mitigating environment and social risks. These two frameworks were disclosed in XXXXX. Once the exact location of subprojects are known the frameworks require the implementing agency to screen the sub-project prior to implementation of the subproject.

The purpose of the screening is to enable an identification of potential social concerns likely to arise as a result of implementation of the sub-project. Action Plans are required where potential adverse social and environmental risks are identified from the screening report to prevent, avoid, mitigate or effectively manage site-specific impacts.

In seeking to implement LIPW sub-projects, **the District Assembly intends** to comply with these frameworks and all relevant national environmental laws. The terms of reference have been developed for the purpose of selecting a consultant to prepare a **Resettlement Action Plan (RAP)** for the *(Insert name of sub-project)*.

(Insert detailed description of sub-project location and results of screening.)

3.0 Objectives of the Assignment

The specific objective of the RAP preparation exercise is to assess the potential land requirements of component XXX and its associated social risks and impacts. The exercise will

a) assess the potential social risks and impacts and b) prepare site specific RAP for the subproject activities under component 2. The RAP shall be prepared and implemented in fulfilment of objective and requirements stated in the Environmental and Social Standard 5 (ESS 5) and compulsory land acquisition procedures of the Government of Ghana.

The RAP will provide the procedures that the project will follow and measures to be taken to mitigate social risks and impacts associated with permanent and/or temporary land acquisition, compensate for losses, and provide development benefits to persons and communities affected by subcomponent xxxx activities.

4.0 Scope of Work

The assignment will take place in (insert sub-project location).

The scope of work for the assignment for the RAP includes but not limited to the following:

The project social risk is moderate using the World Bank E&S risk classification tool. The preparation of the RAP will be guided by the Environmental and Social Standard- 5 (ESS-5) and Government of Ghana laws on compulsory acquisition. The scope and level of work involved in the preparation of the RAP shall be proportionate to the project's potential environmental and social risks and impacts.

The RAP Consultant working closely with the Project will deliver quality RAP report that provides:

- *Description of the project:* General description of the affected areas.
- *Potential Impacts:* Identification of the: (i) components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.
- *Objectives:* The main objectives of the RAP should be described in relation to the component xxxxx interventions.
- *Census and Baseline Socio-economic studies:* The findings of socio-economic studies to be conducted with the involvement of potentially affected people will be needed. These generally include the results of a census of the PAPs covering:
 - Current occupants of the affected area as a basis for design of the RAP and cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
 - Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population (information should be disaggregated by sex);

- Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
 - Information on groups or persons in a situation of vulnerability, for whom special provisions may have to be made; and
 - Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement (disaggregated by sex), and to measure impacts (or changes) in their livelihood and living conditions.
 - Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area (disaggregated by sex);
 - Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
 - Public infrastructure and social services that will be affected; and
 - Social and cultural characteristics of affected communities along the corridor, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
- *Legal Framework:* The analysis of the legal and institutional framework in GoG. This should cover the following:
 - Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc.;
 - Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RAP for the interventions;
 - Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc. related to displacement and resettlement, and environmental laws and social welfare legislation;
 - Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
 - Gaps, if any, between local laws covering resettlement and the ESS-5, and the mechanisms for addressing such gaps; and
 - Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc. and which are specific to the sub-projects.
 - Analysis on the impact of the legal framework on women's land ownership.
 - *Institutional Framework:* The institutional framework governing RAP implementation generally covers:
 - Agencies and offices responsible for resettlement activities and civil society groups/NGOs that may have a role in RAP implementation;
 - Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and

- Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.
- *Eligibility criteria and compensation:* The consultant will undertake the following:
 - **Establish criteria for determining the resettlement eligibility of affected households:** Eligibility criteria must be advantageous to women and other vulnerable groups, including those without legal title to assets. The eligibility criteria will be disclosed to affected communities and other project stakeholders. Feedback from the disclosure process will be used in the delivery of compensation and or livelihood restoration.
- **Prepare an entitlements matrix listing all likely impacts.** It will identify:
 - all categories of affected persons,
 - all types of loss associated with each category, and
 - all types of compensation and assistance to which each category is entitled.
- **Prepare standards for compensation and livelihood restoration:** Prepare a formula for setting full replacement costs for assets lost, including land. Establish options for culturally acceptable replacements for lost services, cultural sites, common property, or access to resources for subsistence, income, or cultural activities.
- **Prepare options for relocation and income restoration:** These will build on the existing social, economic, and cultural parameters both of displaced persons and of host communities. Provide for relocation costs, lost income, and income support during transition. Where appropriate, prepare relocation plans including selection and preparation of relocation sites. Make provisions for landownership, tenure and transfer, and access to resources.
- Where incomes must be restored, provide for needs assessment, employment generation, and credit disbursement: Where affected persons are to change their occupation, provide for training and vocational support mechanisms. Review the likely environmental impact of the resettlement process and build in plans to mitigate any adverse environmental effects.
- Make special provision for vulnerable groups.
 - *Valuation of and compensation for losses:* The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).
 - *Resettlement Measures:* A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the resettlement objectives. Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation: If a resettlement site is an option, describe the alternative relocation sites as follows:

- Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- Any measures necessary to prevent land speculation or influx of eligible persons at the selected

- sites;
- Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- Legal arrangements for recognizing (or regularizing) tenure and transferring titles to re-settlers.
- *Environmental protection and management.* A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).
- *Community Participation:* Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of PAPs and host communities, should include:
 - Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;
 - Summary of the consultations and how PAPs' views were taken into account in preparing the resettlement plan; and
 - Review of resettlement alternatives presented, and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
 - Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including, ethnic minorities, landless, children and youth, and women) are adequately represented.

Consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

- Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
- Conflict resolution involving PAPs and other stakeholders; and
- Livelihood restoration and any additional services.

Grievance procedures: The RAP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms.

RAP implementation responsibilities: The RAP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover (i) delivery of RAP compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in RAP implementation; and (iii) measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g. community-based livelihood restoration; participatory monitoring; etc. where applicable).

Implementation Schedule: An implementation schedule covering all RAP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to PAPs and hosts and a clearly defined closing date. The schedule should indicate how the RAP activities are linked to the implementation of the overall project.

Costs and budget: The RAP should provide detailed (itemized) cost estimates for all RAP activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

Monitoring and evaluation: Arrangements for monitoring of RAP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs' livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPs in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation and using the results of RAP impact monitoring to guide subsequent implementation.

5.0 Method of Assignment

The method to be adopted for carrying out the assignment must be participatory and include:

- Development of tools for consultation and data gathering including guided questions, focused group discussion and stakeholder map showing the different stakeholders interested and affected by the project; and
- Consultation of various interested individuals and groups especially project affected persons (PAPs).
 - *Use of technology in asset surveys:* Technology can play a key role in carrying out a sound asset survey as part of the preparation of a resettlement plan. The consultant is advised to make use of GPS and satellite imagery during the RAP preparation.

6.0 Outputs

The outputs of the assignment are:

- i. A stakeholder map
- ii. Tools for consultation with project affected persons and other stakeholders
- iii. A final RAP including items i & ii above and annexes.

7.0 Timeframe

The assignment will commence immediately on signing of the contract and will be carried-out within 1-month duration. The consultant will report to **the District Coordinating Director of the Assembly**. The consultant will be expected to work in close collaboration with the LIPW Focal Person.

DELIVERABLES AND TIMING

Inception Report: Inception report shall be delivered within XXX after signing of contract providing detailed work plan and indicators of performance. This will be discussed by consultant, client and other experts to ensure quality of final outcome. XXXX copies and MS Word and PDF version of the report shall be submitted to the client.

Draft Report: This will be submitted to the client for review and comments raised, incorporated into the revised version. XXX copies shall be submitted to the client. In addition, there shall be MS Word and PDF version. This will be delivered xxxx weeks after submission of the inception report.

Final Report: The final report should include a concise Executive Summary and should have all annexes and bibliography and the dissemination/disclosure plan. This will be delivered XXX weeks after submission of draft report.

REPORTING

The Consultant will report directly to the XXXX at the XXXXXX.

8.0 Qualifications

The consultant shall possess a minimum of a Masters' degree in environmental studies or social sciences with at least 5 years post-qualification experience in environmental and social risk management s or environmental and social assessment. The consultant must have a good knowledge of the World Bank Safeguards policies/ESF, social protection and procedures as well as national environmental policies, legislation and procedures. Knowledge of the local language would be an advantage.

The Consultant must have experience in preparation of RAPs for infrastructure projects such as xxxxx. The consultants must have competency and documented experience in environmental and social analyses and development of operational action plans.

9.0 Clients Inputs

The client will provide all relevant information and documents that will enable the consultants to carry out their duties. The client will also facilitate the organization of consultation meetings with PAPs and stakeholders as part of the disclosure activities and will be responsible for the disclosure of the RAP.

Indicative RAP Outline

The followings are the indicative 'Table Of Contents' that the consultant should follow while preparing and finalizing the RAP:

Table of Contents

List of Figures

List of Tables

Definitions

Abbreviations

Executive Summary

CHAPTER ONE: INTRODUCTION

- Background Understanding
- Aim and Objectives of the RAP
- Justification for the preparation of a RAP
- RAP Methodology

CHAPTER TWO: DESCRIPTION OF THE PROJECT ENVIRONMENT AND BASELINE STUDIES

- Description of the project State
- Description of the project location
- Socio-Economic Baseline Conditions of Project Affected Persons (PAPs)

CHAPTER THREE: POLICY LEGAL AND REGULATORY FRAMEWORK

CHAPTER FOUR: IDENTIFICATION OF PROJECT IMPACTS AND PROJECT AFFECTED PERSONS

- Introduction
- Impact Reduction Measures Undertaken
- Positive Impacts of the project
- Negative Impact of the Project
- Entitlement and Eligibility
 - Entitlement Matrix for the PAPs
 - Description of Eligibility Criteria for Defining Various Categories of PAPs
- The Valuation methodology
- Inventory of affected assets/structures in the project area
- Census of Project Affected Persons (PAPs)
- Compensation and Resettlement Assistance
- Analysis of Impacts and Income Restoration Measures for Vulnerable Group/PAPs
- Performance Indicator for Assessing Income Restoration
- Proof of Eligibility
- Duration for Civil Works
- Cut-Off Date

CHAPTER FIVE: GRIEVANCE REDRESS MECHANISMS**CHAPTER SIX: BUDGET AND FINANCING PLAN**

- Introduction
- Financing plan
- Procedure for Delivering of Entitlements
- RAP Compensation Process
- Compensation Payment Administration
- Resettlement Implementation Linkage to Civil Works

CHAPTER SEVEN: INSTITUTIONAL ARRANGEMENTS- ROLES AND RESPONSIBILITIES**CHAPTER SEVEN: ASSETS VALUATION METHODS****CHAPTER NINE: TIMETABLE OF EVENTS**

- Timetable for the Resettlement Action Plan
- Training and Capacity Needs

CHAPTER TEN: MONITORING AND EVALUATION

- Overview
- Internal Monitoring
- Independent Monitoring
- Monitoring Indicators
- Implementation Schedule

CHAPTER ELEVEN: STAKEHOLDERS CONSULTATION

- Method and participation
- Choice and Right
- Concerns and resolutions

REFERENCES

ANNEX A: LIST OF PROJECT AFFECTED PERSONS AND THEIR COMPENSATION

ANNEX B: COST DERIVATION TABLE FOR AFFECTED STRUCTURES AND LANDED PROPERTY

ANNEX C: COST DERIVATION TABLE FOR [AFFECTED] CASH CROPS/ECONOMIC TREES


ANNEX D: TERMS OF REFERENCE

ANNEX E: CONSULTATION ATTENDANCE LIST/VIDEOS/PHOTOS

ANNEX F: MONITORING INDICATOR FOR THE PERFORMANCE OF RAP


Annex B**B1: Consultations with TZCO, BZCO and KZCO – outcome of discussions**

Consultation with Tamale, Bolga and Kumasi Zonal Coordinating Offices on the proposed GPSNP 2		
Venue	Conference room of the Tamale Zonal Coordinating Office, Tamale	
Date	19th January, 2021	
Major issues of Concern raised/Discussed		
<ul style="list-style-type: none">• The need to reduce the labour content (percentage of total expenditure on labour payment) to provide flexibility in providing adequately for other equally important E&S requirements.• Access to suitable land of adequate size for CCMI activities is very often a challenge. There is the need to consider making fencing of sites mandatory for all sites very close to communities.• Consider factoring speed ramps in the design of LIPW feeder roads to prevent communities undertaking unorthodox means of reducing vehicle speed in their communities.• Adequate time (at least 3 days per site) should be allotted for educating the participants (beneficiaries) before actual commencement of site activities with the beneficiaries. “My-First-day-at work” doesn’t offer adequate time for educating the participants on the details of the concept of LIPW.• Participating DAs should be well resourced (Printers, paper, etc,) to enable them effectively discharge their duties under the project as some DAs are not adequately resourced.		
Participants	Designation	Contact Information
Samuel Amo-Nimoh,	ZC, TZCO	0244228368
Mr Emammanual Badza	ZC, BZCO	0244013559
Sabastian Yiale	Zonal Engineer- ZE, TZCO	0208442543
Alhassan Ibn Yussif	CMA, TZCO	0591185085
Azundow Abukari	CMA, BZCO	0249296920
Kwame Sarfo	CMA, KZCO	0244957404
Blessed Asare-Takyie	CMA, KZCO	0246277505



B2: Consultation with WZCO

Venue	Conference room of the Wa Zonal Coordinating Office, Tamale	
Date	21st January, 2021	
Major issues of Concern raised/Discussed		
<ul style="list-style-type: none">Consider appropriately remunerating the Community Facilitators since they serve as the main people around whom the successful implementation at of the project revolves. A well-motivated CF can mobilize the community easily.The Social welfare/community development officers have relinquished their roles as regards case management to the desk officers. The desk officers by their training (planners) can adequately play that role.In many DAs, the public relations and complaints committee is practically defunct. Consideration must be given to other alternate means of providing support to the desk officers in resolving community level project related disputes.Consideration must be given to the provision of resources for road signages in the design of LIPW feeder roads.At sites where attendance are recorded manually, Contractors’ supervisors must be required to sign on each page of the Daily Attendance Sheets (DASHES). A DASH that has any page unsigned by the supervisor must not be honoured.		
Participants	Designation	Contact information
Cedonia Dere	ZC, WZCO	
Solomon Dawutey	ZE, WZCO	
Isaac Owusu Akyaw	CMA, WZCO	





Beneficiary engagement on GPSNP II at Korsive in the North Tongu District



Stakeholders Engaged on GPSNP II at Nandom District Assembly in the Upper West Region



Beneficiary engagement on GPSNP II at Nagbo subproject site in East Mamprusi district in the North East Region

Beneficiary engagement on GPSNP2 in Lingbinsi, North Gonja District (Savannah Region)



Annex C: Template for the Preparation of Budgets to Prepare and Implement RAPs

#	ITEM	GHC
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	<i>Subtotal 1 (Preparatory phase cost)</i>	
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 immovable structures	
2.5	Compensation for temporary displacement of moveable structures	
2.6	<i>Subtotal 2 (Compensation cost)</i>	
3.0	LIVELIHOOD RESTORATION /MITIGATION MEASURES COST	
3.1	Compensation for farmers ' loss of income	
3.2	Compensation for business persons ' loss of income	
3.3	Cost of special assistance to vulnerable persons	
3.4	<i>Subtotal 3 (Livelihood restoration/mitigation cost)</i>	
4.0	CAPACITY BUILDING & IMPLEMENTATION COST	
4.1	Capacity building for key stakeholders	
4.2	Overhead cost for compensation disbursement/grievance redress/monitoring & evaluation	
4.3	Legal fees (in case of court dispute)	
4.4	<i>Subtotal 4 (Capacity building & implementation cost)</i>	
5.0	TOTAL COST (addition of all subtotals)	
6.0	CONTINGENCY (5%-10% OF TOTAL COST)	
7.0	GRAND TOTAL COST (Total Cost + Contingency)	