

MINISTRY OF WORKS AND HOUSING

**GREATER ACCRA URBAN RESILIENCE AND INTEGRATED
DEVELOPMENT PROJECT (IBRD/IDA Credit P164330)**

RESETTLEMENT POLICY FRAMEWORK (RPF)

Final

April 2018

LIST OF ACRONYMS

AfDB	African Development Bank
AMA	Accra Metropolitan Assembly
CBD	Central Business District
DRM	Dispute Resolution Mechanism
DUR	Department of Urban Roads
EAR	Environmental Assessment Regulations
EHSD	Environmental Health and Sanitation Directorate
EPA	Environmental Protection Agency
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
GAMA	Greater Accra Metropolitan Area
GARID	Greater Accra Urban Resilience and Integrated Development Project
GoG	Government of Ghana
HSD	Hydrological Services Department
LIT	Lead Implementation Team
MDA	Ministries, Departments and Agencies
MICZD	Ministry of Inner City and Zongo Development
MLGRD	Ministry of Local Government and Rural Development
MMDA	Metropolitan, Municipal and District Assemblies
MSWR	Ministry of Sanitation and Water Resources
MWH	Ministry of Works and Housing
NADMO	National Disaster Management Organization
PCU	Project Coordinating Unit
PIT	Project Implementing Team
PPMED	Project Planning, Monitoring and Evaluation Directorate
RPF	Resettlement Policy Framework
WB	World Bank
WRC	Water Resources Commission

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Executive Summary

Introduction

The Government of Ghana (GoG), through the Ministry of Works and Housing, has requested IBRD/IDA credit facility from the World Bank for investment in both structural works and non-structural services towards improving flood and solid waste management in the Greater Accra Metropolitan Area. The works and services will be delivered through a proposed project– The Greater Accra Resilient and Integrated Development (GARID) Project.

The government and the World Bank have agreed to adopt a multi-programmatic approach (MPA) in implementing the project. This approach is focused on adaptive management, allowing the client to structure a long-term, large or complex engagement as a set of linked operations or phases, with intermediate shorter-term objectives that contribute to an overall Program Development Objective. The rationale for the use of MPA is to facilitate the government’s goal of making the Greater Accra metropolitan area a clean, green and inclusive space through phased approach which brings in multiple benefits through design and implementation of both structural and non-structural interventions. Generally, the success of activities carried out during the initial phase can be leverage to engage other development partners.

The first phase of a 10 to 12 years project will focus on the Odaw river basin. The Odaw River and its tributaries Nima, Onyasia, Dakobi and Ado drain the major urbanized areas of Accra, including among others, Accra Metropolitan Assembly, Ga East, Ga West and Adentan Municipal Assemblies further upstream. This river basin has the highest population density in the country, containing 60% of entire Greater Accra Region population, and is affected by chronic flooding with an estimated 30% of the population at risk living in informal settlements subject to regular flooding.

The proposed GARID project activities triggers the World Bank’s Safeguards policies on Involuntary Resettlement OP 4.12 and Environmental Assessment OP 4.01. For the later, a separate Environmental and Social Management Framework has been prepared. In compliance with the policy requirements of the OP 4.12 and the laws of Ghana, the Ministry of Works and Housing has prepared this RPF for ensuring that the project either avoids or minimizes any possible impacts. This RPF has been prepared to serve as a guide to addressing potential impacts related to any land take that will lead to relocation or resettlement or negative effects on livelihood of affected people.

Objectives of RPF

This RPF has been prepared by the Ministry of Works and Housing in compliance with the policy requirements of World Bank OP 4.12 and the laws of Ghana.

At this stage, the project is in the preparatory phase and as such, the design of sub-projects, the exact locations of such projects, as well as the scale of their likely impacts are not yet determined, although there is a general project design framework. For this reason, a RPF outlining the general principles and guidelines for addressing resettlement impacts is required. The RPF will establish the Project’s resettlement and compensation principles and implementation arrangements; describe the legal and institutional framework underlying the Ghanaian system/framework (complemented with provisions aimed at addressing the Bank’s requirements) for resettlement, compensation and resettlement entitlement matrix; define eligibility for compensation and resettlement; describe the consultation

procedures and participatory approaches involving PAPs and other key stakeholders; and provide procedures for up-taking and resolving project-related grievances and disputes.

Approach to RPF study

In addition to the usual literature reviews, desk studies and stakeholder consultations, this RPF study has benefitted greatly from the earlier RPF report prepared and implemented under the GAMA Sanitation and Water Project. The various key stakeholders have been actively consulted including the relevant government ministries and agencies, Metropolitan and Municipal Assemblies and some affected communities to learn lessons to prepare this report.

Project objectives and components

The main objectives of the Greater Accra Urban Resilience and Integrated Development (GARID) Project are to (1) Strengthen flood and solid waste management; and (2) Improve the living conditions of the most vulnerable communities in the Odaw Basin in the Greater Accra Region.

The proposed project, which will be carried out over a period of five (5) years, is structured into the following four (4) main components:

Component 1: Drainage and flood management improvements within the Odaw Drainage Basin:

Component 2: Improvements in solid waste management capacity including minimizing solid waste in waterways

Component 3: Support to most vulnerable communities within the Odaw Drainage Basin to reduce their vulnerability and improve living conditions

Component 4: Strengthening capacity for planning, coordination, monitoring and evaluation.

Project implementation arrangements

Component 1 will be implemented by the Ministry of Works and Housing (MWH), specifically by Hydrological Services Department (HSD). Component 2 will be led by Ministry of Sanitation and Water Resources (MSWR), specifically by the Environmental Health and Sanitation Directorate (EHSD). Component 3 will be led by Ministry of Inner Cities and Zongo Development (MICZD), specifically the Project, Planning, Monitoring and Evaluation Directorate (PPMED). Component 4.1 will be led by the Ministry of Local Government and Rural Development (MLGRD), specifically the Project, Planning, Monitoring and Evaluation Directorate (PPMED).

An overall Project Coordination Unit (PCU) would be hosted within the Ministry of Works and Housing. It will be responsible for overall management of implementation, monitoring and evaluation, reporting, fiduciary, safeguards, and grievance redress.

Description of Project Basin

The GARID Phase I project focus area is the Odaw Basin. The Odaw River and its tributaries Nima, Onyasia, Dakobi and Ado have a total catchment area of 250km² and drain the major urbanized areas of Accra, including Accra Metropolitan Assembly, Ga East, Ga West and Adentan Municipal Assemblies further upstream. The AMA and Ga East Municipal Assembly alone occupy about 65% of the basin area.

In terms of population and basin activities, the AMA is by far the most dominant Assembly with over 65% of the total population. The high population figure of the city (4,337,542 persons) within the AMA is both

an asset and source of worry to authorities. While the relatively high population serves as a huge and vibrant market for investors and traders, it also poses problem of sanitation and waste management as well as traffic jam especially during the peak hours of the day.

Poor drainage is the major problem, which affects many parts of the urban areas in the respective MMDAs especially in the Metropolis. Natural features such as the underlying geology, soil conditions and localized topographic features create some drainage problems. Development should never have been permitted in most flood prone areas; however, poor physical development control has been unable to prevent urban land encroachment. The majority of the problems are created by the high rate of urbanization (4.2%) of the urban areas and its impact on increase surface water runoff and flooding in low lying areas. The inadequate drainage and poorly designed channels in many parts of the Basin have given rise to serious flood problems. These problems are compounded by choked drains.

Project activities and potential impact issues and concerns with regard to properties and livelihoods

The description of the sub project activities which will arise from the project components are given in the table below.

Description of Sub project activities under the various project components

Project Component	Sub- Project activities
Component 1: Drainage and flood management improvements within the Odaw Drainage Basin	<ol style="list-style-type: none"> 1. Improvements in urban drainage and flood management in Odaw drainage basin through <ol style="list-style-type: none"> a. Short-term relief civil works- Dredging, de-silting, rehabilitation of drainage systems, and b. Long-term complete improvement of drainage systems (i.e. widening of Odaw river mouth, rehabilitation of inoperable pump stations; lining of major drainage channels; and construction of selected secondary channels) in the Accra Metropolitan Area. 2. Development of green spaces and parks to serve as flood water retention areas and flood zoning; 3. Improvements in flood response systems through better infrastructure for flood forecasting and warning systems.
Component 2: Improvements in solid waste management capacity including minimizing solid waste in waterways.	<ol style="list-style-type: none"> 1. Improvements in community-level solid waste management through: <ol style="list-style-type: none"> a. Provision of sanitation equipment and technical services for solid waste collection; b. Community mobilization and awareness raising; and c. The application of a results-based incentive approach to enhance waste management and good sanitation practices; 2. Improvement in solid waste management capacity in Greater Accra by <ol style="list-style-type: none"> a. Identifying, assessing and improving waste recycling, treatment and disposal facilities.
Component 3: Support to most vulnerable communities within the Odaw Drainage Basin to reduce their vulnerability and improve	<ol style="list-style-type: none"> 1. Upgrading of basic infrastructure and services identified through geospatial and social vulnerability diagnostics. 2. Improve city integration by upgrading access roads between inner cities and CBDs 3. Participatory resettlement involving low- income informal settlements aimed at

living conditions	providing support for safe housing.
Component 4: Strengthening capacity for planning, coordination, monitoring and evaluation	Projects concerning capacity building and extension and communication are deemed to be 'soft projects' which will not be associated with any physical infrastructural development. They are therefore not considered in subsequent analyses in later sections of this report

Also, anticipated project impacts on project affected persons in respect of their properties and livelihoods are described in the table below.

Generic Project Impacts on Assets and Livelihoods

Type of GARID Activities	Potential Impact on Land, Structures, and Livelihoods					Mitigation plan(s)
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
Dredging of korle lagoon and downstream of the Odaw channel.	Land may be required both temporarily and permanently	Marginal impacts on crops are anticipated, e.g. vegetable farmers along flood channels	Demolition of structures anticipated	Some livelihood and economic activities may be disrupted, e.g. permanent displacement or temporary disruption of business structures and facilities	Cultural heritage with respect to the affected rivers	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance) Chance find strategy required.
De- silting of drainage channels	Temporarily impact on land.	Crops may be affected including vegetable farmers along river banks and flood plains.	Demolition /removal of structures (both temporary and permanent displacement)	Temporary disruption of livelihoods e.g. hawkers, 'table-top' businesses, etc.	Cultural artifacts may be uncovered during de-silting	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance)
Rehabilitation/ construction/ lining of drains	Permanent acquisition of land required. Temporary disruption of access to structures	Crops may be affected including vegetable farmers along river banks	Demolition /temporary removal of structures (both temporary and permanent displacement)	Livelihoods may be affected through disruption of access to structures and transient business operators	Cultural artifacts may be uncovered during excavation	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance)
Widening of river	Permanent	No impact	Demolition or temporary	Significant impact on	Cultural artifacts	RAP required and may

Type of GARID Activities	Potential Impact on Land, Structures, and Livelihoods					Mitigation plan(s)
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
mouth	acquisition of land required.	anticipated.	removal of structures anticipated	livelihoods expected.	may be uncovered during excavation	include cash compensation, replacement housing/land, etc.
Rehabilitation of interceptor weirs	No land required	No crops affected	No impact anticipated	No livelihood issues anticipated	No cultural issues anticipated	Marginal social issues will be addressed through consultation and cultural courtesies
Creation of parks and flood retention ponds	Land will be required permanently.	Crops may be affected.	Permanent demolition or temporary removal of structures anticipated.	Livelihoods may be affected through land acquisition or disruption of access	No cultural issues anticipated	ARAP/ RAP or LRP to be prepared as part of mitigation action
Construction of Waste Transfer Stations	Land may be required permanently	Crops may be affected	Demolition or removal of structures anticipated	Livelihoods may be affected	No cultural issues anticipated	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance)
Capping of Waste dump	No additional land acquisition is expected.	No impacts on crops	No impact on structures	disruption of livelihoods of 'waste pickers'	No cultural issues anticipated	LRP for 'waste pickers'
Upgrading of access roads	No land required	No crops affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	No cultural issues anticipated	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts.

Type of GARID Activities	Potential Impact on Land, Structures, and Livelihoods					Mitigation plan(s)
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
						(cash compensation and livelihood assistance)
Community Upgrading targeting basic infrastructure.	Land may be permanently required(moderate)	No crops	Permanent demolition or temporary removal of structures anticipated	Livelihoods may be affected	Cultural issues anticipated	ARAP or RAP to be prepared as part of mitigation action

Institutional responsibility

The Ministry of Works and Housing (MWH) will serve as the lead government agency for this project. A project coordination unit (secretariat) will manage the project and ensure linkages and coordination with all interventions under the other ministries.

The focal point ministry will work with the Ministry of Sanitation and Water Resources, Ministry of Inner City and Zongo Development and also the Ministry of Local Government and Rural Development, as well as other relevant agencies to ensure smooth implementation and the documentation sharing of lessons learnt.

The main responsibility for implementing the RPF rests with the Safeguards specialist to be appointed in the PCU and will be supported by, as needed, environmental and social experts who will be recruited by the project. The Project Implementation Teams (PITs) to be formed at the various sector ministries will also have their respective safeguards focal persons who will oversee the implementation of all actions to mitigate adverse environmental and social impacts within the respective projects at the MMDAs. They will in turn, supervise the designated safeguard focal persons at the MMDAs Lead Implementation Teams to ensure sound implementation of the resettlement related actions at the community level.

The Resettlement process

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

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

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

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

Census of Affected Persons & Assets/ Socio-economic baseline census: Upon identification of the need for involuntary resettlement in a sub-project, the project will carry out a census to identify the persons

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

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

Property Valuation and Compensation

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

General guidelines and methods for costs preparation

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

Eligibility Criteria and Entitlements

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

Cut off date

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

Eligibility Criteria and Entitlements

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

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
		where business takes place)		Project conditions
	Use of communal resources	User of such resources (can be individuals or communities)	Use communal resources as an element of livelihood	<ol style="list-style-type: none"> 1. Assistance in identifying and accessing similar resources elsewhere 2. Cash compensation of temporary loss of income incurred because of the Project during the period required to access similar resources elsewhere/period required to provide alternative livelihood assistance
Cultural heritage resource (e.g. sacred site).	Relocation of or removal of or access to cultural heritage resource located on project site	Owner (individual or community). Local traditional authority	Use or pay homage to cultural heritage resource/ sacred site	Negotiate with traditional authority or community with regard to rites to be performed to ensure successful access to, relocation or removal of cultural resource/ sacred site.

Grievance Redress Mechanism

The objectives of the grievance process are to

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

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

The general steps of the grievance process comprise:

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

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

It is proposed that complaints be lodged verbally or in writing to the MMDA office designated to receive all complaints. The elected local Assemblyman/woman for the project area could also receive complaints from PAPs (because the Assemblyman/woman lives within the community and may be closer to the PAPs and some PAPs may prefer to route their complaints through the Assemblyman/woman and avoid undue transport and time cost to the MMDA). The Assemblyman/woman will ensure that such complaints reach the MMDA safeguard focal person designated to receive complaints within 24 hours via phone call or through any other means. The MMDA safeguard person shall receive all complaints and shall officially register these complaints using the first section of the proposed complaint registration and resolution form (*GARID Form CRRF1*) provided in **Annex 6**. The MMDA safeguard person will inform the team leader for the Grievance Redress Team at the MDA within 24 hours on any complaint lodged.

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

Schedule template for Grievance Redress

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

Institutional roles and responsibilities

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

Institutional framework

No.	Institution	Responsibility
1.0	GARID PCU (MWH)	<ul style="list-style-type: none">• Overall supervision of the RPF.• Trigger the process through screening and inventory of affected persons and assets and implement plan.
2.0	MMDAs and MDAs	<ul style="list-style-type: none">• Assist with initial screening of subprojects and initial identification of PAPs• To assist with compensation negotiations (in kind) where necessary• To assist in grievance redress matters
3.0	Environmental Protection Agency (EPA)	<ul style="list-style-type: none">• Review screening reports and advise on level of environmental assessment if necessary• Assist with training and capacity building of other institutions• Assist with external monitoring and evaluation RPF implementation and social impacts
4.0	Regional Land Valuation Offices/Lands Commission	<ul style="list-style-type: none">• To assist in the valuation of affected properties and compensation due PAPs.
5.0	Sub metros/ Zonal Councils, Traditional authorities, Community leadership	<ul style="list-style-type: none">• To assist with community awareness creation, notifications and support in the inventory of affected persons and compensation related issues.• To assist in grievance redress matters
6.0	Consultants/NGO	<ul style="list-style-type: none">• Prepare ARAP/RAP if necessary and assist with implementation and capacity building.
7.0	Ministry of Finance	<ul style="list-style-type: none">• To provide funds for compensation payment.

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

Estimated budget for RPF implementation

The estimated budget for implementing the RPF is US\$515,00 and explained in the table below.

Estimated Budget for RPF Implementation

	Activity	Description	Item	Unit cost, US\$	No	Total Cost, US\$
1.0	Training and Sensitization/ Awareness Creation	MDAs and MMDA project team members including safeguard persons	Workshop	10,000.00	4	40,000.00
		Sub metro, Zonal Councils, Assembly persons, Traditional Authority, Community leaders	Assembly Workshops	5,000.00	14	70,000.00
		NGOs, Design and Supervising engineers and Contractors	Workshops	4,000.00	7	28,000.00
		Radio Discussions	Local FM stations	5,000.00	-	5,000.00
2.0	RPF Disclosures	Disclosure of RPF - Advertisements	National Dailies	LS	-	5,000.00
		Disclosure of RPF – copies to stakeholders	All relevant stakeholders	LS	-	5,000.00
3.0	Logistical support	GARID Safeguards	Transport	30,000	1	30,000.00
4.00	TOTAL					183,000.00

1 INTRODUCTION

1.1 Background

The Government of Ghana (GoG), through the Ministry of Works and Housing, has requested IBRD/IDA credit facility from the World Bank for investment in both structural works and non-structural services towards improving flood and solid waste management in the Greater Accra Metropolitan Area. The works and services will be delivered through the proposed “Greater Accra Urban Resilience and Integrated Development (GARID) Project”. The project aims at;

1. Improving drainage and flood management
2. Improving solid waste management capacity of the metropolitan authorities,
3. Supporting upgrade of selected informal settlements, and
4. Enhancing the institutional capacity for planning, coordination, monitoring and evaluation

The project will be complementary to, and in some instances integrated with existing Government and donor-funded operations in the Greater Accra area, including the GAMA Water and Sanitation Project, the GAMA spatial development master plan, investments identified in Ghana’s national climate program (INDC), and the UNCDF’s Performance Based Climate Resilience Grants. Some of the structural works that may be implemented include dredging and widening of drainage, flood retention ponds, construction and operation of waste transfer stations, identification and upgrading of flood retention ponds, as well as support for upgrading social and economic infrastructure in selected informal settlements within the project area. At this stage, the project is in the preparatory phase and as such, the specific designs and exact locations of these structural activities, as well as the scale of their potential impacts are not yet determined.

The project will take a multi-phased approach, spanning five years with targeted activities at different locations within the Odaw river basin. Some activities will be implemented immediately following project effectiveness; others will be implemented in subsequent years over the project life as and when designs and specific sites are determined.

The Odaw River and its tributaries Nima, Onyasia, Dakobi and Ado drain the major urbanized areas of Accra, including Accra Metropolitan Assembly, Ga East, Ga West and Adentan Municipal Assemblies further upstream (see **Figure 1**). This river basin has the highest population density, containing 60% of entire Greater Accra Region population, and is affected by chronic flooding with an estimated 30% of the population at risk living in informal settlements subject to regular flooding.

Based on the scope of project activities and its anticipated social and environmental impacts, the project is rated Category A on Environmental Assessment. Based on this rating, the World Bank’s Safeguards policies on Involuntary Resettlement (BP/OP 4.12), Natural habitats (BP/OP 4.04), Physical Cultural Resources (BP/OP 4.11) and Environmental Assessment (BP/OP 4.01) have also been triggered. These policies combined with the relevant Ghanaian laws and regulations provide

the frameworks for assessing and managing the social and environmental impacts of the project. In compliance with the policy and legal requirements, the Ministry of Works and Housing has determined the relevant environmental and social assessments and mitigation plans that need to be undertaken as key risk management instruments for the project. At the moment, designs and specific locations for some projects have been determined (see table 2 below). For these subprojects, the relevant Environmental and Social Impact Assessment and Resettlement Action Plans (RAPs) are being prepared. However, given the MPA approach and the fact that designs and specific locations for some other subprojects will not be known forthright, the Ministry is preparing an Environmental and Social Management Framework (ESMF) and a Resettlement Framework (RPF) to guide screening of future subprojects for impacts and mitigation planning. In terms of resettlement, the Ministry recognizes that land acquisition and the resulting displacement and relocation of local populations can have negative consequences on the life and livelihoods of affected people. Therefore, this RPF sets out the framework under which GARID will assess, plan and manage potential impacts of sub-project activities in terms land acquisition and involuntary resettlement.

1.2 Objectives and principles of the RPF

The main purpose of this resettlement framework is to provide the principles, guidelines and procedures that will be used to conduct resettlement and compensation activities when necessary during the project life. The RPF describes

- the legal and institutional arrangements for resettlement planning and implementation, taking into considerations relevant country regulations and the World Bank policy on involuntary resettlement (OP 4.12),
- resettlement planning process as specific project locations are determined during the Project take-off and Resettlement Action Plan (RAP)s are required,
- compensation arrangements to all PAPs for losses resulting from Project interventions, irrespective of possession of a title to the land. Land title would be required only for payment of compensation for land.
- Project-affected persons (PAPs), Eligibility criteria, and Resettlement ‘Entitlement matrix’. The matrix will include material measures including cash compensation, replacement of land and structures, and in some cases support for livelihood restoration.
- consultation procedures and participatory approaches involving PAPs and other key stakeholders; and
- procedures for up-taking and resolving project-related grievances and disputes.

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

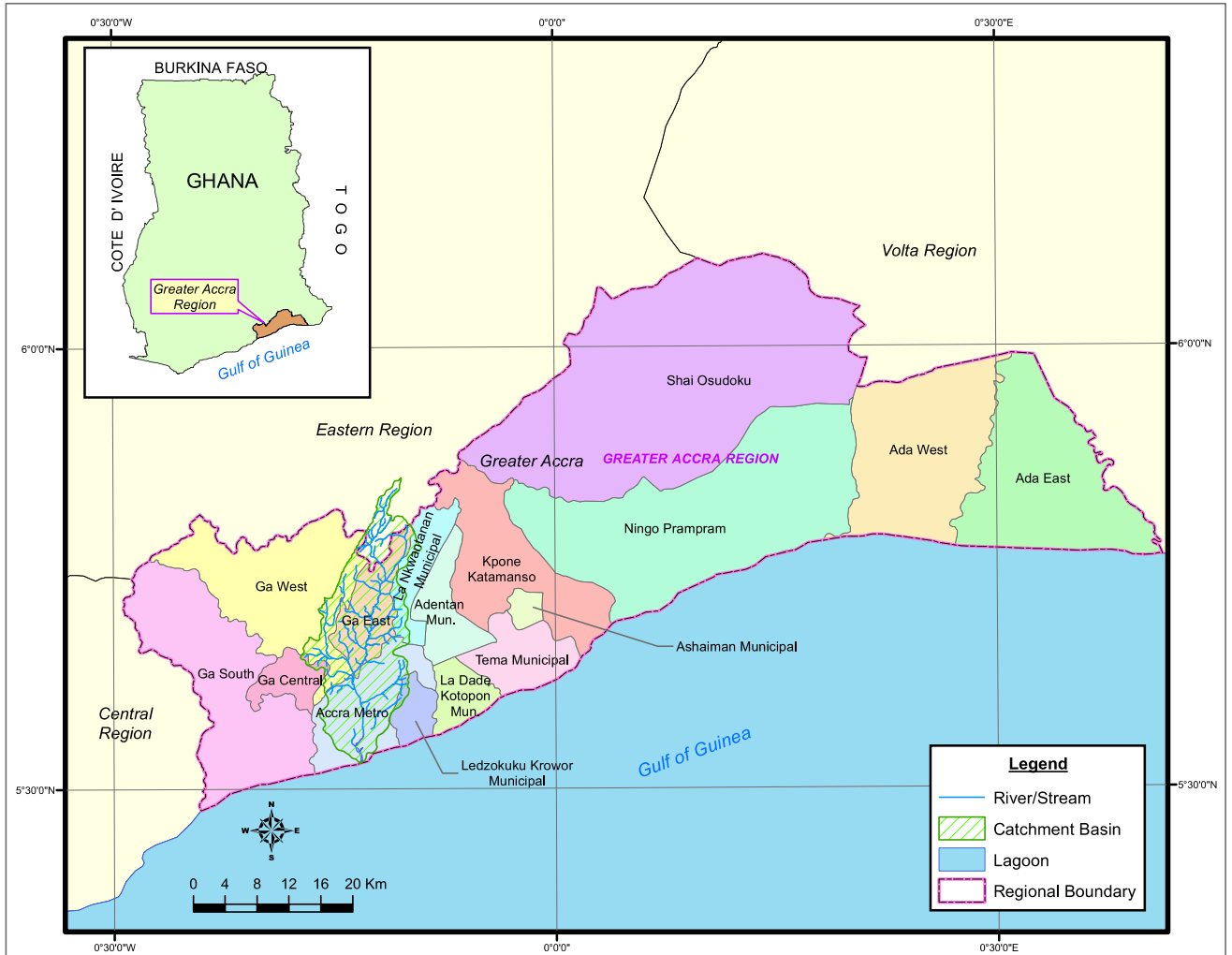


Figure 1: Map of GAMA showing project basin

1.3 Approach to the RPF

This RPF draws from the government’s experience with resettlement in previous Bank-funded projects in the Greater Accra Area, in particular, the GAMA Sanitation and Water Project. Prior to preparing framework, the ministry consulted with a cross-section of institutional and community stakeholders to understand their concerns. The key stakeholders engaged include the selected government ministries and agencies, Metropolitan and Municipal Assemblies and some affected

communities to learn lessons. The stakeholders urged government to expedite implementation of the project so as to minimize the perennial, and sometimes fatal, flood disasters in Accra. They also raise concerns that government should prioritize activities with potential for making positive impacts. These concerns were incorporated in the TOR preceding the preparation of the RPF. Other steps taken towards the design of the RPF were;

Desk review of baseline information

Existing information was collected and analyzed, and include relevant country laws and regulations (see section four), Bank policies and studies, as well as socioeconomic reports on the GAMA . The team also reviewed existing reports on environmental and social concerns associated with the proposed investments under the project.

Stakeholder Consultation

Stakeholders may affect or be affected by the project interventions. They include relevant government ministries and agencies¹, civil society groups, local communities, and individuals who hold interest or concerns about the project and/or are impacted by it. . Prior to the design of this RPF, the ministry consulted a cross-section of these stakeholders on the TOR leading to this RPF. The project team also conducted several field visits, both separate and during Bank missions, to the communities along the Odaw Basin and discussed some of the proposed activities and its likely impacts on their lives. The issues gathered from these consultations and field visits were have been incorporated in the design of this RPF.

Analysis of data and Content of report

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

¹ They include Ministries of Works and Housing, Sanitation and Water Resources, Local Government and Rural Development, Accra Metropolitan Assembly, Ga East Municipal Assembly etc and their sub metros and zonal councils

2 DESCRIPTION OF THE PROJECT

The main objectives of the Greater Accra Urban Resilience and Integrated Development (GARID) Project are to Strengthen flood and solid waste management; and Improve the living conditions in the most vulnerable communities in the Odaw Basin in the Greater Accra Region. The project has four components, and include;

Component 1: Drainage and flood management improvements within the Odaw Drainage Basin:

Activities to be implemented include structural improvements of drainage systems, and flood water management through upstream water conservation, development of green spaces and flood retention areas in Odaw drainage basin, as well as improving flood warning and response capacity in Greater Accra Region. Specific activities to be implemented under this component include; (i) Improvements in urban drainage and flood management in Odaw drainage basin through short-term relief civil works (i.e. Dredging, de-silting, rehabilitation of drainage systems), and long-term complete improvement of drainage systems (i.e. widening of Odaw river mouth, rehabilitation of inoperable pump stations; lining of major drainage channels; and construction of selected secondary channels) in the Accra Metropolitan Area. Other activities include (i) the development of green spaces and parks to serve as flood water retention areas; (ii) improvements in flood response systems through better infrastructure for flood forecasting and warning systems.

Component 2: Improvements in solid waste management capacity including minimizing solid waste in waterways.

Activities under this component are community-focused targeting areas that have been selected for investment in drainage and sanitation. Sub-activities under this component include; (i) improving Community-level solid waste management through provision of sanitation equipment and technical services for solid waste collection; community mobilization and awareness raising; and the application of a results-based incentive approach to enhance waste management and good sanitation practices; and (ii) improving solid waste management capacity in Greater Accra by identifying, assessing and improving waste recycling, treatment and disposal facilities.

Component 3: Support to most vulnerable communities within the Odaw Drainage Basin to reduce their vulnerability and improve living conditions.

This component will identify flood-prone informal settlements and 'Zongos' to benefit from participatory community upgrading. Sub-activities under this component include; (i) upgrading of basic infrastructure and services that will be identified through geospatial and social vulnerability diagnostics. The activities will also improve city integration by upgrading access roads between inner cities and CBDs (ii) Participatory resettlement involving low income informal settlements aimed at providing support for safe housing. A flood modeling exercise is underway and expected to inform areas that may be targeted for participatory resettlement.

Component 4: Strengthening capacity for planning, coordination, monitoring and evaluation.

This will include support for creation of Joint Development Planning Areas (JDPA). It will support the possible future Greater Accra Metropolitan Sanitation Authority, with initial focus on planning, coordinating, and monitoring flood risk management, sanitation (liquid and solid waste

management) sectors. This could serve as models for planning and management of other services that have network and have spill-over effects across MMDAs. Concretely, it will finance (i) urban planning and management aiming to integrate multi-sectoral analysis and flood risks into metropolitan, and local urban planning and management tools; (ii) data collection (geo-spatial), and asset management information system at metropolitan level, and measure to improve vertical and horizontal coordination (such as through performance contracts).

It will finance the management activities associated with project implementation, including establishing and implementing a comprehensive monitoring and evaluation (M&E) system and training of the implementing agencies in environmental and social management. The project would furthermore provide support to institutionally strengthen some of the agencies and departments to better address and manage operation and maintenance of flood and waste management. This component will also provide funds to undertake feasibility studies and prepare detailed designs for implementation and other studies identified and agreed during implementation. The table below summarizes proposed physical works under each component;

2.1 Key potential activities and interventions of social significance

The project components and associated project interventions are provided in the table below.

Table 1: Project components and proposed sub project activities

Project Component	Likely Sub- Project activities
<p>Component 1: Drainage and flood management improvements within the Odaw Drainage Basin</p>	<ol style="list-style-type: none"> 1. Improvements in urban drainage and flood management in Odaw drainage basin through <ol style="list-style-type: none"> a. Short-term relief civil works- Dredging, de-silting, rehabilitation of drainage systems, and b. Long-term complete improvement of drainage systems (i.e. widening of Odaw river mouth, rehabilitation of inoperable pump stations; lining of major drainage channels; and construction of selected secondary channels) in the Accra Metropolitan Area. 2. Development of green spaces and parks to serve as flood water retention areas; 3. Improvements in flood response systems through better infrastructure for flood forecasting and warning systems.
<p>Component 2: Improvements in solid waste management capacity including minimizing solid waste in waterways.</p>	<ol style="list-style-type: none"> 4. Improvements in community-level solid waste management through: <ul style="list-style-type: none"> • Provision of sanitation equipment and technical services for solid waste collection; • Community mobilization and awareness raising; and • The application of a results-based incentive approach to enhance waste management and good sanitation practices; 5. Improvement in solid waste management capacity in Greater Accra by <ol style="list-style-type: none"> b. Identifying, assessing and improving waste recycling, treatment and disposal

	facilities.
Component 3: Support to most vulnerable communities within the Odaw Drainage Basin to reduce their vulnerability and improve living conditions	<p>6. Upgrading of basic infrastructure and services identified through geospatial and social vulnerability diagnostics.</p> <p>7. Improve city integration by upgrading access roads between inner cities and CBDs</p> <p>8. Participatory resettlement involving low- income informal settlements aimed at providing support for safe housing.</p>
Component 4: Strengthening capacity for planning, coordination, monitoring and evaluation	Projects concerning capacity building and extension and communication are deemed to be 'soft projects' which will not be associated with any physical infrastructural development. They are therefore not considered in subsequent analyses in later sections of this report

2.2 Project Implementation arrangement - MPA approach.

The government and the World Bank have agreed to adopt a multi-phased programmatic approach (MPA) in implementing the project. This approach is focused on adaptive management, allowing the client to structure a long-term, large or complex engagement as a set of linked operations or phases, with intermediate shorter-term objectives that contribute to an overall Program Development Objective. The rationale for the use of MPA is to facilitate the government's goal of making the Greater Accra metropolitan area a clean, green and inclusive space through phased approach which brings in multiple benefits through design and implementation of both structural and non-structural interventions. The scale and magnitude of flood and waste management challenges are complex, and as such the phased approach is to work towards gradual improvement of drainage and solid waste infrastructure, starting from one watershed basin and rolling out to other priority basins in Greater Accra Region. Generally, the success and lessons learnt during phase one activities will be leveraged to service planning and implementation of subsequent activities.

Given the complexity of the project, it is proposed that some activities will proceed during the first two years after project effectiveness. Some of the first-phased activities will set the platform for extending investment in complementary infrastructural works. The table below outlines the planned physical works over the next 2 years of the project life.

Table 2: Project outline two years following project effectiveness

Project Component/Activity	Implementation Timeline after Project Effectiveness	Environment and Social Issues /documents needed
Component 1: Drainage and Flood Management		
1. Dredging for Deferred Maintenance and Urgent Repair Works	Second year implementation	Safe disposal of dredged material
2. Development of 7 Retention Ponds	Second year implementation	Land acquisition and resettlement RAP to be

		prepared
3. Flood warning and response system	First year implementation	None/minimal
4. Piloting of Wadis (flood resilient drains) and flood zoning	First year implementation	None/minimal
5. Support for O&M	First year implementation	None/minimal
Component 2: Solid Waste Management		
6. Construction of two Transfer Stations	First year implementation	ESIA needed, RAP not needed due to green field sites
7. Capping of two dumpsites	First year implementation	ESIA needed, Livelihood support plan for waste pickers
8. Community activities	First year implementation	None/minimal
Component 3: Community Upgrading and participatory resettlement		
9. Community upgrading in potential 4 communities and support for resettlement /business disruption in project affected areas	Second year implementation	Land acquisition and resettlement potentially required – RAP, ESIA once sites are known
Component 4: Project Management and Coordination		
10. Support for joint planning, coordination, spatial data mgmt.; project management	First year; training, studies, etc.	None/minimal

To address project impacts, the government has drafted an Environment and Social Management framework which provides the broader structure, principles and procedures for screening subprojects based on Ghana's laws and regulations related to environmental assessment. As engineering designs and specific sites are selected for subprojects, they will be screened using Annex 2 of the ESMF. The results of this screening will inform initial decision on population encroachment and human activities at project sites. This will then inform assessment, planning and implementation of resettlement action plans and/or livelihood restoration plans, where appropriate. In addition, the RPF contains principles and procedures for planning and implementing RAPs for subprojects as designs and sites become clearer

2.3 Project oversight and Responsibilities

Project implementation will be mainstreamed within the selected central government Ministries and local government structures. Component 1 will be implemented by the Ministry of Works and Housing (MWH), specifically by Hydrological Services Department (HSD). Component 2 will be led by Ministry of Sanitation and Water Resources (MSWR), specifically by the Environmental Health and Sanitation Directorate (EHSD). Component 3 will be led by Ministry of Inner Cities and Zongo Development (MICZD), specifically the Project, Planning, Monitoring and Evaluation Directorate (PPMED). Component 4.1 will be led by the Ministry of Local Government and Rural Development (MLGRD), specifically the Project, Planning, Monitoring and Evaluation Directorate (PPMED).

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

Along with the PCU, a project implementation unit will be mainstreamed in each of these four (4) lead implementing MDAs to lead implementation of the respective components. Each lead implementing agency will constitute dedicated Project Implementation Teams (PITs) to manage and facilitate implementation of the component it is leading. These will work closely with the PCU and report to same. At a minimum, PITs will comprise a Project Lead and dedicated officers responsible for Finance, Procurement, Safeguards, and M&E.

The lead ministries will work closely with the local government structures – MMDAs during the project implementation. The MMDAs, representing decentralized administrative and governance units in Ghana, are the main project beneficiaries, and will assume direct responsibility for community consultation, engagement, grievance redress, and coordinate resettlement issues during project implementation. Capacity of implementation units- MWH, Ministry of Sanitation and Water Resources, Ministry of Inner-city and Zongo Development, and Ministry of Local Government and Rural Development - will be augmented through secondments from other MDAs and the services of specialized consultants subject to capacity assessment.

MMDA level implementation will be facilitated by and mainstreamed into the existing planning coordination units. Dedicated local implementation teams (LITs) will be formed from among the membership of the planning coordination unit or as determined by the MMDA.

A schematic of the implementation arrangements is shown below.

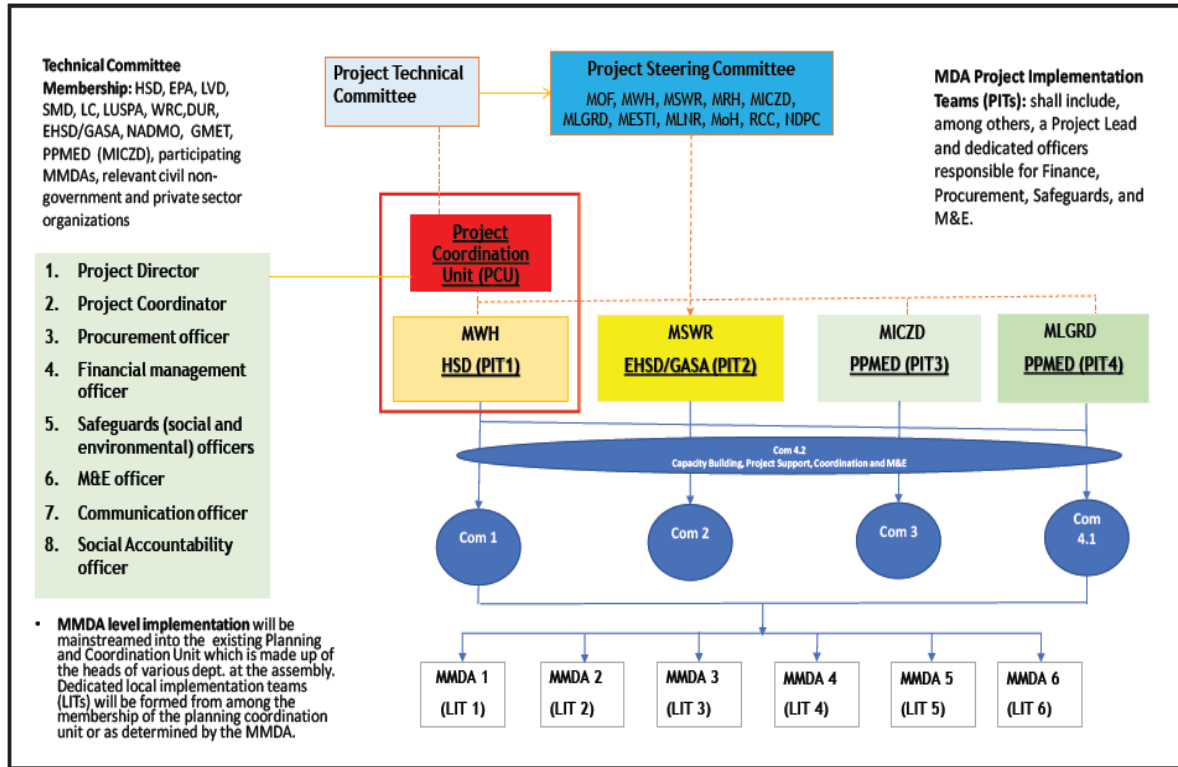


Figure 2: Schematic of the implementation arrangements

3 ENVIRONMENTAL AND SOCIAL CHARACTERISTICS OF THE PROJECT AREA

3.1 The Odaw River Basin

The project focus area is the Odaw Basin. The Odaw River and its tributaries Nima, Onyasias, Dakobi and Ado have a total catchment area of 250km² and drain the major urbanized areas of Accra, including Accra Metropolitan Assembly, Ga East, Ga West and Adentan Municipal Assemblies further upstream. The AMA and Ga East Municipal Assembly alone occupy about 65% of the basin area. **Figure 2** shows the Odaw river basin with the demarcation of the respective Assemblies.

The basin lies in the Savannah zone. There are two rainy seasons. The average annual rainfall is about 730mm, which falls primarily during the two rainy seasons. The first begins in May and ends in mid-July. The second season begins in mid-August and ends in October. Rain usually falls in intensive short storms and gives rise to local flooding where drainage channels are obstructed.

There is very little variation in temperature throughout the year. The mean monthly temperature ranges from 24.7°C in August (the coolest) to 28°C in March (the hottest) with annual average of 26.8°C. As the area is close to the equator, the daylight hours are practically uniform throughout the year. Relative humidity is generally high varying from 65% in the mid-afternoon to 95% at night. The predominant wind direction in Accra is from the WSW to NNE. Wind speeds normally range between 8 to 16 km/hr. High wind gusts occur with thunderstorm activity, which pass in squall along the coast. The maximum wind speed recorded in Accra is 107.4 km/hr (58 knots). Strong winds associated with thunderstorm activity often cause damage to property and mostly removing roofing materials.

The geology of the basin consists of Precambrian Dahomeyan Schists, Granodiorites, Granites Gneiss and Amphibolites to late Precambrian Togo Series comprising mainly Quartzite, Phillites, Phylitones and Quartz Breccias. Other formations found are the Palaeozoic Accraian Sediments - Sandstone, Shales and Interbedded Sandstone-Shale with Gypsum Lenses.

There are three broad vegetation zones in the basin area, which comprise shrub land, grassland and coastal lands. Only the shrub land occurs more commonly in the western outskirts and in the north towards the Aburi Hills. It consists of dense clusters of small trees and shrubs, which grow, to an average height of 5m. The grasses are mixture of species found in the undergrowth of forests. They are short, and rarely grow beyond 1m. Ground herbs are found on the edge of the shrub. They include species, which normally flourish after fire.

The coastal zone comprises two vegetation types, wetland and dunes. The coastal wetland zone, was highly productive and was also an important habitat for marine and terrestrial-mainly bird life until recently when it was so badly affected by intense unplanned urban developments. Mangroves, comprising of two dominant species, are found in the tidal zone of the estuaries sand lagoons. Salt tolerant grass species cover substantial low-lying areas surrounding the lagoons.

Achimota Forest is the only forest reserve in the river basin. These are being damaged from

residential encroachment, bush fire, sand collection and illegal tree felling. Most of the open spaces in Accra are used for the cultivation of food crops like corn, okro, tomatoes and other vegetables. Fertilizers and insecticides are used in these areas. Constant felling of trees, bad farming practices and annual burning has altered the vegetation from “dry forest” and greatly depleted the fertility of the soil.

With the exception of the industrial area along the Odaw River, air quality in the basin area is good. Minor incidents of localised pollution from automobile fumes arise during certain climatic conditions but these are insignificant compared to those registered in some developed countries. During the months of December to February, the effect of the Harmattan (fine windblown dust from the Sahara region) causes loss of visibility and some health problems. These are seldom prolonged. Odour levels arising from decomposing rubbish and sanitary wastes are high in inner city areas, especially, along the drainage system and previously in the region of the night soil dump at Korle Gonno.

3.2 Environmental Sanitation Challenges

Issues affecting urban drainage

Poor drainage is the major problem, which affects many parts of the urban areas in the respective MMDAs especially in the Metropolis. Natural features such as the underlying geology, soil conditions and localized topographic features create some drainage problems. Development should never have been permitted in most flood prone areas; however, poor physical development control has been unable to prevent urban land encroachment. The majority of the problems are created by the high rate of urbanization (4.2%) of the urban areas and its impact on increase surface water runoff and flooding in low lying areas. The inadequate drainage and poorly designed channels in many parts of the Basin have given rise to serious flood problems. These problems are compounded by choked drains. A well-organised programme for seasonal clearing of drains is required to ensure they remain free flowing.

Status of drainage and flood management

According to the Concept Note (June 20, 2017) of the Greater Accra Clean, Resilient and Inclusive Development Project (GARID Project), about 60% of Accra’s population is contained within the Odaw river basin, and is subject to chronic flooding. This flooding is a major drag on the economy and has severe health impacts. The June 3, 2015 flooding and disaster is an example of the on-going problem and was aggravated by the blockage of primary and secondary drains by non-degradable solid waste materials and silt. Continuous rainfall led to one of the worst flooding events in GAMA’s history, reported as one of the 10 deadliest disasters of 2015 worldwide. The floods affected 52,622 people and also caused leakage at a filling station, resulting in an explosion that left 150 casualties. Beyond the toll on human life, damages across the housing, transport, water and sanitation sectors amounted to US\$55 million, while the needs for reconstruction were estimated at US\$105 million. Greater Accra Region’s response to flooding has been primarily reactive with the National Disaster

Management Organization (NADMO), and individual MMDAs responding with emergency and relief services. However, a lack of proactive efforts on prevention and early warning makes the region constantly susceptible to a wide range of shocks and stresses. This includes a lack of contingency funding and risk insurance to deal with disasters, forcing MMDAs to divert funding from other sectors into the response. Additionally, the effects of climate change will exacerbate Greater Accra's vulnerabilities, increasing the frequency and intensity of floods, sea-level rise, and likely increase in rural-urban migration due to higher drought impacts in the northern parts of the country. All of above challenges call for substantial investments to improve the existing drainage and flood protection network, while managing the urban expansion and rural-urban migration to Greater Accra in a climate sensitive manner.

Dredging of the Korle lagoon is required to reduce flooding and provide improved flow in the existing channel system. There are, however, a number of problems involved with the Korle Lagoon, which make the dredging of this lagoon expensive. In other upper reaches of the lagoon, old car bodies and other wrecked machinery and equipment have been carried or deposited in the lagoon and are now embedded in the floor of the estuary. The removal of wreckage is necessary to create a proper channel to ensure adequate flushing once the entrance is widened. Against this background the Ministry of Water Resources, Works and Housing in collaboration with the AMA has implemented the Korle Lagoon Ecological Restoration Project (KLERP) with limited success. However, the existence and activities of Old Fadama (Sodom and Gomorrah) posed great difficulties for the KLERP.

Environmental Sanitation and Solid Waste Management

According to the Concept Note (June 20, 2017) of the Greater Accra Clean, Resilient and Inclusive Development Project (GARID Project), poor environmental sanitation has become a significant urban challenge for the Greater Accra Region in the past decade. Open defecation and discharge of raw faecal sludge into open drains, river bodies and open spaces are causing health hazards and environmental degradation in Greater Accra Region. These problems have been exacerbated by factors such as poorly managed land use, unregulated development of settlements, and inadequate urban solid and liquid waste management. The key issues around solid waste management are (i) lack of community awareness, (ii) absence of effective collection systems; and (iii) limited disposal capacity. The insufficient waste collection is exacerbated by the dumping of waste around the city by informal collectors who collect waste from householders. These materials end up in open drains, watercourses and streams.

Informal Settlements

According to the Concept Note (June 20, 2017) of the Greater Accra Clean, Resilient and Inclusive Development Project (GARID Project), informal settlements in Greater Accra region are associated with overcrowding, sub-standard housing, poor access to basic services, and high exposure to flooding, cholera, and fire events. Slum dwellers make up 38.4 percent of the population and occupy 29.6 percent of the built up area within Accra Metropolitan Area (AMA). The population density of

slums in Accra is 607.8 people per hectare, which is much higher than the population density for the city as a whole (250.7 persons per hectare). In AMA only 5,350 units (21.4%) of the estimated annual 25,000 housing units need in the metropolis are provided. The provision of water and sanitation and hygiene services to these areas is inadequate and unable to keep pace with demand. The daily shortfall of water supply to Accra is 130,000 cubic meters and water is relatively costly for the urban poor. (UN Habitat, 2011). Access to basic sanitation and solid waste services is also a challenge. About 46% of households in GAMA do not have access to improved household toilets (flush toilet or KVIP) and these households are mostly located in the slums. Current solid waste services do not provide adequately for informal settlements, hence the indiscriminate disposal of waste in open spaces and drains. The urban poor in Accra are more likely to settle in low-lying or unwanted areas of the city and are more exposed to flooding while having relatively less coping capacity than the non-poor. A study conducted by UN Habitat in 2011 to assess the number of census Enumeration Areas (EA) affected by flooding in and around Odaw River in central Accra found that out of 172,000 exposed to flooding, 33,000 or close to 20% of the those exposed to flooding live in EAs with highest slum index

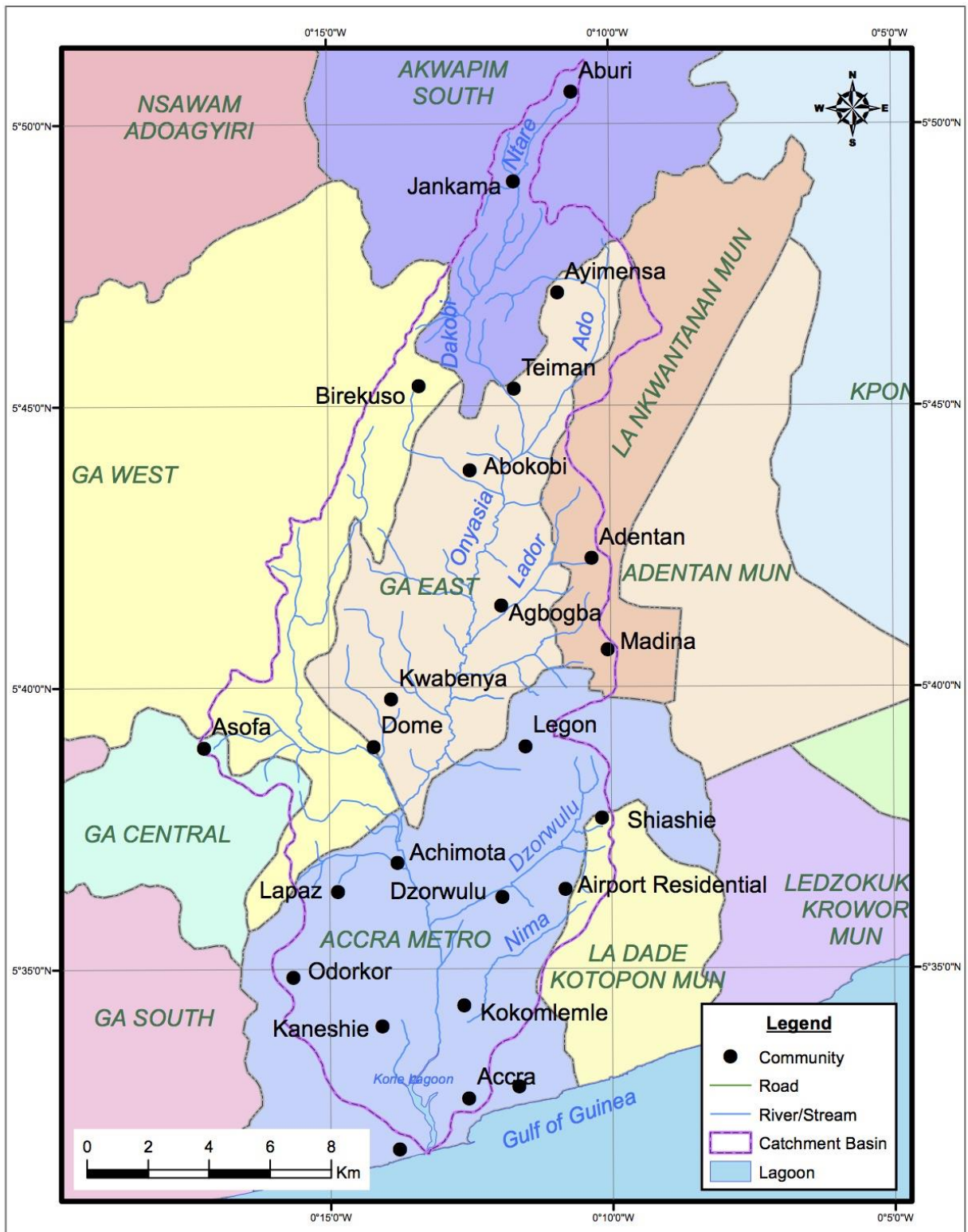


Figure 3: Odaw river basin showing the MMDAs and some major townships within its catchment

3.3 Demographic and socioeconomic conditions

In terms of population, the AMA is by far the most dominant Assembly with over 65% of the total population. The high population figure of the city (4,337,542 persons) within the AMA is both an asset and source of worry to authorities. While the relatively high population serves as a huge and vibrant market for investors, it also poses problem of sanitation and waste management as well as traffic jam especially during the peak hours of the day.

It is estimated that during the peak hours, Accra hosts about 25% of the national population and has influx population of about 1,000,000 on daily basis for economic activities aside the residential dimension captured by the 2012 National Population Census. The primacy of Accra Metropolitan Area as an administrative, educational, industrial and commercial centre is the main factor for this and continues to attract people from all over Ghana, and outside, as its functional importance is on incremental ascendancy. Rural-urban migration accounts for over 35% of the population increase.

The environmental sanitation situation within the Assemblies in the upper reaches of the basin is also generally poor. Despite the rapid population growth in recent years, development has been haphazard and waste management facilities are grossly inadequate therefore contributing to immense stress on the basin resources.

Age Structure

The age structure of the MMDAs is characteristic of populations experiencing rapid growth. The age-sex structure is shaped by its past history of fertility, mortality and migration. The region's age structure is still a youthful one characterized by high fertility that has begun to show signs of a downward trend. Total fertility rate has decreased from 3.6 in 1993 to 2.7 in 1998 and 2000. The proportion of the population aged less than 15 years was 39.4 per cent in 1960. It increased to 42 per cent in 1970, and then decreased sharply to 33 per cent in 2000. The fertility decline in the past two decades has given rise to a corresponding rise in the proportion of the aged (65 years and older) from 2.6 per cent in 1984 to 3.9 per cent in 2000.

Economic Activity

Among the economically active population, 82.6 per cent have work, and 13.4 per cent are unemployed. The region's unemployment rate of (13.4%) is higher than the national average of 10.4 percent. The occupational structure of the region shows that 42.0 per cent of the economically active population was engaged in sales and service occupations, while professional, technical and related workers comprise 10.8 percent. The three largest occupational groups among males are production, transport operators and related workers (29.6%), sales workers (19.4%), and clerical and related workers (14.4%). On the other hand, 42.0 percent of females are into trading, 19.5 per cent in production, transport and equipment, and 13.9 per cent in services sector.

More than half of the economically active population in the region is self-employed with employees, while a third (32.6%) are employees. A much larger proportion of females (62.6%) than males (41.6%) are self-employed without employees, implying that males are 1.5 times more likely

than females to be employees. The private informal sector, which employs 6 out of every 10 economically active person, plays a leading role in the economy of the region.

Females (69.1%) dominate the private informal sector and a higher proportion (40.7%) of males than females (28.5%), are employed in the public and private formal sectors.

Income

Income levels of residents of the GAMA vary widely and this constitute the basis of a classification of areas within GAMA into 4 income zones. The stratification is based upon housing characteristics and environmental conditions of the residential suburbs of the city. This has been adopted by the Accra Metropolitan Assembly (AMA) and gazetted in the Local Government Bulletin of the Assembly (January, 2002)

High inequalities exist in the distribution of income in Accra. At the prices of August 2002, average annual household income is estimated to be ₵12,462,499.65 in the first class income zones. Household incomes vary even among income zones.

Ethnicity

In AMA, Ga and Tema, the Akan, Ga-Dangme and Ewe are the three predominant ethnic groups. The largest ethnic group in the Municipalities is the Akan, comprising 39.8 percent, followed by Ga-Dangme (29.7%) and Ewe (18%). In terms of individual ethnic sub groups, detailed results indicate that the Gas form the single largest sub- group, accounting for 18.9 per cent of the population. Among the Akan group, the Fantes constitute 10.6 percent, Asantes, 8.3 per cent and Akuapem 4.9 percent. There are other smaller ethnic groups from the three northern regions of Ghana. Nationalities from Africa and other parts of the world can also be found in the Municipalities.

Religious Groups

The percentage distribution of religious groups shows the predominance of Christians (82.9%) in the region, compared with the second major religion, Islam (10.2%). Among the Christian group, adherents of Pentecostal and Charismatic churches constitute the largest religious denomination (38.0%) followed by Protestants (26.0%) and Catholics (9.7%) in that order. The distribution is almost similar for both sexes except for the predominance of females in the Pentecostal and Charismatic churches. There are however more male than female Muslims which conforms to the national pattern.

3.4 Description of the MMDAs within the Odaw Basin

The MMDAs occupying the Odaw river basin and therefore direct beneficiaries of the project are listed in the table below. The dominant Assemblies are the AMA and the Ga East making up over 65% of the total basin area. The entire Ga East Assembly is located within the basin.

Table 3: Characteristics of the MMDAs in the Odaw Basin

No.	MMDA name	Land area within the Odaw Basin, km ²	Relative Percentage of land in the Odaw Basin	Total Population of the MMDAs
1.	Accra Metropolitan Area (AMA)	96.7	35.3	*1,986,580
2.	Ga East Municipal Assembly	82.5	30.1	147,742
3.	Ga West Municipal Assembly	43.9	16.1	219,788
4.	Akwapim South District Assembly	28.1	10.2	166,544
5.	La Nkwatanan Municipal Assembly	15.6	5.7	111,926
6.	La Dadekopon Municipal Assembly	3.9	1.4	183,528
7.	Ga Central District Assembly	3.2	1.2	117,220
	TOTAL	274.8	100.0	2,561,834

*estimated resident population

4 POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK

The principles and procedures for conducting resettlement in this project are drawn mainly from the following: relevant land acquisition laws, regulations and policy frameworks of Ghana and the World Bank safeguards policies. These frameworks and policies are outlined below and briefly discussed in **Annex 1**. The policies and laws provide the basis for responsibilities and actions of various institutions in relation to the planning and implementation of RAPs as spelt out in this RPF. In instances, where country laws differ materially from the World Bank's policies, gap filling provisions have been proposed and discussed with the Bank task team.

Specific to institutional frameworks, several government ministries and agencies, each with different roles and responsibilities, are required to observe the RAP preparation and implementation procedures spelt out in this RPF. Ultimately, the Project PCU is responsible for general oversight and coordination of the land acquisition and resettlement activities in the project. The institutional arrangements is described in section 4.5 below.

4.1 Legal and Regulatory Context

In Ghana, the legal provisions governing land acquisition and resettlement for public-purpose projects such as GARID include;

- Relevant sections of the Constitution of Ghana (1992),
- The State Lands Act (Act 125 of 1962) as amended,
- the Lands (Statutory Wayleaves) Act (Act 186 of 1963), and
- the National Land Policy, 1999.

Section 18 of the Constitution guarantees the right of individuals or groups to own and dispose property, including land and structures. This right is fundamentally protected by the constitution. Notwithstanding, the Constitution establishes the circumstances and the procedures with which the state can acquire privately-owned land and property for public purposes. Article (18) of the constitution clearly stipulate that “no person shall be subjected to interference with the privacy of his home, property, correspondence, or communication except in accordance with law and as may be necessary...for public safety or the economic well-being of the country, for the protection of the rights and freedom to others.”

For public purposes, such as GARID, the state may acquire land and properties owned by individuals or groups either by negotiation or through compulsory acquisition. The right of the state to acquire private property is vested in the President, and can only be exercised if the “taking of possession or acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such a manner as to promote the public benefit”. When private properties become subjects of compulsory acquisition or expropriation, “the necessity for the acquisition” must be clearly stated and “is such as to provide reasonable justification for causing any hardship that may result to any person who has interest in or right over the property.” In such instances, the constitution also provides remedies for offsetting the impacts and hardships resulting from compulsory acquisition. These remedies include cash compensation, resettlement assistance, or both. Article (20) requires that the state makes “sufficient provision...for the prompt payment of fair and adequate compensation”. It also expressly stipulates that where the compulsory acquisition involves the displacement of any inhabitants, the state shall resettle them on suitable alternative site, having regard to their Socio-cultural values and economic well- being and social and cultural values”. Costs of disturbance and incidental expenses or other damage suffered are to be considered in the award of compensation.²

The basis of land acquisition for project activities under GARID and the RAP activities thereof will be conducted within the stipulated laws and regulations and the World Bank policies. Accra experiences perennial flooding, sometimes resulting in loss of lives and property. The June 3, 2015 flood disaster, in particular, epitomized catastrophic impacts of floods in the Greater Accra Area. The acquisition of land for this project is contextualized as interventions to reverse or minimize this perennial flood and their negative impacts on *public life and economic well-being*.

The Lands Commission is the Government’s responsible agency for administering public land acquisition and compensation claims flowing out of those acquisitions. In particular, the Land Valuation Division of the Lands Commission holds the constitutional mandate for valuing properties that are subjects of acquisition. The division also establishes compensation claims based

² Cost of Disturbance is defined as the reasonable expenses incidental to any necessary change of residence of place of business by any person having a right or interest in the land.

on market value for lands, and replacement value in the case of structures.³ As per the State Lands Act, the state is also required to make provision for compensating any person suffers any loss or damage due to the “ carrying out of any survey, as a result of installation, construction, inspection, maintenance, replacement, or removal of any specified work.” Compensation for damage or loss resulting from entry must be commensurate with the loss or damage, and may consider how much the person’s land has increased in value as a result of the installation or construction of the works. Generally, persons with legitimate or recognizable title to land and property can claim for consultation from the state in lieu of public acquisitions which affects their properties. It must be noted that the Ghanaian law does not give illegal squatters or settlers the right to compensation, unless they can claim a right to the property under the Limitation Decree. This exclusion of squatters is a significant departure from the World Bank’s policies which recognizes and asserts the right of ‘squatters’ to compensation. The RPF proposes to address this by extending compensation to ‘squatters’.

In the course of RAP implementation, disputes may occur sometimes on commensurability of cash compensation. The Constitution extends rights to project-affected persons to seek redress in the courts of Ghana. For example, *Section 2(b) of the constitution states that aggrieved persons must have right of access to the High court for redress.* PAPs under the GARID project may exercise this right in settlement of disputes concerning project impacts on their properties and the lack of commensurable amount of compensation. Accordingly, GARID will adopt a functional grievance redress mechanism (GRM) which includes the rights of PAPs to access courts where they deem it necessary (see section XX on GRM)

4.2 Land tenure in the project area

There are two types of land ownership in Ghana, and include Customary Ownership governed by customary law; and vested land governed by common law. Ownership is typically dependent on the mode of acquisition. Customary lands are acquired through customary law and practice; State lands are vested lands and contingent upon government’s acquisition through negotiation or compulsorily expropriation. Split ownership occurs where the State under the enabling Laws – generally the Land Administration Act 1962 Act 123 (Section 7) vests Stool lands; and by this arrangement, the state takes over the legal interest in the land whilst the beneficial interests remains with the stool owning community. The state, as the legal owner, thus has the right to sell, lease, manage, and collect rent on the land. Although vested lands are generally managed in the same way as State Lands, the boundaries are not determined through cadastral survey (which can lead to confusion with regard to land ownership), and often cover large expanses of land.

³ The State Lands Act defines market value as the amount the land would sell for on the open market at the time the wayleave is declared, using the principle of willing buyer – willing seller. Replacement value is used for compensation if there is no demand or market for the land due to the situation of the land or the purpose for which the land was used when the declaration of intent to acquire the land was made. The replacement value is the amount required for “reasonable reinstatement equivalent to the condition of the land at the date of said declaration”.

In Ghana, individuals or institutions may hold land in one of the following five tenures; Allodial Title; Customary Freehold; Customary Tenancies; the Common Law Freehold, and the Leasehold. The Land Title Registration Law of 1986 recognizes these types of interests in land.

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

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

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

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

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

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

The Common Law Freehold - This is an interest held for an indefinite period. It is derived from the rules of common law. The holder of this interest has the right of beneficial occupation and may, subject to the laws of the land, use in any manner.

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

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

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

4.3 Public Land Acquisition and Compensation process

The State Lands Act 1962 (Act 125 as Amended) is the principal Law under which private land and property can be compulsorily acquired. The Act and its accompanying Regulation - the State Lands Regulation 1962, L1 230 - detail out the procedures for compulsorily acquiring lands. Foremost, the state, through the Lands Commission, must serve a copy of the government's instrument of acquisition on persons or groups who have interest in or possession of such lands. Alternatively, the instrument may be affixed at a convenient location on the said land and/or be published three times in a newspaper circulating in the localized area (district) where the land is situated.

Upon notification, the affected persons or group may request to claim compensation for affected lands or properties. Any claim for compensation must be made to the responsible Minister no more than six months after the date of declaration/notification made by the President. The Land Valuation Division will carry out an assessment if it is satisfied that the claimant has established proper claim which need to be paid for. An offer is then made to the claimant and upon acceptance; the acquiring agency, in this project the MWH, is advised to process payment.

It needs to be stated that, there are some exemptions from Compensation. Act 125 states that, No person shall be entitled to any compensation for loss or damage if, in the opinion of the Minister; (1) any alleged damage to the land has been sufficiently address, and the land has been reinstated, (2) any alleged loss arising out of the deprivation of the use of any land, (3) the person alleging the loss has been offered other land of equivalent value, (4) the alleged damage is to movable property, and the property has been sufficiently restored or replaced, or (5) the works constructed do not substantially interfere with the enjoyment of land.

Private Treaty Acquisition

This is the usual mode of land acquisition. It involves direct negotiation between the grantor (owner) and grantee (purchaser). The terms of grant are agreed upon normally after arm's length

negotiation. Private treaty acquisition follows conveyancing principles. The Conveyancing Decree (1973) provides that the transfer of an interest for a term of more than three (3) years must be in writing and signed by the grantor.

Again, the laws on Stamping (Stamp Act 2005 (Act 689)) and registration need to be followed. Thus, it is necessary that a document evidencing acquisition of an interest in land need to be stamped and registered at the Lands Commission in accordance with the Lands Commission Act (2008) Act 767.

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

Administration of Lands Act 1962, Act 123

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

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

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

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

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

Lands Statutory Wayleaves Act 1963, Act186

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

Works for which right of ways may be created are “highways or works for purposes of, or in connection with any public utility works”. Highways have been defined in the Act as “any road, street, path, pavement, or square and includes any bridge, or other structure associated therewith”.

The Act and its accompanying Regulation, the Lands Statutory Wayleave Regulation 1964 (LI 334) provides the modalities and procedures for the acquisition of the Statutory right of ways. Thus, the mechanism for entry for survey works and construction under this project has been spelt out in details. The owner/occupier is required to be given formal notification at least one week, about the intent to enter, and at least 24 hours prior to actual entry.

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

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

The Ghana Land Policy 1999

The Government of Ghana in 1999 put in place the above policy to serve as a broad framework and policy guidelines for land administration and utilization. The main objective is to provide guidelines aimed at enhancing land management systems, land use, conservation of land resource and enhancing environmental quality. All these are intended to ensure coordinated and orderly use of land, a vital resource, by present and future generations. Ultimately the policy seeks to give protection to proprietary rights and promote the concept of prompt payment of adequate compensation for compulsorily acquired lands and also create the enabling environment for community participation in sustained land management.

4.4 World Bank Policy on Land Acquisition

The World Bank Policy OP/BP4.12 on Involuntary Resettlement requires projects to assist displaced persons in their effort to improve or at least restore their standards of living. The project should avoid or minimise resettlement where feasible. Displaced persons should share in project benefits. These are further described in the sections below.

4.5 Comparing Country Regulations with World Bank Policies on Land Acquisition

There are departing moments between the applicable country laws and regulations and that of the World Bank. Given that both sets of regulations and policies apply to this project, it is important to consider differences between them and to propose gap-filling measures.

The World Bank policy on Involuntary Resettlement (OP 4.12) requires that explicit and adequate provisions be made for project affected persons who are either displaced physically or economically or suffer other losses, to ensure that they are not worse off as a result of World Bank financed projects. At the minimum, the policy objective is to avoid or minimize displacement and involuntary resettlement. In instances where displacement is unavoidable, adequate compensation should be paid to PAPs to help them to restore and improve their social, economic and environmental livelihoods.

The Ghana statutes makes provision for compensations to be paid to only persons who have suffered loss and can produce any form of title that is legal in the form of deeds, leaseholds, or legally binding tenancy agreement to the land in question. In contrast, the Operational Policy expects all forms of direct losses without exception to be catered for, whether or not affected-persons have titles as long they can reasonably demonstrate ownership of properties on affected land. Compensation for squatters is only focused on structures; not land.

Under the Ghanaian statute, it is the preserve of the Minister to assess loss due to works done but World Bank OP 4.12, advocates the involvement of project affected persons through for instance surveys etc to ensure that the project enjoys the full support of the Bank and affected persons.

The Operational Policy advises that the project affected persons be assisted during their transition period in the resettlement site and efforts made to restore their livelihoods whereas the Ghana laws are silent on that. Table 4 highlights some comparison between the Ghanaian Laws and the World Bank policy.

Table 4: Comparison between the Ghanaian Laws and the World Bank policy

Issue	Ghanaian Law	World Bank OP4.12	Comparison/ Gaps
Land owners	Property acquired compulsorily in the public interest or for a public purpose shall be used only in the public interest or for the purpose for which it was acquired. Where the property is not used in the public interest or for the purpose for which it was acquired, the owner of the property, immediately before the compulsory acquisition, shall be given the first option for acquiring the property and shall, on such re- acquisition, refund the whole or part of the compensation paid as provided by law or such other amount as is commensurate with the value of the property at the time of the re-acquisition. Compensation can be claimed as of right only by persons with proprietary interests in acquired lands	Through census and socio- economic surveys of the affected population, identify, assess, and address the potential economic and social impacts of the project that are caused by involuntary taking of land. Land for land is the preferred option; compensation is to based on replacement cost.	Per Ghanaian laws, the legal right to resettlement is applicable only to those with proprietary interests in the affected land. The Constitution expresses some preference for land based strategies for displaced persons whose livelihoods are land-based, although this is not explicit.
Land Tenants/ Squatters	No constitutionally or legislatively recognized resettlement rights or assistance for those without recognized (formal) legal rights to land	For those without formal legal rights to lands or claims to such land that could be recognized under the laws of the country, the government should provide resettlement assistance in lieu of compensation for structures/assets to help improve or at least restore their livelihoods	Bank policies provides for compensation for squatters; Ghanaian laws do not. Bank policies makes provisions for supporting vulnerable groups among the displaced; the Ghanaian laws have no provisions for special support for vulnerable.
Land Users	Article 20(3) of the 1992 Constitution requires that where a compulsory acquisition or possession of land effected by the State involves displacement of any inhabitants, the State shall resettle the displaced inhabitants on suitable alternative land with due regard for their economic well being and social and cultural values	Identify and address impacts also if they result from other activities that are (a) directly and significantly related to the proposed project; and (b) necessary to achieve its objectives;	

Issue	Ghanaian Law	World Bank OP4.12	Comparison/ Gaps
Owners of permanent buildings	<p>The Land Valuation Board is responsible for the computation of compensation on the basis of market value in the case of land and replacement value for houses and other properties damaged or destroyed as a result of the acquisition.</p> <p>The State Lands Act defines replacement value as the amount required for 'reasonable reinstatement equivalent to the condition of the land at the date of said declaration'</p>	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement	Ghanaian law requires the affected persons receive compensation on the basis of replacement value when permanent structures are affected. Although the law can be interpreted to include labour and relocation expenses, these are not explicitly enumerated under Ghanaian law
Timing of Compensation payments	There are no relevant constitutional or legislative provisions that specify the timing of completion of resettlement and compensation. The law only states that compensation must be prompt.	Pay full compensation and provide resettlement entitlement before works starts.	Per the land acquisition laws in Ghana, there is no requirement on implementing all relevant resettlement plans before project commencement.
Relocation and resettlement	In situations where inhabitants have to be displaced, the State is to resettle all on 'suitable land with due regard for their economic well being and social and cultural values'	To avoid or minimize involuntary resettlement and, where this is not feasible, to assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, which is higher	Ghanaian laws do not appear to make provisions for avoidance or minimizing of involuntary resettlement
Livelihood restoration assistance	There are no specific laws or regulations specifying support for livelihood restoration and transition and moving allowances	Livelihoods and living standards are to be restored in real terms to pre-displacement levels or better	Ghanaian policy and legislation would need to be aligned with Bank policy to effectively guarantee rights of all affected persons of involuntary resettlement
Consultation and disclosure	Consultation requirement not provided for directly in legislative or constitutional provisions.	Consult project affected persons, host communities and local NGOs as	While the consultation requirement is inherent in the EIA, it contains a

Issue	Ghanaian Law	World Bank OP4.12	Comparison/ Gaps
	<p>The issue of compensation is the responsibility of the Lands Commission on the basis of the criteria established under the State Lands Act 1962 as amended</p>	<p>appropriate. Provide them opportunities to participate in the planning, implementation and monitoring of the resettlement programme, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms. The safeguard documents must be disclosed in- country using appropriate media and institutions as well as on the World Bank website.</p>	<p>number of differences with the requirements of Bank policy, noted above also. In LI 1652 (Regulation 17), similar considerations apply and the same differences are identifiable: There is no requirement to disclose the preliminary report under Regulation 9. Despite the differences identified, the practice has been that where a mitigation plan affects local communities, proceedings are conducted in the local language. This is significant considering the composition of those most likely to be excluded from the remit of Ghanaian legislative and constitutional protection for involuntary resettlement (i.e. squatters)</p>
<p>Grievance mechanism and dispute resolution</p>	<p>There are various legislative measures that govern the rights of persons with formally recognized interests in land. They preserve extensive State powers to compulsorily acquire land but also provide for procedural redress and complaint mechanisms, including direct recourse to a minister, appeals to tribunals as well as for determination by the High Court and Court of Appeal of disputes arising from conflicting claims or interests. There is legislative provision made for notice and procedural requirements- 1964 Lands (Statutory Way Leaves) Regulations, and for compensation for compulsory acquisition- 1963</p>	<p>Establish appropriate and accessible grievance mechanisms</p>	<p>-</p>

Issue	Ghanaian Law	World Bank OP4.12	Comparison/ Gaps
	Lands (Statutory Way Leaves)		
Cut-off date for eligibility for compensation	Cut-off date for eligibility for compensation requirement is not provided for directly in legislative or constitutional provisions. The issue of when valuation of affected properties will commence is the responsibility of the Lands Commission.	The Bank provides opportunities for the project affected persons, host communities and local NGOs as appropriate to be involved in arriving at cut-off date for eligibility for compensation that will be convenient to them	The Ghanaian legislation and law would need to be align with the Bank policy to effectively guarantee the rights of all project affected persons
Gap filling between Ghana law and the World Bank policy			Where there is discrepancy between Ghana law and the World Bank policy, the World Bank policies will supersede the national law.

4.6 Institutional Framework: preparation and implementation of RAP Under GARID

The MPA approach adopted under this project is reflective of the fact that multiple project activities and institutions are involved. As indicated below, each of the following ministries is responsible for implementing respective subprojects. Across the various implementing ministries, a central project management Unit is tasked with the responsibility for planning, harmonizing, and coordinating respective activities of various implementing agencies. The section below describes relevant roles and responsibilities of various implementing agencies relative to land acquisition and involuntary resettlement.

Ministry of Works and Housing (MWH)

The Ministry of Works and Housing (MWH) has the overall responsibility for the initiation, the formulation, implementation and co-ordination of policies and programmes for the systematic development of the country's infrastructure requirements in respect of Works, Housing and Flood Control Systems to ensure efficiency of the sector. Under this project, the Works Directorate and the Hydrological Services Department of the Ministry have direct responsibility for implementing drainage and flood control measures. With respect to resettlement activities, the Ministry is the lead coordinating agency for the project, including hosting the PCU. The PCU will have key staff including Social and Environmental Safeguards Specialists who will lead and coordinate social impact assessments, resettlement planning and implementation in close coordination with safeguards focal persons of the other participating ministries.

Ministry of Sanitation and Water Resources

The Ministry has a vision of having people living in Ghana to have easy access to affordable, safe and sustained drinking water and sanitation services, and clean /hygienic environment by year 2025. The MSRW has a mandate to provide safe drinking water, and sanitation services; ensure proper and timely collection and management of solid and liquid wastes; to set service standards and implement mechanisms for ensuring compliance and quality assurance; coordinate and harmonise strategies, technologies and approaches to ensure cost-effective delivery of WASH services; and leverage market mechanisms to create jobs to all segments of people living in Ghana through WASH service delivery. As indicated in section 2.3, the Ministry will have a designated focal person on social and environmental issues. This focal person will work closely with the PCU at the MWH, and coordinate the land acquisition and resettlement activities associated with the following activities in component two: construction and operation of waste transfer stations as well as capping of waste dumps.

Ministry of Inner City and Zongo Development

The Ministry of Inner-City and Zongo Development has the mandate to formulate and oversee implementation of policies, programmes and projects to alleviate poverty and ensure that Inner-City and Zongo communities become inclusively developed and prosperous. The goal of the Ministry is to facilitate a broad-based infrastructure, social and economic development of Inner-City and Zongo communities within the context of inclusive, resilient and sustainable urban development. In

fulfilment of its mandate, the Ministry is implementing a number of interventions which have been organized around the following programme areas:

- Upgrading of basic infrastructure and services that will be identified through geospatial and social vulnerability diagnostics. The activities will also improve city integration by upgrading access roads between inner cities and CBDs

Participatory resettlement involving low income informal settlements aimed at providing support for safe housing

These interventions are consistent with the activities planned under component 3 of this project. The Ministry is positioned to operationalize the component activities along with the other participating ministries. As indicated in the PCU structure, the Ministry is expected to have dedicated staff who will take direct responsibility for implementing the project including resettlement.

Ministry of Local Government and Rural Development

The Ministry of Local Government and Rural Development (MLGRD) exists to promote the establishment and development of a vibrant and well-resourced decentralized system of local government for the people of Ghana to ensure good governance and balanced rural based development. The MLGRD is the main implementation agency for the GAMA S&W Project, aimed at providing emergency priority drainage intervention to alleviate the situation in flood prone areas. There is a natural synergy between GARID and GAMA. As such the ministry works supports GARID by working through its various MMDAs to provide support and coordination to GARID activities.

Metropolitan, Municipal and District Assemblies (MMDAs)

Metropolitan, Municipal and District Assemblies (MMDAs) are responsible for the provision of water and sanitation services within their respective areas of jurisdiction, including the planning and implementation of projects where necessary. The proposed interventions under this project fall within the jurisdiction of the respective Assemblies and therefore key institutions involved in flood adaptation and waste management in their respective jurisdictions. The legislative instruments which set them up charges them to ensure public safety, including public protection from the adverse impacts of floods, see Section 46 of the Local Government Act, 1993 (Act 462). The Assemblies serve as the planning authority responsible for the overall development of their areas of jurisdiction. It is expected that issues related to this project will be mainstreamed in the official structure of the Assemblies. The various District or Metro Planning Officers and Coordinating Directors will be responsible for providing administrative and operational support to GARID activities as may be required. This will include supporting land acquisition and resettlement issues.

Sub Metropolitan and Zonal Councils

The Metropolitan Assembly and Municipal Assemblies work through decentralized units comprising Sub- metropolitan and Zonal Councils respectively which have been created by various legislative instruments. The functions of these decentralized units include the day-to-day administration of the

area under its jurisdiction. For example, the AMA has ten (10) sub metros whereas the Ga East Municipal Assembly has only two (2) zonal councils. They ensure regular inspection and monitoring of their respective localities to avoid conditions likely to be offensive or injurious to public health.

Department of Urban Roads (DUR)

The responsibility for the construction of secondary and certain tertiary drains lies with the Department of Urban Roads (DUR), a civil service organization under the Ministry of Roads and Highways. While DUR funds, procures and supervises the execution of works, these responsibilities are gradually devolved to the MMDA. Thus for the maintenance of secondary and tertiary drains in the MMDA, the Urban Roads Department (URD) is the first responsible entity.

Water Resources Commission (WRC)

The WRC is responsible for granting licenses for any water use activity and the procedures as laid down in the WRC Act 1998 (Act 526) will be followed. All project activities requiring such license will receive assistance from the WRC and the Commission will therefore provide adequate guidance to ensure that the proper procedures are used.

Lands Commission

The Lands Commission was established under the Lands Commission Act (2008) Act 767. This law was passed in 2008 to bring together four major land agencies to manage and co-ordinate land administration in Ghana. These agencies were made Divisions of the Commission as follows:

- Public Vested Land Management Division
- Land Valuation Division
- Survey and Mapping Division
- Land Registry Division

Various roles as stipulated under Act 767 have been assigned to these divisions. The Commission is responsible for the registration of title documents. In terms of compulsory acquisition the Commission manages the process till the passage of the Executive Instrument. To facilitate this role, the Lands Commission will have a designated representative in the Project Steering Committee. The commission also has direct responsibility for valuing impacted properties and land for compensation in matters where the state acquires land compulsorily.

Environmental Protection Agency

The Environmental Protection Agency is the body responsible for ensuring compliance with laid down ESIA procedures in Ghana in accordance with the EPA Act 1994 (Act 490) and its amendment and Agency is expected to give environmental approval for Projects. The ESIA is being applied in Ghana to development projects as well as other undertakings as an environmental permitting pre-requisite and a major environmental management tool. The EPA is represented in all the ten (10) regions of the country and will support the project by exercising its permitting and monitoring

powers. Though the Agency's technical capacity may be adequate there is some concern with regard to logistics especially transport and personnel which may therefore limit its effectiveness.

The Ghana EA procedures are largely in agreement with the World Bank policies and procedures and the former is now well entrenched in the country to assure satisfactory environmental and social performance of the GARID.

Elders of Local Communities as Stakeholders

Elders of the various communities are made up of the chiefs, opinion leaders and local council representatives known as the assembly persons. They are responsible for local policy matters, economic development, resolving local conflicts, and providing orderly leadership and democratic practices at the grassroots level in their respective communities. This mode of governance facilitates mass participation in government affairs and exposes the general populace to their civil rights and obligations particularly regarding their involvement in development programs and projects in their own areas. In addition, chiefs and community elders are custodians of community property including land. They are entrusted with the management of community land and are responsible for releasing land for development projects. For the purpose of this project, community elders and chiefs will play a key role in identifying project affected persons for compensation purposes.

Non-Governmental Organization (NGO) Activities

A good number of the NGOs are located in the Greater Accra Region. These are both international and national not-for-profit, non-partisan non-governmental organizations working to assist the vulnerable, marginalized and deprived in society. They are involved in various social development activities in several fields especially education, environment and empowerment of the people in the municipalities. As part of the broader project consultation, GARID has and will continue to engage relevant NGOs in project activities. The NGOs operating in various locations with the Greater Accra Area may serve as bridge for community mobilization and support for the project.

5 PROJECT ACTIVITIES AND POTENTIAL INVOLUNTARY RESETTLEMENT

The nature and scope of planned works under the project present significant social and environmental risks. In particular, the process of implementing physical works and the (in)actions of contractors are expected to extend both positive and negative social impacts through interactions with the human and natural environment of the project. Based on experiences with similar projects, the project implementation may result in physical and economic displacement of local populations along the Odaw channel, occupational health and safety concerns, and restriction of access to residential and commercial properties and therefore the need for mitigation measures. Table 5 below summarizes proposed works or subprojects and their general anticipated impacts on involuntary resettlement including displacement and disruption of local livelihood and economic systems.

5.1 Description of some potential impact issues

Table 5 below depicts possible impacts on assets and livelihoods during implementation of the GARID project.

Table 5: Anticipated Project Impacts on Assets and Livelihoods

Type of GARID Activities	Potential Impact on Land, Structures, and Livelihoods					Mitigation plan(s)
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
Dredging of korle lagoon and downstream of the Odaw channel.	Land may be required both temporarily and permanently	Marginal impacts on crops are anticipated, e.g. vegetable farmers along flood channels	Demolition of structures anticipated	Some livelihood and economic activities may be disrupted, e.g. permanent displacement or temporary disruption of business structures and facilities	Cultural heritage with respect to the affected rivers	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance) Chance find strategy required.
De- silting of drainage channels	Temporarily impact on land.	Crops may be affected including vegetable farmers along river banks and flood plains.	Demolition /removal of structures (both temporary and permanent displacement)	Temporary disruption of livelihoods e.g. hawkers, 'table-top' businesses, etc.	Cultural artifacts may be uncovered during de-silting	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance)
Rehabilitation/ construction/ lining of drains	Permanent acquisition of land required. Temporary disruption of access to structures	Crops may be affected including vegetable farmers along river banks	Demolition /temporary removal of structures (both temporary and permanent displacement)	Livelihoods may be affected through disruption of access to structures and transient business operators	Cultural artifacts may be uncovered during excavation	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance)
Widening of river	Permanent	No impact	Demolition or temporary	Significant impact on	Cultural artifacts	RAP required and may

Type of GARID Activities	Potential Impact on Land, Structures, and Livelihoods					Mitigation plan(s)
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
mouth	acquisition of land required.	anticipated.	removal of structures anticipated	livelihoods expected.	may be uncovered during excavation	include cash compensation, replacement housing/land, etc.
Rehabilitation of interceptor weirs	No land required	No crops affected	No impact anticipated	No livelihood issues anticipated	No cultural issues anticipated	Marginal social issues will be addressed through consultation and cultural courtesies. The ESIA will capture all such social interactions
Creation of parks and flood retention ponds	Land will be required permanently.	Crops may be affected.	Permanent demolition or temporary removal of structures anticipated.	Livelihoods may be affected through land acquisition or disruption of access	No cultural issues anticipated	ARAP/ RAP or LRP to be prepared as part of mitigation action
Construction of Waste Transfer Stations	Land may be required permanently	Crops may be affected	Demolition or removal of structures anticipated	Livelihoods may be affected	No cultural issues anticipated	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of displacement impacts. (cash compensation and livelihood assistance)
Capping of Waste dump	No additional land acquisition is expected.	No impacts on crops	No impact on structures	disruption of livelihoods of 'waste pickers'	No cultural issues anticipated	LRP for 'waste pickers'
Upgrading of access roads	No land required	No crops affected	Demolition or removal of permanent and/ or temporary structures anticipated	Livelihoods may be affected	No cultural issues anticipated	RAP/ARAP or LRP to be prepared and implemented depending on the scope and magnitude of

Type of GARID Activities	Potential Impact on Land, Structures, and Livelihoods					Mitigation plan(s)
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
						displacement impacts. (cash compensation and livelihood assistance)
Community Upgrading targeting basic infrastructure.	Land may be permanently required(moderate)	No crops	Permanent demolition or temporary removal of structures anticipated	Livelihoods may be affected	Cultural issues anticipated	ARAP or RAP to be prepared as part of mitigation action

The environmental regulations of Ghana and the World Bank's operational policies on environmental and social safeguards require that projects that present significant risks to communities must assess, plan, avoid, minimize and as a last resort, mitigate negative effects, while extending the development benefits that are presented by the project. Impact assessment and mitigation plans (including RAPs) must be site-specific taking into consideration the scope and magnitude of impacts. Specific to resettlement, knowledge about engineering designs and scope of social impacts is a necessary pre-condition for determining and assessing potential displacement and resettlement that may occur as a result of project activities. Currently, engineering designs and specific sites for Waste transfer stations and capping of waste dumps have been determined. ESIA's process for such activities are in process. Designs and sites for all other projects are not clearly defined as of now. For these projects, this RPF (used in conjunction with project ESMF) provides the framework and procedures for preparing and implementing RAPs whenever necessary. The procedures are presented in the next section.

6 PRINCIPLES, OBJECTIVES AND RESETTLEMENT PROCESS

6.1 Principles and objectives of involuntary resettlement

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

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

6.2 Avoiding or Minimizing Involuntary resettlement

In line with the World Bank safeguard policy OP 4.12, the design and implementation of subprojects under this project will consider design options for avoiding resettlement first, failing alternative measures will be deployed to minimize and/or mitigate the displacement impacts of the projects. The following design procedures will apply through the project life;

Table 6: Design Procedures

Subproject	Alternatives to avoid or minimize involuntary resettlement	Measures to address residual impacts
Dredging of korle lagoon and downstream of the Odaw channel.	Conduct EIAs to consider alternatives relating to disposal of dredge material.	Cash compensation for temporary disruption of livelihoods
De- silting of drainage channels	Conduct EIAs to consider alternatives relating to disposal of dredge material.	Cash compensation
Rehabilitation/ construction/ lining of drains	Redesign to minimize displacement	<ul style="list-style-type: none"> • Cash compensation • Replacement land
Widening of river mouth	Redesign to avoid or minimize displacement Use existing drainage buffer zones and government lands.	<ul style="list-style-type: none"> • Cash compensation • Replacement land • Replacement housing • Other livelihood assistance measures

Creation of parks and flood retention ponds		<ul style="list-style-type: none"> • Cash compensation • Replacement land • Replacement housing • Other livelihood assistance measures
Construction of Waste Transfer Stations	Consider designs that maximizes land	No RAP required (selected sites are greenfield with no human encroachment or crops)
Capping of Waste dump	Design considerations to minimize impact on adjoining settlements	Cash compensation or skills training in support of alternative livelihoods for 'waste pickers'
Upgrading of access roads	Design considerations to avoid or minimize displacement	Cash compensation for marginal impacts on structures and livelihood activities
Community Upgrading targeting basic infrastructure.	Design considerations to avoid or minimize displacement	<ul style="list-style-type: none"> • Cash compensation • Replacement land • Replacement housing • Other livelihood assistance measures

6.2.1 Cut- off date

When a site is selected for a subproject under this project, the PCU will decide on a cut-off date along with planning and commissioning of census. The determinants of the cut-off date will be consistent with the requisite laws and policies and provide reasonable time to allow for adequate capture of all eligible PAPs. The objective of the cut-off date is to establish a deadline for which project-affected persons qualify for entitlement to compensation. The cut-off date will be communicated to affected persons and communities through radio announcements, posted bills, phone calls, local information vans, and other means. Persons who enter or undertake developments in the Project Area after the Cut-Off Date are not eligible for compensation and/or resettlement assistance.

In accordance with OP 4.12 and for each sub-project activities under the GARID, a cut-off date will be determined, taking into account the likely implementation schedule of the sub-project. To ensure consistency between Ghanaian legal requirements and WB policies, this cut-off date should be the date of inventory of assets/properties which will then inform preparation, consultation, and implementation of appropriate Resettlement Action Plans, Livelihood Assistance Plans, and other forms of social support.

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

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

6.3 Resettlement measures

6.3.1 Cash compensation

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

In practice, this means that are people usually considered in Ghana as “squatters” will be entitled to Project assistance as long as they are present on site at the cut-off date. However, persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons in the three categories above are provided compensation for loss of assets other than land (i.e. structures and crops). Compensation shall be paid prior to physical displacement.

6.3.2 Income and livelihood restoration

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

This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their sustainability. Affected people will be monitored in the rehabilitation of their livelihood during, and after the transition period. Livelihood restoration measures will be assessed in relevant Resettlement Action Plans (RAPs) and Abbreviated Resettlement Action Plans (ARAPs) depending upon the specific situation of the considered location.

6.3.3 Consultation- Grievance Mechanisms

The Ghanaian law requirements on consultation and information, as well as those related with grievance management, fall short of meeting WB requirements. Notwithstanding, GARID through key safeguards staff will undertake multiple activities to ensure ;

- Meaningful information and consultation to take place before the process leading to displacement is launched in each particular location concerned by a GARID activity (see project consultation procedures in section 10); and

- Specific grievance registration and processing mechanism to be put in place (see section 9 below).

6.4 Objectives of the resettlement/ compensation programme

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

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

6.5 Resettlement Processes

6.5.1 Categorization of project activities with respect to land needs

As far as land needs and resettlement requirements are concerned, two different situations may be encountered during the implementation of the GARID:

- a. the project components occurring on existing publicly-owned lands (e.g. the existing river buffer zones or road reservations).
- b. Components (e.g. construction of waste transfer stations) which may require additional land acquisition (e.g. involuntary land acquisition from individuals with freehold title and involuntary land acquisition from communities or encroached public lands).

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

6.5.2 Overview of the resettlement preparation process

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

As and when designs are crystalized and sites are determined, the resettlement preparation process will begin with screening of subprojects/ activities to determine if there is need for the preparation of any resettlement instrument (ARAP or RAP). A sample screening checklist for identify cases of involuntary

resettlement is provided in **Annex 1**. The results of the screening and the number of would-be affected people will determine whether the process is to include the preparation of a full RAP or of an ARAP. The GARID PCU will use the MMDA and MDA project teams to determine the number of affected persons/assets under any GARID activity that is likely to generate resettlement related or compensation issue.

Resettlement Action Plan (RAP)

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

Abbreviated Resettlement Action Plan (ARAP)

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

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

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

Consultations during resettlement action planning and implementation

Consultations with stakeholders including PAPs will be an integral part in the ARAP or RAP preparation, implementation and monitoring processes at all stages and stakeholders should have access to the ARAP/ RAP. Consultations should happen in local language where possible; women should be consulted separately if that is more appropriate. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc.. Thus ensuring that all consultations are informed, inclusive of all groups and gender and a two way mechanism with feedback received from the participants and the Project's response to the issues raised. Prior to the initial consultations, a stakeholder analysis will be conducted to identify all project stakeholders along with their stakes/interest in the project.

7 PROPERTY VALUATION AND COMPENSATION

7.1 Valuation of Properties

The purpose of the valuation is to assess the overall Compensation Payable as part of the assessment of resettlement related issues under a GARID project. As the detailed activities are not too clear at this stage, the scope of the valuation covers land, structures and crops/economic trees on the project site to be affected and also unavailable to the owner for usage. Loss of income or disruptions to livelihoods are considered as far as it may be appropriate for payment of compensation for the period of disruption of farming /livelihood/business.

7.1.1 Basis of Valuation

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

7.1.2 Valuation methods and compensation rates

The table 7 below provides the general guideline for cost preparation and method for valuing affected assets/ properties taking a cue from sampled RPFs prepared for other public-sector projects. In this context, the compensation is the amount required, so far as money can do so, to put the owner or user of a land or building in the same position as if his/her use and enjoyment has not been disrupted. In other words, it is based on the principle of "Full Replacement Cost".

Land

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

Structures

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

Crops/Economic Plants

The Enumeration Approach will be adopted for affected crops/economic plants under the project. The Enumeration Approach involves taking census of the affected crops (either by counting or area-by-area) and applying the updated Land Valuation Division crop rates. Timber and fruit trees will also be counted based on type, age and productive value and the LVD rates duly applied.

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

7.1.3 Valuation responsibility

The Regional Valuation officers from the Lands Valuation Division of the Lands Commission will be engaged to value affected assets/properties based on the full replacement cost principle (which include transaction cost such as labour and transport cost). The LVD is considered against the fact that law mandates them to perform this responsibility for public-purpose land transactions and acquisitions. To facilitate the LVD's role, representatives from the division have been drafted into the project's steering committee. Certified private valuers may also be engaged where necessary especially involving private persons or if required to assist the process. The professional valuers will be required to apply methods and the rates that are consistent with the "full replacement value" requirement.

7.2 Other considerations into the Compensation Package

Livelihood Assistance/Loss of Income

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

- estimated income of farmers or daily sales of produce from farms or the business units; and
- estimated period of construction or GARID activity which will disrupt farming or business or commercial activity.

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

Resettlement/Relocation Assistance

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

Disturbance Allowance

Cost of disturbance is one of the components to be considered when determining compensation for PAPs (especially for affected structures, crops and livelihoods) as provided in the State Lands Act 1962. However, the LVD does not provide specific breakdown or constituents for the various components of the LVD rates or values for public consumption. As a result, based on the experience from the Ghana Urban Water Project (2006 to 2010) and the GAMA Projects (2014 to date), which was financed by the

World Bank, 10% of the assessed property/ loss of income if that is the only compensation due the PAP was included in the RPF and applied during the preparation of the ARAPs and RAPS. It is recommended that the GARID also applies the 10% disturbance allowance.

7.3 Types of Compensation

The types of compensation recommended for use in this project include cash payment and in-kind compensation. Cash payment compensation will be calculated and paid in Ghana Cedis (GHS). Rates will be based on market value of land when known or estimated or negotiated and full replacement value of structures/crops. In-kind compensation may include land, buildings, building materials, seedlings, agricultural inputs, agricultural produce and financial assistance for equipment etc. When replacement land is considered, the project will ensure that the land proposed for replacement has locational advantages comparable to the one lost. GARID will take steps to extend secured tenureship of land and structures provided to PAPs in place of impacts.

The implementation of a national Gender Mainstreaming Strategy Action Plan began in 2012 under the Second Phase of Land Administration Project (LAP) with government and donor funding including the World Bank. The Lands Commission has integrated gender perspectives in LAP planning and ensured adequate women’s representation and involvement in decision making on land. It is also promoting women’s access to and control over land, collect gender disaggregated data and evaluates Project implementation to inform policy reforms in the land sector and land administration in Ghana in general. The guidelines provided under the LAP will be followed to ensure gender mainstreaming.

7.4 Compensation Payments/ Claim

Compensation will be paid prior to the affected person vacating or releasing the land or property. In cases where compensation will have to be paid in-kind, the project representative and the PAPs should confirm in the MOU if such in-kind compensation will be before or after releasing of land for project (e.g. release of land for solid waste facilities, retention ponds). Each eligible affected person will sign a compensation claim and commitment form (**see Annex 5**) together with the authorized project representative in the presence of a witness. The compensation claim form will clarify mutual commitments as follows:

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

Table 7: General guidelines and methods for costs preparation

Item	Types	Method
Land	Customary lands, private lands	Prevailing market value of the land to be acquired if there is a vibrant and free land market. Otherwise a negotiated price will be agreed.

Item	Types	Method
Structures	Any type of structure, e.g. mud houses, wooden structures, sandcrete block houses, etc	Full Replacement Cost method. No depreciation will be applied. PAPs will be allowed to salvage material and value of salvaged material exclude from valuation of assets for compensation.
Crops/Plants	Food and cash crops/economic plants (cassava, maize, oil palm tree, cocoyam, plantain etc)	Enumeration approach and applying updated LVD rates. Crop rates will take care of labour and equipment invested in the crop cultivation as well as the replacement cost of crops lost
Cultural heritage resources	Sacred groves, cemeteries, shrines	1. Option 1: Avoidance and an alternative site selected for project. 2. Option 2: Relocation of shrine if possible or performance of necessary rituals/pacifications in consultation with and acceptable to the traditional authorities or community leaders and all agreed upon costs covered.
Loss of income and livelihood	Farming, businesses etc.	Estimation of net monthly/annual profit for farm/business based on records; application of net monthly/annual profit to the period when farm/business is not operating.
Disturbance allowance	-	10% of affected property value /compensation.

8 ELIGIBILITY CRITERIA AND ENTITLEMENT MATRIX

Project affected persons are described as persons affected by land acquisition, land occupation, relocation, or loss of income associated with the acquisition of land and/or other assets. Based on an understanding of the social structure of the urban communities and the nature of the GARID activities, it is possible to suggest that the most likely project affected persons (PAPS) will comprise individuals, farmers, traditional authorities, communities and companies/organizations as a whole. **Table 8** below presents the eligibility criteria and entitlement matrix for the general categories of impacts that could occur under the GARID.

Table 8: Eligibility Criteria and Entitlements

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

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

9 GRIEVANCE REDRESS MECHANISM

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

9.1 Objective of the GARID GRM

The objectives of the grievance process are to

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

Court cases are known to be cumbersome and time consuming. Therefore, the project proposes a simple but functional procedure for affected persons to be able to follow easily, and which will provide aggrieved people with an avenue for amicable settlement. Aggrieved people would however remain free to access the Courts without any hinderance or retribution from the project as provided for the Ghanaian laws.

9.2 Potential sources of grievance/ disputes

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

Administrative Issues

- Delays in resolving complaints of PAPs.
- Disagreement with the computation of the resettlement or livelihood assistance or transportation cost;

Land acquisition and Involuntary resettlement

- Mistakes in inventorying or valuing properties;
- Disagreement on property boundaries, either between the affected person and the expropriation agency or between two neighbours;
- Disputed ownership of a given asset (two or more affected people claim that the affected asset is theirs);
- Disagreement on asset valuation methods and compensation amounts in cash or in-kind;
- Exclusion from list of PAPs;
- No response to complaints made;

Community Issues

- Siting of the project/subproject;
- Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members;

9.3 The Grievance Redress Process

The general steps of the grievance process comprise:

- Registration/receipt of Complaints;
- Acknowledging the complaints
- Investigate and determine solution to the complaint
- Implementing the Redress Action;
- Verifying the Redress Action;
- Monitoring and Evaluation; and
- Recourse or Alternatives

9.3.1 Registration/ Receipts/Acknowledging of complaints

GARID will establish a register of resettlement/compensation related grievances and disputes. The receipt of complaints will include its logging and registration as this will help with monitoring the status of the grievances and ease reporting on them. The existence and conditions of access to this register (where, when, how) will be widely disseminated within the project community/town as part of the consultation undertaken for the project in general. GARID will disseminate information through community engagement sessions, radio programs/campaigns, billboards, and through theatre for development programs.

It is proposed that complaints be lodged verbally or in writing to the MMDA office designated to receive all complaints. The elected local Assemblyman/woman for the project area could also receive complaints from PAPs (because the Assemblyman/woman lives within the community and may be closer to the PAPs and some PAPs may prefer to route their complaints through the Assemblyman/woman and avoid undue transport and time cost to the MMDA). Upon receipt, the Assemblyman/woman will acknowledge the complainant and ensure that such complaints reach the MMDA safeguard focal person designated to receive complaints within 24 hours via phone call or through any other means. The MMDA safeguard person shall receive all complaints and shall officially register these complaints using the first section of the proposed complaint registration and resolution form (*GARID Form CRRF1*) provided in **Annex 6**. The MMDA safeguard person will inform the team leader for the Grievance Redress Team at the MDA within 24 hours on any complaint lodged.

9.3.2 Determining and Implementing the redress action

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

The GRT will first investigate the foundation of the grievance and then determine the redress action in consultation with the complainant and concerned party if necessary. Otherwise, the grievance redress team will communicate to the complainant on the acknowledgement of the grievance, the redress action proposed and the timeframe for implementation.

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

9.3.3 Verifying the redress action

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

9.3.4 Monitoring and Evaluation

The Monitoring and Evaluation Team from the MDA will monitor the activities of the Grievance Redress Team from the MMDA to ensure that complaints and grievances lodged by PAPs are followed-up and resolved amicably as much as possible.

9.3.5 Recourse or Alternatives

2nd Tier Amicable Mediation and Settlement

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

Appeal to Court

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

9.4 Membership, Function and Financing of the GRT

In each beneficiary Metropolitan or District Area, the Grievance Redress Team (GRT) will include the following:

- Representative of the MMDA;
- The elected local Assemblyman for the project area
- Member of the sub metro/ zonal council preferably a woman; and
- Representative of the traditional authority.

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

- Ensure community is mobilized around the project including implementation of the resettlement instrument;
- Establish dialogue with the PAPs; and
- Ensure that their concerns and suggestions are incorporated and implemented during the project.

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

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

Table 9: Schedule template for Grievance Redress

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

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

10 CONSULTATIONS AND DISCLOSURE

10.1 Stakeholder consultations

Stakeholders have been engaged during the preparation of this RPF. The list of stakeholders and discussions as well as concerns/suggestions has been provided in **Annex 7**. The stakeholders ranged from public officials to community members. Special meetings were held with women and youth to inform them about the proposed project activities, potential social and environmental impacts, and to obtain their views and concerns. Some specific community concerns included the following:

Women groups

Women consulted include (1) Assembly of the Taifa North Electoral Area, (2) member of the council of elders of the Taifa North Electoral Area and (3) member of Old Fadama Neighborhood Watch Committee. Their concerns included the following;

- Women and children are exposed to high risk during floods. Their movements are severely restricted during the rainy months of the year.
- There are only few footbridges in most communities. The few wooden bridges constructed by the communities themselves are not stable and pose great danger to the residents especially children and women.
- School children are unable to attend school during rainy months of the year because of difficulty in crossing the stream. Likewise, women when they have to go to the market. The project should include construction of footbridges to assist children and women move easily during the rainy months of the year.
- The Korle lagoon downstream of the Odaw is the receptacle for all the solid waste generated in the catchment. Unfortunately, in many communities rubbish dumps are sited close to the river. The waste is washed into the river during rains.
- Waste collection facilities are limited in most communities. It is the responsibility of the children to collect and convey waste to the dump sites. Often times, to save time and energy, they throw away the rubbish in open spaces within the community.

Youth groups

Members of youth groups were engaged and these included Kwame Appiah who is a 15year old student resident of the Taifa community and Emmanuel Kotey who has been living in the community since infancy. Their concerns included:

- Communities living within the Odaw catchment face perennial flooding
- Many households vacate their homes at the least sign of rain during the rainy season and return only when the rain and floods abate.
- Many culverts are under sized which is one of the causes of flooding in many communities within the catchment. Many communities seem helpless at the situation and wish the project intervenes as soon as possible
- Households have contributed money to hire equipment to de-silt the stream annually but the results have not been to encouraging.
- Community has also mobilized to construct wooden footbridges as temporary measure. Some of these have now become death traps.
- Many residents are will be willing to pay for waste collection services but will require household collection bins.

Traditional authority/ Community leaders

The council of elders at the Taifa North Electoral Area (community leadership) were engaged who also accompanied the team to inspect some of the flood prone sections of their community. In other communities like the Old Fadama, the sectional chief as well as Community Management committee chairman and secretary were also engaged. Their key concerns included:

- Some community members have encroached and built houses in flood plains and must be removed from these areas. The leaders are willing to spearhead the sensitization effort and to get encroachers out of these areas for the larger benefit of the entire community
- Unfortunately, open spaces are not secured when people are removed from these areas and therefore allowing others to return and therefore worse conditions are created. They recommend that all buffer areas should be landscaped or planted with trees to discourage people from encroaching when people have been relocated.
- Most communities lack household waste bins and children who are normally responsible for disposal of waste at waste dumps throw them in open spaces within the community.
- There has been community effort to grow trees along river courses and around the lagoon. This has not been too successful and the project may consider assisting the communities to design and implement a more sustainable programme.

10.2 Consultation and Disclosure Requirements for the RPF

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

"As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this

instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its website (infoshop). After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.”

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

- Upon review and clearance by the World Bank, the Ministry of Works and Housing will circulate the draft RPF to all relevant institutions for comments (e.g. MDAs, MMDAs involved with the GARID, Land Valuation Division/Lands Commission, EPA, and the World Bank;
- Comments received will be communicated to the consultant for incorporation into the final RPF, together with World Bank comments; and
- Final public Disclosure of final RPF (after reviewed and cleared by both GoG & World Bank) both in-country (e.g. relevant MMDAs, MDAs, regional EPA offices) and at the World Bank website.

11 VULNERABLE GROUP CONSIDERATION

11.1 Identification of vulnerable groups

The ministry recognizes that they may be some PAPs who are already vulnerable based on existing conditions including poverty, poor health, old age, and lack of employment. For such groups, the negative of impacts of these groups may worsen their conditions due to displacement, compensation, and resettlement process. The Ministry will identify and assess vulnerable persons through census and the RAP process when project scope and activities are properly identified and confirmed. Vulnerable people to be considered under the GARID include:

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

11.2 Assistance to vulnerable persons

RAPs for various subprojects will include specialized assistance and support for vulnerable persons, depending on the circumstances of vulnerability and needs. Assistance to vulnerable people may include but not limited to the following:

- financial management training to support better and effective utilization of compensation funds;
- movement assistance including secured transport and rent subsidy. This may be mainstreamed through component 3 activities of the project
- logistical support for vulnerable households to assist them access their compensation benefits, e.g. transport to bank to cash compensation cheques;
- Assistance in building: providing materials, workforce, or building houses; and
- Healthcare insurance (using standard Ghana NHIS) for critically-ill PAPs especially during movement and transition period.

11.3 Provisions to be made in RAPs/ARPs

Vulnerable people will be identified through census stage. Upon identification, various RAPs for subprojects will include measures for assisting such persons to help minimize the impacts of displacement and resettlement. Identification of vulnerable people and identification of the cause and impacts of their vulnerability, either through direct interviews by the RAP consultant or the MMDA safeguard person at the project inception stage or RAP/ARAP stage is critical because often vulnerable people do not participate in community meetings, and their disability/vulnerability may remain unknown.

12 MONITORING AND EVALUATION

12.1 Objectives of monitoring and evaluation

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

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

Monitoring and evaluation aims to identify and rectify implementation challenges confronting the RAP. The evaluation process will also take stock of resettlement benefits that have been delivered to PAPs, and ensure that the outputs of resettlement are consistent with relevant resettlement policies of the World Bank and applicable country laws relating to land acquisition and resettlement. Ultimately, the M&E reports will provide lessons for better planning and management of social impacts of projects. M&E will be organized at two levels in this project: Internal and External Monitoring

12.2 Internal monitoring

12.2.1 Scope and content

Monitoring will address the following aspects:

- Focus on selected socioeconomic indicators to assess the:
 - Livelihood recovery status of displaced or affected persons,
 - Re-establishment of livelihoods of affected persons;
 - All compensation paid as per the EM
- Complaints and Grievances and how complaints are being addressed ;

12.2.2 Monitoring indicators

The MMDA and MDA safeguard persons will keep among others and not limited to, the following statistics on an annual basis:

- Numbers of households/individuals affected by the GARID Project activities;
 - Number of households/individuals physically or economically displaced;
- Numbers of households benefitting from the GARID activities;
 - Number of women benefitting from the GARID activities;
 - Number of youth (between the ages of 15 and 35 years) benefitting from the GARID activities;
- Number and sizes of individual, family or stool lands acquired for the GARID activities;
- Amounts of compensation paid; and
- Number of grievances registered and number resolved.

Reporting

The internal monitoring unit headed by the MMDA safeguard officer will submit quarterly reports or as agreed to MDA safeguard person. The report will at least cover status of

compensation disbursement, nature of complaints, redress actions and follow-ups. An annual monitoring report will also be developed internally based on periodic reports.

12.3 Internal evaluation

12.3.1 Evaluation objectives

Reference documentation for the evaluation will be the following:

- This Resettlement Policy Framework;
- The Ghanaian laws and regulations as described in this RPF;
- The applicable World Bank Safeguard Policies, i.e. OP 4.12 “Involuntary Resettlement”;
- and

•
ARAP or RAP prepared for the GARID activities.

The evaluation has the following specific objectives:

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

Evaluation of resettlement and compensation activities will be part of general assessment and review activities undertaken for the GARID activities. Internal evaluation activities will be carried out for the implementation of RAPs.

12.4 External monitoring and evaluation

GARID will engage a local consultant to carry out independent external monitoring and evaluation of the RAPs developed and implemented under the project. The Independent External Evaluation (IEE) will be done soon after the RAP completion. The independent evaluation will determine:

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

The evaluation will use selected indicators including,

- Comparison of income levels of PAPs before-and-after the RAP implementation;
- Livelihoods and employment assistance offered under the GARID and other accessible alternative incomes;
- Experiential changes in standards of living/housing conditions of PAPs;
- Number of grievances and their status, time and quality of resolution;

- Number of vulnerable people/groups identified and assisted and impact of resettlement assistance provided on them;
- Number of demolitions if any after giving notice if any, and
- Number of PAPs paid in a given period in comparison with what was planned.

12.5 Completion audit

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

The audit will also evaluate and ensure that the actions prescribed in the RPF and any RAP/ARAP and implemented had the desired effect. The GARID project may engage a local consultant to carry out the completion audit.

13 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF RPF

13.1 Institutional responsibilities

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

- GARID Project Coordinating Unit;
- MDAs (MWH, MSWR, MICZD, MLGRD);
- MMDAs (AMA, Ga East Municipal etc.)
- Regional Land Valuation Offices;
- Environmental Protection Agency (EPA);
- Traditional Authorities/Community leadership;
- Ministry of Finance

The implementation activities will be under the overall coordination and support of the GARID PCU located at the MWH. The responsibilities of the various institutions are presented in the table below.

Table 10: Institutional framework

No.	Institution	Responsibility
1.0	GARID PCU (MWH)	<ul style="list-style-type: none"> • Overall responsibility for ensuring that participating ministries apply RPF. • Trigger the process through screening and inventory of affected persons and assets and implement plan. • Coordinate and support RAP preparation and implementation
2.0	MMDAs and MDAs	<ul style="list-style-type: none"> • Assist with initial screening of subprojects and initial identification of PAPs • To assist with compensation negotiations (in kind) where necessary • To assist in grievance redress matters
3.0	Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> • Review screening reports and advise on level of environmental assessment if necessary • Assist with training and capacity building of other institutions •
4.0	Regional Land Valuation Offices/Lands Commission	<ul style="list-style-type: none"> • To assist in the valuation of affected properties and compensation due PAPs.
5.0	Sub metros/ Zonal Councils, Traditional authorities, Community leadership	<ul style="list-style-type: none"> • To assist with community awareness creation, notifications and support in the inventory of affected persons and compensation related issues. • To assist in grievance redress matters
6.0	Consultants/NGO	<ul style="list-style-type: none"> • Prepare ARAP/RAP if necessary and assist with implementation and capacity building. and community sensitization.
7.0	Ministry of Finance	<ul style="list-style-type: none"> • To provide funds for compensation payment.

The Ministry of Works and Housing (MWH) has the overall responsibility for preparing the RPF and implementing same with World Bank approval. It will ensure that all RAPs are completed as and when required; and measures - compensation and resettlement - carried out satisfactorily before works commences. The RAP preparation activities will ensure that communities are properly and adequately informed (timely) about the project and Plans, and also their rights and options relating to their properties that may be affected by the project and the compensation issues if any.

The MMDAs will facilitate community orientation to fully understand and appreciate the processes and assist in implementation. Much of the work will be done at the MMDA level, possibly through the Sub metros/ Zonal Councils and the Assemblies being the local administrative authority with the support from MDAs will further ensure that:

- Activities between different communities implementing the resettlement or compensation related plans are properly coordinated.
- Any grievances submitted by the affected persons are attended to as appropriate.

13.2 Resources, Technical Support and Capacity Enhancement

13.2.1 Resources available to deal with resettlement issues

The GARID project will engage a Safeguards specialist to be part of the PCU with allocated resources to manage, monitor and report environmental and social risks and impacts. Each MMDA is also required to mainstream safeguards role into existing structures or hire one. In addition, the GARID Project Coordination Unit will supervise the MDA and MMDA safeguard persons to implement the RPF.

13.2.2 Technical support and capacity building

Compliance with World Bank policies needs some capacity building at the MDA and MMDA levels and the PCU will organize training workshops as part of the implementation of the RPF. The World Bank shall provide technical support to the project throughout the project life, including regular training programs for key project social specialists.

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

Where an ARAP or RAP is prepared for any GARID subproject/activity, Resettlement Management Teams should be proposed and included in the documents. The resettlement management teams should consist of three smaller teams namely:

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

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

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

14 BUDGET AND FUNDING

14.1 Estimated budget to implement RPF

The estimated budget for implementing the RPF is presented in the table below. This budget includes training and sensitization programmes for key stakeholders who will be responsible for the project to fully understand the guidelines provided in this RPF and also the preparation and implementation of the RAPs.

Table 11: Estimated Budget for RPF Implementation

	Activity	Description	Item	Unit cost, US\$	No	Total Cost, US\$
1.0	Training and Sensitization/ Awareness Creation	MDAs and MMDA project team members including safeguard persons	Workshop	10,000.00	4	40,000.00
		Sub metro, Zonal Councils, Assembly persons, Traditional Authority, Community leaders	Assembly Workshops	5,000.00	14	70,000.00
		NGOs, Design and Supervising engineers and Contractors	Workshops	4,000.00	7	28,000.00
		Radio Discussions	Local FM stations	5,000.00	-	5,000.00
2.0	RPF Disclosures	Disclosure of RPF - Advertisements	National Dailies	LS	-	5,000.00
		Disclosure of RPF – copies to stakeholders	All relevant stakeholders	LS	-	5,000.00
3.0	Logistical support	GARID Safeguards	Transport	30,000	1	30,000.00
4.0	TOTAL					183,000.00

14.2 Template Budget for preparation and implementation of ARAPs/ RAPs

The budget will be developed from the specific social assessment studies and mitigation/livelihood restoration measures to be developed under the preparation of the ARAP or RAP. It will cover resettlement activities including compensation cost for affected assets.

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

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

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

Relocation Issues, if relevant

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

Income and means of livelihood restoration plans

- Cost of estimating income losses and livelihood assistance

Administrative costs

- Operation and support staff
- Training and monitoring
- Technical assistance
- **Independent external monitoring and audit**

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

Table 12: Itemization of budget

#	ITEM	GHS
1.0	PREPARATORY PHASE COST	
1.1	Inventory of affected persons, assets and livelihoods	
1.2	Valuation fees (LVD or private valuer)	
1.3	Preparation of resettlement plans or compensation reports	
1.4	<i>Subtotal 1 (Preparatory phase cost)</i>	
2.0	COMPENSATION COST	
2.1	Compensation for permanent acquisition of land	

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

14.3 Sources and arrangements for funding

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

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

ANNEXES

- Annex 1: Screening checklist for identifying cases of involuntary resettlement
- Annex 2: Tasks/ToR for the preparation of RAP
- Annex 3: Tasks/ToR for the preparation of ARAP
- Annex 4: Framework for the Census of Affected Assets and Affected People
- Annex 5: Compensation Claim and Commitment Form
- Annex 6: Model Complaint Resolution Form
- Annex 7: List of Persons Consulted and summary of discussions and concerns
- Annex 8: Stakeholders' pre- proposal meeting report

14.4 ANNEX 1: Screening checklist for identifying cases of Involuntary resettlement

A. DETAILS OF PERSON DESIGNATED TO FILL OUT THIS FORM

Completed by (Name):

Contact Details:

Job Title/ Designation:

Date:

Signature:

B. PROJECT/SUBPROJECT DESCRIPTION

Name of Project:

Name of Project Execution Entity/Organization:

Location of the Project:

Type of the Project:

Approximate size of the Project in land area:

Location of the project:

Region: District:

Town/Community:

C. THE CHECKLIST

Please fill in the checklist below by ticking applicable answer (Yes or No):

i. Will the Project lead to permanent acquisition of the land? Yes/ No.....

ii. Will the project lead to temporary occupation of the land or use of the land for a limited time frame? Yes...../No.....

iii. Based on available sources, consultations with local community/ authorities, local knowledge and / or observations, could the project alter any cultural heritage site?
Yes...../No.....if yes, describe [.....]

iv. Will the project result in the physical displacement of people? Yes...../No.....

v. Will the project result in the permanent removal or damage or demolition of structures or buildings? Yes...../No.....If yes estimate # []

vi. Will the project result in the temporary removal or relocation of structures?
Yes...../No.....If yes, estimate # []

vii. Will the project affect or block access to homes, organisations, farms, forest or any assets in general? Yes...../No.....

viii. Will the project result in the permanent or temporary loss or damage to standing crops, fruit or economic trees? Yes...../No.....

ix. Will the project result in the loss of income of affected farmer or business person?
Yes...../No.....

x. Will the project affect farmlands that have been cleared but not cultivated?
Yes...../No.....

How many persons impacted by the project?-----

D. PROPOSED ACTION

If all the above answers are 'NO' except for the permanent land acquisition only or temporary land occupation only or both, please follow the requirements in the RPF to address any compensation issue.

If there is permanent land acquisition or temporary land occupation or no land acquisition and there is one or more of the above answers as YES, there is need for further action.

The number of affected persons need to be investigated further to determine which resettlement instrument to be prepared in line with the RPF to address the resettlement and compensation related issues.

Actions to address to address compensation issues

- RAP will be prepared where more than 200 individuals are displaced. ARAP will be prepared where less than 200 individuals are displaced. The preparation of the RAP/ARAP will involve the following key activities:

- Consultation of stakeholders on the subproject
- Census of Affected Persons & Assets/ Socio-economic baseline to identify the persons/assets/livelihood that will be affected by the sub-project., ensuring the eligibility criteria.
- Valuation of land or affected properties.
- Elaboration of the RAP/ARAP report.
- Consultation and disclosure of the RAP/ARAP documents.
- Compensation payment.
- RAP/ARAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing GARID activities on the fields or civil works on the ground..

E. COMMENTS BY PERSON FILLING THIS FORM

.....

F. COMMENTS BY THE GARID MDA SAFEGUARD OFFICER OR PCU/GARID (The PCU/GARID should sign off this form and attach copy to the project proposal)

.....

Name:

Date:

Signature:

14.5 Appendix 2: Tasks/ToR for the preparation of RAP

Reference: OP 4.12, annex A.

1. Description of the sub-project and of its potential land impacts
 - 1.1 General description of the project and identification of the project area
 - 1.2 Potential impacts. Identification of
 - 1.2.1 Project component or activities that give rise to resettlement;
 - 1.2.2 Zone of impact of such component or activities;
 - 1.2.3 Alternatives considered to avoid or minimize resettlement; and
 - 1.2.4 Mechanisms established to minimize resettlement, to the extent possible, during project implementation.
2. Objectives. The main objectives of the resettlement program
3. Socio-economic studies and census of affected assets and affected livelihoods. The findings of socio-economic studies and census to be conducted with the involvement of potentially displaced people include:
 - 3.1 The results of a census survey covering current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
 - 3.2 Standard characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
 - 3.3 The magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic.
 - 3.4 Information on vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made;
 - 3.5 Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

3.6 Consultations strategy of the RAP:

- identification of stakeholders and PAPs.
 - Types of consultations held (numbers, locations and number of participantst (by gender)
 - Summary of issues discussed and responses provided.
- 3.6 Other studies describing the following
 - 3.6.1 Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
 - 3.6.2 The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
 - 3.6.3 Public infrastructure and social services that will be affected; and
 - 3.6.4 Social and cultural characteristics of displaced communities, including a

description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

4. Legal and Institutional Framework.
 - 4.1 Summary of the information included in this RPF
 - 4.2 Local legal specificities if **any (ensure conformity with gap analysis and legal framework)**
 - 4.3 Local institutional specificities
 - 4.3.1 Identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;
 - 4.3.2 Assessment of the institutional capacity of such agencies and NGOs; and
5. Eligibility and entitlements. Based on the definitions and categorization in this RPF (see entitlement matrix), definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
6. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
7. Resettlement measures:
 - 7.1 Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see OP 4.12, para. 6).
 - 7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation of those selected.
 - 7.3 Legal arrangements for regularizing tenure and transferring titles to resettlers.
 - 7.4 Housing, infrastructure, and social services.
 - 7.5 Environmental protection and management.
 - 7.6 Community participation. Involvement of resettlers and host communities
 - 7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities
 - 7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in section 9 of the RPF
8. Grievance procedures. Based on the principle mechanisms described in this RPF, description of affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
9. Organizational responsibilities. The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services

provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

10. Implementation schedule. Based on the template presented in the RPF, present an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. Costs and budget. Tables showing itemized cost estimates for all resettlement activities (see Section 13 of this RPF), including special assistance to vulnerable persons and other contingencies.
12. Monitoring and evaluation. Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

Annexures to the RAP:

Annex1: Details of all PAPs with name, ID, and type of loss (quantified).

Annex 2. Consultation details

Annex 3. Complaint form customized for the RAP

14.6 Appendix 3: Tasks/ToR for the Preparation of the ARAP

1. Description of the Project and Sub-Projects
 - 1.1. Sub-Project Land Needs
 - 1.2. Land Needs Justification and Minimization
2. Census Survey of Displaced Persons and Valuation of Assets
 - 2.1. Methodology
 - 2.2. Results
3. Affected Assets
4. Socio-Economic Features and Affected People's Livelihoods
5. Description of Compensation and Other Resettlement Assistance
6. Consultation with Displaced People
7. Procedures for Grievance Redress
8. Monitoring and Evaluation
9. Institutional Responsibilities and Arrangements for Implementation
10. Timetable, Budget and Funding Arrangements

Information will be same as the RAP but level of detail will be customized to the magnitude and types of impacts.

14.7 Appendix 4: Framework for the Census of Affected Assets and Affected People

AFFECTED PLOT OR LAND SHEET

Reference/GPS Coordinates:

Location: Region: District: Community/ Village:

Surface:

Description of soil:

Crops

Perennial Crops:	1	Owner:
	2	Owner:
Annual Crops:	1	Owner:
	2	Owner:
Trees:	1	Owner:
	2	Owner:

Structures: Owner

Channels: Owner:

Anti-erosive structures: Owner:

Buildings: Owner:

Users: User 1: Surface used: Regime of tenure:

User 2: Surface used: Regime of tenure:

User 3: Surface used: Regime of tenure:

User 4: Surface used: Regime of tenure:

Valuation proposal (details of calculation on attached sheet):

Crops:

Structures:

Proposed distribution of compensation:

User 1:

User 2:

User 3:

User 4:

Date: Prepared By:

AFFECTED BUILDING SHEET

Reference/ GPS Coordinates/Photograph number

Location: Region. District. Community/Village

Owner: Address:

Description:

Permanent Non permanent

Surface: Number of rooms:

Walls: Material Condition

Roof: Material Condition

Floor: Material Condition

Annexes outside: Latrine: Bathroom: Kitchen: Others:

Additional features:

Permanently Inhabited: By: Regime of occupation:

Periodically Inhabited: By: Regime of occupation:

Valuation proposal (details of calculation on attached sheet):

Proposed distribution of compensation:

User 1:

User 2:

User 3:

User 4:

Date:

Prepared By:

AFFECTED HOUSEHOLD SHEET

Household Reference:

Location: Region: District: Village:

Photograph numbers for each household member

Reference of Affected Asset:

Type: Structure Plot Crop

Reference of Affected Asset Sheet:

Location: Zone: Region:

Household Information:

Head of Household: Name: Age:

Sex:

Number	Name	Relationship with Household Head	Sex	Age

Identity Document: Type:

Number:

Composition of Household:

Socio-Economic Information:

Occupations:

Head of Household:

Other members of Household:

Number: Occupation:

Number: Occupation:

Total Estimated Household Cash Income:

Education level of Household Members:

Project Impact:

Assessment of the Impact of the Loss of the Affected Asset on Household's Livelihood:

Proposed Compensation or Resettlement Package

Household's Wishes

Proposed Package

Proposed Livelihood Restoration or Assistance Package:

Household's Wishes

Proposed Package

Date:

Prepared By:

14.8 Appendix 5: Compensation Claim and Commitment Form

COMPENSATION CLAIM & COMMITMENT FORM

Affected Person Information:

Name of claimant: Sex: Age:

Name of Representative/Contact Person:

Region:Town: Community/Suburb:

Affected property:

Total Compensation Due:

Affected property value (GHS)	Disturbance (GHS)	Livelihood assistance (GHS)	Other supplementary assistance as necessary (GHS)	Total compensation (GHS)

Compensation Payment Commitment:

I,, having received the above total compensation amount for the land required/structures/crop(s) at the project site in question on(i.e. date of compensation payment), have agreed in principle to vacate or release the said land(s), for which compensation has been paid for the crops/structures/land thereon, on(agreed date when PAP should vacate or release the land).

Signature or Thumb print of claimant /recipient: Date:

Name of Administrator (MOFA/Project Representative):

Signature of Administrator: Date:

Contact of Administrator:

Name of Witness: Signature of Witness

Contact of Witness:

If agreement was not reached, specify the points of
disagreement:.....

.....
.....

Signed (Conciliator): Signed (Filer/Complainant):

Signed:
(Independent Observer eg. Assembly Member/Opinion Leader)

Date:

Implementation of Agreement

Date of implementation:

Feedback from Filer/Complainant: Satisfied Not Satisfied

If satisfied, sign off & date:.....
(Filer/Complainant) (Conciliator)

If not satisfied, recommendation/way
forward:.....

.....
.....

.....
(Signature & date of Filer/Complainant)
Conciliator)

.....
(Signature & date of

ANNEX 7: STAKEHOLDER CONSULTATIONS

List of consultees

No.	Name of stakeholder consulted	Institution/Community	Position	Contact No.
1	Graham Sarbah	Accra Metropolitan Assembly (AMA)	GARID Project Coordinator	0202019170/ 0243235530
2	Alex Amoah	Ga East Municipal Assembly (GaEMA)	GARID Project Coordinator	0244516173
3	Jajah Rashid	Ga East Municipal Assembly (GaEMA)	Procurement officer	0244883783
4	Francis K. Meuro	Ga East Municipal Assembly (GaEMA)	Planning officer	0269204346
5	Patience Ofosuhene Okrah	Office of the Dome Zonal Council	Zonal Council Chairperson/ Assembly woman (Taifa North Electoral area)	0207757447
6	Stephen Yeboah	Office of the Dome Zonal Council	Administrator	0243216215
7	Dominic Armah	Office of the Dome Zonal Council	Zonal Environmental officer	0243344427
8	Richard Donkor	Office of the Dome Zonal Council	Zonal Environmental officer	0244111212
9	Mohammed Ali	Office of the Dome Zonal Council	Assembly man(Dome East and West Electoral area)	0244672867
10	Raymond Tettey	Ashiedu Keteke Sub metro, Accra	Sub Metro Chairman	0277440429
11	Ernest Carlos Myeus	Ashiedu Keteke Sub metro, Accra	Sub Metro Director	0244616824/ 0264616824
12	Victor Kotey	Ashiedu Keteke Sub metro, Accra	Ag. Head, Waste Management Department	0244616720
13	Thomas Yaw Asare	Old Fadama Community Management Committee	Community Chairman	0244088803
14	Yakubu Issah Bob	Old Fadama Community Management Committee	Asst. Chairman	0244988863
15	Fredrick Opoku	Old Fadama Community Management Committee	Community Secretary	0277636251
16	Basavei Bukari Mariama	Neighbourhood Watch Committee- Old Fadama	Member	0547401115
17	Fu-ad Sani	Neighbourhood Watch Committee- Old Fadama	Member	0206769057
18	Nana Adu- Bediako I	Council of Elders- Tafia North Electoral Area	Chief of Taifa (Nkosuohene)	0246069345
19	Margaret Senkyire	Council of Elders- Tafia North Electoral Area	Unit committee member	0541339377
20	Osei Duku	Council of Elders- Tafia North Electoral Area	Elder	0277428677
21	Joseph Oppong	Council of Elders- Tafia	Elder	0244686755

	Asumadu	North Electoral Area		
22	Samuel K.Sasu	Council of Elders- Tafia North Electoral Area	Elder	0578888880
23	Emmanuel Kotey	Council of Elders- Tafia North Electoral Area	Community member	0242051198

Summary of discussions and comments/ suggestions

No.	Stakeholder and Comments/ Concerns and Suggestions
1.0	<p>Accra Metropolitan Assembly (AMA) Person consulted: Graham Sarbah, GARID Project Coordinator</p> <p>The AMA has been involved with the GAMA Sanitation and Water project and gained considerable experience with the implementation of safeguards. He recounted the major sanitation challenges encountered in the Metropolis which included:</p> <ul style="list-style-type: none"> • Heavy silt load and transport from the upper reaches of the Odaw river which block drains in the metropolis. • Poor solid waste management practices in the metropolis; and • Encroachment within the buffer areas reserved for protection of the river. <p>Under the GAMA S&W project, some few drains are currently being reconstructed but scope is very limited. Expecting that, under GARID much bigger effort will be made. Specific hotspots include Old Fadama and Kwame Nkrumah Circle where settlements will be affected. It is important that the project includes provision of retention basins to control flood and also appropriate designs to trap silt.</p> <p>Following from earlier projects executed, the Assembly now has good understanding of safeguard measures and some competence has been gained to successfully implement safeguard activities under GARID. However, some further training will be useful to assist them also train staff at the sub- metro level who are in direct contact with communities. He expressed worry that there is little safeguard appreciation at the sub metro level. It is expected that the safeguard planning and execution will cover the management of the facilities after construction, to ensure sustainability.</p>
2.0	<p>Ga East Municipal Assembly Persons consulted: Alex Amoah, GARID Project Coordinator; Jajah Rashid, Procurement officer; Francis K. Meuro, Planning officer; Municipal Coordinating Director</p> <p>Earlier experience with safeguards under the GAMA S&W project was very bitter and also instructive because sub projects were halted for over seven months due to inadequate safeguard actions. The Assembly will not wish a repeat of this situation under the GARID project. The coordinator elaborated on their understanding of safeguards and confirmed training for screening of projects before commencement. He showed examples of screening reports prepared under GAMA S&W project and</p>

	<p>also efforts to obtain environmental permits for project from the EPA.</p> <p>There were complaints about the illegal settlements along the river and the difficulties to be encountered in relocating them. Some traditional leaders are to be blamed for some of the problems. In implementing past projects, reports are sent to the project office on quarterly basis which includes all safeguard actions taken over the period. As part of the Assembly's procedure for grievance redress, a Client's Service desk has been created to attend to all public complaints. The Public Complaint's Committee is chaired by the Presiding Member. There are frequent town hall meetings to afford the public the opportunity to bring issues of concern to them. These are held twice in a year.</p>
3.0	<p>Office of the Dome Zonal Council Patience Ofosuhene Ocras, Council Chairperson/ Assembly woman (Taifa North Electoral area); Mohammed Ali, Assembly man (Dome East and West Electoral area); Stephen Yeboah, Zonal Environmental officer; Dominic Armah, Zonal Environmental officer; Richard Donkor</p>
	<p>This is one of the two (2) Zonal Councils under the Ga East Municipal Assembly and resides totally within the Odaw catchment.</p> <p>The Chairperson of the Council as well some administrative staff and an Assemblyman for one of the electoral areas were in attendance. Incidentally, the Chairperson of the Council is also an Assemblyperson. They enumerated various challenges faced by the communities as including intense and widespread flooding during rain events and poor solid waste management practices despite sustained education and awareness creation programs. However, monitoring and enforcement have been poor. The existing drains are under designed and carrying capacity has been further reduced extremely by choked culverts. Logs, shrubs and all sorts of waste are trapped by the culverts which contribute to flooding upstream. Women and children are the main sufferers when there is flooding. Children are unable to go to school. The lack of footbridges across the stream limits movement within the communities and community members are forced to wade through the stream at great peril to their lives. Some community members have contributed money to dredge the stream within the stretches in their vicinity with little support from the assembly. The assembly woman for Taifa North Electoral area had a meeting with the landlords in the area who agreed to contribute five hundred Ghana cedis (¢500) each to enable them to start constructing some footbridges. The construction of footbridges will improve accessibility for all especially school children.</p> <p>The assembly will need assistance to manage waste especially solid waste once the project is in operation. Sustained awareness creation and capacity building through training should be conducted for assembly. Safeguard awareness is poor and there has never been an opportunity to participate in any such training program even though they are the ones who interact directly with the communities. They will welcome the opportunity to be part of the environmental and social safeguard implementation effort.</p>
4.	<p>Ashiedu Keteke Sub metro, Accra Raymond Tettey, Sub Metro Chairman; Ernest Carlos Myeus, Sub Metro Director; Victor Kotey, Ag. Head, Waste Management Department,</p>
	<p>This is one of the 10 sub metros under the AMA and the most populous. It superintends over</p>

	<p>the management of the Korle lagoon which is probably the most polluted water resource in the country caused by intense human activities within its catchment. The sub metro is yet to be officially informed about the GARID project even though they believe they may have a big role to play to make the project successful. There is no capacity for safeguard implementation at their level and will require training to play any required role in the project. They lamented over fact that activities are still very centralized at the head office (AMA). The sub metro has been actively educating communities on safe disposal of solid waste which is their main sanitation burden but success has been limited. Prosecution seems to be the only workable option for deterrence.</p>
5.	<p>Old Fadama Community Management Committee Thomas Yaw Asare, Community Chairman; Yakubu Issah Bob, Asst. Chairman; Fredrick Opoku, Community Secretary</p>
	<p>The Old Fadama community is within the Ashedu Keteke sub metro and is one of the most populous and deprived settlements in the GAMA. It was called ‘Sodom and Gomorrah’ due to the perceived deprivation of the settlement which lies well within the lagoon catchment. The community is now anxious to clean itself of this bad image and has set up Community management committee to handle its affairs. The community is made up of sixteen (16) tribes with a chief acting as a head of each tribe. The tribal chiefs act as the council of elders in support of the community management committee. A total number of ten (10) people made up the community management committee. They agreed that many of the settlers who are from various parts of the country are squatting within areas which fall within the flood plains and inside the buffer zone reserved for the protection of the lagoon. Unfortunately, after a recent dredging programme, the cleared buffer area around the lagoon was left fallow and open which encouraged people to encroach again. Such spaces must be planted with trees to discourage people from encroaching again or should be completely fenced. They lack waste bins and other sanitation facilities so almost all their waste finally ends up in the lagoon. Community members will be willing to pay for waste collection services and upcoming projects include the planting of trees to demarcate the boundaries as no- go areas to protect the lagoon. Grievances are usually solved satisfactorily by the community management team and with assistance from the local chiefs and elders. Obviously, the community is well aware of the environmental sanitation challenges and the associated risks and are willing to participate in any such project to improve their living conditions. Also, the community management structures are in place to make the project successful.</p>
6.	<p>Neighbourhood Watch Committee- Old Fadama Basavei Bukari Mariama, Member; Fu-ad Sani, Member</p>
	<p>As part of the effort by the Old Fadama community to clean itself of miscreants and other criminals, the community has teamed up with the Ghana Police to set up a Watch Committee to provide security to its members. Members of this Committee affirmed that community sanitation risks are intertwined with security hence will be interested in playing any assigned role to assist the project succeed within their particular community. They agreed that the lagoon should be dredged and affected persons will be encouraged by the community to vacate unauthorized areas without any fuss. The committee will be happy to participate in any education or awareness creation programmes to the benefit of the community as a whole. The members are aware that an earlier MOU between the AMA and the community to leave a buffer area of about 100m around the lagoon was signed but this has been flouted</p>

	with the change in government. They lamented that national politics is a major source of tension among community members and it is important that any project introduced to the community must be free of any political inferences.
7.	<p>Council of Elders- Tafia North Electoral Area Nana Adu- Bediako I, Chief of Taifa (Nkosuohene); Margaret Senkyire, Unit committee member; Osei Duku, Elder; Joseph Oppong Asumadu, Elder; Samuel K.Sasu, Assembly member; Patience O. Okrah, Elder; Emmanuel Kotey, Community member</p>
	The Taifa community within the Ga East Municipal Assembly is one of the most vulnerable communities within the Odaw basin. Access to the community is cut off with the slightest rain event because the culvert at the road crossing entering the town seems to be under designed. There are numerous stretches on the Odaw river in the town where channel designs seem inadequate with consequent danger to the residents. Movement within the community is usually severely restricted from the floods. Some footbridges have been provided from community effort but these are poorly constructed. The council of elders are fully in support of the idea of community involvement in the implementation of the project and will contribute their quota in sensitizing their people to welcome the project into their community rather than anywhere else, and to make the project successful. They have structures in place to attend to grievances and disputes and would usually as expected, refer criminal cases to the police.
	<p>GAMA PCU</p> <p>Stakeholder: Mr. George Awudi, Safeguard specialist</p>
	<p>Safeguard lessons learnt from the implementation of GAMA Sanitation and Water Project include the following:</p> <ul style="list-style-type: none"> • Preparation of safeguards documents for a proposed civil works comes on the heels/dependent of the following and should strictly be put into focus consciously during the project implementation: • Agreement on the proposed project sites • Availability of preliminary engineering designs of the proposed works • Availability of an approved TOR for the safeguards instrument preparation • Therefore, delay in putting the above issues in place early in the project implementation arrangements can lead to delays in the delivery of a particular subproject activity and delay in the overall project implementation. It is consequently recommended that identification/decision on all subproject sites and alternative sites and preparation of preliminary engineering designs be prioritized to avoid delays in project delivery targets. • Civil works that ought to be subjected to safeguards instruments preparation by the Project Team and approval of the instrument by the Bank MUST NOT be commenced prior, least, the said civil works could be stopped by the Bank till the safeguards instruments is approved by the Bank. • The project stakeholders especially the project management team/ MMDAs and ministries should refrain from interfering in the smooth flow of the safeguards procedures on the project. Any unnecessary interference could lead to undue delays on the project. • Project Teams/MMDAs and ministries have the tendency to think that safeguards procedures especially assessment and payment of compensation to project

	<p>affected persons should be ignored or treated lightly. This attitude must be discouraged and avoided on the project.</p> <ul style="list-style-type: none">• The World Bank approval for all prepared safeguards instruments should seek no objection from the TLL before it is deemed to be approved by the Bank.• The project team and other relevant staff who will be involved in the planning and implementation of the GARID ESMF and the RPF be given an early training and capacity building on these document and other relevant safeguards requirements of the project. The World Bank, the EPA and other competent consultants can be called upon to provide the trainings
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