



GOVERNMENT OF SIERRA LEONE

LABOR-INTENSIVE PUBLIC WORKS TO MITIGATE EBOLA IMPACT PROJECT (P154904)

(A World Bank Funded Program)

Resettlement Policy Framework (RPF)

JUNE 29, 2015

**Ministry of Finance and Economic Development
Secretariat Building
George Street, Freetown**

Executive Summary

This Resettlement Policy Framework (RPF) is prepared in compliance with World Bank Involuntary Resettlement policy (OP/BP 4.12) triggered under the Public Works to Mitigate Ebola Project. The RPF establishes the resettlement and compensation principles, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project.

The Government of Sierra Leone is receiving a grant of US \$1.45M to finance the implementation of the Labor-intensive Public Works to Mitigate Ebola Project (LIPW). The recent gains in poverty reduction in Sierra Leone Since emerging from a decade-long civil war in 2002 are being threatened by the Ebola Virus Disease (EVD) crisis, whereas the country lacks adequate safety nets to protect the poorest. This project is therefore aimed at **mitigating the socioeconomic impact of the Ebola outbreak in Sierra Leone by providing productive temporary employment to youth in poor households affected by the Ebola virus through labor-intensive public works**. The works will be chosen from among two areas i) Communal Agricultural activities and ii) feeder road rehabilitation and maintenance and are expected to provide employment support to 12,000 vulnerable youth in the poorest districts among those highly affected by the EVD crisis.

Under the Labor-intensive Public Works, land acquisition or land use by some sub projects recipient communities to support their planned activities under the project, may result in possible cases of loss of access to land for the establishment of community agricultural activities and temporary destruction of livelihoods during road rehabilitation. Land use, expropriation and administration in post war Sierra Leone are highly emotive issues and special care need be taken during the implementation of sub project activities that require land acquisition /use that adversely affect people and their economic resources.

In line with the World Bank safeguard policy OP 4.12, displacement in any form will be minimized using the following measures:

- To the extent possible, project facilities will be located on communal lands and a more participatory approach will be put in place for the communities to confirm their willingness to donate land.
- Wherever the impact on the land holding of one particular family is such that it may not be sustainable in the long term, a different location may be required or the type of sub-project will be changed.
- In the event that displacement is unavoidable, affected persons will be (a) Informed about their options and rights pertaining to resettlement. (b) Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives. (c) Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the project. (d) Enabled to restore and preferably improve their living standards compared to pre-project ones.

A Resettlement Action Plan (RAP) will be used where individuals are displaced.

Until the exact sub project locations are determined it will not be possible to estimate the likely number of people who may be affected since the technical details of the sub projects have not yet been developed and are unknown. However, the category of persons likely to be displaced (economically or physically) are individuals, households, communities and vulnerable households including landless residents, ex-soldiers and combatants, orphans, women headed households, the youth etc.

The Bank’s OP 4.12 suggests the following criteria for eligibility:

| Category of affected persons | Assets | Type of compensation |
|---|---|---|
| Persons with formal legal rights to land (including customary/communal land, traditional and religious rights, recognized under Sierra Leonean Law). | Physical and non- physical assets such as residential structures, productive lands, farm lands, cultural sites commercial/ business properties, water sources, tenancy, income earning opportunities, and social and cultural networks and activities | To be provided compensation for land lost (and improvements to the land – structures, crops, trees etc.) and other assistance |
| Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the national and local laws of Sierra Leone or become recognized through a process identified in the resettlement plan | | To be provided compensation for land lost (and improvements to the land) and other assistance |
| Persons with no recognizable legal right or claim to land they are occupying, using or getting their livelihood from e.g. squatters | | To be provided resettlement assistance in lieu of compensation for land occupied. Compensation for improvements to the land. |
| Persons encroaching on land after the notification | | Not eligible for compensation or any form of resettlement assistance |

Individual and household compensation will be made in cash, in kind, and/or through assistance. The type of compensation will be an individual choice although every effort will be made to instill the importance and preference of accepting in-kind compensation if the loss amounts to more than 20% of the total loss of subsistence assets. Valuation will be derived from the World Bank’s Involuntary Resettlement Policy, OP 4.12; and Constitution of Sierra Leone. Before any project activity is implemented, Project Affected Persons (PAP) will need to be compensated in accordance with the resettlement policy framework.

Implementation of these activities will be under the overall guidance of National Commission of Social Action in close collaboration with the Ministry of Agriculture, Sierra Leone Roads Authority, other technical ministries, local councils, communities and youth groups. However, NaCSA would finance the resettlement compensation, and it will be funded like any other activity eligible under the project’s administrative and financial management rules and manuals.

In the event of any grievance, avenues for reporting will be through ACC and civil society organizations located within participating districts (referred to here as “CSO monitors”). A toll-free national anti-

corruption hotline will also be used to allow anyone to lodge corruption reports directly to the Anti-Corruption Committee free of charge. NaCSA, particularly through the District Coordinators, will be responsible for reviewing and updating the grievance database. A Grievance Redress Mechanism (GRM) Officer, NaCSA staff at the district level, and the District Grievance Resolution Committee (DGRC), will be ultimately responsible for ensuring that all grievances are resolved in a timely manner.

To ensure that the implementation of the resettlement is carried out in accordance with the relevant requirements of this resettlement policy framework, NaCSA will institute a Monitoring and Evaluation team for internal monitoring. Local Councils will also have the mandate to carry out independent monitoring of the implementation of the resettlement and compensation plans at periodic intervals during the project life. Their report would then be sent to NaCSA, Regional Land Boards and the Community Oversight Committees and become part of the official documents of the project.

Glossary of Key Terms

- **Cut - off Date** refers to a day on and beyond which any person who occupies land required for project use, will not be eligible for compensation. The date is often the day when the assessment of persons and their property in the project area commences.
- **Environmental and Social Management Framework (ESMF)** report is a safeguards instrument (document) which establishes a mechanism to determine and assess future potential environmental and social impacts of sub projects within a conservancy area, and then to set out mitigation, monitoring and institutional measures to be taken during design, implementation and operation of the project activities to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. This instrument has been prepared as a separate and stand-alone document to be used in conjunction with the RPF.
- **Market rate**-based on commercial terms according to Sierra Leone law for sale of land, materials, agricultural products and other assets and commodities.
- **Project Affected Person(s) (PAPs)** are persons affected by the land use or acquisition needs of the management committees sub project activities that lead to these persons being required either to be physically displaced or relocated due to loss of shelter and or, lose, denied or restricted access and or to economic assets, or lose income sources or means of livelihood, whether or not the person(s) must move to another location.
- **Resettlement Action Plan (RAP)**, is a resettlement instrument (document) to be prepared when project activities **are identified**, that require land acquisition that leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting people and livelihoods in this manner and contain specific and legal binding requirements to be taken by that party to resettle and compensate the affected party before project activities causing this adverse impact are implemented. The RAP must be accepted by the Project authorities and the World Bank before the subproject can be included in the Project.
- **Resettlement Policy Framework (RPF)**, is also a resettlement instrument (this document) that is prepared by the borrower' (in this case by the Government of Sierra Leone) when project activities

that require land acquisition that leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources, **are not identified** at the project preparation stage. The RPF is therefore prepared and disclosed before the proposed project is appraised setting out the resettlement and compensation principles, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project, when project activities are identified. The RAP is prepared consistent with the provisions of the RPF. The term 'borrower' is a generic term used by the World Bank, and includes recipients, such as the National Commission for Social Action, The Environment Protection Agency (EPA) etc.

Table of Contents

Executive Summary i

Glossary of Key Terms..... iii

A. INTRODUCTION 1

B. PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION..... 6

C. DESCRIPTION OF THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS..... 8

D. LAND ACQUISITION AND LIKELY CATEGORIES OF IMPACT 11

E. ELIGIBILITY CRITERIA FOR DEFINING VARIOUS CATEGORIES OF PROJECT AFFECTED PERSONS 13

F. LEGAL FRAMEWORK AND REVIEW OF FIT BETWEEN REGULATIONS OF SIERRA LEONE AND BANK POLICY
..... 14

G. METHODS OF VALUING AFFECTED ASSETS 46

H. ORGANIZATIONAL PROCEDURES FOR THE DELIVERY OF ENTITLEMENTS..... 52

I. A DESCRIPTION OF THE IMPLEMENTATION PROCESS, LINKING RESETTLEMENT IMPLEMENTATION TO
CIVIL WORKS 54

J. A DESCRIPTION OF GRIEVANCE REDRESS MECHANISMS 54

K. A DESCRIPTION OF THE ARRANGEMENTS FOR FUNDING RESETTLEMENT AND COMPENSATION 56

L. A DESCRIPTION OF MECHANISMS FOR PARTICIPATION OF DISPLACED PERSONS IN PLANNING,
IMPLEMENTATION, AND MONITORING 57

M. ARRANGEMENTS FOR MONITORING BY THE IMPLEMENTATION AGENCY AND, IF REQUIRED, BY
INDEPENDENT MONITORS..... 58

ANNEX A: TEMPLATE FOR PREPARING RESETTLEMENT AND COMPENSATION PLANS 60

ANNEX B: ENVIRONMENTAL AND SOCIAL SCREENING FORM AND CHECKLIST 64

A. INTRODUCTION

The Ebola Virus Disease (EVD) crisis is occurring in a context of already high poverty and food security. Sierra Leone reported the highest level of EVD cases of any country, with 11,600 cases and 3,600 deaths as of March 1, 2015.¹ Since emerging from a decade-long civil war in 2002, the country has experienced strong growth over the last decade, yet nearly half of the population remains poor. Despite strong growth averaging 5.8 percent annual per capita growth between 2003 and 2011, in 2011 more than half (53 percent) of the country's six million inhabitants remained below the poverty line and nearly one million (14 percent) were extremely poor.² Although poverty reduction over this period was higher outside of the capital, Freetown, poverty in Sierra Leone remains disproportionately rural, with 78 percent of the poor living in rural areas. In addition to high levels of poverty, a large number of Sierra Leoneans are also food insecure and exposed to shocks. According to the World Food Program (WFP), before the crisis almost half (45 percent) of households or 2.5 million people experienced food insecurity during the lean season.

The recent gains in poverty reduction are being threatened by the EVD crisis, while the country lacks adequate safety nets to protect the poorest. In 2014, the crisis reduced the country's growth to 4.0 percent from 11.3 percent expected prior to the outbreak.³ A joint report by the Government and the Bank on the socioeconomic impacts of EVD indicates declines in employment, high food security, and reduced utilization of services have the potential to negatively affect both short and long-term household well-being.⁴ There have been significant declines in employment in urban areas (7 percentage points), particularly among the non-farm self-employed, with non-health related effects of EVD cited as one of the main reasons for not working. Food insecurity continues to be stubbornly high throughout the country, with more than half (53 percent) of households taking at least one negative coping measure (e.g., reducing meals). These data also indicate the poorest households are the most food insecure and are less likely to have access to informal safety nets through remittances. There is also evidence of a decrease in utilization of health services for non-EVD conditions, as illustrated by a lower proportion of women in the capital receiving post-natal care. Yet social safety net coverage is low and existing programs suffer from high leakage and inefficient program administration, revealing a strong need to scale up safety nets based on robust systems.

Youth are particularly vulnerable to employment shocks induced by the EVD crisis. The latest estimates indicate youth – defined as those ages 15-35 – are facing larger employment shocks than the broader population. A joint cell phone survey report by Government and the Bank suggests youth employment rates and business operations have been disproportionately affected and continue to decline. Since the outbreak began, the employment rate among youth in some urban areas declined more steeply than among workers overall and youth in rural areas experienced a larger drop in hours worked. The percentage of households in non-farm enterprise work who reported that their business is no longer operating is now at four times the pre-crisis level. Non-farm household enterprises, where over one-third of youth work, was one of the hardest hit sectors of the economy. The data also suggests youth are facing greater difficulties in re-entering work. Since youth are newer to the labor market, these shocks could affect their labor market outcomes and poverty status in the longer run. Given the post-conflict setting, youth participation could play a central role in maintaining stability.

¹ Who Situation Report, March 1, 2015.

² 2011 Sierra Leone Integrated Household Survey.

³ "The Economic Impact of Ebola on Sub-Saharan Africa: Updated Estimates for 2015." World Bank (2015).

⁴ "The Socio-Economic Impacts of Ebola". Statistics Sierra Leone, World Bank, and Innovations for Poverty Action. (2015).

The Government's post-EVD recovery strategy highlights the need to restore livelihoods of vulnerable groups that have been lost due to the crisis, build resilience of poor households through safety nets, and promote agricultural production and infrastructure creation through community-driven approaches. However, the current community-led LIPW activities financed under the Youth Employment Support Project (YESP, P121052) have closed and preparation of a pipeline youth employment project is not programmed until 2016-2017. This project would therefore seek to provide timely support to scale up the current LIPW program, bridging the gap between the current and pipeline funding.

A1. Project Description

Project Targets

The project will target 12,000 beneficiaries through approximately 150 labor-intensive public works sub-projects. The YESP project targeted over 20,000 through 470 sub-projects. The Project will finance a package of short term to medium term interventions and build on successes of the just ended Sierra Leone Youth Employment Support Program (YESP).

Areas of Intervention

The sub-project types are a subset of those supported under the YESP Component 1. Most sub-projects will involve agricultural activities given: (i) the need to support agricultural production following the Ebola outbreak; and (ii) lessons from YESP that these sub-projects encourage higher participation of women. Based on the sub-project breakdown under YESP, these sub-projects would support production of staple crops (e.g., cassava, IVS rice). A limited number of feeder road rehabilitation sub-projects will be supported if they are deemed to help promote agricultural activities and links to markets. No renewable energy/environmental management sub-projects are expected.

Project Components

Component 1: Labor-intensive Public Works (US\$ 2.3 million):

The objective of this component would be to provide temporary employment to youth in poor households through labor-intensive public works sub-projects. The public works is expected to support approximately 150 sub-projects, implemented in the poorest districts among those highly affected by the EVD crisis and where Bank-financed cash transfer programs are also operating. Around 75 communities would be identified as eligible to receive a sub-project based on the common targeting tools. The works will be chosen from among two areas i) Communal Agricultural activities and ii) feeder road rehabilitation and maintenance. The LIPW sub-projects would be designed and implemented using a community-driven approach and taking into account seasonality.

Eligible beneficiaries would be entitled to work between 50 and 75 days depending on the design requirements of each sub-project and would receive a transfer amount of Le. 10,000 (equivalent to US\$2) as a daily wage. The breakdown of sub-project costs would be as follows: a minimum of 60 percent of the cost of each sub-project would be dedicated to transfers to beneficiaries in exchange for work; 30 percent would be allocated toward materials and tools; and the remaining 10 percent would cover administrative costs, including a small stipend to Community Oversight Committees (COC) members for overseeing the physical implementation of the works.

Component 2: Systems Development (US\$0.325million):

This component would support the consolidation of social protection systems in response to EVD and test

their scalability for future crises. Building on successful implementation of the SL YESP, this component would support scale up of key SP systems, notably: (i) common targeting mechanisms; (ii) electronic systems for registration, attendance verification, and payments; and (iii) independent anti-corruption and monitoring measures. In particular, it would support expansion of the Social Protection Registry for Integrated National (SPRINT) through the targeting of an additional 6,000 youth in poor households, the e-payments system linking to the broader Management Information System (MIS), as well as and other system elements currently being tested under the ongoing LIPW and cash transfer programs.

The beneficiaries would be targeted using a combination of a geographical (i.e., 2014 poverty maps) and community-based targeting, which are common targeting mechanisms used under the Government current cash transfer program. Depending on the severity of the outbreak at the time of implementation, these tools would be adjusted to the EVD crisis, for example by incorporating EVD caseload data and minimizing the risk of disease transmission through use of health protocols and avoiding large gatherings. Beneficiary information would be housed in the SPRINT's online database and linked to the attendance verification and e-payments modules in the broader MIS.

This component would finance: (i) operational costs of conducting the community-based targeting and registration processes in each targeted community; (ii) training for NaCSA Regional and District staff on the use of the SPRINT and the MIS; (iii) training for COCs on their roles and responsibilities; and (iv) meetings of the National Social Protection Steering Committee to validate the geographical targeting and any revisions to the tools and systems. It would also finance the costs of the anti-corruption measures and independent monitoring implemented by the Anti-Corruption Commission (ACC) and the costs of the expansion of the e-payment system.

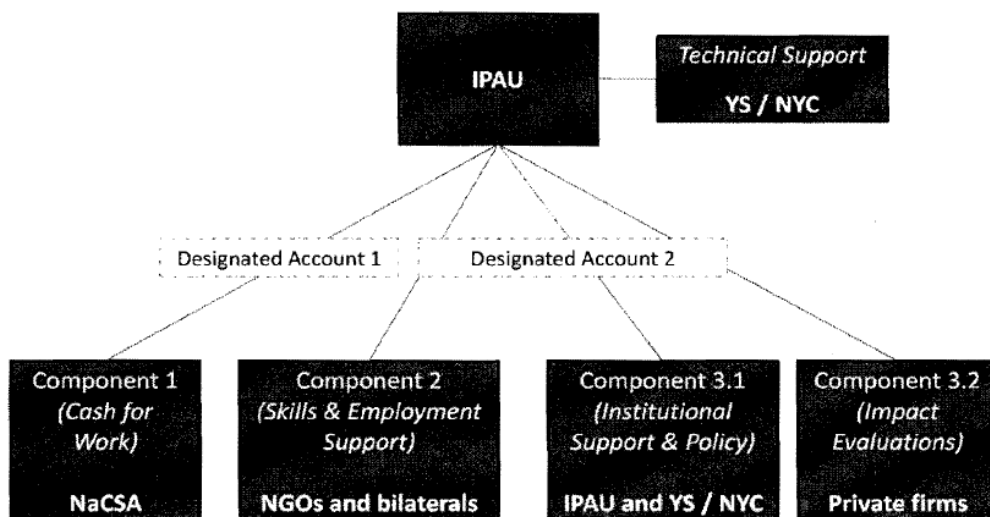
Component 3: Program Management (US\$0.325million):

The objective of this component would be to support efficient project implementation. Specifically, the component would finance routine project management for the design and implementation of public works sub-projects, delivery of cash transfers to public works beneficiaries, and staff and operational costs related to supervision of the public works sub-projects, including the following activities: (i) information, education, and communication (IEC); (ii) M&E activities; (iii) recurrent operational costs, including regional- and district-level supervision and implementation support; and (iv) fiduciary aspects. These costs would be similar to those financed under YESP, which exhausted funding for LIPW in February 2015.

Implementation Arrangements

The YESP had different implementing agencies for each component as per the graph below.

Table 1: Implementation Arrangements



The majority of the financing for the new LIPW project will support YESP Component 1 (Cash for Work) type activities. Therefore the implementation arrangements for Component 1 will be used, with NaCSA as the main implementing agency. As with YESP Component 1, the sub-project appraisal and approval processes will be carried out by NaCSA in close collaboration with targeted communities and key partners including Community Oversight Committees (COCs), the Sierra Leone Roads Authority, the Ministry of Agriculture Forestry and Food Security (MAFFs), other technical Ministries, and Local Councils where applicable. The main difference in implementing arrangements is that the project will rely on similar arrangements for anti-corruption and grievance redress measures as those used in the Social Safety Nets (SSN) Project, with the Anti-Corruption Commission leading independent monitoring activities. The rationale for this is that the basic system under SSN is already functional and can be rapidly adopted for this project; it also contributes to efforts to establish a coherent social protection system. To the extent feasible, the ACC will collaborate in conducting monitoring activities with the District Youth Councils, which are attached to the Local Councils and were supporting monitoring under YESP.

Socio-Economic Characteristics of Sierra Leone

The exact project boundaries, physical and social context of the sub-projects are not known yet at this stage of the project planning. When the sub-projects have been developed in detail a social and economic baseline will be drafted as part of the sub project Resettlement Action Plans (RAPs). What follows is a brief summary of the general socio-economic context within which the sub-projects will be designed and delivered.

According to demographic data, about one-third of Sierra Leone’s population is in the 15-35 year age group. With prospects of rising national wealth from the extractives sector, youth expectations are only going to rise, with a risk of social and political alienation if such expectations are not met. However, the extractives sector is likely to employ only a few thousand people, as the iron-ore projects currently employ only about 5,000 workers. This generation suffered from the civil war and did not have education opportunities, so they may not possess the necessary skills needed for the job market. During the CAS period, the government has prepared a new Employment Policy, set up a dedicated Youth Ministry and a

National Youth Commission, and taken forward targeted youth employment programs. Nonetheless, the challenge of youth unemployment remains enormous.⁵ In the second half of 2014 during the outbreak of Ebola, the Sierra Leone economy contracted at an estimated annualized rate of 2.8%. Before then, the economy had grown at an estimated annualized rate of 11.3%, and 2014 growth was projected at 4%, largely based on export earnings from iron ore.⁶

Until the outbreak of Ebola in May 2014, Sierra Leone was seeking to become a transformed nation with middle-income status through key reforms in infrastructure, energy, private sector development and job creation. But the country still carries its post-conflict attributes of high youth unemployment, corruption and weak national cohesion. Under successive past and present leaders, Sierra Leone continues to face the daunting challenge of enhancing transparency in managing the country's vast natural resource endowments and fiscal policy. Problems of poor infrastructure, including roads and energy, and widespread rural and urban impoverishment still persist in spite of remarkable strides and reforms.⁷

A2. JUSTIFICATION FOR WORLD BANK SAFEGUARD POLICY OP 4.12 IN THE PUBLIC WORKS TO MITIGATE EBOLA IMPACT PROJECT

The World Bank Safeguard policy OP 4.12 is triggered mainly due to component 1 of this project. Under the Labor intensive public works, land acquisition or land use by some sub projects recipient communities to support their planned activities under the project , may lead to economic displacement of people or their loss, denial or restriction of access to water and grazing land and other economic resources and therefore ultimately to resettlement. Experience from previous projects indicates that road rehabilitation in some cases has resulted in damage to crops and compensation may therefore potentially be required.

Land use, expropriation and administration in post war Sierra Leone are highly emotive issues, and the Government of Sierra Leone is taking positive steps to address these issues through a combination of appropriate land polices and legislation. Special care should be taken during the implementation of sub project activities that require land acquisition /use that adversely affect people and their economic resources.

Sierra Leone has a land area of approximately 72,000km² and a population of 4.96 million people with a high density compared to any other country in West Africa. Certain regions of the country carry the bulk of the population including the Freetown peninsula the Kono, Kenema and Bo districts while the northern part of the country is sparsely populated. With this in mind, significant efforts must be made in the design and screening stages of the sub projects to select sites to avoid or minimize impacts on people, land, property, including access to natural and other economic resources, as far as possible.

At this stage the Government of Sierra Leone is not required to prepare a Resettlement Action Plan since the sub project activities have not yet been identified and therefore their land needs have consequently not been determined. **However, the Government of Sierra Leone is required by the World Bank to prepare a Resettlement Policy Framework (RPF) to be publicly disclosed in Sierra Leone and at the InfoShop.** When specific planning information on the subprojects becomes available and it is identified that adverse impact as defined by OP 4.12 will occur, then site specific resettlement/compensation plans will be prepared consistent with this policy framework by the implementation agencies and will be submitted to the Bank for approval before any land acquisition, resettlement, loss, denial of, and restriction to economic resources or any other impact on livelihood occurs.

⁵ World Bank: 2012, Country Assistance Strategy Progress.

⁶ www.worldbank.org/en/country/sierraleone - accessed June 6 2015.

⁷ www.worldbank.org/en/country/sierraleone - accessed June 6 2015.

The RPF establishes the resettlement and compensation principles, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project. The RPF is prepared to the standards of the Government of Sierra Leone laws and policies on resettlement and the policy of the World Bank, OP4.12. This RPF governs all activities funded under the Public Works to Mitigate Ebola Impact Project and is to be used in conjunction with the Environmental and Social Management Framework (ESMF) also prepared for this project as a separate standalone document, and also disclosed at the Bank Info Shop and in Sierra Leone.

This RPF covers the following sections:

- B.** Principles and objectives governing resettlement preparation and implementation.
- C.** A description of the process for preparing and approving resettlement plans.
- D.** Land acquisition and likely categories of impact.
- E.** Eligibility criteria for defining various categories of project affected persons.
- F.** A legal Framework reviewing the fit between the laws of Sierra Leone and regulations and Bank policy requirements and measures proposed to bridge any gaps between them.
- G.** Methods of valuing affected assets.
- H.** Organizational procedures for the delivery of entitlements, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer.
- I.** A description of the implementation process, linking resettlement implementation to civil works.
- J.** A description of the grievance redress mechanisms.
- K.** A description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements.
- L.** A description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring.
- M.** Arrangements for monitoring by the implementation agency and, if required, by independent monitors.

B. PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION

The impacts due to involuntary resettlement from development projects, if left unmitigated, often give rise to severe economic, social and environmental risks resulting in production systems being dismantled, people facing impoverishment when their productive skills may be less applicable and the competition for resources greater; community institutions and social networks being weakened; kin groups being dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. The World Bank Safeguard policy OP 4.12 is not triggered only when people are being affected by physical

displacement, but is also triggered when the project activity causes land acquisition, whereby a physical piece of land is needed and people may be affected because they are cultivating on that land, they may have buildings on the land, they use the land for water and grazing of animals or they may otherwise access the land economically, spiritually or any other way which may not be possible during and after the project is implemented. In all these cases, affected people are compensated for their loss (of land, property or access) either in kind or in cash of which the former is preferred.

Therefore, the objectives of this policy are the following:

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

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

(iii) Displaced and compensated persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of project implementation, whichever is higher.

Affected people, according to the Bank Safeguard Policy OP 4.12, refers to people who are directly affected socially and economically by the bank assisted investment projects, caused by:

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

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

The Bank Safeguard Policy OP 4.12 applies to all components under the project; whether or not they are directly funded in whole or in part by the Bank.

The policy applies to all economically and/or physically displaced persons regardless of the total number affected, the severity of impact and whether or not they have legal title to the land. Particular attention should be paid to the needs of vulnerable groups in general and youth groups in particular among those economically and/or physically displaced; especially those below the poverty line; the landless, the elderly, women and children, indigenous groups, ethnic minorities and other historically disadvantaged groups or other economically and/or physically displaced persons who may not be protected through provisions in Sierra Leone's legislation concerning compensation for land .

In particular for the Public Works to Mitigate Ebola Impacts Project, the policy also requires that individual resettlement plans be implemented before the implementation of the sub project activities requiring land acquisition/land use, to ensure that displacement or restriction to access does not occur before necessary measures for resettlement and compensation are in place. It is further required that these measures include provision for compensation and for other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, the taking of land and related assets may take place only after compensation has been paid; where applicable, resettlement sites, new homes, related infrastructure, public services and moving allowances have been

provided to economically and/or physically displaced persons as the case may be; or when alternative income producing measures have been put into place to provide the income provided by assets to be lost. Furthermore, where relocation or loss of shelter occurs, the policy further requires that measures to assist the physically displaced persons are implemented in accordance with the resettlement plan of action.

To determine the potential impacts, consideration must be given to the distinct project management entity of the Public Works to Mitigate Ebola Impacts Project. The distinct project management entity is the National Commission of Social Action (NaCSA), who will continue to take the lead role in the implementation of the Labor Intensive Public Works Project. Communities through Community Oversight Committees (COCs) will manage the day-to-day implementation of sub-projects with support from NaCSA, in collaboration with the local councils. The Anti-Corruption Commission will provide independent monitoring of the project activities. Whereas, the Public Works to Mitigate Ebola Impacts Project will not fund all activities in a given district, the principles of OP 4.12 will apply not only to sub project activities in a district funded by the project but will also apply to those sub project activities within the same district that are funded by other donors.

The impacts from sub project activities are likely to be positive as they will result in sustainable use of natural resources, raise rural incomes (both individual and household incomes) and hence livelihoods. However, some adverse impacts are possible on some community members, individuals, or households. There may be restriction and denial of access to land for cultivation and grazing during land acquisition and some damage to crops and loss of other economic resources during road rehabilitation. Adverse impacts may also occur, if production cost is increased or incomes reduced due to alteration of access rights, distance, timing etc. In instances like this where impacts are unavoidable, the project will prepare a resettlement action plan and compensation paid. The next sections describe the process for preparing and approving these actions plans.

C. DESCRIPTION OF THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS

As stated earlier, the World Bank policy on Involuntary Resettlement OP 4.12 is triggered because of the Labor-intensive Public Works component. The project will be financing productive investments that may require land acquisition and/or land use leading to loss, denial or restriction of access to economic resources. Since the location of all these sites during the 1-year project period are not known at the time of the preparation of the project, the preparation and disclosure of this RPF by the Government of Sierra Leone is a conditionality for project effectiveness. During implementation of this project, in a process defined below, the selection of these sites would be made. When that happens, land would be acquired or access to economic resources may be lost, denied or restricted and people may then be affected. At that stage, OP 4.12 calls for the preparation of individual Resettlement Plans that must be consistent with this RPF.

To address the impacts under this policy, resettlement plans must include measures to ensure that the displaced persons are;

- (a) Informed about their options and rights pertaining to resettlement.
- (b) Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives.
- (c) Provided prompt and effective compensation at full replacement cost for losses of assets and access

attributable to the project.

(d) Enabled to restore and preferably improve their living standards compared to pre-project ones.

Therefore, the first stage in the process of preparing the individual resettlement plans is the screening process to identify the land acquisition and land use needs that will cause resettlement. The resettlement and compensation plans will contain the analysis of alternative sites undertaken during the land screening process. The land screening process presented here below is designed to be part of the Project Oversight Committee planning stage, thereby ensuring that their sub project proposals presented to NaCSA for funding also complies with the requirements of OP 4.12 and the laws of Sierra Leone relating to land acquisition/use and resettlement.

Process for selection of sub-project sites

Step 1: COCs using participatory techniques mobilize their community members to develop a Project Application Form using the conservancy areas as the physical planning unit. The COCs would be assisted by NaCSA throughout this process.

Step 2: As part of the Plan, the physical planning unit will be divided into zones/areas to thereby, stating/illustrating where certain types/groups of activities are designed to take place for the benefit of all. These activities are to be implemented in the form of multiple sub projects using the community demand driven (CDD) principle of participation/implementation.

Step 3: The PAF will for each zone, contain specific planning information on sub project activities in the form of engineering and other technical details, land use needs and routes required, etc.

Step 4: The COC with continued assistance from NaCSA District Coordinators and using participatory techniques, undertakes a sub-project Environmental and Social Screening based on the checklist in Annex B to determine if major environmental and social impact as defined in OP 4.12 will occur.

Step 5: The use of land that triggers OP 4.12 should be avoided where possible, by rerouting, re-zoning, choosing alternative sites, etc.

Step 6: For situations where resettlement or restriction of access cannot be avoided, OP 4.12 will apply. For each parcel of land that has potential PAPs, so determined using the process described above, the cut-off date will be immediately established to coincide with last date of census to prevent speculative activities.

Step 7: For each parcel of land that has potential PAPs, the COC will, with support from NaCSA, carry out (i) a socio-economic study and (ii) a listing exercise to identify the potential PAPs on the individual, an inventory of their losses including land, household and vulnerable group's level and to calculate their household incomes, as the first step in the preparation of the RAPs.

Step 8: On completion of the socio-economic study and the listing the COC will prepare a Resettlement Plan (RAP) for each site/parcel of land that is affected by resettlement and compensation. There will be as many RAPs as there are affected parcels of land.

Where the impacts on the entire displaced population are minor (i.e. if affected people are **not** physically displaced and less than 10% of their productive assets are lost) or fewer than 200 people, then the Bank will approve the preparation of an Abbreviated Resettlement Plan (ARAP) that reflects the requirements of this RPF. The process for preparing an ARAP is described below.

The following are the steps for a RAP preparation. Also see Annex A for full description.

Outline for RAP preparation

- (a) Description of the sub-project;
- (b) Potential Impacts;
- (c) Objectives;
- (d) Census and Socioeconomic Studies (including identification of vulnerable people (for ex. elderly, orphans, disabled);
- (e) Institutional Framework;
- (f) Eligibility, if different from the issues in the overall RPF;
- (g) Valuation of and compensation for losses;
- (h) Resettlement measures, including plans to restore any income that may be lost from any assets or natural resources to be lost, including specific measures for vulnerable people that may be affected;
- (i) Site selection, site preparation, and relocation;
- (j) Housing, infrastructure, and social services;
- (k) Environmental protection and management;
- (l) Community participation;
- (m) Integration with host populations;
- (n) Organizational responsibilities for the sub-project; (o) Implementation schedule;
- (p) Cost and budget;
- (q) Monitoring and evaluation, including a grievance redress mechanism;

The RAPs cover the elements above, as relevant. When any element is not relevant to the management committee's circumstances, it should be noted in the RAP.

Step 9: The RAPs would then be forwarded for screening and approval to the respective Regional and District Land Boards, the Ministry of Lands and the NaCSA central office in compliance with the local planning laws and project institutional and administrative requirements. All sub project activities for which a resettlement action plan is prepared would be subject to the final approval by the World Bank to ensure compliance with bank safeguards policies. This will ensure that before land is actually acquired or access to resources is lost, denied or restricted, that the individual resettlement plans are consistent with this RPF.

For the World Bank to approve funding for any sub project activities that needs to acquire or use land to support proposed investments under this project, the management must first comply with all local laws and seek clearance of the local authorities to use/acquire the land for that purpose, consistent with the provisions of this RPF. For investments on land that is already owned or in use by the management committee pre-project, the World Bank will only approve funding once it is satisfied that the provisions of this RPF were met in cases where OP 4.12 applies.

Furthermore, the National Commission for Social Action Regional and District Coordinators should as a guide consider the cumulative factor and not approve multiple sites that have individual high impact intensity. For example, where land acquisition is required to such an extent that it would require more than 20% of a community's or individual's total land under use or when the mitigation measures are so cumbersome that their efficacy cannot be pre-determined or they cost more than 15% of the investment budget.

Before the decision to approve a site is taken, the Implementing Agency i.e. NaCSA would need to approve or disapprove the resettlement and compensation plans of the project proponent's proposed investments in totality with the overall environmental and social screening process that has been applied for each of their proposed investments and to also approve or disapprove of the proposed mitigation measures, if any. A consultant will be hired to provide capacity building for NaCSA staff and Regional Environment Offices and for the local communities, by providing technical assistance to allow the COCs to screen their proposed sub project investments for environmental and social concerns. This training will also include the capacity to develop mitigation measures to meet environmental and social impacts and to prepare implementation of such measures.

Step 10. For voluntary donation of lands, NaCSA will validate all lands released for the project to ensure that there was proper consultation with community members and that no occupier of the land will lose any livelihood or asset.

Step 11: All agreements reached during consultation and validation will be documented in an MOU and signed with the relevant parties.

D. LAND ACQUISITION AND LIKELY CATEGORIES OF IMPACT

As discussed above, in addition to the health-related effects of Ebola on individuals and households, this crisis has resulted in higher rates of food insecurity, declines in employment, particularly among the youth as well as reduced utilization of services. These changes have contributed to an increasing number of vulnerable households and different categories are discussed below.

Until the exact sub project locations are determined it will not be possible to estimate the likely number of people who may be affected since the technical details of the sub projects have not yet been developed and are unknown. However, the likely to be displaced (economically or physically) persons can be categorized into these 3 groups, namely;

(I) Affected Individual - An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economical resources as a result of the project activities and to whom compensation is due. For example, an affected individual is a person who farms a land or works and lives on a farm, pastoralists whose routes have been altered, or a person who has built a structure on land that has been demarcated and is now required by the sub project. This will include affected individuals who have economic activity on communal land or on project land.

(II) Affected Household-a household is affected if one or more of its members is affected by project activities, either by loss of property, land, loss of access or otherwise affected in any way by project activities. This provides for:

(a) Any members in the households, men, women, children, dependent relatives and friends, tenants;

(b) Vulnerable individuals who may be too old or ill to farm along with the others;

(c) Members of households who cannot reside together because of cultural rules, but who depend on one another for their daily existence;

(d) Members of households who may not eat together but provide housekeeping, or reproductive services

critical to the family's maintenance, and

(e) Other vulnerable people who cannot participate for physical or cultural reasons in production, consumption, or co-residence.

In the local cultures, members of production, consumption, and co-resident groups form overlapping, often incongruent sets of people who may exchange domestic or farming services on a regular basis even though living separately. Compensation will not be limited to people who live together in a co-resident group, since this might leave out people whose labor contributions are critical to the functioning of the "household". For example, among polygamous settings, each wife has their own home.

(III) Vulnerable Households: in Sierra Leone because of the ravaging effects of the Rebel war and the long struggle to establish peace in the country, as well as the subsequent Ebola virus, vulnerable households may have different land needs from most households or needs unrelated to the amount of land available to them. They may already be undergoing some form of rehabilitation including training to acquire vocational skills in purpose built centers. However, the following particularly vulnerable groups need special attention;

a) Landless Residents on Communal Lands- this group have little or no usufruct rights, are often the poorest of the poor, destitute, unskilled, unemployed and unemployable and often shunned by rest of contemporary society.

b) Ex-soldiers and combatants-from the struggle for peace many have been successfully demobilized and re-integrated into society, but some remain vulnerable because they have physical disabilities, and have lost family members who supported them.

d) AIDS afflicted persons - a relatively high percentage of the poor and youth population are living with HIV or are terminally ill with AIDS. Many are beneficiaries of numerous health programs from government (central and local), international organizations and the NGO community.

e) Orphans - due to the impacts of the rebel war of the 1990s and AIDS crisis that plagues Sierra Leone today, there are a considerable number of orphaned children, whose parents have died from aids. These children today fall into three categories of care; (i) those being looked after by an uncle, aunt, grandparents or other close relative, (ii) those being looked after by the government, local authorities or NGOs and (iii) those living alone and providing for themselves and other siblings. These children are more vulnerable since they are often "voiceless" because they have no parents to defend or stand up for them and also because they are considered too young to be heard. Orphaned children engage in any form of economic activity to provide for themselves and their siblings by engaging in activities such as paraffin selling, artisanal mining, water selling, exploitative employment etc.

f) Despite the laws of Sierra Leone and the International Labor Organization (ILO) prohibiting the exploitation of children, it is a reality that street children are either in paid employment or are on the streets in some areas in Sierra Leone in particular big cities like Freetown, Bo, Kenema and other big cities. They tend to live in close proximity to large towns and cities.

Children in **e)** and **f)** above should they become impacted by this project in a way that means they have to be physically relocated, their compensation cannot be in cash. They would have to be put in a program or registered with one of the many children's charities that are operating in Sierra Leone today. Their compensation would take the form of paying for their rehabilitation and training to acquire useful vocational skills.

g) Women headed households—may depend on husbands, sons, brothers or others for support. During the war, young men were forced into rebel groups and were forced to go into the bush fell victims of the political liberation process and lost their lives and for many other reasons leaving behind many women headed households which to some extent still exist. In other cases too, women are the main breadwinner in their household even where the men have remained with the family. Women therefore need relatively easy access to health service facilities, as mothers and wives; for example, where the land being acquired is used by a woman with no formal rights to it or a woman who is dependent on a man other than her husband for her primary income. These women should not be resettled in a way that separates them from their households as the very survival of their households may depend on them. Their compensation must take into account all these factors.

h) Youth—As discussed above the EVD has hit the youth particularly hard through loss of employment and livelihood. Their economic viability may depend on how much land they farm or how much they produce because, by producing even small amounts of food to "exchange" with others, they can subsist on cooked food and generous return gifts of cereal from people such as their kith and kin and neighbors. Losing land will affect their economic viability. What would damage their economic viability even more than losing land is resettlement that separates them from the person or household on whom they depend for their support. The definition of household by including dependents avoids this.

These household types are not mutually exclusive, so that an orphaned child may be a landless resident on communal lands and the youth may be an ex-combatant, etc. These groups are being identified as particularly vulnerable so that special attention would be paid to them by identifying their needs from the socio-economic and baseline study so that (i) they are individually consulted and given the opportunity (i.e. not left out) to participate in the project activities, (ii) that their resettlement and compensation is designed to improve their pre-project livelihood (iii) special attention is paid to monitor them to ensure that their pre-project livelihood is indeed improved upon (iv) they are given technical and financial assistance if they wish to make use of the grievance mechanisms of the project and (v) decisions concerning them are made in the shortest possible time.

E. ELIGIBILITY CRITERIA FOR DEFINING VARIOUS CATEGORIES OF PROJECT AFFECTED PERSONS

The Bank's OP 4.12 provides the following three criteria for eligibility;

a) Those who have formal rights to land (including customary/communal land, traditional and religious rights, recognized under Sierra Leonean Law).

b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the national and local laws of Sierra Leone or become recognized through a process identified in the resettlement plan.

c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from.

Those covered under a) and b) above are to be provided compensation for the land they lose, and other assistance in accordance with the policy. Persons covered under c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a **cut-off date**

established by NaCSA and the respective District Councils. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in a), b) or c) above are to be provided with compensation for loss of assets other than land.

Therefore, it is clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date. Persons who encroach the area after the socio-economic study (listing and valuation) are not eligible for compensation or any form of resettlement assistance.

Method to Determine the Cut - Off Dates

The entitlement cut-off date refers to the time when the enumeration of persons and the inventory of their property and income sources in the identified project areas are carried out, i.e. the time when the management committees have identified the land sites they would need and when the socio-economic study is taking place. Thereafter, no new cases of affected people will be considered except through accepted grievance mechanisms for such cases as migrant workers or others away from the area being considered at the time of the inventory and enumeration. Unfinished structures would be identified and secured, and unused materials will be piled at the site so that the cut-off survey can estimate investment which should be compensated for in lieu of expenses (including labor) incurred until the cut - off date.

The establishment of a cut-off date is required to prevent opportunistic invasions /rush migration into the chosen land thereby posing a major risk to the project. Therefore, establishment of the cut-off date is of critical importance. The project needs to bear in mind the time period between the cut-off date and the time actual productive investments (civil works, etc.) starts. This is likely to be anytime period from six months on. Special attention needs to be taken to secure the sites from rush and opportunistic invasion. These measures could include close consultation with the recognized PAP's, signs that inform general public of intended use of site, security patrols to identify opportunistic invaders etc.

This date is to be chosen in close consultation with the Local Councils and traditional Leaders, as soon as possible after the affected land is identified. This process must be in full compliance with the conflict resolution mechanisms in this RPF and this date must be communicated effectively to the potential PAP's and surrounding local communities.

The local community and traditional chiefdoms will play a crucial role in identifying and confirming users of land.

F. Legal Framework and Review of Fit between Regulations of Sierra Leone and Bank Policy

Freetown is the capital of Sierra Leone. Administratively, Sierra Leone is divided into 4 regions and 14 districts which are: Kailahun, Kenema, Kono, Koinadugu, Bombali, Yonkolili, Kambia, Port Loko, Bo, Bonthe, Pasehun, Moyamba, western urban and western rural. The Constitution of Sierra Leone provides for administration of land in Sierra Leone to be by Statutory Law and Customary Law. Generally, statutory laws apply to land in urban areas and Customary Laws to rural/communal lands.

The Draft Land Policy of 2004 is the first time in the history of Sierra Leone that a Comprehensive land policy is being formulated. Hitherto, land in Sierra Leone has been managed through various legal instruments and customary practices applied through the court system. This approach to land

management did not provide the basis for a comprehensive overview to assess the social and environmental implications of the dynamics of land ownership, acquisition procedures and the use to which land is put.

A range of statutes have been in place to address specific land management problems and such statutes have included:

- The State Lands Act (1960);
- The Compulsory Acquisition of Property Act;
- The Public Lands Act;
- The Unoccupied Lands Act;
- The Crown Lands Conservancy Act;
- The Defense Lands Acquisition Act;
- The Concessions Act;
- The Freetown Improvement Act;
- The Town and Country Planning Act,
- The Forestry Act;

These statutes serve as the guide to the current land management practices existing in Sierra Leone and have stood the test of time to deal with specific land related problems on an ad hoc basis. Efficient land management in Sierra Leone is however still elusive as the inherent weaknesses in some of the existing legislations have been scrupulously exploited, as in the instance of “The Statutory Declarations Act “ of 1835, a received legislation, the abuse of which can be attested to by the numerous land litigation cases in the courts.

The Draft National Land Policy of Sierra Leone

The 1999 Laura Marcus –Jones report which was commissioned by the Government of Sierra Leone highlighted major issues, key among them were the inadequacies of the existing land laws, the lack of institutional approach to land management and the absence of a land management audit and control system based on a coherent policy. Based on recommendations from various experts who studied the report, the Ministry of Lands, Country Planning and the Environment thought that it was long overdue and decided to embark on the formulation of a National Land Policy on the basis of comprehensive principles that offer direction for efficient management and use of land.

The Policy provides the foundation for the review of existing laws and the enacting of new ones to create the enabling environment to accommodate the rapid economic development programs and plans of the Government of Sierra Leone in general and specifically, to regulate and streamline access to, and the use of land in order to ensure development of a sustainable environment.

The policy seeks to address some of the fundamental problems associated with land management in the country including general indiscipline in the land market, characterized by land encroachments, falsification of documents, multiple land sales and registration, unauthorized use of the land, haphazard development, improper survey practices, indeterminate local authority and chiefdom boundaries, resulting from lack of reliable maps and plans, rampant encroachment on, and illegal acquisition of large tracts of Government Land which have either not been surveyed, registered and otherwise protected, or have not been utilized; a weak land administration system and conflicting land uses, such as, the activities of mining companies, which leave large tracts of land denuded as against farming, which is the economic mainstay of the rural populations, and the time consuming land litigations, which have crowded out other cases in the courts. To ensure sustainable land use in Sierra Leone, the draft policy outlines the following:

1. The use of any land in Sierra Leone for sustainable development, the protection of water bodies and the environment and any other socio-economic activity will be determined through national land use planning guidelines based on sustainable principles in the long term national interest.
2. All land declared for forests reserves, strict nature reserves, national parks, wild life sanctuaries and similar land categories constitute Sierra Leone's permanent forest and wildlife estates, and are fully protected for ecosystem maintenance, biodiversity conservation and sustainable timber production.
3. Fully protected areas as well as timber and wildlife protected areas may be used for the purposes of education, research, recreation and tourism, provided that such uses are compatible with the conservation of the environment. For such uses as agriculture, timber, mining and other extractive industries, and human settlement within the context of a national land use plan.
4. Inland and coastal wetlands are environmental conservation areas and the following uses considered incompatible with their ecosystem maintenance and natural productivity are strictly prohibited: (a) Physical draining of wetland waters; (b) Damming of streams and water courses feeding wetlands; (c) Human settlements and their related infrastructural development in wetlands; Disposal of solid and effluents in wetlands; (d) Mining in wetlands.
5. Use of wetlands for farming, grazing, fishing, timber production and salt wining will be encouraged provided that such uses tend to conserve the ecosystem, biodiversity and sustainable productivity of wetlands.
6. In general, land use involving mining, other extractive industries, mechanized agriculture, cattle ranching, dairy farming and manufacturing industry will have to conform to prescribed environmental conservation principles and guidelines.
7. Land development planning of the purposes of human settlement, industry, large scale intensive agriculture or their expansion will have to make adequate provisions, among others, for: (1) population density; (2) Settlement location and pattern preference; (3) Direction for spatial growth; (4) Physical and social infrastructural development or expansion; (5) Land and other environmental conservation requirements; (6) Provisions for persons displaced by such development.
8. All land and water resources development activities must conform to the environmental laws of Sierra Leone and where Environmental Impact Assessment report is required this must be provided and environmental protection within the polluter pay principle will be enforced.

Provided that payment of adequate compensation in reasonable time will be made, government may require land wherever and whenever appropriate to among other things: (a) Secure and control areas of urban expansion; (b) Facilitate urban renewal and redevelopment programs; (c) Implement any rural or urban improvement program; (d) Provide social infrastructure (e) Supply promptly serviced or un-serviced lands prices , which can secure , socially and economically acceptable patterns of economic development; (f) Provide for the purposes of national defence, national security, national health and conflict resolution ; (g) Protect areas of historical, cultural or ecological interest.

Conflict with respect to land use will have to be resolved at local, district, regional or national level before any economic land use activity commences.

Security of Tenure and Protection of Land Rights

The draft policy addresses issues related to land tenure and physiographic land forms, namely communal land, private owned land, farmland, proclaimed state land, urban areas and wetlands. The policy objective is to ensure that every socio economic activity is consistent with sound land use practices through sustainable land use planning in the long term national interest and to also facilitate equitable access to and security of tenure awareness at all levels in sustainable land management and development practices to ensure the highest and best use of land, and thereby guarantee optimum returns on land.

(a) With the full participation of traditional and customary land owners, the National Land Policy seeks to undertake tenure reform process, which documents and recognizes the registration and classification of titles under:

- The allodia owner;
- Customary law freeholder;
- An estate of freehold vested in possession or an estate or interest less than freehold under common law;
- Leasehold interest;
- Interest in land tenure by virtue of any right contractual or share cropping or customary tenancy arrangement.

(b) Speed up title registration to cover all interest in land throughout Sierra Leone, and phase out deeds registration;

(c) Pursue the following actions to resolve or minimize land tenure disputes and their associated ethnic conflicts;

(d) Implementation of a program for the production of a large scale maps of land parcels and building in all urban areas and locations, where disputes are prevalent;

(e) Enactment of legislation to require individual , traditional, family and other land owners to survey and demarcate their land boundaries with the approval of the Survey Department;

(f) Establishment of an Early Warning Mechanism to detect potential areas of land disputes for the purposes of taking preventive measures.

The principal aim of the policy is the judicious use of the nation's land and all its natural resources by all sections of Sierra Leone society in support of various socio economic activities undertaken in accordance with sustainable resources management principles and in maintaining viable ecosystems. The policy also seeks to encourage the rational and integrated planning and management of wetlands for the preservation of biological diversity, the maintenance of natural life support systems and sustainable resource use. It requires the establishment of a national inventory and quantitative assessment of wetland resources, the identification of the benefits and values of wetlands and the regulated use of their flora and fauna. It further requires that proper environmental assessments be undertaken before and during the execution of development projects on wetlands. Where wetlands exist within the borders of conservancies then this policy will become relevant.

The guiding principle of the policy requires that the conservation and management of the natural resource on communal land be community-based. The process should involve extensive consultation with and participation of the community with the ultimate objective of self- sustainability of the community-based management system. The development of the conservancy system and the attendant legislative process to support them is a manifestation of the successful implementation of this policy in achieving community based protection of some of the natural resources, namely wildlife or game, on communal land.

The policy also seeks to encourage the rational and integrated planning and management of wetland systems for the preservation of biological diversity, the maintenance of natural life support systems and sustainable resource use. It requires the establishment of a national inventory and quantitative assessment of wetland resources, the identification of the benefits and values of wetlands and the regulated use of their flora and fauna. It further requires that proper environmental assessments be undertaken before and during the execution of developmental projects on wetlands. Where wetlands exist within the borders of conservancies then this policy will become relevant.

Relevant Legislative Provisions

- * The Constitution of Sierra Leone
- * The Land Commission Act
- * The Forest Act 2001

The Land Commission Act

The Land Commission Act is being formulated by the Ministry of Lands, Country Planning and the Environment and approved by cabinet. The Act is to establish a commission with its composition and functions and for other purposes including the management of state lands, the execution of a comprehensive program for the registration of title to land throughout Sierra Leone. The Act will definitely change the status of land tenure and will also have positive implications for the conservation and the protection of biodiversity within the country. With regard to customary land tenure, the Act recognizes and confirms the powers of traditional leaders to allocate and revoke rights in land. The Act further provides for inheritance of customary allocations through the Traditional Authority of a particular area.

The Forest Act (No. 12 of 2001)

The Act contains special protection provisions under which the Minister is empowered to declare any area to be protected area for purposes of conservation of soil, flora, and fauna. The legislation stipulates that ‘no person may cut, burn, uproot or destroy trees that are in protected areas or trees that have been declared as being protected.’ It also states that the Chief Conservator /Director of Forest may issue a license or concession to fell and extract a protected tree. Thus, while the various national policies and laws provide an important context for addressing issues relating to the resettlement of people, none gives explicit, clear and unambiguous guidelines that can be adopted for implementation of this project.

Comparison between Laws of the Republic Of Sierra Leone Relating To Land Tenure and Administration and the World Bank Op4.12

The law relating to Land administration in Sierra Leone is wide and varied. Entitlements for payment of compensation are essentially based on the one hand on the right of ownership as allowed or defined under statutory or customary law. The Government’s land reform policies as part of the transformation of Sierra Leone as a country and as a society requires fundamental restructuring of settlement patterns to ensure greater equity and efficiency. It is clear that the rebel war has left acute anomalies to the composition, form and function in settlement patterns. Many of the settlements continue to reflect past tribal settlement patterns and manifest signs of disintegrated land use patterns. The Government is addressing these problems through a broad and comprehensive Land and Tenure Reform Program which can be characterized mainly by the following objectives;

- * Increased sustainable land use
- * Better access to land administration services
- * Reaching land redistribution targets
- * Decrease in state owned land
- * Increased State land vesting
- * Increased security of land tenure.

The Bank’s OP4.12 states that all project affected persons are entitled to some form of compensation whether or not they have legal title, as long as they have controlled or used the land or resources in question on a regular basis before the project-defined cutoff date.

Therefore, for this project, the laws of Sierra Leone would take precedence in as far as it recognizes rights of tenure. In cases where project affected persons have no rights of tenure according to Sierra Leonean law;

the provisions of the Bank OP 4.12 would apply in terms of their rights for compensation, consultation, grievance mechanism etc., where they have been affected by this project. Where, there is conflict between laws of Sierra Leone and the Bank OP 4.12, the latter must take precedence if the Bank is to fund the subproject.

1. Comparison of Sierra Leonean Law and World Bank OP4.12 regarding compensation.

| Category of PAP/ Type of loss | Sierra Leonean Law | World Bank OP4.12 |
|---|--|---|
| Land Owners | Cash compensation based upon market value under statute. Land for Land under customary law. | Recommends land for land Compensation; other compensation is at replacement cost (at current market value) |
| Land Tenants | Entitled to compensation based upon the amount of rights they hold upon land under relevant laws. | Are entitled to some form of compensation whatever the legal recognition of their occupancy |
| Land Users | In some cases land users have some form of secured tenure extended to them under new laws. In order cases land users are not entitled to compensation for land, entitled to compensation for crops or any other economic assets. | Entitled to compensation for Crops, may be entitled to replacement land and income must be restored to pre-project levels at least. |
| Users of natural resources subject to be put under control of conservancy members for sustained use and | Cash compensation based on market value or entitled to new housing or authorized land under Government (State or local) housing programs | Entitled to in kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement |
| Owners of “Non permanent” Buildings | Cash compensation based on market value or entitled to new housing or authorized land under Government (State or local) housing programs | Entitled to in kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement |
| Owners of Permanent Buildings | Cash Compensation is based on market value | Entitled to in kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement |
| Perennial Crops | Cash compensation based upon rates calculated as an average net agricultural income | As per section G of this RPF once approved by the Bank and disclosed in Sierra Leone and at the Bank Infoshop. |

Based on the comparison, the entitlement matrix below is so designed to assist the process by bridging the gaps between the requirements under Sierra Leone law and the World Bank OP 4.12. The higher of the standards is followed in this matrix, since this procedure also satisfies the requirements of the lesser two

standards. The missing values in the matrix will be determined at the time the resettlement plans are being negotiated and prepared. Any (temporary or permanent) taking of land to be managed by NaCSA for this project if any at all is subject to the Laws of Sierra Leone and the World Bank OP 4.12 .In the event of discrepancies between said laws and OP 4.12, the standards set by OP 4.12 will prevail.

2. The Entitlement Matrix for various categories of PAPs

| Category of | Type of Loss | Entitlements | | | |
|--------------------|---|---|---|--|---|
| | | Compensation for Loss of Structure | Compensation for Loss of Land and other assets | Compensation for loss of Income | Moving Allowance |
| Property Owners | Loss of land | Replacement costs at full replacement value | Land replacement at new site where its productive potential, locational advantage and other factors are at least the same as the old site., plus land | Crops at market rates in scarce season | None |
| | Loss of Structure Residential or Business | Compensation at full replacement value not depreciated | Other assets (for example wells) at full replacement cost | For loss rental Income: Lump sum cash payment of 6 months rent per tenant For loss of business: compensation for loss in production and relocation of enterprises and compensation for lost wages | Moving to be done free by project |
| Residential Tenant | Loss of rental accommodation | No Loss of structure, no entitlement to housing at new site | Replacement costs for non-movables items if installation was agreed with owner | No loss of income | Free moving if notification before deadline |
| | Loss of Premises | No Loss | Replacement costs for facilities that cannot be moved | For loss of business income , payment of half of turnover for 6 months | Free Moving if notification before deadline |
| Resource user | Loss of resource access or use (grazing, fuel wood, medicinal plants, wild foods, | | Alternative sources secured or equivalent income restored via alternative means | | |

| | | | | | |
|-------------------------|---------------------------------------|-----------------------|--|--|-----------------------------------|
| Squatters (Using Land) | Loss of Land | None | Where possible assistance in securing other access to land for crops growing subject to approval of local authorities /communities | Crops at market rates in scarce season. For street vendors on right of way possible access to other sites/location | None |
| Squatters | Loss of Shelter (or other structures) | Full replacement cost | | | Moving to be done free by project |

All payments to be made in Sierra Leonean Leones.

G. METHODS OF VALUING AFFECTED ASSETS

The Public Works to Mitigate Ebola impact Project will only operate on communal lands. Therefore, valuation methods for affected land and assets would depend on the type of asset and subject to customary laws. Land assets would be valued according to the following method and compensation paid for. The management committees would compensate for assets and investments, including labor, crops, buildings, and other improvements, according to the provisions of the resettlement plan. Compensation rates would be market rates as of the date and time that the replacement is to be provided. The market prices for cash crops would have to be determined. Calculations for compensation would not be made after the entitlement cut-off date in compliance with this policy. For community land held under customary law, the permanent loss of any such land will be covered by community compensation which will be in-kind, only. However, because the bank policy on resettlement, OP4.12, makes no distinction between statutory and customary rights, not only assets and investments will be compensated for, but also land. Thus, a customary land owner or land user on state owned land will be compensated for land, assets investments, loss of access etc. at market rates at the time of the loss.

Compensation Payments and Related Considerations

Individual and household compensation will be made in cash, in kind, and/or through assistance. The type of compensation will be an individual choice although every effort will be made to instill the importance and preference of accepting in kind compensation if the loss amounts to more than 20% of the total loss of subsistence assets.

| | |
|----------------------|--|
| Cash Payment | Compensation will be calculated in Sierra Leonean Leones and rates will be adjusted for inflation |
| In Kind Compensation | Compensation may include items such as land, houses, other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment |
| Assistance | Assistance may include moving allowances, transportation and labor |

Making compensation payments raises some issues regarding inflation, security and timing that must be considered. 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 will be monitored within the time period that compensation is being made to allow for adjustments in compensation values. The question of security, especially for people who will be receiving cash compensation payments needs to be addressed by the local administration. Local banks and micro finance institutions should work closely with the local administration 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 will be decided upon by each recipient in consultation with NaCSA and the COCs. Monetary payments should be paid at a time in relation to the seasonal calendar.

Compensation for Land

Compensation for land is aimed at providing a farmer whose land is acquired and used for project purposes with compensation for land labor and crop loss. For this reason, and for transparency, "Land" is defined as an area:

- In cultivation
- Being prepared for cultivation, or
- Cultivated during the last agricultural season

This definition recognizes that the biggest investment a farmer makes in producing a crop is his or her labor. A farmer works on his/her land most of the months of the year. The major input for producing a crop is not seed or fertilizer, but the significant labor put into the land each year by the farmer. As a result, compensation relating to land will cover the market price of labor invested as well as the market price of the crop lost.

Land measurement

For purposes of measuring land, the unit of measurement would be that which is used and understood by the affected farmers. Therefore, in rural areas if a traditional unit of measurement exists, that unit should be used. If a traditional unit of measurement does not exist in a particular area then it is recommended that land should be measured in meters or any other internationally accepted unit of measurement. However, in such an event, the unit that is being used must be explained to the affected farmers/users and must somehow be related to easily recognizable land features that the communities are familiar with, such as using location of trees, stumps, etc. as immovable pegs. The most important concern of this exercise is to ensure that the affected person is able to verify using his/her own standards/units of measurement for the size of land that is being lost. This process ensures that the project maintains transparency in the system and will thus avoid subsequent accusations of wrong measurements or calculation of areas. For instance, a farmer losing a certain piece of land should know exactly how much land he/she is losing, in terms of size and the replacement land must be at least of that same size and comparable quality as land lost, determinable by the farmer.

Calculation of Crops Compensation Rate

The current prices for cash crops would have to be determined. All crops will be compensated using a single rate regardless of the crop grown. At least, the highest valued crop will be the basis. This rate incorporates the value of crops and the value of the labor invested in preparing a new land. Determining compensation using a single rate creates transparency because anyone can measure the area of land for which compensation is due and multiply that by a single rate known to all. This approach also allows assignment of values to previous year's land (land in which a farmer has already invested labor) and land that have been planted but have not yet sprouted. Further, it avoids contention over crop density and quality of mixed cropping. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation is to be updated to reflect values at the time compensation is paid. The following example derives a total value for a one hectare land from the value of the crops on the land and the value of labor invested in preparing a replacement land.

| Item Compensated | Basis of Value |
|------------------|---|
| Value of Crops | Average of the highest 2015 official and market survey land prices per ha of staple food crops (maize yams, cassava, potatoes, rice, Banana plantains) cash crops |

| | |
|----------------|---|
| Labor Invested | Labor costs of preparing a replacement land |
| Total | Replacement value of crops plus labor |

This example assumes a one hectare land Crop values will be determined based on:

- A combination of staple foods and cash crops. Specifically, the 80/20 ratio of land that a farmer typically has in food crops and cash crops is used to determine the chances he /she would lose food crop rather than a cash crop income.
- The value of staple crops to be taken as the highest market price (over 3 years) reached during the year, in recognition of these factors:
 - Although most farmers grow staple crops mainly for home consumption, they always have the option of selling these crops to take advantage of the market.
 - Farmers most often purchase cereals when they have run out, during the "hungry season" when prices are high. Compensating at a lower value might put the individual or household at risk.
 - Averaging the highest price of stable foods yields a high per ha value that reimburses for the vegetables and other foods that are commonly inter-cropped with staples, but are almost impossible to measure for compensation.
- The labor cost for preparing replacement land is calculated on what it would cost a farmer to create a replacement land. This value is found by adding together the average costs of clearing, plowing, sowing, weeding twice, and harvesting the crop. Labor costs will be paid in Sierra Leonean currency, at the prevailing market rates.

The following table presents an example of a compensation schedule for a one-hectare land unit. The dollar values need to be validated at the time payments are made.

| <i>5. Example of land compensation schedule of payments</i> | | |
|---|------------------|--|
| ACTIVITY | MONTH PAID | LABOR IN LEONE/ha Rate cost per day x no. of days |
| Clear | March/ April | |
| Plough | May/ June | |
| Sow | May /June | |
| Weed | June /July | |
| Harvest | October November | |
| Total | | |

All agricultural labor activities are included for two reasons. First, because of the need for transparency, all land labor will be compensated for at the same rate. Second, it is difficult to forecast when during the growing season a farmer might need to give up his/her land. Thus, the land compensation covers all investments that a farmer will make. In certain cases, assistance may be provided to land users in addition to compensation payments, for example, if the farmer is notified that his/her land is needed after the agriculturally critical date of March (generic date, may be different in Sierra Leone and across climate zones) when s/he will no longer have enough time to prepare another land without help. Assistance will be provided in the form of labor intensive village hire, or perhaps mechanized clearing, so that replacement land will be ready by the sowing dates. The farmer will still continue to receive his/her cash compensation so that she/he can pay for sowing, seeding and harvesting.

Compensation for Buildings and Structures

Compensation will be paid by replacing structures such as huts, houses, farm outbuildings, latrines, fences, stalls etc. Any homes lost will be rebuilt on acquired replacement land, however cash compensation would be available as a preferred option for structures (i.e. extra buildings) lost, that are not the main house or house in which someone is living. The going market prices for construction materials will be determined. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure. The project will survey these prices for administrative purposes on an ongoing basis.

Compensation will be made for structures that are:

- * Abandoned because of relocation or resettlement of a business, an individual or household, or
- * Directly damaged by construction activities. Replacement values will be based on:
 - * Drawings of individual's house and all its related structures and support services,
 - * Average replacement costs of different types of household buildings and structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. bricks, rafters, bundles of straw, doors etc.),
 - * Prices of these items collected in different local markets, Costs for transportation and delivery of these items to acquired/replacement land or building site,
 - * Estimates of construction of new buildings including labor required.

| 6. Compensation for buildings and structures | |
|--|---|
| Buildings and Structures will be replaced by an equivalent structure or, on an exception basis, cash and /or credits will be paid based on replacement costs | |
| Item | Example |
| House | Raw or baked bricks Straw or tin Roof Different sizes (small , medium or large) |
| Kitchen | Open, Closed |
| Stables, pens, sheds | Cattle , goats, sheep , donkeys |
| Coops | Chicken, duck, other |
| Fence | Baked bricks, straw /poles/ or cement blocks(per 1 meter length) |
| Latrine | Replacement latrines will be similar to those currently operational and financed by the Bank or other donors at health centers, schools. Where replacement is in kind, latrines will still be provided for households that did not have one to address health related concerns as well. |
| Open Wells | Internally lined with concrete rings and provided with a hand driven pump |
| Storage Building | Cement/sand block walls with thatched roof on z piled metal sheets |

| | |
|------------------------------|---|
| Sun screen open huts /shades | Similar to those replaced on thatched roof on wood poles. |
|------------------------------|---|

Compensation for Sacred Sites

This policy does not permit the use of land that is defined to be a cultural property by the Banks Safeguards OP 4.11. Sacred sites include but not restricted only to altars, initiation centers, ritual sites, tombs and cemeteries. It includes other such sites or places/features that are accepted by local laws (including customary), practice, tradition and culture as sacred. To avoid any possible conflicts between individuals and/or communities/chiefdoms the use of sacred sites for any project activity is **not** permitted under this project.

Compensation for vegetable gardens and beehives

These are planted with vegetable and ingredients for daily use. Until a replacement garden starts to bear, the family displaced (economically or physically) as a result of the project land needs will have to purchase these items in the market. The replacement costs therefore, will be calculated based on the average amount that an average town dweller spends on buying these items for one year per adult from the local market. Beehives are placed in various locations in the bush by some individuals that specialize in honey gathering. If such hives would be disturbed by the project activities, or access to hives is denied, beekeepers can move them, and the bees will adapt to the new locations. Beekeepers would be compensated by the value of one season's production costs of honey for each hive that is moved and any reasonable costs associated with moving the hive.

Compensation for Horticultural, Floricultural and Fruit trees

With, Sierra Leone's highly variable weather patterns, water costs and the fact that much of the land is not suitable for growing fruits, communal areas are sparsely populated with certain types of fruit trees.

Where they exist on affected land the following **example**, on Mango trees for instance will serve as a guide on how to value fruit trees and other trees of nutritional, medicinal and other significant economic value.

They are primarily important as a source of:

- Subsistence food for families
- Cash produce that contribute to the local and export economy
- Petty market income in some areas, and
- Shade (in the case of mango and some guava trees).
- Traditional medicinal value.

Given their significance to the local subsistence economy, which this project intends to positively impact, fruit trees will be compensated on a combined replacement/market value. Fruit trees used for commercial purposes will be compensated at market value based on historical production records. If households chose to resettle, they will be compensated for the labor invested in the trees they leave behind, because they will continue to own the trees left behind under customary rights. It is not uncommon for individuals to own trees in other villages in which they formally lived and, in some cases, to continue to harvest fruit from those trees for subsistence purposes and/or sale to traders. If a household/individual chooses to transfer ownership of the trees, transfer costs will be paid in addition to labor costs. The compensation rate will be

based on information obtained from the census and socio-economic study. From this study, a compensation schedule for guava and mango trees can be developed incorporating the following goals:

- * Replace subsistence Fruit (e.g. guava/mango) production yields as quickly as possible.
- * Provide subsistence farmers with trees to extend the number of months of the year during which the fruit (e.g. guavas/mangoes) are produced and can be harvested as a supplemental source of food for their families during their "hungry season".
- * Provide farmers with the opportunity to derive additional production income from trees bearing more valuable fruits at off-season periods.
- * Provide cash payments to farmers to replace pre-project income derived from the sale of excess guava or mango production until replacement trees produce the equivalent (or more) in projected cash income.

The compensation schedule is based on providing a combination of new grafted local trees to farmers, as well as cash payments to offset lost yearly income. The schedule could assume the following (the figures in Leones (x no.) to be determined in the socio-economic study):

| 7. Local Fruit Trees e.g. Mangoes, Guava, Oranges | |
|--|--|
| Estimated Avg. Fruit Yield (kg) of mature trees | 500 – to 1500kg /year |
| Estimated Yield used | Ten sacks (1000kg0 /tree |
| Market Price <ul style="list-style-type: none"> • Height of harvest season (October/November) • End of Season (May) | Leones /kg Leones /kg |
| Price used as basis of this estimate | 80% height of season ; 20% end of season |
| Years to production | Six to seven years |
| Years of Maximum Production, | Twenty |
| Cost of sapling | Leones, locally available |

| Type /Age of Tree | Estimated Year | In-Kind replacement for Local Mangoes | Credits/Financial Support |
|--|----------------|---|---------------------------|
| Sapling 0-1 Trees planted after project cut- off date in area will not be eligible for compensation | | Deliver to farmer: <ul style="list-style-type: none"> • Choice of mangle , guava orange trees (Local or grafted) • Supplies: fencing to protect trees and water can and rake and spade | Leones |

| | | | |
|---|--------|---|---|
| Sapling /young Tree First minor production 12-50 fruits occur about age 4-5 | 1—6 | Deliver to farmer : <ul style="list-style-type: none"> Choice of mangle , guava orange trees (Local or grafted) Supplies: fencing to protect trees and water can and rake and spade | Equivalent of X no. of Leones in credit or other financial support for labor invested in planting, fencing and watering made in one payment |
| Mango /Orange tree/guava tree production | 6—25 | Deliver to Framer: <ul style="list-style-type: none"> Choice of mangle , guava orange trees (Local or grafted) Supplies: fencing to protect trees and water can and rake and spade | Equivalent of X no. of Leones in credit or other financial support for labor invested in planting, fencing and watering made in one |
| Mature Trees—Low or Non-Fruit producing | 25 -30 | Same as for mature trees above | Same as above |

Other domestic fruit and shade trees

These trees have recognized local market values, depending upon the species and age.

Individual compensation for wild trees "owned" by individuals who are located in lands as defined in this policy will be paid. Note that wild, productive trees belong to the community when they occur in the true bush as opposed to a fallow land. These trees will be compensated for under the umbrella of the village or community compensation.

No compensation will be paid for minor pruning of trees. Compensation for removal of limbs will be prorated on the basis of the number of square meters of surface area removed. The total surface area of the tree will be calculated using the following formula: $(1/2 \text{ diameter of canopy})^2 \times 3.14$.

H. ORGANIZATIONAL PROCEDURES FOR THE DELIVERY OF ENTITLEMENTS

Compensation (and resettlement) will be funded like any other activity eligible under the project's administrative and financial management rules and manuals. Funding would be processed and effected through the COCs financial processing arrangements. The compensation process which will involve several steps would be in accordance with the individual management committee's resettlement and compensation plans, significantly;

* **Public Participation** with the PAPs would initiate the compensation process as part of an ongoing process that would have started at the planning stages when the technical designs are being developed and at the land selection/screening stage. This would ensure that no affected individual/household is simply

"notified" one day that they are affected in this way. Instead, this process seeks their involvement and wishes to involve PAPs in a participatory approach with the project, from the beginning as outlined in item k. of this report.

* **Notification** of land resource holders-in cases where there is clearly no identified owner/user, the respective regional land boards and the traditional leaders having been involved in identifying the land that the management committee's require will notify the community leaders and representatives who will help to identify and locate the land users. These leaders and representatives will also be charged with the responsibility to notify their members about the established cut-off date and its significance. The user(s) will be informed through both a formal notification in writing and, for as many people as are illiterate, by verbal notification delivered in the presence of the traditional leaders or their representative. In addition, representatives of traditional leaders, religious leaders, other elders and individuals who control pastoral routes, fishing areas, wild trees, or beehives, hunting areas will accompany the survey teams to identify sensitive areas.

* **Documentation** of Holdings and Assets - the regional land board and traditional leaders and officials of the management committee will arrange meetings with affected individuals to discuss the compensation process. For each individual or household affected, officials of the management committee completes 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 is confirmed and witnessed by regional land board, traditional leaders or their representatives. Dossiers will be kept current and will include documentation of lands surrendered. This is necessary because it is one way in which an individual can be monitored over time. All claims and assets will be documented in writing.

* **Agreement on Compensation and Preparation of Contracts** - All types of compensation are to be clearly explained to the individual and households involved. The respective management committee draws up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has an order form which is signed and witnessed. The compensation contract and the grievance redress mechanisms are read aloud in the presence of the affected party and the representative of the regional land board and the traditional leaders prior to signing.

* **Compensation Payments** - All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party, the traditional leaders and their officials and representative of the local government administration.

Community Compensation Payments

Community compensation will be in-kind only for a community as a whole in the form of reconstruction of the facility to at least the same standard or equivalent better standard required by local planning regulation. Examples of community compensation include;

- * School Building (public or religious)
- * Public Toilets
- * Well or Pump
- * Market Place
- * Road
- * Storage warehouse

Community compensation may in itself require land take and people may be affected, thus a change of impacts which will be compensated for.

I. A DESCRIPTION OF THE IMPLEMENTATION PROCESS, LINKING RESETTLEMENT IMPLEMENTATION TO CIVIL WORKS

Before any project activity is implemented, PAPs will need to be compensated in accordance with the resettlement policy framework. For activities involving land acquisition or loss, denial or restriction to access, it is further required that these measures include provision of Compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, the taking of land and related assets take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to displaced persons. For project activities requiring relocation or loss of shelter, the policy further requires that measures to assist the displaced persons are implemented in accordance with the individual resettlement plan of action. For project activities that restrict access to or income from the use of natural resources, alternative arrangements to secure equal or greater resources through income schemes, alternative assignment of resources, the domestic planting of medicinal plants if possible, and other schemes should be in place before restrictions are fully enforced.

The measures to ensure compliance with this policy directive would be included in the resettlement plans that would be prepared for each land involving resettlement or compensation. Specifically, precise details must be provided in Section q; Implementation Schedule of the RAP (see page12) that is prepared by the management committee. In this section, the schedule for the implementation of activities agreed to between the management committee and the PAPs must be included, such as target dates for start and completion of civil works, timetables for transfers of completed civil works to PAPs, dates of possession of land that PAPs are using (this date must be after transfer date for completed civil works to PAPs and payments of all compensation), and how these activities are linked to the implementation of the overall sub project.

When the management committee present their resettlement and compensation plans to their regional Land Board and NaCSA for approval, part of the screening process that would use to approve recommended land would be to confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works in compliance with this policy. The timing mechanism of these measures would ensure that no individual or affected household would be displaced (economically or physically) due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or household affected. Once the resettlement plan is approved by the local and national authorities, the resettlement plan should be sent to the World Bank for final review and approval.

J. A DESCRIPTION OF GRIEVANCE REDRESS MECHANISMS

The objective of the Grievance Redress Mechanism is to provide channels for beneficiaries and other stakeholders to raise grievance, complaints or corruption about the project and during the course of the implementation and determination of entitlement and compensation implementation.

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals and households would have been informed of the process for expressing dissatisfaction and to seek redress. Grievances concerning non-fulfillment of contracts, levels of compensation, or seizure of assets without compensation would be channeled through the general project's grievance redress mechanism described below.

Grievance Process

The primary avenue for beneficiary reporting will be through civil society organizations located within participating districts (referred to here as "CSO monitors"); the CSO monitors will be contracted and trained by the Anti-Corruption Commission (ACC). The project will support the training of the CSO monitors, beneficiaries, and other stakeholders on what types of grievances should be reported and how to report them. A toll-free national anti-corruption hotline will also be used to allow anyone to lodge corruption reports directly to the ACC free of charge.

Grievances that pertain to administrative or operational complaints, such as targeting, enrollment, payment-related issues or displacement and compensation issues, will be recorded by the CSO monitors using the appropriate technology (e.g., smartphones) and uploaded to the GRM database within the MIS system. This will allow both NaCSA to review and resolve lodged grievances.

The GRM Officer, NaCSA staff at the district level, and the District Grievance Resolution Committee (DGRC), will be ultimately responsible for ensuring that all grievances are resolved. NaCSA, particularly through the District Coordinators, will be responsible for reviewing and updating the grievance database, and resolving complaints in a timely manner. The DGRC will meet on a monthly basis to review NaCSA's resolution of cases. Furthermore, it will bring together key stakeholders who will ensure that: (i) grievances reported through different channels are reviewed and entered into the grievance database; (ii) grievances are resolved at the district level in a timely manner and/or (iii) escalated as needed to the NaCSA National office; and (iv) beneficiaries and other stakeholders receive feedback on the resolution of grievances.

Information will be entered into the database through two methods. First, CSO monitors will use relevant technology (e.g., smartphones) to upload data. Second, NaCSA District Coordinators and the GRM Officer will be responsible for entering all new grievance reports into the database at their respective locales. Users will have varying degrees of accessibility depending on their role and the nature of the grievance. Additional specifications for the use of the GRM database will be contained in the Operations Manual.

The members of DGRC are the NaCSA District Coordinator, Anti-Corruption Commission District Coordinator, Local Council members, and CSO Community monitors. The role of each DGRC committee member is as follows:

NaCSA District Coordinators will be responsible for chairing the meeting; ensuring the GRM database is up to date; presenting all grievances received by NaCSA, actions taken, and status of grievances to the Committee; for unresolved grievances, deciding whether to escalate; updating the GRM database to include all new grievances brought to the Committee meeting and to document agreed upon actions; and reporting to the GRM Officer at the SP Secretariat on meeting outcomes.

Anti-Corruption Commission District Coordinator will be responsible for observing the meeting; ensuring all corruption reports are properly classified and taken on by the ACC; managing the CSO monitors' reporting and engagement; and bringing all non-corruption related complaints received by the ACC at the district level to the Committee for review and resolution.

Local Council members will be responsible for: collecting and compiling any grievances reported to them or other local government officials that were not registered by the CSO monitors and bring details to the meeting; and assisting NaCSA, as necessary, to resolve complaints or provide beneficiaries feedback on the resolution of complaints in their respective constituencies.

CSO Community monitors will be responsible for registering/uploading grievances from communities and

any other person wishing to report a grievance; reporting on the grievances received; participating in the review of all complaints and providing independent verification that complaints have been resolved at the community level; supporting NaCSA to communicate status of grievances to those who reported; sensitizing the public on the GRM and overall status of grievances; providing feedback on community satisfaction with the GRM.

Reports in which a stakeholder identifies alleged fraud or corruption in the project will be routed directly to the ACC through the toll-free hotline or the CSO monitors. The ACC, as per its legal mandate and with the support of civil society organizations, will be responsible for receiving, investigating, and redressing all corruption reports. An officer will be hired by the ACC at the national level to coordinate all ACC work on this project. The ACC will review the reports to confirm that they are corruption related (and therefore fall within the legal mandate of the institution). If they are confirmed corruption reports, the ACC will investigate and resolve cases as per the institution’s routine corruption investigation and resolution procedures. They will provide a summary report on the status of these corruption cases to the SP Secretariat on a quarterly basis. Where reports received are not corruption related, and instead are administrative or programmatic grievances, the ACC will forward these to the appropriate GRM channel for resolution. Thus, non-corruption grievances received at the district level will be forwarded to NaCSA or the District Grievance Resolution Committee, and grievances received through the national ACC hotline will be forwarded to the GRM Officer

K. A DESCRIPTION OF THE ARRANGEMENTS FOR FUNDING RESETTLEMENT AND COMPENSATION

The estimate of the overall cost of resettlement and compensation would be determined during the socio-economic study. NaCSA would have to finance the resettlement compensation because it is the party who would be impacting livelihoods. At this stage, it is not possible to estimate the likely number of people who may be affected since the technical designs/details have not yet been developed and land needs have not yet been identified. When these locations are known, and after the conclusion of the site specific socio-economic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data would be available, thus facilitating the preparation of a detailed and accurate budget for resettlement and compensation. The management committee will prepare the resettlement budget and will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the project. This budget will be subject to the approval of the World Bank.

At this stage however, all that can be reasonably and meaningfully prepared is an indicative budget, highlighting key features that the budget must contain, inter alia, as follows;

9. Indicative budget

| # | Item | Costs in Leone | Assumptions |
|---|-------------------------------|----------------|---|
| 1 | Compensation for loss of Land | Per hectare | For land acquisition purposes, based /hectare on cost realized in projects involving similar issues in Sierra Leone |

| | | | |
|----|---|----------------------|---|
| 2 | Compensation for loss of crops | Hectare of farm lost | Includes costs of labor invested and /hectare of farm average of highest price of staple food lost crops as per methods described in Section G of the RPF |
| 3 | Compensation for loss of access to pastoralists | N/a | Those affected would be provided with shared access, or alternate routes (decision agreed through consultation and participation of all) |
| 4 | Compensation for loss of access to fishing resources, wild foods, medicinal plants, fuel wood, economic grasses | | Data provided from revised socio economic study will determine mark |
| 5 | Compensation for buildings and structures | | This compensation would be in-kind. |
| 6 | Compensation for trees | /year/ tree | Based on methods described in Section G /year/tree of this RPF for compensation for trees |
| 7 | Cost of Relocation Assistance/Expenses | household | This cost is to facilitate transportation |
| 8 | Cost of Restoration of Individual Income | | Assumed to be higher than the GDP /capita |
| 9 | Cost of Restoration of Household Income | | Through employment in Project Activities |
| 10 | Cost of Training Farmers, pastoralists and other PAPs | | This is a mitigation measure that seek build the capacity of PAPs to get involved in the project activities. |

These costs are to be confirmed during the socio-economic study and revised at the time the payments are made.

L. A DESCRIPTION OF MECHANISMS FOR PARTICIPATION OF DISPLACED PERSONS IN PLANNING, IMPLEMENTATION, AND MONITORING

Public consultation and participation are essential because they afford potential PAPS the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts between and among PAPs and the management committees. The way land administration is

undertaken in Sierra Leone today based on long standing traditional and cultural practices and land reform programs discussed earlier, makes public consultation with the rural communities, indispensable. Furthermore, as the youth are the intended ultimate beneficiaries of this project, effective and close consultation with them are a pre-requisite for project success. In recognition of this, particular attention would be paid to public consultation with potentially affected individuals/households/communities when resettlement and compensation concerns are involved.

Public consultation will take place at the inception of the planning stages when the potential land areas are being considered. The participation strategy would evolve around the provision of a full opportunity for involvement. Therefore, as a matter of strategy, public consultation would be an on-going activity taking place throughout the entire project cycle. For example, public consultation would also occur during the preparation of the (i) the socio-economic study, (ii) the resettlement and compensation plan and (iv) the environmental impact assessment and (v) during the drafting and reading of the compensation contract.

Public participation and consultation would take place through meetings, radio programs, request for written proposals/comments, filling in of questionnaires/ application forms, public readings and explanations of project ideas and requirements, making public documents available at the national, local and community levels at suitable locations like the official residences/offices of local chiefs/elders. These measures would take into account the low literacy levels prevalent in these rural communities by allowing enough time for responses and feedback. Notwithstanding, the best guarantor for public interest is the chiefs and other local leaders who are responsible members of their local communities and can inadvertently be part of the potentially displaced (economically or physically) individuals/households either in part or in whole.

Monitoring of this process would be through the village chief as part of the individual resettlement and compensation plans and overall the monitoring and evaluation mechanism of the entire project. This requirement is in line with the Bank policy on disclosure. Minutes of all engagement sessions will be taken and well documented.

M. ARRANGEMENTS FOR MONITORING BY THE IMPLEMENTATION AGENCY AND, IF REQUIRED, BY INDEPENDENT MONITORS

The arrangements for monitoring would fit into the overall monitoring plan of the entire Labor-intensive Public Works to Mitigate Ebola Impacts Project which would be through the National Environment Protection Agency and NaCSA, in collaboration with Local Councils. NaCSA will institute a Monitoring and Evaluation team who will:

- (a) Alert project authorities to the necessity for land acquisition in a management committee's Project Application Form and its technical requirements,
- (b) Provide timely information about the valuation and negotiation process,
- (c) Report any grievances that require resolution, and
- (d) Document timely completion of project resettlement obligations (i.e. payment of the agreed- upon sums, construction of new structures, etc.)

For all permanent and temporary losses, as well as unanticipated, additional construction damage. Consistent with the RPF, the NaCSA regional and district staff would be responsible for periodically transferring the information compiled "on the ground" to NaCSA at a central level, so that it is alerted in a timely manner to any difficulties arising at the local level.

The objective will be to make a final evaluation in order to determine:

(i) If affected people have been paid in full and before implementation of the sub project activities;

(ii) If the people who were affected by the project have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are they are actually poorer than before.

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, standard of house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc.). Therefore, the resettlement and compensation plans will set two major socio- economic goals by which to evaluate its success:

- * Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it;
- * The local communities remain supportive of the project; and
- * The absence or prevalence of conflicts.

In order to assess whether these goals are met, the NaCSA monitoring and Evaluation team will be expected to conduct monitoring on social safeguards aspects as part of the overall Project Monitoring and Evaluation activities. The following parameters and verifiable indicators will be used to measure the resettlement and compensation plans performance:

- * Each individual will have a compensation signed dossier recording his or her initial situation, all subsequent project use of assets/improvements, and compensation agreed upon and received.
- * The National Commission for Social Action (NaCSA) and will maintain a complete set of records on individuals impacted by the project land use requirements including relocation/resettlement and compensation, land impacts or damages.
- * The number of grievances and time and quality of resolution.
- * General relations between the project and the local communities.

Financial records will be maintained by the COC, the regional Land Boards and the NaCSA. To permit calculation of the final cost of resettlement and compensation per individual or household, each individual receiving compensation will have a dossier containing;

- * Individual biological information,
- * Household size and dependents
- * Amount of land available to the individual or household when the dossier is opened. Additional information will be required for individuals eligible for resettlement and/or compensation:
- * Level of income and of production
- * Inventory of material assets and improvements in land, and
- * Debts.

Each time land is used /acquired by a management committee; the dossier will be updated to determine if the individual or household/homestead is being affected to the point of economic non-viability and eligibility for compensation/resettlement or its alternatives. These dossiers will provide the foundation for monitoring and evaluation, as well as documentation of compensation agreed to, received, and signed for. It is normal that some compensation procedures and rates may require revision at some time during the project

cycle. The management committees, the regional land boards and NaCSA as the implementing agency, will implement changes through the project implementation manuals. A grievance procedure will be put in place for the local community to express dissatisfaction about implementation of compensation and resettlement (described in Section J).

ANNEX A: TEMPLATE FOR PREPARING RESETTLEMENT AND COMPENSATION PLANS

This template is extracted from OP 4.12 Annex A which can also be found on the Banks website at www.worldbank.org. The scope and level of detail of the resettlement plan vary with magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers elements, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

Description of the sub project: General description of the sub project and identification of sub project area.

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

Objectives: The main objectives of the resettlement program.

Socio-economic studies: The findings of socio-economic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including;

(a) The results of a census survey covering;

(i) Current occupants of the affected area to establish a basis for design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance.

(ii) 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.

(iii) The magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic

(iv) Information on vulnerable groups or persons, for whom special provisions may have to be made; and

(v) 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.

(b) Other studies describing the following;

(i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by locally recognized land allocation

mechanisms, and any issues raised by different tenure systems in the sub project area.

(ii) The patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub project

(iii) Public infrastructure and social services that will be affected; and

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

Legal Framework: A description of any legal circumstances in the subproject that are substantially different and require measures or the application of laws different from those described in this RPF.

Institutional Framework: The findings of any analysis of the institutional framework applicable to the subproject covering;

(a) The identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation, if different from those defined in this RPF;

(b) An assessment of the institutional capacity of the agencies and NGOs to be involved in the subproject; and

(c) Any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

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

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.

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

Site selection, site preparation, and relocation: Alternative relocation sites considered and explanation of those selected, covering,

(a) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources,

(b) Any measures necessary to prevent land speculation or influx of eligible persons at the selected

sites,

(c) Procedure for physical relocation under the project, including timetables for site preparation and transfer; and

(d) Legal arrangements for regularizing tenure and transferring titles to resettle.

Housing, infrastructure, and social services: Plans to provide (or to finance resettlement provision of) housing, infrastructure (e.g. water supply, feeder roads), and social services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

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

Community Participation: A description of the strategy for consultation with and participation of resettles and host communities, including:

(a) A description of the strategy for consultation with and participation of resettles and hosts in the design and implementation of resettlement activities,

(b) A summary of the views expressed and how these views were taken into account in preparing the resettlement plan,

(c) A review of the resettlement alternatives presented and the choices made by displaced persons 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

(d) Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, landless, and women are adequately represented.

Integration with host populations: Measures to mitigate the impact of resettlement on any host communities, including:

(a) Consultations with host communities and local governments,

(b) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettle,

(c) Arrangements for addressing any conflict that may arise between resettles and host communities, and

(d) Any measures necessary to augment services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to resettles.

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


Organizational responsibilities: The organizational framework for implementing resettlement, including identification of agencies responsible for delivery or 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 resettles 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.

Implementation Schedule: An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettles 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.

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

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

ANNEX B: Environmental and Social Screening Form and Checklist

| ENVIRONMENTAL AND SOCIAL SCREENING FORM AND CHECKLIST | | | | | |  |
|---|---|---|---|---|---|---|
| 1. Sub-project information | | | | | | |
| <i>Sub-project code:</i> | | | | | | |
| <i>Sub-project name:</i> | | | | | | |
| <i>District name:</i> | | | | | | |
| <i>Region name:</i> | | | | | | |
| 2. Information for the person responsible for filling out this form and date form was filled | | | | | | |
| <i>Name:</i> | | | | | | |
| <i>Institution/organization/agency:</i> | | | | | | |
| <i>Title:</i> | | | | | | |
| <i>Phone number:</i> | | | | | | |
| <i>Signature:</i> | | | | | | |
| <i>Date form was filled:</i> | Date: <u> </u> / <u> </u> / <u> </u> DD/MM/YYYY | | | | | |
| 3. Sub-project description | | | | | | |
| <i>Instructions:</i> Please provide information on type (irrigation or not) and scale of the sub-project, sub-project area, area of plants and building, amount of waste solid, liquid and air generation, location and lengths of channel networks, buried and or surface located pipes, construction work areas and access roads. Complete on a separate sheet of paper if necessary. | | | | | | |
| 4. The natural environment | | | | | | |
| (a) Describe the vegetation/trees in adjacent to the sub-project area. | | | | | | |
| (b) Estimate and indicate where vegetation/ trees might need to be cleared. | | | | | | |
| (c) Are there any environmentally sensitive areas or threatened species (specify below) that could be adversely effected by the sub-project? | | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Natural Forests | Natural Parks | Rivers | Lakes | Wetlands (swamps, polder, seasonally inundated areas) | Habitats (endangered species*) | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Other, describe: _____ | | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| *For which protection is required under Sierra Leone laws or international agreements. | | | | | | |

ENVIRONMENTAL AND SOCIAL SCREENING FORM AND CHECKLIST



5. River ecology

Is there a possibility that, due to installation of structures, such as weirs and other irrigation structures, the river ecology will be adversely affected?

Yes No

Attention should be paid to water quality and quantity, the nature, productivity and use of aquatic habitats and variations of these over time.

6. Protected areas

(a) Does the sub-project area (or components of the sub-project) occur within or adjacent to any protected areas designated by government (national park, nature reserve, world heritage site etc.)?

Yes No

(b) If the sub-project is outside of, but close to, any protected area, is it likely to adversely affect the ecology within the protected area areas (e.g. interference with the mitigation routes if mammals or birds)?

Yes No

7. Geology and soils

(a) Based upon visual inspection or available literature, are there areas of possible geologic or soil instability (erosion prone, landslide prone, subsidence prone)?

Yes No

(b) Based upon visual inspection or available literature, are there areas that have risks of large scale increase in soil leaching and/or erosion?

Yes No

8. Landscape/aesthetics

Is there a possibility that the sub-project will adversely affect the aesthetic attractiveness of the local landscape?

Yes No

9. Invasive plant species along feeder road routes

Is the sub-project likely to result in the spread of invasive plant species (along feeder roads)?

Yes No

10. Historical, archaeological or cultural heritage site

Based on available sources, consultation with local authorities, local knowledge and/or observations, could the sub-project alter any historical, archaeological or cultural heritage site (including cemeteries, memorials and graves) or require excavation near same?

Yes No

11. Resettlement and/or land acquisition

Will involuntary resettlement, land acquisition, or loss of access to land as defined by World Bank OP 4.12 be caused by sub-project implementation?

Yes No

12. Loss of Crops, Fruit Trees and Household Infrastructure

Will the sub-project result in the permanent or temporary loss of crops, fruit trees and household infrastructure (such as granaries, outside toilets and kitchens, etc.)?

Yes No

ENVIRONMENTAL AND SOCIAL SCREENING FORM AND CHECKLIST



13. Noise pollution during construction and operations

Will the operating noise level exceed the allowable decibel level for the Region? Yes No

14. Solid and liquid waste

(a) Will the sub-project generate solid or liquid waste? Yes No

(b) If (a) is “yes”, does the sub-project include a plan for their adequate collection and disposal? Yes No

15. Public consultation process

Briefly describe the sub-project consultation process in terms of when consultations took place, where they took place, who participated and how the criteria used to select participants in this process, what were the contributions from the participants, was it recorded and were contributions from participants included in decision making. Use separate sheet if necessary and attached a consultation report.

16. Vulnerable groups

(a) Were members of associations from the following vulnerable groups consulted? If yes, provide the names of groups consulted.

Women Yes No

Youth groups Yes No

Other groups (e.g. orphans, ex-combatants, widows, widowers, elderly) Yes No

(b) If (a) is “yes”, specify which groups and describe how they benefit.

Sub-project negative list – will the sub-project do any of the following?

(a) Convert natural habitats to agricultural lands? Yes No

(b) Purchase large amounts of pesticides greater than tons per acres? Yes No

(c) Introduce species dependent on high pesticide or fertilizer use? Yes No

(d) Use large-scale or diesel pump for irrigation? Yes No

(e) Introduction of any species known or suspected of being detrimental to local biodiversity or hydrological balance? Yes No

If the answer to any of these questions is “yes”, discontinue process.

ENVIRONMENTAL AND SOCIAL SCREENING FORM AND CHECKLIST



Sub-project positive list – will the sub-project do any of the following?

| | | |
|--|------------------------------|-----------------------------|
| (a) Improve natural habitat management? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (b) Reclaim or rehabilitate any degraded natural habitats to restore it to acceptable state? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) Improve fire management through controlled early burning, rather than outright fire suppression? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) Train and equip the community fire volunteers to receive, but will not be encouraged to directly tackle large and dangerous fires? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (e) Integrate pest and nutrient management approaches? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (f) Aim at positive and sustainable environmental and social outcomes? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of these questions is “yes”, progress to the next stage.

Land acquisition and access to resources – will the sub-project do any of the following?

| | | |
|---|------------------------------|-----------------------------|
| (a) Require that land (public or private) be acquired (temporarily or permanently) for its development? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (b) Use land that is currently occupied or regularly used for productive purposes (e.g. gardening, farming, pasture, fishing, forests)? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) Displace individuals, families, farms? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) Require the change of land use from private to community use? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (e) Require the change of land use from private to environmental use? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of these questions is “yes”, please engage stakeholders to complete and sign a Memorandum of Agreement (MOA) and Memorandum of Understanding (MOU).

Local and community people – are there any of the following?

| | | |
|---|------------------------------|-----------------------------|
| (a) Local or community groups living within the boundaries of sub-project? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (b) Resources (land, water, etc.) to be used for the sub-project, over which the community people have prior claim? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) Displaced individuals, families, farms? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) Members of these community groups who would be affected (i.e., benefit from, or be adversely affected) by the subproject? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of these questions is “yes”, please inform NaCSA HQ and if needed prepare Resettlement Action Plan (RAP) or Abbreviated Resettlement Action Plan (ARAP).

Use of pesticides in the sub-project – will the use of pesticides in the sub-project?

| | | |
|---|------------------------------|-----------------------------|
| (a) Demonstrate evidence of negligible adverse human health effects? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (b) Be effective against the target species and must have minimal effect on non-target species and the natural environment? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (c) Minimize damage to natural enemies through the methods, timing, and frequency of pesticide application? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (d) Be safe for inhabitants and domestic animals in the treated areas, as well as for personnel applying them? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (e) Prevent the development of resistance in pests in the environment? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of these questions is “yes”, please inform NaCSA HQ.

