



**GOVERNMENT OF SIERRA LEONE  
MINISTRY OF AGRICULTURE AND FORESTRY**

**West Africa Food System Resilience Program (FSRP2) – Sierra Leone**

**Phase 2 of the Multi-Phase Programmatic Approach**

**P178132**

**Resettlement Policy Framework (RPF)**

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## ABBREVIATIONS AND ACRONYMS

CBO	Community Based Organization
CERC	Contingency Emergency Response Component
COC	Community Oversight Committees
COVID-19	Corona Virus Disease 19
EPA	Environment Protection Agency
ESCP	Environment and Social Commitment Plan
ESIA	Environmental and Social Impact Assessment
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FGD	Focus Group Discussion
FNSEWS	Food and Nutrition Security Early Warning System
GBV	Gender Based Violence
GoSL	Government of Sierra Leone
GRC	Grievance Redress Committee
GM	Grievance Mechanism
IA	Implementing Agencies
IDA	International Development Association
LMP	Labour Management Procedures
MAF	Ministry of Agriculture and Forestry
MEP	Monitoring and Evaluation Plan
MLHE	Ministry of Lands, Housing and the Environment
MoF	Ministry of Finance
MTA	Ministry of Transport and Aviation
MoWPA	Ministry of Works and Public Assets
NDPPCO	National Development Partners Program Coordinating Office
NEP	National Environmental Policy
NGO	Non-Governmental Organization

PAD	Project Appraisal Document
PAPs	Project Affected Persons
PIM	Project Implementation Manual
PIU	Project Implementation Unit
RAPs	Resettlement Action Plans
RPF	Resettlement Policy Framework
SL-EPA	Sierra Leone Environment Protection Agency
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SEP	Stakeholder Engagement Plan
WB	World Bank

## DEFINITION OF TERMS USED WITHIN THE RESETTLEMENT POLICY FRAMEWORK (RPF) DOCUMENT

Term	Meaning
<b>Affected Family</b>	All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the project, or any of its components. It may consist of a single nuclear family or an extended family group
<b>Affected Person/People</b>	Any person affected socially and economically by World Bank assisted investment projects caused by: a) relocation or loss of shelter; b) loss of assets or access to assets loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or c) the involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons
<b>Associated Projects</b>	Means any subprojects or activities which are directly related to the planned Project Improvement in the project locations
<b>Census</b>	Means a field survey carried out to identify and determine the number of Project Affected Persons (PAPs), their assets, and potential impacts, in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures, emanating from consultations with affected communities and the Local Leaders.
<b>Compensation</b>	Payment in cash or in kind of the replacement cost of the acquired assets.
<b>Compensation Value</b>	The amount to be paid to the leaseholder which is calculated as an amount which is above the gross current replacement cost, including the costs for the inconvenience caused to the leaseholders by relocation, and to enable the same leaseholders to build slightly better houses than what they currently occupy
<b>Cut-off date</b>	Means the date after which people will not be considered eligible for compensation. In case of land acquisition, the cut-off date for the titleholders is Section 4 of the Land Acquisition Act,1984. But in case of where people lack title, it is the beginning date of the census survey to be undertaken by the Implementing Agency for the impact assessment, in order to avoid an influx of outsiders
<b>Detailed Measurement Survey</b>	Means the detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground



<b>Encroacher</b>	Someone who has illegally expanded, or extended the outer limit of his private premises beyond the approved building line or agricultural land and has occupied public space beyond his/her plot or agricultural land
<b>Entitlement:</b>	Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore their economic and social base.
<b>Gender equity</b>	Recognition of both genders in the provision of entitlements, treatment and other measures under the Social Management Action Plan or Resettlement Action Plan
<b>Improvements</b>	Structures constructed (dwelling unit, fence, waiting sheds, utilities, community facilities, stores, warehouses etc) and crop plants planted by the person, household, institution or organisation
<b>Income Restoration</b>	Re-establishing income sources and livelihoods of people affected
<b>Involuntary Land Acquisition</b>	Is the taking of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary right
<b>Involuntary Resettlement</b>	The unavoidable displacement of people and/or impact on their livelihood, assets and common property resulting from development projects that create the need for rebuilding their livelihood, sources of income and asset bases.
<b>Land</b>	Refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.
<b>Land Acquisition</b>	The process whereby a person is compelled by a government agency to alienate all or part of the land a person owns or possesses to the ownership and possession of the government agency for public purpose in return for a consideration.
<b>Land Expropriation</b>	Process whereby a public authority, usually by offering compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses

<b>Land Owners</b>	Owners of land with or without trees, crops or structures affixed to the land with clear title in government records. In some exceptional cases, a person who owns land/s within the project-affected areas regardless of proof of such ownership will also be entitled, provided that such ownership will also be entitled, provided that such ownership is recognized under law.
<b>Non –titled Holder</b>	means those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant
<b>Rehabilitation</b>	Re-establishing incomes, livelihoods, living and integration with social systems
<b>Rehabilitation Assistance</b>	means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels
<b>Relocation</b>	Rebuilding housing, asset including productive land, and public infrastructure in another location
<b>Replacement Cost for Agricultural Land</b>	means the pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: a) preparing the land to levels similar to those of the affected land; b) any registration, transfer taxes and other associated fees
<b>Replacement value/cost</b>	<p>The full market value of the assets lost as a result of the project, plus transaction costs. Regarding land and structure, replacement costs can be defined as follows:</p> <ul style="list-style-type: none"> <li>• Land in urban areas – the market value of land of equal size and use, with similar or improved public infrastructure facilities and services, preferably located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.</li> <li>• Household and public structures – the cost of purchasing or building a new structure, with an area and quality similar to, or better than, those of the affected structure; or, of repairing a partially affected structure, including labour and contractor’s fees and any registration and transfer taxes.</li> </ul> <p>In determining the replacement cost, depreciation of the asset and the value of salvage materials are not considered, nor is the value of benefits to be derived from the project deducted from the valuation of the affected asset.</p>
<b>Resettlement</b>	A process to assist the displaced people and communities to replace their lost land, houses, assets and restore access to assets and services, and improve their socioeconomic and cultural conditions. It includes settlement of displaced people on

	buildable land or houses/apartments in the same locality with barrier-free access to basic amenities
<b>Resettlement Action Plan</b>	The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project
<b>Resettlement Assistance</b>	Support provided to people who are physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.
<b>Resettlement Policy Framework</b>	Resettlement Policy Framework is a resettlement document to be prepared if the extent and location of resettlement cannot be known at appraisal because the project has multiple components or if the final design (as in this case) is determined at a later stage. The Resettlement Policy Framework establishes resettlement objectives and principles, organizational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation. The framework assesses the institutional capability to design, implement, and oversee resettlement operations. When during project implementation the extent of resettlement in any subproject becomes known, a Resettlement Action Plan (or an abbreviated Resettlement Action Plan, depending on the scale and severity of impacts) is prepared prior to commencement of civil works.
<b>Squatter</b>	Someone who has occupied public or private land, developed structures on it and put such land into residential, agricultural or commercial use without obtaining development permission and formal title under law.
<b>Stakeholders</b>	Any and all individuals, groups, organisations and institutions interested in and potentially affected or benefitted by a project having the ability to influence a project.
<b>Public Involvement</b>	The dialogue encompassing consultation and communication between a project proponent and the public. It includes dissemination, solicitation and presentation of information
<b>Tenants and Lessees</b>	Occupants that have legally taken any land or properties or both on rent or lease for a specific period with registered papers recording agreed terms and conditions as permitted under law.
<b>Vulnerable Persons</b>	Persons who, by virtue of gender, ethnicity, age, might suffer disproportionately from resettlement effects, such as the very old, the physically or mentally handicapped, the poor below the poverty line, widows, women-headed house hold and socially isolated

## EXECUTIVE SUMMARY

### Project Description

The Government of Sierra Leone (GoSL) through the Ministry of Agriculture and Forestry (MAF) is applying for an IBRD/IDA/World Bank grant facility in the amount of US\$ 60.8 million to be used for implementation of Phase Two of the Multi-Phase Programmatic Approach of the West Africa Food System Resilience Program (FSRP2) in Sierra Leone (P178132). The FSRP2 interventions will provide support to small and medium-scale farmers, women, youth, vulnerable groups and institutions accessing improved information services from hydromet and agro advisory services as well as Food and Nutrition Security Early Warning System (FNSEWS) and those involved in priority value chains. The FSRP will also contribute to the higher-level development objectives of Sierra Leone through the **strengthening of the country's food systems to deal with different kinds of shocks**. The Project Development Objective (PDO) is to strengthen regional food system risk management, improve the sustainability of the productive base in targeted areas and to develop regional agricultural markets.

To achieve the PDO, the project is built around five components with Components 1, 2 and 3 each having two sub-components through which they will be implemented. The components are: (1) Strengthening digital advisory services for agriculture and food crisis prevention and management; (2) Securing the sustainability and adaptive capacity of the food systems productive base, natural resource base and scaling up Climate Smart Agriculture; (3) Developing regional value chains and integration of food trade corridors; (iv) Contingent Emergency Response Component (CERC) and (iv) Project management.

The sub-components of Component 1 are (1.1) Upgrading food crisis prevention and monitoring systems (to be implemented at the regional level) and (1.2.) Strengthening creation and provision of digital advisory services for farmers. Sub-components of Component 2 are (2.1) Adapting and adopting Innovations and Technologies for Resilient Food Systems (regional level) and (2.2) Strengthen food security through sustainable practices in targeted areas (to be implemented at the country/national level). The sub-components of Component 3 are (3.1) Facilitate trade across key corridors and consolidate food reserve system (to be implemented at the regional level) and (3.2) Support to development of strategic value chains (to be implemented at the country/national level).

### Resettlement Policy Framework

The World Bank Environmental Social Standard 5 (ESS 5) stipulates that a Resettlement Policy Framework (RPF) needs to be prepared at appraisal if the extent and location of resettlement cannot be known because the project has multiple components. The specific locations for the project and its sub-project activities in Sierra Leone have not been identified. This RPF, therefore, provides a comprehensive framework to guide the preparation of resettlement action plans when specific sites for the specified civil works and other project activities are determined. The RPF provides the framework, principles, institutional arrangements, and procedures the project will follow to prepare Resettlement Action Plans to mitigate risks related to land acquisition, restriction of access on land use and involuntary resettlement caused by the project activities. The RPF clarifies the rules for identifying people who may be affected by the implementation of project and takes into account the requirements of the World Bank's ESS 5 and the national laws and regulations of Sierra Leone that deals with Involuntary Resettlement. The project will use this RPF to guide the preparation of Resettlement Action Plans (RAPs) and compensation of all affected Project Affected Persons (PAPs).

### Legal, Policy and Institutional Framework

Sierra Leone has an elaborate legal system governing land acquisition, restriction of access to land use and compensation. The laws include the 1991 Constitution of the Republic of Sierra Leone, Unoccupied

Lands (Ascertainment of Title) Act, Cap 117 of 1960, State Lands Act No. 19 of 1960, Provinces Land Act Cap 122 of 1960, Concessions Ordinance of 1937, Town and Country Planning Act, Cap 81 1960, General Registration of Instruments Act Cap 255, Act, Cap 256 of 1960, Survey Act. Cap 128 of 1960, Local Courts Act, No. 20 of 1963, Local Government Act of 2004, Devolution of Estates Act, 2007. Relevant policies complementing these laws include the National Land Policy (NLP) of 2015 and the National Resettlement Policy (NRP) of 2019.

The NLP was formulated to address the inherent challenges associated with the dual land ownership system in Sierra Leone. Presently, land allocation decisions are exercised by both the government and traditional authorities (chiefs) which is often characterized by high incidences of conflicting interests among interested parties such as policy makers, chiefs, and private citizens. The aim of the NRP include safeguarding the rights of persons who are subject to physical and economic displacement because of the implementation of development projects and activities by both public and private sector actors.

Notwithstanding the elaborate legal system and policies to address the challenges with the land ownership system, there are potential gaps that require the application of the World Bank ESS Framework to the project. One of the standards of the Framework, ESS 5, “Land Acquisition, Restrictions on Land Use and Involuntary Resettlement” establishes special requirements if projects financed by the Bank could lead to physical or economic displacement. This report makes a comparison of the relevant laws and policies of Sierra Leone and the ESS 5 and proposes mitigating measures to potential project impacts on the Project Affected Persons (PAPs).

#### **Project Affected Persons, Eligibility Criteria and Entitlements and Compensation**

The Project has potential beneficiaries and persons likely to be adversely impacted as PAPs. At the national level, it is estimated that the program will directly benefit 365,200 smallholder farmers of which at least 45% (164,340) will be women and 40% (146,080) youth and 5% (18,260) of the vulnerable groups. The project is expected to have spillover effects and regional benefits in terms of technology generation, dissemination, and adoption on the indirect beneficiaries as well as regional weather, climate, and hydrological data exchange across all the project components. The program will also benefit 10% (36,520) of households directly affected by COVID-19 (Project Appraisal Document).

Based on the nature of the Project, the most likely PAPs will be people directly affected by the Project through the loss (permanently or temporarily) of land, residences, other structures, business, and assets. These will include persons whose agricultural land, residential land/houses, leased houses, businesses, farming activities, occupations or places of work will be affected. The others are persons whose crops (annual and perennial)/ trees, other assets or access to those assets will be affected in part or in total by the Project, persons whose livelihoods will be impacted (permanently or temporarily). The PAPs will include persons whose livelihood will be impacted due to stopping or disruption in water supply and/or other utility services during construction.

The eligibility for compensation will be based on the category of losses at the cut-off date (when the census begins) identified through the various interests and rights derived from customary laws, common law and international conventions and in specific cases as agreed with the affected community. 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 rural and urban communities and the nature of the FSRP activities, a Resettlement and Compensation Committee will be set up to consider various forms of evidence as proof of eligibility to cover the criteria established.

### **Valuation of Various Categories of Assets and Relocation Assistance**

The purpose of the valuation is to assess the overall compensation payable as part of the assessment of resettlement related issues under the FSRP. The scope of the valuation will cover land, structures, and crops/economic trees on the project sites to be affected. Loss of income or disruptions to livelihoods are considered as far as it may be appropriate for payment of compensation for the period of disruption of land, structures, livelihood, and businesses. The basis of the valuation will be at Full Replacement Cost in accordance with the World Bank's ESS 5, the National Lands Policy, 2015, National Resettlement Policy, 2019 and the Constitution of Sierra Leone. In this context, the compensation is the amount of money or in-kind required, 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". For structures, the full Replacement Cost Approach (RCA) will be adopted for the valuation. Replacement cost will be used to allow affected persons to improve, or at least restore, their incomes or livelihoods.

The Market Comparison Approach (MCA) will be adopted for the valuation of land if there is a vibrant and active land market. The Market value will be adopted for affected crops/economic trees under the project. The enumeration of trees or crops will involve taking census of the affected crops (either by counting or area) and applying crop rates approved by the Ministry of Lands, Housing and Country Planning. Valuation. Measures will be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood-earning potential and accessibility or cash assistance additional to compensation for any assets that may be impacted. Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

### **Organizational Procedures for Delivery of Entitlements**

The National Development Partners Programme Coordinating Office (NDPPCO) of the Ministry of Agriculture and Forestry, through an internal Project Management Unit (PMU-NDPPCO), will provide overall oversight for the screening, preparation and implementation of the resettlement activities. The PMU has been established and is currently staffed with a Project Coordinator as project manager, an Environmental Specialist, a Social Specialist, a Community Liaison and Communications Specialist and a Gender and Gender-Based Violence (GBV) Specialist, Agricultural Economist and a Monitoring and Evaluation Specialist to support project execution.

A Project Steering Committee (PSC) will be established to oversee project planning and execution as well as facilitate effective coordination of the project. The PSC will comprise of senior representatives of key Ministries Departments and Agencies (MDAs) such as Ministry of Agriculture and Forestry, Ministry of Local Government, Ministry of Lands, Housing and Environment, and Ministry of Planning and Economic Development, and 2-3 representatives from the relevant Local Councils. The PSC will meet at least every quarter to resolve strategic issues affecting project execution, provide policy guidance and approvals, and review project implementation progress and results indicators. The PMU will serve as the secretariat to the PSC.

### **Stakeholder Consultation**

The RPF, like any other safeguard instrument, is a public document, so its preparation was characterized by extensive stakeholder consultation and participation. Key project stakeholders consulted during the preparation of the RFP included senior officials at Ministries, Departments and Agencies (MDAs), designated officers at Local Councils, Private Organizations, Non- Governmental Organizations and local communities (as indicated in Table 2 and detailed in Appendices 1 to 6. The meetings were held with these key stakeholders, key officials, and opinion leaders to gauge their level of awareness and

involvement with the project, concerns of project implementation, and to gather information on their role in the implementation of the project and the kind of capacity needs required to aid the performance of the anticipated roles in the implementation of the project. To this end, the RPF and its associated instruments, such as the RAP, must be treated as public documents that are accessible to the public throughout the project life cycle.

The NDPPCO shall be responsible for all disclosure of documents and must ensure that the RPF is published on the website of the Ministry of Finance and all other available channels of information disclosure including publishing in local languages in the various local communities. The NDPPCO shall also present all documents such as the RPF and related documents to the PAPs in the process of land acquisition, particularly vulnerable groups, and project impact on their property and their rights must be explained. Hard copies of the documentation shall be available in the affected Local Councils for dissemination to affected communities and persons.

### **Grievance Mechanism**

A project wide and comprehensive Grievance Mechanism (GM) will be instituted to enable a broad range of stakeholders to channel their concerns, questions, and complaints to the various implementation agencies, through multiple and easily accessible grievance uptake channels. The GM is to help resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. It outlines a transparent and credible process for fair, effective and lasting outcomes. Similarly, it builds trust and cooperation as an integral component of broader community consultation that facilitates corrective actions. Specifically, the GM ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants. It provides affected people with avenues for making a complaint or resolving any dispute that may arise during the implementation of project and avoid/minimize the need to resort to judicial proceedings as a way of seeking redress. The GM will have a trained specialist to address any related issues and complaints, which include complaints about gender-based violence, sexual exploitation and abuse.

### **Budget for implementation of RPF**

An estimated budget of 264,000USD excluding cost of RAP will be required to implement safeguards instruments for three years, with provisional breakdown as presented below in Table 1, which provides an indicative budget for implementation of the RPF.

**Table 1: Indicative RPF Implementation Budget**

	<b>Item</b>	<b>Activity</b>	<b>Unit Cost/Year US\$</b>	<b>Total Cost (3 Years) US\$</b>
1	Implementing agency social capacity strengthening	Local travels, community engagements, stakeholder meetings and data capture	20,000	60,000
2	Training for various relevant stakeholder groups on resettlements/compensation issues	Awareness creation and capacity building on ESF and RPF	30,000	90,000

3	Preparation of RAP	Based on scope of work and impact of the Project		
4	Sensitization and grievance management	Setting up GM, sensitization and implementation of GM	30,000	90,000
5	Contingency (10%)		8,000	241,000
	<b>Total</b>		<b>787,000</b>	<b>264,000</b>

### Implementation Arrangements

The Project Coordination Unit (PCU) already established under MAF. will be responsible for coordinating and supervising the day-to-day implementation of the project including Environmental and Social Standards. The implementation activities will be under the overall guidance of the PCU. The Ministry of Agriculture and Forestry 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. A resettlement instrument, which is a condition for appraising projects involving involuntary resettlement, will be prepared. The WB standard requires that a satisfactory Resettlement Action Plan (RAP) that is consistent with the provisions of the ESS 5 be submitted to the Bank for approval before the sub-project is appraised for the Bank's financing.

After project sites are determined and designs completed, the resettlement preparation process will begin with screening of sub-projects/ activities by the project Social Safeguards Specialist in the PMU to determine if there is need for the preparation of any resettlement instrument (RAP). It is anticipated that PMU will work with Environmental and Social Officers (ESOs) at the Local Councils to determine, through the screening and census, the number of affected persons/assets under any FSRP activity that is likely to generate resettlement related or compensation issue. The draft RAP prepared by the PMU will be submitted to the World Bank for approval before in-country public disclosure, and afterwards, the final version of RAP will be submitted for disclosure on the Bank's website. After no objection has been obtained, consultation and negotiation will start and afterwards the activities for compensation, resettlement and rehabilitation activities will be initiated, and compensation fully completed before the commencement of civil works. The PMU will commission a RAP completion audit and prepare RAP completion report satisfactory to the Bank.

### Monitoring, Evaluation and Reporting

Monitoring and evaluation will be a continuous process that will provide the World Bank, MAF, MoF and other relevant stakeholders with feedback on RAP implementation. The RAP team will develop a Monitoring and Evaluation Plan (MEP). The monitoring and evaluation of the program will be based on the results framework of the regional program and it will be supporting activities related to baseline, monitoring and evaluation, program supervision, mid-term review (MTR), specialized studies, technical assistance, capacity building and training and Implementation Completion Results (ICR) report. The responsibility for results monitoring and evaluation will rest with the NDPPCO.

The NDPPCO will develop a detailed M&E plan which will serve as the basis for the M&E system that will be used to manage the program. The plan will have standard components of any typical M&E system.



NDPPCO will prepare monthly monitoring tables and quarterly progress reports. The Project Implementation Manual (PIM) which will be prepared includes all periodic reporting, monitoring and evaluation arrangements throughout the program cycle. In collecting the outcome indicators relating to indicators in the results framework, the unit will liaise with relevant institutions such as the Statistics Bureau of Sierra Leone, the Bank of Sierra Leone and the relevant division responsible for Policy, Monitoring and Evaluation and Statistics in MAF and the other sector ministries.

# 1 INTRODUCTION

## 1.1 Background

The Government of Sierra Leone through the Ministry of Agriculture and Forestry (MAF) is applying for credit facility from the World Bank in the amount of US\$ 60.8 Million to be used for implementation of Phase two of the Multi-phase Programmatic Approach of the West Africa Food System Resilience Program (FSRP) for Sierra Leone. Phase two countries include Chad, Ghana and Sierra Leone. The ample availability of fertile land and a climate suitable for agriculture continue to facilitate growth in the agricultural sector, which contributes the largest share to the country's GDP annually - 57.4 percent in 2019 (World Bank, 2019). However, the level of food insecurity and malnutrition remains very dire, particularly in rural areas. In the aftermath of the COVID-19 pandemics, about 67 percent of the Sierra Leoneans were considered severely food insecure, representing a 23.3 percent increase from 2019 (FSMS, 2020).

Despite increasing production levels of the country's main staple crop, rice, Sierra Leone continues to be a net rice importer as the gap between demand and local supply of food keeps increasing. On the demand side, this widening gap has been exacerbated by rapid population growth, changing dietary patterns; rising food prices and massive rural-urban migration. On the supply side, key drivers that have inhibited the growth in output include lagging value chain development and trade integration; increased weather vagaries because of climate change; a degraded natural resource base and increased incidence of conflicts and health emergencies like Ebola in 2014 and COVID-19 in 2020.

Over the last two years, the Ministry of Agriculture and Forestry has developed national policies and strategies aimed at reducing this gap with the goal of making Sierra Leone rice self-sufficient by 2023. Some of these strategic plans that have set the framework for this transformation include: 1) The National Mid-Term Development Plan (2019 – 2023); 2) The National Agricultural Transformation Plan (2023); 3) The National Agricultural Investment Plan; 4) The Food Crisis Management Prevention-Country Resilience Priorities; and 5) Strategic Private Sector-Led Policy Shifts (2020-2021).

The most recent strategy being promoted by MAF is the shift towards private sector-led input provision. This shift has three main components: 1) GoSL to stop the direct procurement of agricultural inputs (Seeds, Fertilizer, Pesticides and Machines) and shifting that role to the private sector; 2) Private sector led mechanization using the "*Machine-Ring*" concept and 3) Value Chain financing and the formation of an Agricultural Investment Bank. This project: The Food Security and Resilience Program (FSRP) is aligned with the short-term and long-term priorities of MAF as articulated in these national strategic plans and policies.

Advancing the food system resilience agenda in a systemic way requires coordinated approaches at the country and regional levels. A large share of land and water degradation (i.e., water scarcity, flood, drought, loss of productive land, erosion, and sedimentation) have impacts on food systems resilience. Climate change challenges are important for resilience and need to be addressed. Returns to research and development increase with scale 4 – but resources in each country are very limited. For instance, regional and cross-border collaboration for hydromet and early warning information provision to farmers can generate positive spillovers to build effective climate hazard and floods/drought forecasting capabilities. As an agricultural country with a climate suitable for most tropical crops, Sierra Leone will seek to intensify the production of the crops, for which it has comparative advantage, to improve its food security.

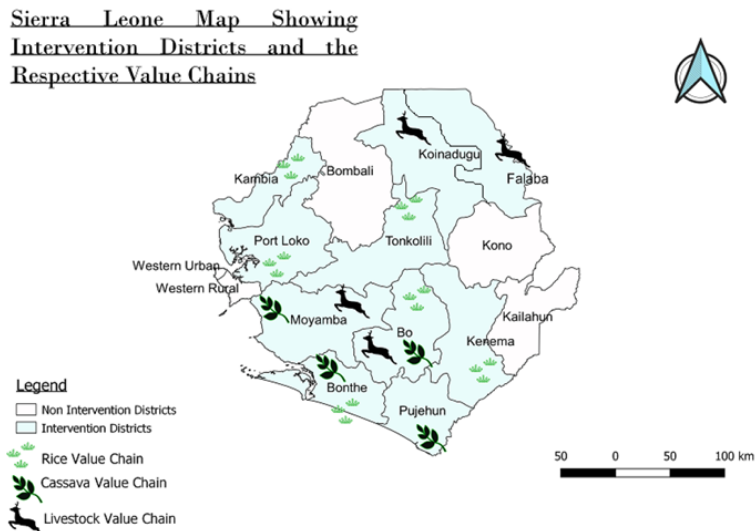
The FSRP2 contributes to the higher-level development objectives of Sierra Leone through the strengthening of the country's food systems to deal with different kinds of shocks. Given the sensitivity that exists around vulnerability of the agricultural sector to weather and climatic conditions, the

development and effective use of digital advisory services and impact-based forecasting is critical. For these services to be provided, a strong collaboration is required between private entities and public institutions like the SLMet, NWRMA, ONS, NDMA and DAFF. Equally important is an investment in technology and innovation through the strengthening of agriculture and research systems in the country, which will boost economic growth and poverty reduction that the FSRP2 will contribute to. The FSRP2 will strengthen the national Seed Certification Agency (SLeSCA) and the Fertilizer Agency to serve as regulatory agencies that ensure that high quality inputs are brought into the country and produced locally. FSRP2 will also provide support for the current strategic policy shifts that the GoSL is embarking upon for the agricultural sector.

This program will be implemented in all districts in the country. However, for respective value chains, the following ten districts will be targeted:

- i. Rice: Bonthe, Port Loko, Tonkolili, Bo, Kenema and Kambia
- ii. Cassava: Bonthe, Bo, Moyamba and Pujehun
- iii. Livestock: Bo, Moyamba, Koinadugu, Falaba/ Large Ruminants: Koinadugu, Falaba

Figure 1.1 shows the areas of intervention for respective value chains.



## 1.2 Project Beneficiaries

The FSRP2 interventions will provide support to small and medium-scale farmers, women, youth, vulnerable groups and institutions accessing improved information services from hydromet and agro-advisory services as well as Food and Nutrition Security Early Warning System (FNSEWS) and those involved in priority value chains. At the national level, the program will directly benefit 365,200 smallholder farmers of which at least 45% (164,340) will be women and 40% (146,080) youth and 5%

(18,260) of the vulnerable groups. The program will also benefit 10% (36,520) of households directly affected by COVID-19.

### **1.3 Description and scope of the project**

The Project Development Objective (PDO) of the proposed project is to *strengthen regional food system risk management, improve the sustainability of the productive base in targeted areas and to develop regional agricultural markets.*

#### **Project Components**

The FSRP2 has five key components that are based on a shift from responding to the current food insecurity crisis towards more medium to longer-term investments aimed at building the resilience of the food systems and the country's productive base. These five core components are described below with Sub-Components 1.2, 2.1.3 and 2.2.1 identified as components that may result in potential land acquisition and involuntary resettlement.

#### **Component 1: Digital Advisory Services for Agriculture and Food Crisis Prevention and Management (US\$ 12.5 million)**

The objective of this component is to ***improve agricultural and food crisis prevention and management using digital advisory services*** to produce and disseminate accurate information on weather conditions, disasters, long-term climate trends, land use, environment, hydrology, agricultural production and market price data, etc.

***Sub-component 1.1:*** Upgrading Food Crisis Prevention & Monitoring Systems (US\$4.3 million): The objective of this sub-component is to *transform the regional food and agriculture risk management architecture (food security-relevant data collection, analysis, forecast and management) to provide relevant information and advisory services to support risk management decisions.*

***Sub-component 1.2:*** Strengthening Creation and Provision of Digital Advisory Services for Farmers (US\$ 8.2million) : This sub-component aims to increase access to and use of weather, climate and hydrological information as well as early warning information by decision-makers and farmers via multiple dissemination channels including the national agricultural extension systems. The component and its sub-component will be financing program activities including, works, goods, consultancy services, training and capacity building, technical assistance, and studies. The works component may result in land acquisition and involuntary resettlement.

#### **Component 2: Sustainability and Adaptive Capacity of the Food System's Productive Base (US\$ 33.9 million)**

The objective of this component is to ***maintain and improve the natural capital base in the intervention areas to ensure sustainability in the levels of productivity.*** The component seeks to enhance the resilience of agro-sylvo-pastoral production systems that enable small and medium producers (especially women and youth) to sustainably meet their nutritional needs and raise income levels from the sale of surpluses in local and regional markets. This would be achieved through: (i) adapting and adopting technologies, innovation and knowledge to counter the evolving challenges facing the food system; (ii)

improving the natural capital base of the production systems; and (iii) building resilience in food insecurity priority areas through multi-sectoral interventions including better access to innovation and technologies.

***Sub-component 2.1:*** Consolidating Regional Agriculture Innovation Systems (US\$ 5.5 million)

The objective of this sub-component is to strengthen the regional research and extension systems to deliver, in a sustainable manner, improved technological innovations including climate-smart, nutrition-sensitive, gender- and youth-friendly technologies for resilient food systems. This will be achieved by enhancing regional linkages between and among national research entities, strengthen the National Centres of Specialization (NCoS) supported under WAAPP, and upgrade them to become Regional Centres of Excellence (RCoE) focusing on priority lines of research to be addressed regionally. Under this program the Rokuprr Research Center which is NCoS for Mangrove Rice will be upgraded to RCoE.

***Sub-component 2.2:*** Strengthening Regional Food Security through Sustainable Practices in Targeted Areas (US\$ 28.4million).

The objective of this sub-component is to ***improve rural households' food security and their resilience to climate variability in targeted (highly vulnerable) areas.*** The project will support the scaling up and adoption of best-fit sustainable land and water management technologies and practices by smallholder farmers in selected watersheds in the country. This will include the introduction of tested best practices in land and water management, including watershed management, afforestation / reforestation, biodiversity conservation and protection of ecologically critical ecosystems, conservation agriculture, agroforestry, climate smart agriculture, and pasture management in selected watersheds in the country. The activities planned under this sub-component include measure to improve carbon stock, prevent soil erosion and support ecosystem restoration to increase climate co-benefits of the investments. The Land and Watershed Restoration sub-component (2.2.1) of this component may result in land acquisition and involuntary resettlement.

**Component 3: Regional Market Integration & Trade (US\$ 10.5 million equivalent):**

The aim of this component is to develop value chains and strengthen integration between countries in the West African sub-region by removing trade barriers. The activities in this component will seek to expand food trade between Sierra Leone and other West African countries in a bid to enabling the efficient distribution of surplus products to loss-making regions. The project will also facilitate production and marketing of agricultural inputs and technologies within and across national borders. This component will be implemented through two sub-components:

***Sub-component 3.1:*** Facilitate Trade Across Key Corridors and Consolidate Food Reserve System (US\$ 3.7 million)

The objective of this sub-component is to promote regional integration between ECOWAS member countries by stimulating and streamlining trade. Through this sub-component, the project will support the implementation of sound regional regulations and policies to strengthen agricultural and food input-output markets.

***Sub-component 3.2:*** Support to Development of Strategic and Regional Value chains (US\$6.8 million equivalent)

The objective of this sub-component is to develop and improve the performance of priority value chains that are critical for the national food system. The program supports upstream and downstream segments of the three priority crops (Rice and Cassava) in order to increase the availability of agricultural products and provide opportunities for value addition for sustainable food and nutrition security. This will have tangible long term positive impacts on regional food security.

**Component 4: Contingent Emergency Response Component (US\$ 0.00 million equivalent).** This component will allow for a reallocation of credit proceeds from other components to provide immediate emergency recovery support following an eligible crisis or emergency. The contingent emergency response component will be deployed at the national level budget to the participating countries depending on the nature of the emergency which will follow approved criteria for accessing resources to support emergency response activities. The component will finance program activities, works, goods, consultancy services, training and capacity building, technical assistance and studies.

**Component 5: Project management (US\$ 4.00 million equivalent).** The overall management of the program will be carried out by the Ministry of Agriculture and Forestry's National Development Partners Program Coordinating Office (NDPPCO). NDPPCO is currently anchored within the MAF management and fiduciary structures.

The FSRP2 will contribute to the higher-level development objectives of Sierra Leone through the *strengthening of the country's food systems to deal with different kinds of shocks*. Agricultural development is an important pillar for the economic growth of Sierra Leone. Therefore, making agricultural interventions climate and disaster resilient is vital for sustained economic growth. Given the sensitivity that exists around vulnerability of the agricultural sector to weather and climatic conditions, the development and effective use of digital advisory services and impact-based forecasting is critical. For these services to be provided, a strong collaboration is required between private entities and public institutions like the SLMet, NWRMA, ONS, NDMA and DAFF. Equally important is an investment in technology and innovation through the strengthening of agriculture and research systems in the country, which will boost economic growth and poverty reduction that the FSRP2 will contribute to.

The agricultural and research systems have huge potentials for benefiting from the FSRP2, thus increasing agricultural productivity and growth in the country. Sierra Leone is one of the important countries in the ECOWAS with regards to agricultural development, generation, dissemination, and adoption of technologies. The Sierra Leone Agriculture Research Institute (SLARI) with its centers and Njala University will contribute to the FSRP2 by working with the World Bank, CORAF, ECOWAS, CGIAR and other development partners in the region to boost economic growth and development. In supporting the input delivery system, FSRP2 will strengthen the national Seed Certification Agency (SLeSCA) and the Fertilizer Agency to serve as regulatory agencies that ensure that high quality inputs are brought into the country and produced locally. FSRP2 will also provide support for the current strategic policy shifts that the GoSL is embarking upon for the agricultural sector.

In summary, the Project activities are likely to trigger land acquisition and involuntary settlement of PAPs.

**Sub-component 1.2:** Strengthening Creation and Provision of Digital Advisory Services for Farmers will entail the development/construction of meteorological and hydromet stations in selected areas in the country. The development/construction activities will require land acquisition for these purposes.

Under **Sub-component 2.1.3: Support to the Production of Breeder and Foundation Seeds**, the FSRP2 will provide support for centralized seed storage facilities in major rice production hubs. These storage facilities to support the formation of seed buffers in major rice producing regions in addition to commercial warehouses for seeds will involve the acquisition of lands.

Under **Sub-component 2.2.1: Land and Watershed Restoration**, the Agricultural Water Resources Management including irrigation development will involve the adoption of the use of an integrated watershed and floodplain restoration mechanism by developing water management systems. The water management systems will include water retention and flood protection measures as well as small scale irrigation systems to support rice cultivation across low land ecologies covering about 3,000 ha of low land ecologies with small scale irrigation infrastructure for rice cultivation using different irrigation techniques.

## **2.0 PURPOSE AND SCOPE OF THE RPF**

The specific sites for project activities are not yet determined, the RPF will outline the principles and procedures for the development of Resettlement Action Plans once the specific sites for the project activities are determined. The project activities that are likely to cause land acquisition and involuntary resettlement are under sub-component 1.2: Strengthening Creation and Provision of Digital Advisory Services for Farmers; Sub-component 2.1.3 Support to the Production of Breeder and Foundation Seeds; and Sub-component 2.2.1: Land and Watershed Restoration.

- i. Activities under sub-component 1.2 include construction of the development/ construction of meteorological and hydromet stations in selected areas in the country.
- ii. Support under sub-component 2.1.3 include the provision of centralized seed storage facilities in major rice production hubs. These storage facilities will support the formation of seed buffers in major rice producing regions in addition to commercial warehouses for seeds.
- iii. Support under Sub-component 2.2.1 include the provision of about 3,000 ha of low land ecologies with small scale irrigation infrastructure for rice cultivation using different irrigation techniques.

In accordance with the mitigation hierarchy, the project will through sub-project screening try to avoid any interventions that will have long-term impact on land and livelihood. In particular, activities that may affect lands or rights of minorities, activities that may involve permanent resettlement loss of land, physical relocation or land acquisition or adverse impacts on cultural heritage. Where avoidance is not possible, the project will then proceed to mitigate and compensate through a RAP. The ESMF will also identify other adverse environmental and social risks and impacts and provide the set of mitigation monitoring and institutional measures to offset or reduce them to acceptable levels.

### **2.1 Purpose of the RPF**

Specific locations for these subproject activities have not been identified. This RPF provides a comprehensive framework to guide the preparation of resettlement action plans when specific sites for the specified civil works activities are determined. ESS 5 stipulates that an RPF needs to be prepared at appraisal if the extent and location of resettlement cannot be known because the project has multiple components. This RPF therefore provides the framework, principles, institutional arrangements, and procedures the project will follow to prepare Resettlement Action Plans to mitigate risks related to land acquisition, restriction of access on land use and involuntary resettlement caused by the project activities. The RPF clarifies the rules for identifying people who may be affected by the implementation of project and considers the requirements of the World Bank's ESS 5 and the national laws and regulations of Sierra Leone that deals with Involuntary Resettlement.

The principles to follow for conducting involuntary resettlement are:

1. Avoid or minimize or mitigate involuntary resettlement where feasible, exploring all viable alternatives of project designs,
2. Help resettled people improve their former living standards, their ability to generate revenue or at least to cater for them,
3. Provide assistance to affected people regardless of the legality or land tenure.
4. Conduct consultations using participatory approaches with project affected persons and stakeholders
5. Ensure project affected persons have access to a functioning Grievance Mechanism



The Government of Sierra Leone has prepared the following environment and social instruments as separate instruments: (i) Environment and Social Management Framework (ESMF); (ii) Labour Management Procedures; (iii) Stakeholder Engagement Plan; and (iv) a Pesticide Management Plan (PMP) to guide the mitigation of the E&S risks and impacts identified under the project as locations for subproject activities are not known at this preparatory stage of the project. These E&S instruments will be outlined in the Project Environment and Social Commitment Plan to guide implementation throughout the project life.

### **3.0 APPROACH AND METHODOLOGY**

The preparation of this RPF was largely based on extensive review of relevant project information and other relevant information and data within the Government of Sierra Leone and the World Bank. Extensive field consultations were conducted to gain practical insight into the World Bank and Sierra Leone legal framework on resettlement related issues and to obtain firsthand information from relevant government and community stakeholders on key areas of concerns, gaps and expected responsibilities under the project. Key stakeholders provided the data and information required for the preparation of the RPF.

#### **3.1 Desk Review**

Desk Review of relevant literature on the project (draft mini -Project Appraisal Document or PAD, draft Stakeholder Engagement Plan, draft Environment and Social Management Framework) was undertaken. It also involved the compilation and review of existing relevant framework of laws, policies and practices regarding expropriation and resettlement of Sierra Leone. The desk review covered the World Bank's new Environment and Social Framework (ESF) especially ESS 5 which focuses on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement. Further review was undertaken on already prepared RPFs for similar World Bank projects in Sierra Leone and in the other West African sub region especially Ghana, and other relevant literature from online sources. The review compared the laws, policies, and practices with the World Bank's ESS 5. The desk review contributed to the identification of the key and relevant laws and policies regulating resettlement in Sierra Leone. The review informed and contributed to the development of the questionnaires/interview guide for the field visits and institutional meetings.

#### **3.2 Stakeholder Consultations**

Stakeholder consultations with key government institutions, local councils, and community consultations for preparation of the RPF commenced from 17<sup>th</sup> March 2021 to 30<sup>th</sup> March 2021. As a result of the COVID-19 pandemic, stakeholder consultations were undertaken using both virtual and face-to-face meetings with some of the stakeholder groups. Virtual meetings were held through WhatsApp video conferences, zoom, phone calls, and email correspondence to collect the needed information required for the preparation of the RPF. Virtual meetings were mainly held with government officials who have access to these facilities. Face to face consultations were held with community stakeholders whilst observing the social distancing protocols. The stakeholders were consulted to identify all potential resettlement related issues that may arise from the implementation of the subproject activities, as well as confirm the legal and institutional framework, valuation process and implementation arrangement that will be used to guide the implementation of the RPF.

Some potential project beneficiaries and affected persons were also engaged directly and indirectly during the preparation of this draft RPF to elicit their feedback. Notwithstanding, further engagement and consultation will be done during project implementation as outlined in the Environment and Social Commitment Plan (ESCP), and project SEP. The SEP for this project provides information about various stakeholders and their consultation needs including women and other vulnerable persons. These stakeholders would be engaged at the national to community level during implementation.

The key stakeholders consulted, dates and the venue for the consultations are provided as follows.

Table 2: Summary of Stakeholders' Consulted

Item	Stakeholder	Agency	Date	Venue
1	11 Government Officials	SCADeP, MAF, NWRMA, MoL, MoSW, EPA-SL	March 17, 2021	SCADeP Office Freetown
2	Development Officer	Western Area Rural District Council	March 24, 2021	Waterloo, Freetown
3	Head and Deputy Head of Social Services	Freetown City Council	March 24, 2021	Freetown
4	Program Manager	National Commission for Persons with Disability	March 25, 2021	Freetown
5	District Engineer	Bombali District Council	March 29, 2021	Via Zoom/Call
6	Deputy Public Relations Officer	50-59 Group	March 30, 2021	Freetown

Details of the stakeholders are provided in Appendixes 6, 7, 8, 9, 10 and 11.

### 3.3 Data Collection, Analysis and Preparation of Report

The data for the preparation of the RPF was collected by extracting relevant data and information in existing reports and documents and consulting with key stakeholder groups to fill data/information gaps required for the preparation of the RPF. A critical and extensive desk review of literature was conducted of which a summary of some highlights is provided below.

Unruh and Turray (2006) in a study for FAO examined the linkages between land tenure, food security and investment in rural Sierra Leone. The study highlights the need for the opportunity for rural landowners to have the opportunity for fair and objective redress system as this is contributing to the over land issues as this is contributing to the insecurity of the landowning families. McFerson (2012) reports on the prevalence of poverty in the rural areas of Sierra Leone and recommends for the improvement more public services to address the issue described as of "female face of poverty". Ryan (2018) studies the negative and positive impacts of large-scale land deals in northern Sierra Leone and reports on non-inclusion of women in the process of surface rent distribution among land owning families and their husbands' lands.

Njoh and Akiwumi (2012) discusses the impact of land policies in Sierra Leone by tracing the impacts from colonial land policies and legislations. The World Bank (2010) reports on the complex issues in the land administration of Sierra Leone. The report highlights the variations in customary land law practices and the absence of a single integrative system to secure property rights in the provinces. Hence, the right to responsible land governance activities that demands high standards of ethics, integrity and accountability is lackin with respect to, for example, the right to access and use, right to manage, right to generate income, land allocation, land development, transfer rights and even the right to compensation. Kanu and Henning (2019) conducted an assessment study on the land reforms in Sierra Leone and report that land

reform remains one of the most important but contentious policy issues in Sierra Leone. The study provides insights into understanding of the land policy formulation process in Sierra Leone.

The desk review of relevant literature has highlighted the salient land issues and the missing gaps that this RPF covers and to a large extent mitigation measures and steps outlined to address the seeming issues and gaps in line with the World Bank Policies and the national laws of Sierra Leone. Table 11 contains some information collected during the stakeholders engagement.

### **3.4 Process for RAP Preparation and Approval**

The preparation of a resettlement instrument is a condition for appraising projects involving involuntary resettlement. The standard requires that a satisfactory Resettlement Action Plan (RAP) that is consistent with the provisions of the ESS 5 be submitted to the Bank for approval before the sub-project is appraised for the Bank's financing.

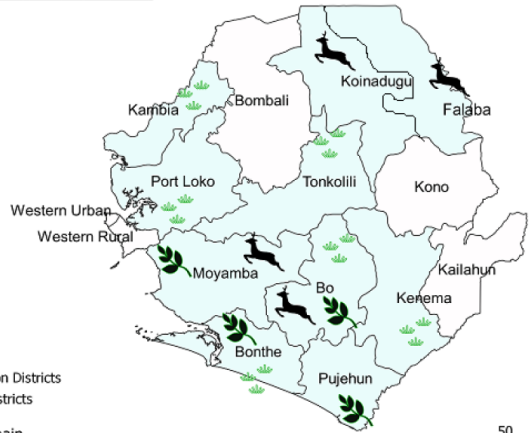
After project sites are determined and designs completed, the resettlement preparation process will begin with screening of sub-projects/ activities by the project Social Safeguards Specialist in the PMU to determine if there is need for the preparation of any resettlement instrument (RAP). The PMU will work with Environmental and Social officers (ESOs) at the Local Councils to determine, through the screening and census, the number of affected persons/assets under any FSRP2 activity that is likely to generate resettlement related or compensation issue.

The draft RAP prepared by the PMU will be submitted to the World Bank for approval before in-country public disclosure, and afterwards, the final version of RAP will be submitted for disclosure on the Bank's website. After no objection has been obtained, consultation and negotiation will start and afterwards the activities for compensation, resettlement and rehabilitation activities will be initiated, and compensation fully completed before the commencement of civil works. The PMU will commission a RAP completion audit and prepare RAP completion report satisfactory to the Bank.

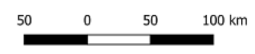
The following describe the key steps for the preparation and approval of RAP.

1. The PMU will commission the preparation of a draft RAP for sub-projects that fall within the requirements described in ESS 5.
2. The RAP will include the identification and census of persons who will be affected by the involuntary resettlement, an inventory of land and assets to be impacted and full cost resettlement activities, setting and communication of cut-off date, consultations with PAPs and key stakeholders, roles and responsibilities relating to financing and implementation of the RAP including arrangements monitoring and addressing grievances etc. The minimum content of a RAP is described in Appendices 1.
3. The PMU sends the draft RAP to the World Bank for review and clearance.
4. NDPPCO and Local Councils will disclose draft RAP and organize consultations with impacted Project Affected Persons (PAPs) on the mitigation and compensation measures.
5. The PMU will update the RAP follow any changes resulting from the in-country.
6. Final RAP sent to WB
7. Disclosure of updated RAP
8. RAP completion audit
9. Completing the expropriation process
10. Starting with sub-project implementation.

Sierra Leone Map Showing  
Intervention Districts and the  
Respective Value Chains



- Legend**
- Non Intervention Districts
  - Intervention Districts
  - Rice Value Chain
  - Cassava Value Chain
  - Livestock Value Chain



## **4.0 LEGAL AND INSTITUTIONAL FRAMEWORK**

Sierra Leone has a legal framework which generally consists of laws and policies with relevant provisions that govern development induced land acquisitions and resettlements impacts as provided under succeeding sections.

### **4.1 Legal and Policy Framework**

The legal framework relating to resettlement issues in Sierra Leone consists of the various pieces of legislations and policies on land acquisition and involuntary resettlement. The World Bank's ESS 5 (Environmental and Social Standard 5) on "land acquisition, restriction of land use and involuntary resettlement" has been used in country to complement the national laws and policies. The relevant national and other statutory laws and legislation particularly related to the project include:

1. The Constitution of Sierra Leone (1991)
2. The Unoccupied Lands (Ascertainment of Title) Act, Cap 117 of Laws of Sierra Leone 1960
3. State Lands Act No. 19 of 1960
4. Provinces Land Act Cap 122 of 1960
5. Concessions Ordinance of 1937
6. Town and Country Planning Act, Cap 81 1960
7. The Survey Act, Cap 128, 1960
8. General Registration of Instruments Act Cap 255, Act, Cap 256 of 1960
9. The National Environmental Policy (1994) and Cultural Heritage Issues
10. Local Government Act of 2004
11. Devolution of Estates Act, 2007
12. National Land Policy 2015
13. National Resettlement Policy 2019

#### **4.1.1. Constitution of Sierra Leone (1991)**

The Constitution as the supreme law of Sierra Leone recognizes the dual legal system of statutory and customary laws. It grants individuals the right to the enjoyment of property and preserves the rights and freedoms of the individual. Article 21(1) makes provision for protection for deprivation from property and protection from expropriation without payment of adequate compensation and guarantees the protection from deprivation of property including compulsory possession.

Section 21 (1) c indicates that: Provision is made by law applicable to that taking of possession or acquisition for:

- i. prompt payment of adequate compensation; and
- ii. securing to any person having an interest in or right over the property, a right of access to the court or other impartial and independent authority for the determination of his interest or right, the legality of the taking of possession or acquisition of the property, interest or right, and the amount of any compensation to which he is entitled and for the purpose of obtaining prompt payment of that compensation"

Consequently, the Constitution upholds the fundamental rights of citizens to own property and receive compensation from the State when that property is compulsorily acquired by the State. Furthermore, it also makes provision for the prompt payment of adequate compensation and access to the court or other impartial and independent authority for the determination of the land owner's interest or right, and the amount of any compensation to which he is entitled and for the purpose of obtaining prompt payment of that compensation.

#### **4.1.2 The Unoccupied Lands (Ascertainment of Title) Act, Cap 117 of 1960**

The Act defines unoccupied lands as land where it is not proved by the person who is claiming it that beneficial use thereof for cultivation or inhabitation, or for collecting or storing water or for any industrial purposes, has been made for twelve years before the commencement of this Act. The Act empowers the Director of Surveys and Lands under the Ministry of Lands, Housing and Environment to claim any land considered to be unoccupied within the meaning of the Act as State land. It states that for the purposes of the Act:

*“all land shall be deemed to be unoccupied where it is not proved by the person claiming the same that beneficial user thereof for cultivation or habitation, or collecting or storing water, or for any industrial purpose has been made for twelve years next prior to the commencement of the Act.”*

If the claim is disputed the matter could end up in court and be added to the ever-increasing number of land disputes pending before the courts.

Though the provisions of this Act have for long remained dormant there are signs that its provisions are now being invoked more frequently as the Government embarks on a drive to identify and recover illegally occupied State land. Since the socioeconomic circumstances and the policy imperatives that led to the enactment of this law no longer exist, there might be a need to review and amend, if necessary, not only the substantive grounds upon which the State can claim lands under this statute as State land, but the procedure laid down in the Act which is bound to give rise to litigation in each case ought to be revisited. The position of the Act has been unsustainable in the law courts. This is because most land in Sierra Leone are “legally owned” by way of customary or statute law, by trustees including the State, Paramount Chiefs, Town Chiefs, Section Chiefs, heads of lineages, heads of families. These trustees hold the lands in trust for beneficial owners of those lands who are in turn, the citizens of Sierra Leone, the subjects of the Chiefdoms and the members of the lineages and families.

#### **4.1.3 State Lands Act 1960**

The State Lands Act, 1960 also known as “The Government Lands Act” authorizes the State to manage all lands in the country whether occupied or not. The Act gives Government the power to acquire and manage any land for public purposes such as:

- a) for exclusive Government use or for general public use;
- b) for or in connection with sanitary improvements of any kind, including reclamations;
- c) for or in connection with the laying out of any new Government station or the extension or improvement of any existing Government station;
- d) for obtaining control over land contiguous to any port or airport;
- e) for obtaining control over land required for defense purposes;
- f) for obtaining control over land required for civil aviation purposes; and

- g) for obtaining control over land the value of which will be enhanced by the construction of any railway, road, or other public work or convenience about to be undertaken or provided by the Government.

The Act, which amended the Crowns Land Ordinance of the former Colony, is applicable only to the Western Area and also when government intends to exercise its powers of eminent domain to appropriate land for public purposes. However, Section 3 of the Act, the Minister (Minister of Lands, Country Planning and the Environment) can authorize his agents or servants to enter into any land to survey and do other acts as may be necessary with a view to appropriating such land. This Act is currently being redesigned as part of the new land policy so that the proposed National Land Commission will be responsible for the administration of this Act on behalf of Government.

#### **4.1.4 The Provinces Land Act, Cap 122 of 1960**

This Act emanated from the Tribal Authorities Ordinance of 1938 and the Protectorate Land Ordinance of 1927, which declared that all lands in the Protectorate were vested in the Tribal Authority and that, they held such lands for and on behalf of the native communities. The Act was established to guide processes for land acquisition and set out the conditions for the allocation of lands to “non-natives” in the provincial areas of Sierra Leone. It establishes that all land leases to “non-natives” must have the consent of the Chieftom Council headed by the Paramount Chief of the area.

This Act distinguishes between “native” and “non-native” as far as access to provincial land is concerned which is generally perceived as a hindrance to proper use of such land for development purposes because of the conflicting interest between policy makers and chiefdoms. Another challenge is that the attempt in the Act to distinguish between the land rights which can be allocated to ‘natives’ and ‘non-natives’ of a Chiefdom, the Act by default defers to customary law to dictate the terms under which land rights can be considered and allocated. Typical are issues surrounding the right to access and use, right to manage, right to generate income, right to land allocation, land development, transfer rights and right to compensation under customary law practices among the various ethnic groups. These are therefore noted as some of the key issues for redress by the National Land Policy of 2015 and the National Resettlement Policy of 2019.

#### **4.1.5 The Concessions Act, Cap 121 of 1937**

This statute was enacted in 1937 for the express purpose of regulating the rights which “natives” could grant to “non-natives”, with the consent of the Governor by way of concession for mining or agricultural purposes. Concessions under the Act could be granted for a term as long as ninety-nine years and could cover an area of one thousand acres and above.

However, the procedure for the grant of a concession was very complicated and time-consuming. Not only must a special Concession Court under section 11 of the Act validate the grant, but, if the extent of the concession exceeded five thousand acres, the Governor had to give his assent subject to the approval of Parliament. Though the Act remains in the statute books and was even amended in 1976 to exclude mining concessions from its provisions, the Act has not been invoked in recent times for the purpose of granting access to provincial land to foreign investors in agriculture. The relevance of this Act to the RPF is premised on the assumption that some properties or lands that will be affected by this project may have been acquired using provisions of this Act.



#### **4.1.6 The Survey Act, Cap 128 of 1960**

This Act specifies all the processes involved for the administration and survey of all lands. It is being administered and regulated by the Survey Department of the MLCP. The Act makes it compulsory for every conveyance deed or other instrument submitted for registration to have a survey plan annexed thereto, such plan to be prepared by a surveyor and countersigned by the Director of Surveys and Lands in accord with section 15 of the Survey Act as amended.

#### **4.1.7 The Registration of instrument Act, Cap 256 of 1960 (Cap 255, Act, Cap 256 of 1960)**

This Act makes provision for a system of registration of different legal instruments including instruments of conveyance. The Act specifies the present system of registration of deeds in the country. The Act empowers Registrar-General to register any State grant upon the production and request of the holder of such grant, and to cause to be copied and registered in a Register Book kept for that purpose. Each instrument, apart from a will, is required to have a certificate of registry as well as a plan of the land signed by the person who made it, describing the land or referring to the allotment of land as numbered or described in the instrument of conveyance from the State. It is the conveyance itself which confers title, not the registration of the instruments under which the conveyance was executed. The Act is one of the major issues being reviewed under the Cabinet Sub-Committee on Lands to make registration of title more transparent and effective.

#### **4.1.8 The Town and Country Planning Act, Cap 81 of 1960**

This Act established the Town and Country Planning Board in the Western Area. The Act empowers the Board to where in its opinion there is that for a scheme to be made for any area, the Board can make representations to that effect to the Minister. The Minister subsequently may by order declare that the area specified in the representation shall be a Planning Area. Under the Act, the value of any building or land in such a Planning Area shall be deemed to be the value of the building or land at the date of such declaration.

#### **4.1.9 The Local Courts Act, No. 20 of 1963**

Concerning land dispute resolution at the local level, the Local Courts which are the courts of first instance for matters relating to customary law, are the only judicial forum available for hearing of many land disputes. They are empowered by the Local Courts Act, No. 20 of 1963 to dispense justice in consonance with the doctrines of equity, good conscience and natural justice.

The courts have been widely criticized for the low standard of justice administered, handling of referral of cases to higher courts under the control of Customary Law Officers, the close association which exists between Local Court Chairmen and land owning and ruling families and the barriers to access by women created by the dominance of Local Courts by men.

#### **4.1.10 The National Environmental Policy (1994) and Cultural Heritage Issues**

The National Environmental Policy (1994) provides for the collection of relevant data on biological diversity and cultural heritage. It seeks to promote socio-economic and cultural development through the preservation of biological diversity for the sustainable utilization of natural resources. There are references to the preservation and/or respectful removal (taking into consideration cultural sensitivities) of “society bushes” for large-scale agribusiness and other purposes in various regulations.

#### **4.1.11 The Local Government Act of 2004**

Local Government Act of 2004 gives local councils, which include District Councils, the power to acquire and hold land. They are also charged under the Act with the responsibility for the development, improvement and management of human settlements. Like the Provinces Land Act, Cap 122 of 1960, the Local Government Act under section 28 reaffirms and is more definitive, by preserving the responsibility of Chiefdom Councils for holding land in trust for the people of the Chiefdoms. The Act, however, is silent on the form and nature of the land rights that can be acquired by natives, suggesting that form and nature of land rights are subject to the dictates of applicable customary law in the communities. Nonetheless, if rural land is required for public purposes, State authorities deal directly with the Paramount chiefs.

The Provinces are administered through a customary system of 149 chiefdoms with local administration being coordinated through Paramount Chiefs and Chiefdom Councils, with section- or sub-chiefs. Paramount Chiefs are endorsed by the President and rule for life. The Paramount Chiefs may be removed by the President under Section 19 of the Chieftaincy Act 2009 for any gross misconduct in the performance of the functions of his office. In the Western Area, however, local administration is supported by a customary system which involves village headmen who are democratically elected and provide village representation.

#### **4.1.12 The Devolution of Estate Act No. 21, 2007**

This Act aims at gender law harmonization and states that it is applicable to every person who dies leaving property in Sierra Leone irrespective of religion or ethnic origin. The Act makes provision with respect to both intestate succession and succession by will of estates including land and land-related rights. The Act sets out rules relative to inheritance and related distribution of estates in the case a person dies intestate. The Act also defines offences against persons entitled to inheritance or related to the deceased person.

#### **4.1.13 The National Land Policy of 2015**

The National Land Policy (NLP) was established to address the inherent challenges associated with the dual land ownership system in Sierra Leone. Presently, land allocation decisions are exercised by both the government and traditional authorities (chiefs) which is often characterized by high incidences of conflicting interests among interested parties such as policy makers, chiefs, and private citizens. There is the general concern that lands held by the State are not managed in a transparent, accountable, and efficient manner. Numerous ad hoc and short-term measures are being undertaken by the government to improve the effectiveness of the existing land administration system, particularly at central government level in the Ministry of Lands, Housing and Country Planning.

In the Western Area and the Provinces various pilot efforts are being discussed to improve the management of land and resolve the diverse demands for land, including the emerging land disputes. Land use and urban planning systems are also being considered as part of efforts to deal with the diverse issues raised by the present complex institutional framework. The Policy has proposed a single, autonomous, decentralized land administration and land management institution to be known as the National Land Commission (NLC) founded in the Constitution and shall be detailed in a statute enacted for that purpose. The Commission shall function at district, chiefdom and village levels with membership drawn primarily from tenure right holders and with a great degree of autonomy. The Ministry of Lands, Housing and Country Planning (MLHCP) will supervise the implementation of the Lands Policy.

The aim of the revised land policy of 2015 is to ensure that land tenure system in Sierra Leone becomes clearer, transparent, and effective, in providing for the social and public demands, stimulates responsible investment, and form a basis for the nation's continued development. The Policy affirms that a secure

land tenure system is a critical element of consolidating the peace and recovery processes in Sierra Leone and it is fundamental to the nation's development.

Some of the main problems related to land tenure currently prevalent in Sierra Leone which the Policy intends to address are:

1. Inequitable access to land;
2. Shortage of accessible land in the Western Area;
3. "Squatting" on State and private lands in the Western Area due to rapid urbanization;
4. Insecure tenure forms and rights due to the non-compliance with the system of registration of titles;
5. Lack of proper cadastral mapping and land information;
6. Unclear and diverging tenure forms under customary law;
7. Overlapping jurisdictions for statutory and customary law;
8. Weak land administration and management, i.e. inadequate capacity within the responsible Ministry to carry out its scope of responsibility and meet set objectives;
9. Lack of a proper cadastral and land use information database for State, private, and customary lands; and
10. Inadequate concession practices and protective mechanisms inserted to prevent "land-grabbing" in the commercial land use sector.

**The National Land Policy has not received the action plan to enable its effective implementation.**

#### **4.1.14 The National Resettlement Policy of 2019**

The National Resettlement Policy (NRP) has been developed to guide the planning and implementation of development-induced resettlements in Sierra Leone. The Policy forms part of the Government's commitment to ensure that development planning in Sierra Leone meets the national strategic vision. This vision is to achieve sustainable development in all aspects of national life, avoid the long-term adverse impacts that are caused by badly planned and implemented resettlement activities and ensure that resettlement results in measurable improvements in the standards of living and livelihood of affected persons and communities or, at the very least, restores the standards of living of such persons and communities to pre-displacement levels. The principal aim of the NRP is to safeguard the rights of persons who are subject to physical and economic displacement because of the implementation of development projects and activities by both public and private sector actors. The policy is, therefore, developed to provide clear guiding principles for all development-induced displacement and resettlement issues in Sierra Leone, streamline how government institutions and the private sector may plan and undertake resettlements, and to clarify mechanisms to address the grievances of affected persons and communities.

The NRP is applicable to all projects, development or business activities undertaken by either government or the private sector that result in, or are likely to result in, the physical or economic displacement of people; regardless of the total number of people affected or the significance/severity of anticipated impact. The Policy applies irrespective of whether the relevant project, development or business activity entails the compulsory acquisition of private lands or of other private property. The Policy further applies to all projects identified under the First Schedule of the Environmental Protection Act of 2008 whose activities involve or include the following:

- a. Substantial changes in renewable resource use (e.g. conversion of land to agricultural production, forestry or to pasture land, rural development, timber production);
- b. Substantial changes in farming and fisheries practices (e.g. introduction of new crops, large scale mechanization or use of chemicals in agriculture);
- c. Exploitation of hydraulic resources (e.g. dams, drainage and irrigation projects, water basin development, water supply);
- d. Infrastructure (e.g. roads, bridges, airports, harbours, transmission lines, pipelines, railways);
- e. Industrial activities (e.g. metallurgical plants, wood processing plants, chemical plants, power plants, cement plants, refinery and petro-chemical plants, agro-industries);
- f. Extractive industries (e.g. mining, quarrying, extraction of sand, gravel, salt, peat, oil and gas);
- g. Waste management and disposal (e.g. sewerage systems and treatment plants, landfills, treatment plants for household and hazardous waste);
- h. Housing construction and development schemes; and
- i. Establishment of places of entertainment, motor repair garages and welding shops.

The NRP is yet to be implemented.

#### **4.1.15 Land Ownership and Tenure System**

Land tenure in Sierra Leone is characterized by a dual ownership structure due to historical developments in the four regions of the country namely the Western Area and the North, South and Eastern Provinces. The general land law governing the land tenure system comprises of statutory laws applicable over the entire country, laws applicable in the Western Area only, and customary laws whose application are restricted to the North, South and Eastern Provinces. The Western Area including the Freetown Peninsula is governed by an English system (i.e. common law, doctrines of equity and all enactments of the Legislature in force in Sierra Leone) of land ownership which includes fee simple, conveyances, mortgages and leases. Unoccupied and uncultivated land remain Crown (State) land. Land title is derived in this region either from a grant from the State as 'state land' or more commonly by claims to possessory title to State land based on adverse possession. Thus, land in these areas is either owned by individual families or is Crown land. Communally owned land does not exist in the Western Area.

Land in the Provinces, which is rest of the country (i.e., most of the agricultural land) is held in communal ownership under customary tenure and is controlled by traditional rulers who administer it on behalf of their communities in accordance with customary principles and usage. Lands in the Provinces are governed by the Provinces Land Act Cap 122 of 1960 (the Protectorate Land Ordinance of 1927; Concessions Ordinance of 1937) and customary laws that are based on the traditions, culture and customs of the various ethnic groups. The customary laws are unwritten and are applied in the rural areas.

Also, the customary laws determine how the land, and its resources are accessed, who can hold and use its resources, and for how long and under what conditions they may be used. Though there are minor differences among the various ethnic communities, the general trend is that land is considered a divine heritage not to be bought and sold. The responsibility to ensure the preservation of the land and subsequent enjoyment by future generations therefore rests on the community as a whole. The absolute interest in land vests in families. In other words, it is the land-owning family, which deals in its land. The Paramount Chief is regarded as the custodian of the land on behalf of the entire Chiefdom but decisions regarding the land are the preserve of heads of the various land-owning families.

## 4.2 World Bank Environmental and Social Standard 5

The nature, characteristics, and scope of the FSRP2 proposed activities are classified as Substantial environmental and social risks level (for both environmental and social) Of the ten Environmental and Social Standards (ESS) under the Environmental and Social Framework (ESF) seven are applicable, including ESS5:

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

### 4.2.1 ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

The fundamental objective of resettlement planning, as stipulated in ESS 5, is to avoid involuntary physical and/or economic displacement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives. It further requires that projects must avoid forced eviction and mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by:

- (a) providing timely compensation for loss of assets at replacement cost; and
- (b) assisting displaced persons in their efforts to improve, or at least restore their livelihoods and living standards in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

The Standard also requires projects to improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure. Projects involving land acquisition and involuntary resettlement must also conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant. The project should also ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Furthermore, displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. ESS 5 also requires attention to be given to the needs of vulnerable groups especially those below the poverty line, including:

- a. Landless individuals and households;
- b. Elderly persons (60+ in the context of this RPF);
- c. Persons with disabilities;
- d. Women and children;

- e. People living of the dump sites;
- f. Street vendors and informal operators in the market;
- g. Indigenous groups and ethnic minorities; and
- h. Other disadvantaged persons.

The ESS 5, further requires the resettlement plan should include measures to ensure that the displaced persons are:

- a. informed about their options and rights pertaining to resettlement;
- b. consulted on, offered choices, and provided with technically and economically feasible resettlement alternatives;
- c. provided prompt and effective compensation at full replacement cost for losses of assets attributed directly to the project.
- d. provided assistance (such as moving allowances) during relocation where applicable; and
- e. provided with residential housing, or housing sites, or as required, agricultural lands for which a combination of productive potential, location advantages, and other factors is at least equivalent to the old site.
- f. offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and
- g. provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training, or job opportunities.

#### 4.2.2 Comparison of Sierra Leonean Regulations and World Bank’s ESS 5 and Gap Filling Measures

This section assesses the gaps and discrepancies between Sierra Leonean regulations and World Bank policies. Where there is discrepancy between national policy and the World Bank policies, under this project, the Bank’s requirement will take precedence. As part of the gap filling measures in the implementation of the RPF, the comparison is summarized in Table 3.

**Table 3: Comparison of Sierra Leonean Regulations with World Bank’s ESS 5**

No.	Thematic Area		Sierra Leone’s Legislation Requirements	WB Policy Requirements	Proposed Gap Filling Measures
1	Eligibility for Land Compensation	Landowners	Deemed as Project Affected Persons (PAPs) and entitled to payment of compensation	PAPs and entitled to compensation at replacement cost with other assistance	Landowners are to be offered full compensation at replacement cost with other assistance to help improve or restore standard of living or livelihood
		Tenants	Deemed to be PAPs and entitled to compensation depending on the type of rights they hold in the land	PAPs and entitled to some form of compensation with assistance to help improve on livelihood whatever the legal	Land tenants are to be paid compensation with some assistance irrespective of the legal recognition of their occupancy

			under relevant laws	recognition of their occupancy	
		Land Users	Deemed to be PAPs entitled to compensation in instances where they have some form of secured tenure extended to them under new laws such as future acts of Parliament based on the NRP  Deemed to be PAPs in another instance and not entitled to compensation for land but are entitled to compensation for crops and any other economic assets	PAPs and entitled to compensation for crops, loss of net income and may be entitled to replacement land to help at least restore their livelihood or living standard to pre-project levels	PAPs are to be offered compensation with assistance to help improve on their livelihood and living standard irrespective of the legal recognition of their use of land
		Squatters/informal dwellers	Deemed not to be PAPs and not eligible to any claim for compensation	PAPs and are eligible for resettlement assistance and compensation for lost or damaged structures, and trees or crops they planted and for displacement. No compensation for the land occupied.	Squatters are not to be entitled to compensation for land but they are to be provided resettlement assistance and compensations for crops, trees and structures and displacement allowance. Alternative land may be offered to PAPs.

No.	Thematic Area	Sierra Leone's Legislation Requirements	WB Policy Requirements	Proposed Gap Filling Measures
2	Calculation of Compensation	Adequate compensation	Compensation at replacement cost with assistance to	Replacement Cost Approach/Method to be adopted for calculation of

			help PAPs improve or at least restore PAPs standard of living or livelihoods or at negotiated compensation	compensation with necessary assistance for PAPs
3	Timing for Compensation Payment	Prompt payment	Compensation paid prior to displacement and taking of possession of land and assets	PAPs are to be offered compensation prior to displacement and will be given sufficient time to relocate
4	Owners of Moveable Assets (Non-permanent buildings)	PAPs paid cash compensation (a) based on market value (b) entitled to new housing or (c) authorized land under Government (State or local) housing programs	Entitled to compensation in kind or cash compensation at replacement cost including labour and relocation expenses, net income loss prior to displacement	PAPs are to be entitled to compensation in kind or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement
5	Owners of Permanent Buildings	Cash Compensation based on market value	Compensation in kind or cash compensation based on replacement cost including labour and relocation expenses, prior to displacement or offered choice of replacement of property of equal or higher value with security of tenure and better location characteristics	PAPs are to be offered compensation in kind or cash compensation at replacement cost of building including labour and relocation allowance, prior to displacement
6	Resettlement	The state is to resettle all inhabitants who are to be physically displaced on "suitable land with due regards for their economic well-being and social and cultural values".	PAPs who are physically displaced are to be provided with the choice of adequate replacement housing or cash compensation.  Preference to be given to land-based resettlement for	1. PAPs physically displaced are to be provided with housing sites at least equivalent to the affected site.  2. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based or 3. Physically displaced PAPs can be given equivalent cash



			displaced persons whose livelihoods are land-based	compensation assessed at full replacement cost to enable them acquire similar land and put up a housing unit similar to the affected structure
7	Resettlement Assistance and Livelihood Restoration	No specific regulatory provision with respect to additional assistance and monitoring The NRP make provisions for resettlement assistance and livelihood restoration support	PAPs are to be offered assistance after displacement such as moving allowance, livelihood restoration and improvement programs and net income loss during the transition period	PAPs are to be offered resettlement support to cover a transition period including livelihood restoration and training programmes

No.	Thematic Area	Sierra Leone's Legislation Requirements	WB Policy Requirements	Proposed Gap Filling Measures
8	Information and consultation	No specific provision	Particular attention to be paid to vulnerable segments of communities especially those below the poverty line, the landless, the elderly, women, children and the disabled and their concerns factored into decision making	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women especially widows and single parent, children and the disabled
9	Users of natural resources	No compensation when law is strictly complied with	Entitled to compensation for lost income from loss of access to or use of resources  Lost income must be computed, and restored to pre-project levels at least.	Compensation to be provided for lost income and alternative livelihood arrangements to be considered for loss of income from restriction of access to resources
10	Vulnerable Groups	General provision that "the care and welfare of the aged, young and disabled shall be actively	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women

		promoted and safeguarded”	landless, the elderly, women, children and the disabled,	especially widows and single parent, children and the disabled.
11	Grievances	Right of access to the court or other impartial and independent authority for the determination of interest or right in or over property	Functional, effective, transparent and accessible grievance mechanisms to be established	Functional, effective, transparent and accessible grievance mechanisms to be established

## 5.0 ELIGIBILITY CRITERIA AND ENTITLEMENT MATRIX

The RPF applies to activities in sub-projects (or components) affecting those who would either be physically displaced or economically displaced (i.e., those who would lose some or all access to the natural resources, regardless of the total number affected, the severity of impact, and their legal status (e.g., the RPF guidelines apply also to those with no title to the land). 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 the nature of project, the most likely project affected persons (PAPs) will be people directly affected by the Project through the loss (permanently or temporarily) of land, residences, other structures, business, assets are as follows:

- a. Persons whose agricultural land will be affected
- b. Persons whose residential land/houses will be affected
- c. Persons whose leased/rented houses will be affected;
- d. Persons whose businesses, farming activities, occupations. or places of work will be affected
- e. Persons whose crops (annual and perennial)/ trees will be affected in part or in total by the Project;
- f. Persons whose other assets or access to those assets will be affected in part or in total by the Project; and
- g. Persons whose livelihoods will be impacted (permanently or temporarily)

### 5.1 Potential Resettlement Risks and Impacts

Based on the project activities envisaged, the project is anticipated to have generic impacts on assets (land, crops, structures, cultural heritage resource) and livelihoods as presented in Table 4. Whereas impacts on cultural heritage is not envisaged, the project ESMF makes provisions for a chance find procedure. In line with the mitigation hierarchy, any cultural heritage resource will be avoided to the extent feasible through re-routing or change in sub-project location.

**Table 4: Potential project activities and likely impacts on Assets and Livelihoods**

Detailed activities to be financed	Potential Impact on Assets, Livelihoods					Mitigation/Safeguards/Measures/Plans
	Land	Crops	Structures	Livelihoods	Cultural resources	
<p><b>Sub-component 1.2:</b> Strengthening Creation and Provision of Digital Advisory Services for Farmers</p>	<ul style="list-style-type: none"> <li>Permanent acquisition of land may be required.</li> <li>Temporary disruption of access to structures</li> <li>Compensation issues</li> <li>Conflicts in land claims</li> <li>Temporary and permanent properties affected by project</li> <li>Tree planting requiring consent from landowners but no transfer of title to the State or resettlement of tenants.</li> </ul>	<ul style="list-style-type: none"> <li>Crops may be affected including vegetable farmers</li> </ul>	<ul style="list-style-type: none"> <li>Demolition /temporary removal of structures (both temporary and permanent displacement)</li> <li>Resource Access and Possible Restriction</li> </ul>	<ul style="list-style-type: none"> <li>Jobs opportunities for individuals and private enterprises</li> <li>Livelihoods may be affected through disruption of access to structures and transient business operators.</li> <li>Maintaining Livelihoods: Petty traders and various shops and other economic activities operating haphazardly at industrial sites/parks</li> <li>Safety and security of workers and general public</li> </ul>	<ul style="list-style-type: none"> <li>Cultural artefacts may be uncovered during excavation</li> <li>Preservation of local cultural identity and heritage</li> <li>Compensation issues</li> <li>Community pride and support</li> <li>Community relinquishing/ sharing heritage for greater good</li> </ul>	<ul style="list-style-type: none"> <li>RAP to be prepared and implemented. (cash compensation and livelihood assistance)</li> </ul>
<p><b>Sub-component 2.1.3</b> Support to the Production of Breeder and Foundation Seeds</p>						
<p><b>Sub-component 2.2.1:</b> Land and Watershed Restoration:</p>						

## **5.2 Eligibility Criteria and Entitlement**

The eligibility will be based on the category of losses at the cut-off date (when the census begins) identified through the various interests and rights derived from customary laws, common law and international conventions and in specific cases as agreed with the affected community. 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. Eligibility will also be based on an understanding of the social structure of the rural and urban communities and the nature of the FSRP2 activities.

### **5.2.1 Proof of Eligibility**

The Resettlement and Compensation Committee will consider various forms of evidence as proof of eligibility to cover:

- i. Affected persons with formal legal rights, documented in the form of land title registration certificates, leasehold deeds, tenancy agreements, rent receipts, building and planning permits, business operating licenses, utility bills among others. Unprocessed/unregistered formal legal documents will not bar eligibility and procedures for confirming authenticity of such documents will be established in the RAP
- ii. Affected persons with no formal or recognized legal rights.
- iii. Criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established paying particular attention to each situation and its peculiarities. Alternative means of proof of eligibility will include:
  - a Affidavit signed by landlords and tenants;
  - b Witnessing or evidence by recognized traditional authority

### **5.2.2 Entitlement Matrix**

The entitlement could be in the form of replacement of assets if possible; cash compensation, temporary loss of income for moveable structures; livelihood restoration and assistance; relocation assistance or as agreed between the parties involved. Table 5 below presents the matrix of entitlements for the different categories of impacts, likely to be encountered.

**Table 5: Eligibility Criteria and Entitlements**

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
Land	Permanent acquisition of land	Landowner (individual, family, community)	Owns the affected plot of land under Sierra Leonean laws including customary	<ul style="list-style-type: none"> <li>• in-kind compensation (land to land) for land-based displacement at a suitable location comparable advantage to the previous land or better</li> <li>• Cash compensation for land determined by prevailing market rates where primary livelihood is not land based and where there is satisfactory demonstration of lack of adequate land or strong preference by the PAP.</li> <li>• Land replacement for community Lands or if unavailable, compensation be paid to the community with their full consultation and participation.</li> <li>• cash compensation covering all administrative, land registration and transfer fees</li> </ul>
	Temporary occupation of land	Landowner (individual, family, community)	Owns the affected plot of land under Sierra Leonean laws including customary	<ul style="list-style-type: none"> <li>• Compensation (in cash or kind) for the period of occupation based on terms of occupancy as agreed among the parties. Compensation for loss of crops or assets on the land during the period of occupancy at full replacement cost.</li> </ul>
Crops (food/cash crops and economic trees inclusive)	Destruction of or damage to standing crops	Owner or Farmer	Have grown the affected crop  (regardless of related plot ownership)	<ul style="list-style-type: none"> <li>• Cash compensation for standing crops counted at valuation date and based upon updated current Survey Department rates</li> <li>• Cost of replanting to the same maturity level, the estimated life and harvest from tree (fruit trees)</li> <li>• Disturbance allowance of 10% of cash compensation amount or at a rate determined by MLHCP.</li> <li>• to the extent feasible, allow for farmers to harvest crops before start of project interventions</li> </ul>

Structures	Destruction of immovable structures	Owner	Owns affected structure	<ul style="list-style-type: none"> <li>• Compensation at full replacement cost of structure</li> <li>• Cost of moving (e.g. persons/ goods in the structure under or belonging to owner)</li> <li>• Disturbance allowance of 10% of cash compensation for full replacement or at a rate determined by the MLHCP</li> </ul>	
		Occupant	Live in or use the affected structure on rental basis (Occupant different from owner)	<ul style="list-style-type: none"> <li>• Cost of renting similar structure (e.g. for 6 months' duration)</li> <li>• Cost of moving out to new place</li> <li>• Disturbance allowance of 10% of cost of renting similar structure or at a rate determined by the MLHCP</li> </ul>	
		Squatter	Live in or use the affected structure as at time of census	<ul style="list-style-type: none"> <li>• Compensation for full replacement cost</li> </ul>	
		Relocation of movable structures	Owner	Owns the affected structure	<ul style="list-style-type: none"> <li>• Cost of moving affected structure to new site</li> <li>• Disturbance allowance of 10% of cost of moving similar structure or at a rate determined by the MLHCP</li> </ul>
			Occupant	Use or occupies the affected structure	<ul style="list-style-type: none"> <li>• Cost of moving occupants to new site</li> <li>• Disturbance allowance of 10% of cost of moving occupants to new site or at a rate determined by the MLHCP [NB: if owner is same as occupant, he/she will not be entitled to this disturbance allowance].</li> </ul>
Livelihoods	Agriculture - destruction of economic or cash crop	Farmer	Use affected land for farming as livelihood sources (emphasis on perennial crops. Annual crops can be harvested)	<ul style="list-style-type: none"> <li>• Cash compensation for any temporary loss of income or livelihood incurred as a result of the project during the transition period (period required to reestablish farm elsewhere).</li> </ul>	

			prior to land entry or destruction)	
	Business	Business owner (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)	<ul style="list-style-type: none"> <li>• Cash compensation of temporary loss of income or livelihood incurred because of the Project during the period required to reestablish the business to pre-project conditions</li> <li>• Provide alternative resources with equivalent livelihood-earning potential and accessibility.</li> </ul>
	Use of communal resources such livestock grazing grounds (or involuntary restrictions to community assets)	User of such resources (can be individuals or communities)	Use communal resources as an element of livelihood	<ul style="list-style-type: none"> <li>• Assistance in identifying and accessing similar resources elsewhere possible</li> <li>• 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</li> <li>• Provide livelihood assistance (access to loans, training etc.)</li> </ul>
Cultural heritage resources (e.g. sacred site).	Relocation or removal of cultural heritage resource	Owner (individual or community)	Use or pay homage to cultural heritage resource/ sacred site	Avoid any impact on cultural heritage resources by finding alternative locations. If impact is unavoidable, ensure successful relocation or removal of cultural resource/ sacred site in close consultation with key stakeholders and in accordance with Chance Find procedures prescribed under the ESMF.



## **5.4 Principles and Procedures for the Resettlement Process**

The principles are the fundamental requirements that underpin the preparation and implementation of the resettlement instrument (RAP). These principles are intended to minimize negative impacts. The principles require that every resettlement and compensation must:

- a) Be guided by regulatory framework and consistent with the ESS 5 requirements;
- b) Aim at minimizing physical and economic displacement;
- c) Have cut-off date for compensation;
- d) Aspire to restore income livelihoods;
- e) Consider resettlement as a development opportunity and benefit affected communities
- f) Compensation paid prior to physical and economic displacement and at full replacement value;
- g) Hold meaningful consultations with all stakeholders; and
- h) Include grievance mechanisms.

### **5.3.1 Avoidance and Minimization of Physical and Economic Displacement**

In line with the World Bank's ESS 5, the FSRP2 will avoid or minimize displacement through the following design procedures:

- i. To the extent possible, existing facilities on government lands will be selected for rehabilitation under the FSRP2;
- ii. Wherever inhabited dwellings may potentially be affected by a component of a FSRP2 activity or sub-project, the project will use the mitigation measures as to first avoid the use of that subproject location through relocation or identification of an alternative site or land to avoid displacement/relocation;
- iii. Wherever the impact on the land holding of one individual or household is such that the mitigation measure to be applied may not be sustainable by the Project in the long term, the FSRP2 activity shall be redesigned to avoid any such impact on the land holding of the individual or household
- iv. To the extent possible, project facilities will be located on lands with no structures;
- v. Landowners and farmers who have access to lands without encumbrances will be considered for use as demonstration sites; and
- vi. Infrastructures required by the project will be sited on government lands which has not been encroached or private lands which the owner is willing to use to participate under the programme without compulsion through a willing buyer and willing seller basis.

### **5.3.2 Cut-off date**

The objective of the cut-off date is to establish a deadline for determining eligibility for compensation and other assistance intended to help prevent encroachment by opportunistic persons or group. Project Affected Persons and communities will be informed of the cut-off date to register their assets within the specified dates and persons establishing themselves or any properties. Any claims after the Cut-Off Date are not eligible for compensation and/or resettlement assistance.

In accordance with ESS 5 and for each sub-project activities under the FSRP2, a cut-off date will be determined and announced to project affected persons, taking into account the likely implementation schedule of the sub-project to avoid potential rent-seeking or influx of people who may want to take advantage of the process. To ensure consistency between Sierra Leonean legal requirements and WB policies, the cut-off date should be the date of the start of the inventory of assets/properties.

### **5.3.3 Categories of Eligible Project Affected People (PAPs)**

In line with ESS 5, 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 cutoff-date but have a claim to such land or assets-provided that such claims are recognized under the laws of Sierra Leone or become recognized through a process identified in the resettlement plan; and c) those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) above are provided compensation for loss of land and assets and other assistance as needed. Persons covered under (c) above are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, if they occupy the project area prior to the cut-off date. In practice this means that, people usually considered in Sierra Leone as “squatters” will be entitled to Project assistance as long as they are in occupation on the affected property before 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).

### **5.3.4 Income and Livelihood Restoration**

The paramount principle of ESS 5 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 and resettlement should be considered as a development opportunity to improve the lives of poor people. 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, consistent with the Constitution of Sierra Leone and with ESS 5.

This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their livelihood. It is anticipated that the livelihood of waste pickers will be impacted following rehabilitation and or construction of landfill sites under the project. However, the magnitude or scale of impacts cannot be estimated at this stage since the specific sites for the landfill sites are undetermined. For such impacts, Livelihood restoration measures will be included in relevant Resettlement Action Plans (RAPs). Livelihood measures will also be included in the RAPs for the neighborhood upgrade works to improve incomes of the low-income communities. Livelihood planning will seek to allow affected persons to improve or at least restore their incomes or livelihoods.

The plan will entail description of livelihood baseline, establish the entitlement of affected persons paying attention to gender aspects and needs of vulnerable sections of PAPs. The plan will evaluate measures or opportunities under the project to allow for continued access to affected resources or to provide access to alternative resources with equivalent livelihood=earning potential and accessibility. The plan will ensure that, assessment and establishment of entitlement are conducted in a transparent, consistent, and equitable manner. The plan will incorporate budget, timelines for implementation and arrangements to monitor the effectiveness of livelihood measures during implementation, as well as evaluation once implementation is completed. The mitigation of livelihood displacement will be considered complete when the completion audit concludes that affected persons have received all of the assistance for which they are eligible and have been provided with adequate opportunity to reestablish their livelihoods.

### **5.3.5 Compensation Payment**

Compensation principles will be as follows:

- i. Compensation shall be paid prior to physical and economic displacement.
- ii. Compensation will be at full replacement cost using the current market value plus transaction cost or above.
- iii. Project affected persons will be notified and given adequate time to salvage any useful assets before total demolition by the project.

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

### **5.3.6 Meaningful Consultations with Stakeholders on RPF**

The Constitution of the Republic of Sierra Leone and the Environmental Protection Agency Act, 2008 (as amended in 2010) are the two national laws that prescribe how stakeholders should be engaged and consulted as part of project design, implementation, monitoring and evaluation. The National Resettlement Policy, 2019 also makes provisions to complement these laws. The application of these laws together in conjunction with the World Bank’s standards on stakeholder engagement and consultation which will require that meaningful information and consultation take place before the process leading to displacement is launched in each particular location concerned by a FSRP2 activity. Consultations of affected persons and stakeholders may require adaptation to the COVID 19 by using different forms of media for consultation where required. In all cases consultations should be properly documented. The Stakeholder Engagement and Information Disclosure Plan related to the Project will also guide the consultation process.

### **5.3.7 Grievance Mechanism**

A project wide GM will be instituted and will cover grievances related to compensation and resettlement as well. Grievances will be handled at the Project Steering Committee (PSC) level through a multi-channel grievance uptake process, through which project related grievances including resettlement and compensation will be resolved. The GM will provide for anonymous reporting in ways that will ensure confidentiality and anonymity of complainants. This will largely create an enabling environment to allow for grievances to be raised by project affected persons without fear of victimization. The GM process will be coordinated by the PSC via the PMU to ensure transparency and accountability in the handling of grievances related to eligibility, entitlements, measurement of asset, valuation, etc. to people affected by the project.

The GM will be done in accordance with relevant laws and procedures in Sierra Leone and complying also with the Bank’s standards on grievance redress. Specifically, the project must ensure:

- i. a specific grievance registration and processing mechanism is in place; and
- ii. Grievance Redress Committees are set up and operationalized in project impact areas.

For sensitive complaints, the project will ensure that the PGM is sensitive. Thus, specific procedures based on the interests and rights of the survivor will be put in place. For example, there will be specific SEA/SH complaint forms that will be kept in locked cabinets with limited access. In addition, consent forms will be established for any action involving the survivor, such as referral to care services.

Details of the GM are provided in Section 9 of this report.

#### **5.4 Objectives of the Resettlement and Compensation Programme**

The main objectives of the Resettlement and Compensation Programme are as follows:

- a. To minimize displacement and cash compensation as much as possible;
- b. To ensure that project affected people are consulted and their concerns included in the resettlement/compensation program for implementation;
- c. To ensure that project affected people are adequately compensated for deprivation of use of land, loss of crops and structures (either farming or business/ residential structure or communal property);
- d. To compensate the affected units and enterprises for their loss at full replacement cost;
- e. 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
- f. To meet both national regulatory and WB requirements and other internationally accepted best practices.

#### **5.5 Resettlement Preparation Processes**

##### **5.5.1 Categorization of Project Activities with Respect to Land Needs**

As far as land needs and resettlement requirements are concerned, two different situations may be countered during the implementation of the FSRP2. These are:

- i. the project component will be established on government lands. In such cases, written confirmation of legal status and undisputed ownership, lands free from any encumbrance or encroachment will be required before these are approved; and
- ii. the implementation of the project component (e.g., construction of new landfill site) may require land acquisition (e.g., involuntary land acquisition from individuals with freehold title, lease or customary holding and involuntary land acquisition from communities or encroached public lands).

In situations where there is no land acquisition involved as stipulated in (i) above it means that procedures required by the Sierra Leonean law do not need to be triggered. The proposed processes will therefore need to be consistent only with WB requirements. On the other hand, if land take is required, then both Sierra Leonean laws and procedures and WB requirements must be followed.

The resettlement preparation process will begin with screening of FSRP2 subprojects/activities to determine if there is a need for the preparation of any resettlement instrument (RAP). The PMU, will use the E&S Officers at the various Local Councils to determine the number of affected persons/assets under any FSRP2 activity that is likely to generate resettlement related or compensation issues.

The responsible officers in charge of environment and social issues on site will do the initial screening of the site by filling the Screening Checklist for Involuntary Resettlement (Annex 1). All projects should be screened prior to implementation. The result of the screening will determine whether there is a need for preparation of RAP for the site.

The Resettlement screening process will include the following steps:

- i. Submission of application for sub-project financing
- ii. PMU reviews the submitted documentation for sub-project financing
- iii. Fulfillment of the screening form in Annex 1
- iv. PMU member conducts Site visit; and
- v. Report to PMU and WB, on the need for RAP development

### **5.5.2 Preparation of the Resettlement Action Plan (RAP)**

RAP and or LRP will be prepared where individuals are physically or economically displaced. The tasks/ToR and contents for the preparation of the RAP is given in Annex2. All RAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing civil works.

### **5.5.3 Conduct a Census of Affected Persons and Assets**

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 the magnitude of impact, the type and scope of RAP/LRP to prepare, 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 inventory of asset will mark the cut off-date for eligibility for compensation. Project affected persons, communities and relevant stakeholders will be informed of the cut-off date with warning that, persons who will undertake any activities after the cut-off date will be removed without compensation. This will help prevent any encroachment by opportunistic persons or groups and ensure transparency in the process.

### **5.5.4 Consultations during Resettlement action Planning and Implementation**

Consultations with stakeholders including PAPs will be an integral part in the RAP preparation; implementation and monitoring processes at all stages and stakeholders should have access to the RAP. Consultations should happen in the local language of the PAPs whenever possible; and engagement with women should be consulted separately and in a culturally acceptable manner. 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. The stakeholder engagement will be done to offer the stakeholders opportunity to express their concerns and when possible be allowed to choose between options. Stakeholder consultations will be done taking into consideration all the national recommended social distancing protocols against COVID-19.

### **5.5.5. Openness and Transparency**

Under this Project, openness and transparency would be achieved through the following mechanisms:

- a. Rigorous Information, Education and Communication System. Specific tools to be used in internal and external communication are as follows:
- b. Internal Communication (e.g. meetings, letters, emails, WhatsApp messaging etc.)
- c. Project Technical Committee meetings (e.g. meetings, letters, emails, WhatsApp messaging etc.);
- d. Project Steering Committee meetings (e.g. notice boards, meetings, letters, emails, WhatsApp messaging etc.);
- e. Periodic briefing of MoF (e.g. press conferences, meetings, letters, emails, etc.); and

- f. The Safeguards Specialist in collaboration with the Community Engagement and Communications Specialist at the PMU will be responsible for the generation and Circulation of Periodic Reports on RAP implementation.
- g. Citizen Participation in Decision Making (community meetings, fora etc.).

## 6.0 PROPERTY VALUATION AND COMPENSATION

### 6.1 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 the FSRP2. The scope of the valuation covers land, structures and crops/economic trees on the project sites to be affected. Losses 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 land, structures, livelihood, and businesses.

#### 6.1.1 Basis of Valuation

The basis of the valuation will be at Full Replacement Cost in accordance with the World Bank's ESS 5, the National Lands Policy 2015, National Resettlement Policy, 2019 and the Constitution of Sierra Leone.

#### 6.1.2 Valuation Methods and Compensation Rates

Table 5 provides the general guidelines for cost preparation and method for valuing affected assets/properties. In this context, the compensation is the amount of money or in-kind required, 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 active land market. This approach 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 neighborhood 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 purchase alternative land or cash compensation for the affected owners. Alternatively, where there is no active land market, the economic approach will be adopted. This is based on productive potential of agricultural or commercial land of equivalent size and location.

**Structures:** The full Replacement Cost Approach (RCA) will be adopted for the valuation of the structures. It involves the cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better than those of the affected structure; or of repairing a partially affected structure, including labor and contractors' fees; and transaction costs, such as registration, and moving costs. . For the purpose of this valuation, the affected assets/structures will not be taxed or depreciated in line with the World Bank requirements.

**Crops/Economic Trees:** The Market Value will be adopted for affected crops/economic trees under the project. The enumeration of trees or crops will involve taking census of the affected crops (either by counting or area) and applying crop rates approved by the Ministry of Lands, Housing and Country Planning. Valuation rates to be applied under the FSRP2 will ensure that the crop rates compensate for the labor and equipment invested in the crop cultivation as well as adjust to reflect the number of years after replanting before such trees or crops can begin to fruit or generate income to ensure that the rates are in harmony with the full replacement cost requirements.

**Livelihood/economic displacement** – Replacement Cost will be used to allow affected persons to improve, or at least restore, their incomes or livelihoods. Measures will be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood-earning potential and accessibility or cash assistance additional to compensation for any assets

that may be impacted. Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

**Table 6: General guidelines and methods for valuing lost assets**

Item	Types	Method
Land	Community lands, private land	Prevailing market value of the land to be acquired if there is a vibrant and active land market. Otherwise a negotiated price land for land replacement will be agreed. The assessment should include labor cost and other investment cost on the land such as irrigation canals, pumps, and pipes.
Structures	Any type of structure, e.g., mud houses, wooden structures, sandcrete block houses, etc.	Full Replacement Cost method. No depreciation will be applied. Owner is free to keep any materials he can salvage.
Crops/Plants	Food and cash crops/economic plants (cassava, maize, etc.)	Market value and applying updated MLHCP rates. Crop rates will take care of labor and equipment invested in the crop cultivation as well as the number of years required for a crop to reach maturity and generate income.
Loss of income and livelihood	Businesses, livelihoods, farming, etc.	Estimation of net monthly/annual profit for business/farm based on records; application of net monthly/annual profit to the period when business/farm is not operating. Where loss of income is temporal, the affected parties will be compensated in cash and where
		Permanent loss of livelihood occurs, Livelihood Restoration Plan will be prepared either as standalone or part of the RAP depending on the magnitude of impact to ensure that PAPs are provided with opportunities to improve or at least restore the livelihoods or income earning capacity, and production levels.
Disturbance allowance		10% of affected property value /compensation to be negotiated based upon rates determined by the government agency for valuation.



### 6.1.3 Valuation Responsibility

The Department of Housing under the Ministry of Land, Housing and Country Planning (MLHCP) together with the Survey Department under the Ministry of Works and Public Assets (MWPA) will be requested to value affected assets/properties based on the full replacement cost principle (which includes transaction cost such as labor and transport costs). By their mandates, the Housing Department will be responsible for structures whereas the Survey Department will be responsible for land valuations. Certified private valuers may also be engaged where necessary especially involving private persons or if required to assist the process. These professional valuers will be required to provide evidence where necessary that the rates applied are consistent with the “full replacement value” requirement.

## 6.2 Considerations on Compensation Package

There are five sub-sections under this section as follows.

### 6.2.1 Livelihood Assistance/Loss of Income

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

- a. Estimated production levels, income of business or daily sales of the business; and o Estimated period of construction or FSRP2 activity which will disrupt business or commercial activity (if impact is temporal). Losses of income for businesses will be estimated from net monthly/annual profit of the business verified by an assessment of visible stocks and activities.
- b. Where impact on livelihood is permanent, losses will be estimated such as to restore PAPs to their production levels and income earning-capacity.

### 6.2.2 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 mobilizing and moving the affected properties to a new location and accommodation assistance where affected persons will have to rent accommodation at the initial stages.

### 6.2.3 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). The application of 10% of affected property value /compensation is recommended based on how big or small the compensation amount is. The rates will be approved by the Ministry of Lands, Housing and Country Planning (MLHCP).

### 6.2.4 Types of Compensation

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

- i. Cash payment:* Cash payment compensation will be calculated and paid in Leones. Rates will be based on market value of land when known or estimated full replacement value of structures/crops.
- ii. Compensation in kind:* Compensation in kind may include items such as land, buildings, building materials, and financial credit for equipment, etc.

### 6.2.5 Compensation Payment/Claim

Compensation will be paid either by cash or cheque depending on the amount and in consideration of the security and safety of the PAPs prior to vacating the land or property. For couples, compensation may

be paid through joint accounts when the relationship is confirmed, and if it is possible. In cases where compensation will have to be paid in-kind, the project representative and the PAPs should confirm that such in-kind compensation has been received by the PAP after releasing of land for project (e.g., for construction and or renovation of markets, construction of waste management facilities, neighborhood upgrading, tree planting, etc.). PAPs will be given reasonable time to salvage any valuable items when vacating the site. The PMU will prepare a resettlement dossier and compensation payment form or receipt for each PAP where all payments shall be documented.

## 7.0 IMPLEMENTATION ARRANGEMENTS

The Project Management Unit (PMU) under the Fiscal Decentralization Division (FDD) of the Ministry of Finance will provide overall oversight for the development and implementation of the RAP. It will supervise the establishment of a Settlement Committee whose composition shall be determined taking into consideration the nature and type of project. The membership of the Resettlement Committee shall at all times include representatives of the respective Local Council and Affected Committees and PAPs. The preparation of RAP and Livelihood Restoration Plan if needed will commence immediately after the cut-off date has been declared and the main activities to be carried out are outlined in Table 5. The draft RAP will be submitted to the World Bank for review and clearance, after which it can be disclosed by PMU using the agreed methods of public consultation. After its finalization, final RAP will be submitted to the World Bank.

### 7.1 Institutional Arrangement for RAP Implementation

The implementation of RAP will be led by the PMU under the supervision of NDPPCO and the main roles are summarized in table 7.

**Table 7: Roles and Responsibilities in Implementation of RAP**

Stage of RAP Implementation	Responsible party(s)
Identification of project site	PMU/Local Council
Screening for RAP	PMU/Local Council
Determine the need for RAP/Livelihood Restoration Plan	PMU
Preparation of ToR for RAP	PMU
Procurement of Consultant for RAP	PMU
Preparation of RAP	Consultant
RAP review	PMU
RAP clearance	World Bank
RAP disclosure	PMU/Local Councils
RAP implementation	Resettlement and Compensation Committee
Monitor RAP implementation	PMU
RAP completion audit	Consultant

The implementation of the RAP will be led by the Resettlement and Compensation Committee whose members will be drawn from various stakeholders is as outlined and detailed in Table 8 .

**Table 8: Composition of the Resettlement and Compensation Committee and Roles during RAP Implementations**

Institution	Role in FSRP2	Role in Implementation of the RAPs	Specific Responsibilities for RAPs
NDPPCO/MAF	<ul style="list-style-type: none"> <li>• Hosts the PMU.</li> <li>• Set up Project Steering Committee and act as its Secretariat.</li> <li>• Supervise implementation and reporting on all project activities.</li> <li>• Coordinate with other MDAs on project related issues.</li> <li>• Provide Policy guidance on fiscal decentralization issues.</li> </ul>	<p>Social Safeguards Specialist in the PMU will be responsible for implementation of the RAPs. He/she will be supported by the Community Engagement and Communications and the Gender-GVB Specialists.</p>	<ul style="list-style-type: none"> <li>• Chair the Compensation Committee.</li> <li>• Lead in the Screening, and full census survey of PAPs and the total stock of lost assets.</li> <li>• Prepare TOR for Consultant to prepare RAPs.</li> <li>• Coordinate preparation of the RAPs and review draft RAPs.</li> <li>• Prepare TOR for the Compensation Committee.</li> <li>• Undertake stakeholder engagements and public disclosures.</li> <li>• Maintain an up to date database on PAPs including a compensation matrix</li> <li>• Facilitate the training of PAPs who opt to be provided alternative sources of livelihood.</li> <li>• Facilitate the set up and popularize a GM process for compensation and resettlement.</li> <li>• Escalate unsettled grievances to the Steering Committee and the Bank.</li> </ul>
NDPPCO	<ul style="list-style-type: none"> <li>• Fiduciary Management</li> </ul>	<p>Procure goods and services for resettlement and disburse funds for compensation of PAPs</p>	<ul style="list-style-type: none"> <li>• Procurement for consultant for RAP preparation and other resettlement related services.</li> <li>• Maintain a database of PAPs to be resettled, as well as those actually resettled and compensated.</li> <li>• Work with the PMU to ensure the correct people receive compensation.</li> <li>• Document and safely store all records of payment of compensations to PAPs.</li> </ul>

MLHCP	<ul style="list-style-type: none"> <li>• Member of the Steering Committee</li> <li>• Provide policy guidance on access to, and utilization of, lands.</li> <li>• Verify claims of ownership of land.</li> <li>• Survey project sites and issue conveyance for procured land</li> </ul>	Provide technical advice and access to land and temporary housing for PAPs.	<ul style="list-style-type: none"> <li>• Support in verifying PAPs status claims on land, including for multiple claims to the same land.</li> <li>• Support the PMU to provide a suitable alternative land for permanent resettlement of PAPs who opt for (in kind) land-based compensation – e.g. land owners at the proposed landfill site.</li> <li>• Provide temporary housing for PAPs who are to be temporarily relocated, where necessary, to allow public works to be carried out for Neighborhood upgrades.</li> </ul>
Environmental Protection Agency	<ul style="list-style-type: none"> <li>• Provide technical guidance. Member of negotiation committee for purchase of land for landfill.</li> <li>• Issue EIA license</li> </ul>	Identification of site for landfill	<ul style="list-style-type: none"> <li>• Undertake screening and scoping of land identified for landfill site.</li> <li>• Issue EIA license and recommend mitigation measures which may result permanent resettlement.</li> </ul>

Institution	Role in FSRP2	Role in Implementation of the RAPs	Specific Responsibilities for RAPs
MWPA	<ul style="list-style-type: none"> <li>• Provide technical guidance on land access and use pertaining to the project.</li> </ul>	Valuation of properties	<ul style="list-style-type: none"> <li>• Assess the fair value of properties located on land to be used by the project.</li> </ul>
MAFFS	<ul style="list-style-type: none"> <li>• Provide technical advice to local councils on the quality of seedlings for Tree Planting activities</li> </ul>	Valuation of plants, goods and animals	<ul style="list-style-type: none"> <li>• Provide support to the PMU to value the size of farm/garden plot, goods, livestock of PAPs for the purpose of compensation.</li> <li>• Provide training for PAPs, where necessary, who opt for agriculture as an alternative source of livelihood.</li> </ul>

Ministry of Social Welfare	<ul style="list-style-type: none"> <li>• Provide policy guidance on dealing with Persons with Disabilities</li> </ul>	Protection of rights of vulnerable PAPs	<ul style="list-style-type: none"> <li>• Monitoring of screening, public disclosures and compensation payments to PAPs.</li> <li>• Ensure vulnerable groups like persons with disabilities, squatters, women, children, Ebola and COVID-19 survivors, persons living with HIV/AIDS etc. are treated fairly and their needs are adequately supported.</li> <li>• Provide access to psychosocial services for PAPs where necessary.</li> <li>• Record grievances and escalate to the PMU.</li> </ul>
Ministry of Gender	<ul style="list-style-type: none"> <li>• Member of the Steering Committee.</li> <li>• Provide technical guidance on gender and SGBV issues.</li> </ul>	Protection of PAPs from GBV/SEA/VAC	<ul style="list-style-type: none"> <li>• Monitoring of screening, stakeholder engagement and compensation payment to PAPs.</li> <li>• Ensure vulnerable groups like persons with disabilities, women, children etc. are protected from sexually exploitation, violence or abused.</li> <li>• Record grievances and escalate to the PMU.</li> <li>• Provide psychosocial services for SEA/SH survivors victims where cases occur.</li> </ul>
Local Councils - Councilors	<ul style="list-style-type: none"> <li>• Implementing local councils</li> </ul>	<ul style="list-style-type: none"> <li>• As direct implementing institutions the local councils have a shared responsibility for implementation of RAPs in their jurisdiction.</li> <li>• The Chief Administrator will lead on all activities related to the RAPs in the locality.</li> </ul>	<ul style="list-style-type: none"> <li>• Inputs into the TOR for the RAP</li> <li>• Support consultant during field work for the RAP preparation.</li> <li>• Work with the PMU to organize screening of PAPs and conduct public disclosures.</li> <li>• Councilor in whose ward project site is located will support the PMU during screening.</li> <li>• Councilor will work with the Committee to provide suitable temporary accommodation for PAPs.</li> </ul>

Chief/Headman	<ol style="list-style-type: none"> <li>1. Support Project through the Ward Committee and Local Councils</li> <li>2. Support Project on all land related issues</li> </ol>	<ul style="list-style-type: none"> <li>• Participate in public disclosures, stakeholder engagements.</li> </ul>	<ul style="list-style-type: none"> <li>• Witnesses during screening, public disclosures, and monitor resettlements of PAPs</li> </ul>
Representative of PAPs	<ol style="list-style-type: none"> <li>1. Support Project through the Ward Committee and Local Council</li> <li>2. Support Project from design stage through to implementation of after Project community support activities for PAPs</li> </ol>	<ul style="list-style-type: none"> <li>• Participate in activities of community mobilization, facilitation, planning and enumerations and socio/economic surveys</li> </ul>	<ul style="list-style-type: none"> <li>• Witness project and sub-project planning, screening, resettlement and compensation planning, implementation of RAP/ARAP, all grievances and complaints processes and post-project community support activities</li> </ul>

## **7.2 Resources, Technical Support and Capacity Enhancement**

### **7.2.1 Resources available to deal with resettlement issues**

The NDPPCO will provide oversight and supervision in implementing the RPF. The NDPPCO has also hired a Social Safeguards Specialist to oversee and implement the project Resettlement measures. The NDPPCO will also ensure the active involvement of the respective Local Councils, Project Affected Communities, and PAPs in the implementation of the RAP. A Resettlement and Compensation Committee shall also be established to oversee all resettlement and compensation issues related to the project.

### **7.2.2 Technical support and capacity building**

Compliance with World Bank's ESF will require some capacity building of both Project Management Unit and Project implementers at the national and provincial/district level. A capacity assessment is currently ongoing which will propose training on the RPF and other relevant safeguard tools such as the GM, SEP, Sexual Exploitation and Abuse and Sexual Harassment, Gender Based Violence among others. To make the work of the implementing team more effective.

### **7.2.3 Priority Tasks**

As soon as FSRP2 sub-projects or activities and locations are determined in sufficient detail, preliminary screening of resettlement/ compensation related issues should be carried out by the Officers responsible for Environment and Social issues to confirm (i) if land acquisition is involved, (ii) if implementation of subproject activities will impact on livelihoods and assets (structures, crops/economic plants and cultural heritage resources) of people and (iii) if implementation of subproject activities will also cause physical or economic displacement of people. If any of these is triggered, resettlement instrument (RAP) should be prepared for implementation prior to the taking of land and start of any civil works.



## **8.0 GRIEVANCE MECHANISM (GM)**

A comprehensive project wide GM will be instituted to enable a broad range of stakeholders to channel their concerns, questions, and complaints to the various implementation agencies, through multiple grievance uptake channels. The GM will have a trained specialist to address any related issues and complaints.

The Grievance Mechanism (GM) is to help resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. It outlines a transparent and credible process for fair, effective and lasting outcomes. Similarly, it builds trust and cooperation as an integral component of broader community consultation that facilitates corrective actions. Specifically, the GM:

1. Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants.
2. Avoids/ minimize the need to resort to judicial proceedings as a way of seeking redress.
3. Provides affected people with avenues for making a complaint or resolving any dispute that may arise during the course of the implementation of project.

### **8.1 The Grievance Mechanism Process**

Grievances will be handled at the Project Steering Committee (PSC) level through a multi-channel grievance uptake process, through which project related grievances will be resolved. GM contact number(s) will be provided when GM is set up (before project implementation). The GM will provide for anonymous reporting in ways that will ensure confidentiality and anonymity. This will largely create an enabling environment to allow for grievances to be raised by project affected persons without fear of victimization. The GM process will be coordinated by the PSC via the PMU to ensure transparency and accountability in financial flow and distribution of relief items/supplies/consumables to people affected by the project. The GM process should have a channel starting from the Council/Ward Committee to enable it to be easily accessible by the PAPs

The GM will include the following steps:

- a. Receiving and registering a complaint;
- b. Screening and assessing the complaint;
- c. Formulating a response;
- d. Selecting a resolution approach;
- e. Implementing the approach;
- f. Announcing the result;
- g. Tracking and evaluating the results;
- h. Learning from the experience and communicating back to all parties involved; and
- i. Preparing timely reports to management on the nature and resolution of grievances

## 8.2 Scope of the GM

The GM will be a project wide GM for the project and will be available for use by all project stakeholders including those directly and indirectly impacted, positively or negatively. This will proffer project affected persons to submit questions, concerns/complaints, comments, suggestions and obtain resolution or feedback.

## 8.3 Implementation Steps of GM

The GM implementation process will involve the following steps and timelines:

Table 9: Steps for GM Implementation

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

The coordination responsibility of the GM shall rest with the project Social Safeguards Specialist and the focal person at the call/report center. Complaints could be registered through calls, text messages, emails or voice mail. All complaints will be registered in a central log system (digitized). Once complaints is received at the call or report centre, they will be responsible for logging all complaints, the fraud/corruption complaints will be investigated and resolved by the PSC and the Anti-Corruption Commission. All other complaints will be forwarded to the GM Committee or the appropriate bodies (to be constituted before project implementation) report on GM as part of the standard monthly E&S reports to the PSC and the World Bank.

## 8.4 Cases and their Description

This section provides examples of the various types of cases that can arise during the implementation of the project. The type of cases to be handled include the following:

- a. Corruption/Fraud – for example, misappropriation of project funds, non or underpayment of risk allowances, diversion of project response materials/resources for use other than project implementation etc.
- b. Neighbourhood upgrading and greening
- c. Case management such as communities/inhabitants losing land and other assets due to construction of access roads, waterways/drainage, etc. Persons displaced in the process of flood risk mitigation measures.
- d. Affected persons not getting the necessary compensation, inaccurate data of persons affected, difficulties in locating affected persons due to logistical constraints, lack of corporation from general population due to insufficient information about the project, safety of officers undertaking disaster risk assessment, inadequate resources for officers to implement assigned tasks.
- e. Temporary shelter for displaced population: Inadequate provision of food and non-food items to displaced persons, poor conditions of temporary shelter facilities, proper monitoring of the shelters to ensure compliance especially in facilities vis-à-vis environmental considerations.
- f. Solid Waste Management such as lack or inadequate personal and equipment and waste handling material and logistics to deal with solid, exposure of the general population and workers to waste etc.
- g. Misinformation and/or inadequate information to the population about the project that could create an environment of resistance from sections of the general public.
- h. Psychosocial: lack of or inadequate response to tackle psychosocial issues (anxiety) arising from the project, lack of or inadequate staffing to respond to psycho-social issues
- i. Complaints of Sexual Exploitation and Abuse, Gender Based Violence and Sexual Harassment between project staff and PAPs. The project has recruited and a GBV specialist to support in confidential uptake and resolution of SEA/SH complaints which will be consistent with the project GBV action plan and implement the SEA/SH main mitigation measures. For the management of SEA/SH complaints, the focus should be on a survivor-centred approach, confidentiality through ethical management of these complaints. In addition, safe channels for complaints should be identified by women during their consultations. Other channels will be identified through the mapping of care services that will be established under the project as well as a referral protocol

Administrative and Logistics: delay and under payment or non-payment of compensations, delay in procurement processes, delay in availability of project implementation funds; insufficient or lack of funds for project implementation, illegitimate spending of implementation funds, lack of or inadequate logistics to implement project, misuse of project logistics etc.

## 8.5 Potential Sources of Grievances/Disputes

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

- a. Siting of the project /subproject;

- b. Mistakes in inventorying or valuing properties;
- c. Disagreement on property boundaries, either between the affected person and the expropriation agency or between two neighbours;
- d. Disputed ownership of a given asset (two or more affected people claim that the affected asset is theirs);
- e. Disagreement on asset valuation methods and compensation amounts in cash or in-kind;
- f. Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members including couples as to who should be given the cash compensation;
- g. Disagreement with the computation of the resettlement or livelihood assistance or transportation cost;
- h. Claims by people who relocated on their own after receiving notification about the project and the likelihood of impact on their activities; and
- i. Delays in resolving complaints of PAPs.

### 8.6 Key Stakeholders in GM Process

The GM will require all project stakeholders to actively participate in the identification, recording and resolution of grievances. Specific roles and responsibilities are outlined in table 10 below;

**Table 10: Key Stakeholders in GM Processes**

Actor	Role
Ministry of Finance	Provides implementation oversight of Government of Sierra Leone and other Donor Partners on the FSRP2 funding
Project Fiduciary Management Unit	Responsible for all fiduciary activities under the project
GRS Report Centre	General Platform that receive/record/log/document, screen and refers all FSRP2 related complaint to appropriate channels for investigation and resolution
GM focal person/PSC	Detect or investigate and resolve any complaint pertaining to the project
MLGRD	Provide supervisory role on local councils' cooperation on the project and help in the area of giving directives on relevant sector policies to guide project implementation
PMU-NDPPCO	Responsible for project management component including social and environmental safeguards as well as technical aspects
Grievance Redress Committee	Receive/record/log/document, re-investigation and resolve all FSRP2 related complaints

NGO	Appropriate partners/NGOs with capacity to provide the necessary technical backstopping to project implementation process
Local Councils/Ward Committees (WCs)	WCs would be responsible for community mobilization, facilitating community planning, enumerations/ socio-economic surveys, and other community capacity building initiatives to support project implementations
PSC	The PSC will meet at least every quarter to resolve strategic issues affecting the Project execution, provide policy guidance, and review project implementation progress and results indicators
Representative of PAPs	The Representative(s) of PAPs would be liaison(s) for PAPs during project and sub-project planning, screening, resettlement and compensation planning, implementation of RAP/ARAP, all grievances and complaints processes and post-project community support activities

## **9.0 STAKEHOLDER CONSULTATION**

The RPF, like any other safeguard instrument, is a public document, so its preparation was characterized by extensive stakeholder consultation and participation. Key project stakeholders consulted during the preparation of the RFP included Ministries, Departments and Agencies (MDAs), Local Councils, Private Organizations, Non-Governmental Organizations, and local communities as detailed in **Appendix 6**. The meetings were held with these key stakeholders to key officials and opinion leaders to gauge their level of awareness and involvement with the project, concerns of project implementation, and to gather information on the role in the implementation of the project and the kind capacity needs required to aid the performance of the anticipated roles in the implementation of the project.

To this end, the RPF and its associated instruments, such as the RAP, must be treated as public documents that are accessible to the public throughout the project life cycle. The NDPPCO shall be responsible for all disclosure of documents and must ensure that the RPF is published on the website of the Ministry of Agriculture and Forestry and Ministry of Finance and all other available channels of information disclosure including publishing in local languages in the various local communities. The NDPPCO shall also present all documents such as the RPF and related documents to the Project Affected Persons (PAPs) in the process of land acquisition, particularly vulnerable groups, and project impact on their property and their rights must be explained. Hard copies of the documentation shall be available in the affected Local Councils for dissemination to affected communities and persons.

The NDPPCO must ensure that affected persons participate throughout the development and implementation of resettlement activities and in the land acquisition process. They shall be consulted by the affected Local Councils and the Resettlement Committee and invited to participate in public meetings held by Local Councils from project inception stage through appraisal to implementation. The affected persons must also be provided with information on the project, its impacts and the proposed mitigation strategies and livelihood restoration activities. The information made public and provided to each affected household must also specify the cut-off dates for each sub-project, eligibility criteria and entitlements, modalities of compensation, and grievance redress procedures. The affected parties will be provided with an opportunity of presenting their ideas and suggestions as inputs into the planning and implementation of the resettlement activities. The affected persons must also be represented in the Resettlement and Compensation Committee and any other committee to be established, which will ensure their participation in the decision-making process in various stages of the RAP process including during preparation and implementation. After completion of RAP, the PMU will commission a RAP audit and prepare a RAP completion report to determine RAP is fully implemented and an assessment of PAPs satisfaction with the process and results of the RAP.

### **9.1 Stakeholder Consultations Carried Out**

Even though the project is still at the preparation stage, the World Bank FSRP2 Team has already conducted three rounds of face-to-face and virtual engagements with different stakeholder groups pertaining to the project as presented in Table 11 below:



		<ul style="list-style-type: none"> <li>• It is anticipated the Council will be integrated into the implementation arrangement to ensure smooth implementation of resettlement activities</li> <li>• WARDC has the primary authority for the acquisition of land and the resettlement of residents</li> <li>• Adequate measures to be put in place as part of the policy framework to ensure that the District Councils are consulted when decisions relating to resettlement and compensation are being made</li> <li>• Emphasis placed on the need for compensation to be paid to farmers for economic trees and crops that may be affected by the project</li> <li>• Doubts about the adequacy of the land tenure policy and its effectiveness to address land issues in present times was raised</li> </ul>
<p>National Commission for Persons with Disability (NCPD)</p>	<ul style="list-style-type: none"> <li>• Presentation by the consultant on the Project</li> <li>• Discussion on key issues about impact on PAPs\</li> <li>• Gaps in policies and laws and effects on PAPs</li> <li>• Role of Council in regulating and screening resettlement activities,</li> <li>• Compensation assessment and payment</li> <li>• Expected role in the implementation of Project</li> </ul>	<ul style="list-style-type: none"> <li>• The FSRP2 is a laudable venture as the country strives towards food sufficiency</li> <li>• Subsistence agriculture is the primary source of livelihood for physically challenged people with about 67% of people with disability residing in rural areas of Sierra Leone</li> <li>• FSRP2 activities are likely to impact or obstruct the livelihood activities of the people with disability in the project areas</li> <li>• It is much more difficult to resettle people with disability as such the need for livelihood support to be provided close to resettlement areas for disabled persons</li> <li>• Adequate rehabilitation and support services should be provided to reduce the burden of resettlement on PAPs with physical disability. Technical expertise and advisory services of the Commission should be harnessed and used at every stage of the project resettlement activities, in other to provide guidance on inclusive and equitable resettlement that is sensitive to the needs of people with disabilities</li> <li>• The Consultant/PCU must endeavour to disseminate information through disable friendly mediums</li> </ul>



		<ul style="list-style-type: none"> <li>• The Disability Act of 2011 can be made better to adequately articulate issues arising from crisis resettlement and involuntary resettlement of persons with disability</li> </ul>
50-50 Group (Local NGO)	<ul style="list-style-type: none"> <li>• Presentation by the consultant on the Project</li> <li>• Discussion on key issues about impact on PAPs\</li> <li>• Gaps in policies and laws and effects on PAPs</li> <li>• Role of Council in regulating and screening resettlement activities,</li> <li>• Compensation assessment and payment</li> <li>• Expected role in the implementation of Project</li> </ul>	<ul style="list-style-type: none"> <li>• High number of rape and abuse cases in the country and how these ties to projects with the importation of workers into rural areas</li> <li>• Disruptive effects of involuntary resettlement activities with women and girls being the most vulnerable and bore the brunt of the negative effects of both voluntary and involuntary resettlement activities</li> <li>• Reservations about the new National Resettlement Policy framework since the policy does not go far enough in addressing the concerns of women's groups</li> <li>• More could be done about the policy to enable it to mitigate the negative impact of resettlement on women and girls</li> <li>• The Groups has been involved in advocating on resettlement issues and will be willing to work with the PCU to ensure successful implementation of the project resettlement activities</li> </ul>

**Consultation and Disclosure Requirements for the Resettlement Policy Framework**

The main goal of stakeholder consultations under RPF/RAP preparation and implementation is to ensure inclusivity in the decision-making processes at every stage of the project preparation which will create an atmosphere of understanding that actively involves project-affected people and other stakeholders in a timely manner. It will also provide sufficient opportunity for the various stakeholder groups to voice their opinions and concerns that may influence project decisions during the project design, implementation, and closure stages.

The consultations and Public Disclosure of the RPF will be undertaken by the PSU which will be organized as follows:

- Circulation of the draft RPF for comments to all relevant institutions (e.g. FDD, PSC, Ministry of Lands, Ministry of Environment Ministry of Works and Public Assets (MWPA), Environmental Protection Agency, and the World Bank etc.);
- Communication of comments to the Consultant for incorporation into a final RPF, together with World Bank comments; and

- Public Disclosure of final RPF (after reviewed and cleared by both GoSL & World Bank) both in-country (e.g. hard copies to be sent relevant District Councils, District EPA offices, project communities, community libraries) and at the World Bank and MoF websites. Twenty- one (21) days will be allowed for the public to submit their comments if any, on the document.

## **10.0 ARRANGEMENT FOR MONITORING AND EVALUATION**

### **10.1 Objectives of Monitoring and Evaluation**

M&E are key components of the RPF and their general objectives are to ensure:

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

Monitoring and Evolution will BE carried out internally and externally.

### **10.2 Internal Monitoring**

#### **10.2.1 Scope and Content**

Internal Monitoring will address the following aspects of the Project:

- i. Social and economic monitoring:
  - Status of displaced or affected persons,
  - Status of individuals benefitting from the EDP activities,
  - Re-establishment of livelihoods of affected persons;
- ii. Technical monitoring: supervision of infrastructure and housing construction where relevant;
- iii. How Grievances and complaints are managed; Implementation of consultation strategy; and
- iv. Follow up on livelihood restoration and status of business re-establishment of displaced persons.

#### **10.2.2 Monitoring indicators**

The PCU Safeguards Specialist in collaboration with the M&E Officer (constituting the Internal Monitoring Unit) will keep the following statistics on an annual basis:

- i. Number of subprojects screened on environmental and social safeguard grounds;
- ii. Number of subprojects with RAPs or ARAPs;
- iii. Number of RAPs or ARAPs implemented according to schedule;
- iv. Number/frequency of safeguard supervision and annual Project reviews undertaken;
- v. Numbers of households/individuals affected by the FSRP2 Project activities;
- vi. Number of individuals physically or economically displaced;
- vii. Numbers of households/individuals benefitting from the FSRP2 activities;
- viii. Number of women benefitting from the FSRP2 activities;
- ix. Number of youth (between the ages of 15 and 35 years) benefitting from the FSRP2 activities;
- x. Number and sizes of individual, family or stool lands acquired for the FSRP2 activities;
- xi. Amounts of compensation paid; and
- xii. Number of grievances registered and number resolved.

### **11.2.3 Reporting**

The Internal Monitoring Unit comprising the PCU Safeguards Specialist and the project M&E Officer will submit quarterly reports or as agreed to PCU. 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.

## **10.3 Internal Evaluation**

### **11.3.1 Evaluation objectives**

Reference documentation for the evaluation will be the following:

- i. This Resettlement Policy Framework
- ii. Laws and Regulations of Sierra Leonean as described in this RPF
- iii. The applicable World Bank Safeguard Policies on “Involuntary Resettlement”
- iv. Any ARAP or RAP prepared for the FSRP2 activities if any

The evaluation has the following specific objectives:

- i. 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:

- ii. Assessment of resettlement and compensation procedures as they have been implemented;
- iii. 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;
- iv. 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 FSRP2 activities by the PCU.

Internal evaluation arrangements will be carried out for the implementation of ARAPs and RAPs.

## **10.4 External Monitoring and Evaluation**

The supervision of safeguards implementation for the Project will be done by the World Bank as part of the overall project implementation in conjunction with the Social and Environmental Safeguards Specialists at the PCU, and relevant experts involved in environmental and social mitigation.

The PCU may engage a local consultant to carry out external monitoring and evaluation of the RPF or any RAP and ARAP developed and implemented under the FSRP2. The Independent External Evaluation (IEE) will be done soon after the completion of an ARAP or RAP implementation and reported.

The independent evaluation will determine if:

- all sub-project has been screened for Environmental and Social Risks

- the right safeguards instrument has been prepared for sub-project that trigger involuntary resettlement
- compensation payments have been completed in a satisfactory manner
- there are improvements in livelihoods and well-being of PAPs
- grievances or conflicts emanating from the FSRP2 have been successfully resolved

Several indicators will be used to measure these impacts. The indicators include:

- i. Comparison of income levels of PAPS before-and-after the RPF and or ARAP/RAP implementation;
- ii. Comparison of income levels of individuals benefitting from the FSRP2;
- iii. Livelihoods and employment assistance offered under the FSRP2 and other accessible alternative incomes;
- iv. Changes in standards of living/housing conditions of PAPs;
- v. Number of grievances and their status, time and quality of resolution;
- vi. Number of vulnerable people/groups identified and assisted and impact of resettlement assistance provided on them;
- vii. Number of demolitions if any after giving notice if any; and
- viii. Number of PAPs paid in a given period in comparison with what was planned.

### **10.5 Completion Audit**

Upon completion of RAP/ARAP implementation, a completion audit will be carried out as an assessment to determine whether the objectives of the resettlement instrument have been achieved. The audit is aimed at checking whether policies have been complied with and lessons learnt can be used for amending strategies and implementation in a longer-term perspective. The completion audit will allow the Ministry of Finance, MAF, PCU, NDPPCO and other relevant stakeholders, EPA 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 ESS 5.

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 PCU may engage a local consultant to carry out the completion audit. The completion audit is to be undertaken after completing implementation of the RAP/ARAP or when required to ascertain reported infractions in the RAP implementation process.

## 11.0 BUDGET AND FUNDING SOURCES

### 12.1 Indicative Budget for RFP Implementation

An estimated budget of 264,000USD excluding cost of RAP will be required to implement safeguards instruments for three years. The provisional breakdown is presented below in Table 12, which provides an indicative budget for implementation of the RPF.

Table 12: Indicative Budget for Implementation of RFP

	Item	Activity	Unit Cost/Year US\$	Total Cost (3 Years) US\$
1	Implementing agency social capacity strengthening	Local travels, community engagements, stakeholder meetings and data capture	20,000	60,000
2	Training for various relevant stakeholder groups on resettlements/compensation issues	Awareness creation and capacity building on ESF and RPF	30,000	90,000
3	Preparation of RAP	Based on scope of work and impact of the Project		
4	Sensitization and grievance management	Setting up GM, sensitization and implementation of GM	30,000	90,000
5	Contingency (10%)		8,000	241,000
	<b>Total</b>		<b>787,000</b>	<b>264,000</b>

### 11.2 Budget for Preparation and Implementation of RAPs and ARAPs

The preparation of the Resettlement Action Plan is usually preceded by a pre-feasibility study which determines the scope of the project and the extent of proposed works and impacts on affected communities. The information from the pre-feasibility study informs the Resettlement Action Plan. Presently, this information is not available as the specific sites of the FSRP2 are yet to be determined. Thus, the budget for RAP cannot be determined at this stage. Nevertheless, an outline of the indicative cost centres of resettlement and compensation is provided in table 13.

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

The cost for the budget will be derived from expenditures relating to the following:

1. preparation of the resettlement instrument;
2. relocation and transfer costs;
3. income losses and livelihood restoration plan; and
4. administrative costs.

The breakdown of the above cost-centres are as follows.

#### **11.2.1 Preparation of resettlement instrument (ARAP or RAP) costs**

The Cost includes:

- i. Cost of survey of affected persons, inventory of assets and valuation;
- ii. Compensation payments for affected assets; and
- iii. Fees of consultants/NGOs to be engaged

#### **11.2.2 Relocation and Transfer Costs**

This cost breakdown includes:

- i. Cost of moving and transporting items;
- ii. Cost of site and infrastructure development and services;
- iii. Subsistence allowance during transition; and
- iv. Cost of replacement of businesses and downtime

#### **11.2.3 Income and means of livelihood restoration plans costs**

The cost associated with this cost-centre includes:

- i. Cost of estimating income losses and livelihood assistance;
- ii. Cost for implementing the Grievance Mechanism (GM); and
- iii. Cost for Monitoring and Evaluation of the RAP

#### **11.2.4 Administrative costs**

The cost items includes:

- i. Operation and support staff;
- ii. Training and monitoring; and
- iii. Technical assistance.

Table 13 provides a template for itemization of budget that 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 cost

Table 13 Template for itemization of budget for RAP or ARAP

No.	Item Description	Quantity	Unit Cost (\$USD)	Total Cost (\$USD)
1.0	<b>PREPARATORY PHASE COST</b>			
1.1	Inventory of affected persons, assets and livelihoods			
1.2	Valuation fees (LVD or private valuer)			
1.3	Stakeholder Consultation			
1.4	Preparation of resettlement plans or compensation reports			
1.5	<i>Subtotal 1: Preparatory Phase Cost</i>			
2.0	<b>COMPENSATION COST</b>			
2.1	Compensation for permanent acquisition of land			
2.2	Compensation for temporary occupation of land			
2.3	Compensation for the destruction of crops			
2.4	Compensation for the destruction of permanent immovable structures			
2.5	Compensation for temporary displacement of moveable structures			
2.6	<i>Subtotal 2: Compensation Cost</i>			
3.0	<b>LIVELIHOOD RESTORATION /MITIGATION MEASURES COST</b>			
3.1	Compensation for PAPs loss of income			
3.2	Compensation for businessperson loss of income			
3.3	Cost of special assistance to vulnerable groups			
3.4	<i>Subtotal 3: Livelihood Restoration/Mitigation Cost</i>			
4.0	<b>CAPACITY BUILDING AND IMPLEMENTATION COST</b>			
4.1	Capacity building for key stakeholders			
4.2	Disclosure of resettlement instrument			
4.3	Cost for compensation disbursement			
4.4	Cost for RAP Completion Audit			



4.5	<i>Subtotal 4: Capacity Building &amp; Implementation Cost</i>			
5.0	<b>TOTAL COST (Sum of Subtotals 1, 2, 3 &amp; 4)</b>			
6.0	CONTINGENCY (5%-10% of TOTAL COST)			
7.0	<b>GRAND TOTAL COST (Total Cost + Contingency)</b>			

**11.3 Sources and Arrangements for Funding**

The Government of Sierra Leone will make provision for funding for compensation, land acquisition and resettlement related issues. It is expected the Ministry of Finance will make funds available to the Ministry of Agriculture and Forestry for the payment of compensation to PAPs and related issues. However, considering the country’s budget deficit and debt stress over the years and the likelihood of government inability to raise funds to meet compensation requirement of the Project, IDA resources may be relied on and used to settle compensation for land acquisition and resettlement related issues under the Project. The Project will consider this option by obtaining waivers and no objection to use project funds for compensation payment and resettlement related issues under the Project.

## APPENDICES

### Appendix 1: ToR for the Preparation of RAP and ARAP

#### Resettlement Action Plan (RAP)

1. General description of the project and identification of the project area
  - 1.1 Description of the sub-project and of its potential land impacts
  - 1.2 Potential impacts identification of the following:
    - 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. Conduct 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 should 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 the Environmental and Social Framework 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 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, Non-governmental Organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
- 4. Legal and Institutional Framework.
  - 4.1 Summary of the information included in this RPF
  - 4.2 Local legal specificities if any
  - 4.3 Local institutional specificities
    - 4.3.1 Identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;
    - 4.3.2 Assessment of the institutional capacity of such agencies and NGOs; and
- 5. Eligibility and entitlements based on the definitions and categorization in this RPF and definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
- 6. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
- 7. Resettlement measures:
  - 7.1 Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy.
  - 7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation of those selected.

- 7.3 Legal arrangements for regularizing tenure and transferring titles to resettlers.
  - 7.4 Housing, infrastructure and social services.
  - 7.5 Environmental protection and management.
  - 7.6 Community participation. Involvement of resettles and host communities
  - 7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities
  - 7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in the RPF.
  - 7.9 Grievance procedures. Based on the principles and mechanisms described in this RPF, description of affordable and easily 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 resettles themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.
  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 resettles and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
  11. Costs and budget. Tables showing itemized cost estimates for all resettlement activities as indicated in this RPF including special assistance to vulnerable persons and other contingencies.
  12. Monitoring and evaluation.
    - i. 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;
    - ii. performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities;
    - iii. involvement of the displaced persons in the monitoring process; and
    - iv. 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.

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 as indicated in this RPF, including special assistance to vulnerable persons and other contingencies.

### **Abbreviated Resettlement Action Plan (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

## Appendix 2: Screening Template for Involuntary Resettlement

A PROJECT NAME:				
1	Project Location	Province		
		District		
		Town		
		Community/ Village		
2	Name of Safeguard Officer Filling Form			
3	Date of Screening			
B DESCRIPTION OF ACTIVITY				
1	Type of Activity (including objectives and outputs)			
2	Land area to be taken by project activity, in hectares (include location coordinates)			
3	Any existing property to be affected, and by how much (total, partial demolition etc.)			
4	Any plans for construction, movement of earth, changes in land cover			
5	Date of commencement and expected completion date and estimated cost			
C PRELIMINARY ENVIRONMENTAL INFORMATION				
		YES	NO	COMMENT
1	Is there adjacent/nearby critical natural habitat?			
2	Will the proposed activities have any impact on any ecosystem services, biodiversity issues or natural habitats?			
3	Are there activities at the Project site?			
4	Will there be restrictions or loss of access to community facilities or resources?			
5	Will there be restrictions or loss of access to community facilities or resources?			
6	What is the current land use?			
7	Is current land use compatible with the Project			
D PRELIMINARY SOCIAL INFORMATION				

		YES	NO	COMMENT
1	Will the subproject require the acquisition of land?			
2	What is the status of the land holding required by the project (customary, freehold, lease, community lands, etc.)?			
3	Is there evidence of land tenure status of landowners and/or occupants (affidavit, other documentation)?			
4	Are there outstanding land disputes?			
5	Has there been any litigation or complaints of environmental nature directed against the project proponent or subproject?			
6	Will there be any changes to livelihoods?			
7	Is there a grievance process identified for PAPs			
8	Is the grievance process identified easily accessible to PAPs?			
9	Will any restoration or compensation be required with Affected Persons			
10	What are the main issues associated with community benefits?			
11	Has there been proper consultation with stakeholders?			

**E IMPACT IDENTIFICATION AND CLASSIFICATION**

1	Land tenure	Choose L, M or H	Comments
		<b>LOW (L)</b> (No conflicts, disputes, disagreements around use of land)	
		<b>MEDIUM (M)</b> (Process of land regularization and rights to natural resources being worked out with clear communication and grievance process in place)	
		<b>HIGH (H)</b> (Land conflicts and disputes historically)	

		unresolved, community/ persons being evicted, settlers losing rights and no transparency or grievance redress available)	
2	Livelihood	<b>LOW (L)</b> (No livelihoods affected, short project duration and persons may revert to business activities immediately	
		<b>MEDIUM (M)</b> (Livelihoods affected, and persons may require some minimal assistance)	
		<b>HIGH (H)</b> (Livelihoods affected, and compensation payments required	
<b>F SUMMARY OF SENSITIVITY</b>			
		<b>Tick appropriately</b>	<b>Comments</b>
	[A]	HIGH	
	[B]	MEDIUM	
	[C]	LOW	
<b>G IMPACT MITIGATION</b>			
	Impact Identified		
	Impact Options		
<b>H DETERMINATION OF ENVIRONMENTAL CATEGORY BASED ON SCREENING</b>			
		<b>Tick Appropriately</b>	<b>Comments</b>
	[A]	REQUIRES RAP	
	[B]	Requires Preparation of Additional E&S Information to Support RPF	



	[C]	Does Not Require Further Environment al and Social Due Diligence – Refer To RPF		
1	<p>PREPARED BY: _____</p> <p>SIGNATURE: _____</p> <p>DATE: _____</p>			

**Appendix 3: Framework for the Census of Affected Assets and Affected People**

A AFFECTED PLOT OR LAND FORM					
1	Location	Region			
		District			
		Town			
		Community/Village			
2	Reference/GPS Coordinates	Points		Coordinates	
			X	Y	
		Point A:			
		Point B:			
		Point C:			
		Point D:			
		Point E:			
Point F:					
3	Land Size (Acre)				
4	Surface	Description of Soil			
5	Crops	Type	Name of Owner	ID of Owner	
	Perennial	1.			
		2.			
	Annuals	1.			
		2.			
	Trees	1.			
		2.			
	6	Assets	Type	Name of Owner	ID of Owner
Buildings		1.			
		2.			
Structures		1.			
		2.			
Chattels		1.			
		2.			
Anti-erosive structures:		1.			
		2.			

7	Users	Name of User	Land Use/ <i>Surface Used</i>	Regime of Tenure
		1		
		2		
		3		
		4		
		5		
8	Valuation Proposal (see details calculations to be provided on attached sheet)			
	Crops			
	Structures			
9	Proposed distribution of compensation			
	User 1			
	User 2			
	User 3			
	User 4			
	User 5			
10	Date	DD/M/YEAR		
11	Prepared By:	Signature:		
		Name:		
		Position:		

**Appendix 4: Framework for the Census of Affected Building**

<b>B AFFECTED BUILDING FORM</b>				
1	Location	Region		
		District		
		Town		
		Community/Village		
2	Reference/GPS Coordinates	Points	Coordinates	
			X	Y
		Point A:		
		Point B:		
		Point C:		
		Point D:		
		Point E:		
Point F:				
3	Land Size (Acre)			
4	Owner			
	Address			
5	Description	Permanent	Non-Permanent	
6	Surface			
7	Number of Rooms			
		Materials	Condition	
	Floor			
	Walls			
	Roof			
	Annexes Outside	Latrine	Bathroom	Kitchen
	Structures	1.		
		2.		

	Chattels	1.		
		2.		
	Anti-erosive structures:	1.		
		2.		
7	Users	Name of User	Land Use/ <i>Surface Used</i>	Regime of Tenure
		1		
		2		
		3		
		4		
		5		
8	Valuation Proposal (see details calculations to be provided on attached sheet)			
	Crops			
	Structures			
9	Proposed distribution of compensation			
	User 1			
	User 2			
	User 3			
	User 4			
	User 5			
10	Date	DD/M/YEAR		
11	Prepared By:	Signature:		
		Name:		
		Position:		

**Appendix 5: Model Complaints Registration and Resolution Form**

<b>Name of Complainant</b>		
<b>PAPs ID Number if any</b>	<b>ID Type</b>	<b>ID Number</b>
<b>Contact information</b>	<b>House Number</b>	<b>Mobile Number</b>
<b>Nature of Grievance or Complaint</b>		
<b>Details of Grievance</b>		
<b>Date of Complaint</b>	<b>Name of Receiver</b>	<b>Signature of Receiver</b>
<b>Date of Filing</b>	<b>Name of Filer</b>	<b>Signature of Filer</b>
<b>Relationship to Complainant (if different from Complainant)</b>  ✓ Please tick	<b>Yes</b>	<b>No</b>
<b>Nature of Relationship (If Yes)</b>		

Review/Resolution Level, 1 (District) Level 2 (Ministry) and Level 3 (Court) Form

<b>Date of Conciliation Session</b>		
<b>Was Filer/Complainant Present?</b>	Yes	No
<b>Was field verification of complaint conducted?</b>	Yes	No
<b>Findings of field investigation</b>		
<b>Summary of Conciliation Session Discussion</b>		
<b>Issues</b>		
<b>Was agreement reached on the issues?</b>	Yes	No
<b>If agreement was reached, detail the agreement:</b>		
<b>If agreement was not reached, specify the points of disagreement:</b>		
<b>Name of Conciliator</b>	<b>Date</b>	<b>Signed</b>
<b>Name of Filer/Complainant</b>	<b>Date</b>	<b>Signed</b>
<b>Name of Independent Observer</b> (e.g. Ward Committee Rep /Opinion Leader/Representative of PAPs)	<b>Date</b>	<b>Signed</b>

**Review/Resolution Implementation of Agreement Form**

<b>Date of Implementation</b>		
<b>Feedback from Filer/Complainant</b>	<b>Satisfied</b>	<b>Not Satisfied</b>
<b>If satisfied</b>	<b>Sign off</b>	<b>Date</b>
<b>Filer/Complainant</b>		
<b>Conciliator</b>		
<b>If not satisfied, recommendation/way forward</b>		
	<b>Signature</b>	<b>Date</b>
<b>Filer/Complainant)</b>		
<b>Conciliator</b>		



## Appendix 6: Consultation with Government Officials

**Meeting Type/Venue:** Stakeholder Consultative Meeting at SCADeP Conference Room

**Date of meeting** 17/03/2021 **Chaired by** Sulaiman Sesay

**PROJECT :** WEST AFRICA FOOD SYSTEM RESILIENCE PROGRAM (FSRP2)

### List of Attendees/Participants:

# Nr	Name	Company	Position	Invited	Attended
1	Sulaiman Sesay	SCADeP	Project Co-ordinator	✓	✓
2	Aminata Mackie	SCADeP	ESS Specialist	✓	✓
3	Claudia Davis	SCADeP	Administrive Staff	✓	✓
4	Kepifri Lakoh	MAF		✓	✓
5	Moses Senesie	MAF		✓	✓
6	Aiah Thorli	MAF		✓	✓
7	Umar Turay	NWRMA		✓	✓
8	John Sinnah	MoL		✓	✓
9	Mariatu Bangura	MoSW		✓	✓
10	Umar Turay			✓	✓
11	Tamba Nyakeh	EPA-SL		✓	✓
12	Dr. Stanislaus Adiaba	Consultant		✓	✓
14	Ing. Mohamed Jalloh	Local Consultant		✓	✓

### List of Acronyms:

EPA	Environmental Protection Agency
ESS	Environmental Social Safeguard
FSRP2	Food Systems Resilience Program
MAF	Ministry of Agriculture and Forestry
MoL	Ministry of Lands
MoSW	Ministry of Social Welfare
NWRMA	National Water Resources Management Authority
SCADeP	Smallholder Commercialisation Agri Development Project

## Appendix 7: Consultation with Head of Social Services, FCC

Meeting Type/Venue: Stakeholder Consultative Meeting at Office of Head of Social Services, FCC

Date of meeting 24/03/2021 Chaired by Ing. Mohamed Jalloh

PROJECT : WEST AFRICA FOOD SYSTEM RESILIENCE PROGRAM (FSRP2)

### List of Attendees/Participants:

# Nr	Name	Company	Position	Invited	Attended
1	Dr. Stanislaus Adiaba	Consultant		✓	✓
2	Ing. Mohamed Jalloh	Local Consultant		✓	✓
3	Stella. M. Smith	FCC	Head of Social Services	✓	✓
4	Eric Mosa	FCC	Deputy Head of Social Services	✓	✓
5					

### List of Acronyms:

EPA	Environmental Protection Agency
ESS	Environmental Social Safeguard
FSRP2	Food Systems Resilience Program
FCC	Freetown City Council
MAF	Ministry of Agriculture and Forestry
MoL	Ministry of Lands
MoSW	Ministry of Social Welfare
NWRMA	National Water Resources Management Authority
SCADeP	Smallholder commercialisation Agri Development Project

## Appendix 8: Consultation with Development Officer of WARDC

Meeting Type/Venue: Stakeholder Consultative Meeting at Office of Development Officer WARDC

Date of meeting 24/03/2021 Chaired by Ing. Mohamed Jalloh

PROJECT : WEST AFRICA FOOD SYSTEM RESILIENCE PROGRAM (FSRP2)

### List of Attendees/Participants:

# Nr	Name	Company	Position	Invited	Attended
1	Dr. Stanislaus Adiaba	Consultant		✓	✓
2	Ing. Mohamed Jalloh	Local Consultant		✓	✓
3	Maurice. George. Ellie	WARDC	Development Officer	✓	✓
4				✓	✓

### List of Acronyms:

EPA	Environmental Protection Agency
ESS	Environmental Social Safeguard
FSRP2	Food Systems Resilience Program
MAF	Ministry of Agriculture and Forestry
MoL	Ministry of Lands
MoSW	Ministry of Social Welfare
NWRMA	National Water Resources Management Authority
SCADeP	Smallholder commercialisation Agri Development Project
WARDC	Western Area Rural District Council

## Appendix 9: Consultation with Program Manager of NCPD

### Development of a Resettlement Policy Framework (RPF) Under THE WEST AFRICA FOOD SYSTEM RESILIENCE PROGRAM (FSRP2)

Meeting Type/Venue: Stakeholder Consultative Meeting at the Office of Program Manager NCPD

Date of meeting 25/03/2021 Chaired by Ing. Mohamed Jalloh

PROJECT : WEST AFRICA FOOD SYSTEM RESILIENCE PROGRAM (FSRP2)

#### List of Attendees/Participants:

# Nr	Name	Company	Position	Invited	Attended
1	Dr. Stanislaus Adiaba	Consultant		✓	✓
2	Ing. Mohamed Jalloh	Local Consultant		✓	✓
3	Tamba. S. P. Mondeh	National Commission for Persons with Disability (NCPD)	Program Manager	✓	✓

#### List of Acronyms:

EPA	Environmental Protection Agency
ESS	Environmental Social Safeguard
FSRP2	Food Systems Resilience Program
MAF	Ministry of Agriculture and Forestry
MoL	Ministry of Lands
MoSW	Ministry of Social Welfare
NWRMA	National Water Resources Management Authority
NCPD	National Commission for Persons with Disability
SCADeP	Smallholder commercialisation Agri Development Project

## Appendix 10: Consultation with District Engineer of BDC

**Meeting Type/Venue:** Stakeholder Consultative Meeting at the Office of District Engineer BDC

**Date of meeting** 29/03/2021 **Chaired by** Ing. Mohamed Jalloh

**PROJECT :** WEST AFRICA FOOD SYSTEM RESILIENCE PROGRAM (FSRP2)

### List of Attendees/Participants:

# Nr	Name	Company	Position	Invited	Attended
1	Dr. Stanislaus Adiaba	Consultant		✓	✓
2	Ing. Mohamed Jalloh	Local Consultant		✓	✓
3	Abdul Kanu	BDC	District Engineer	✓	✓
4					

### List of Acronyms:

EPA	Environmental Protection Agency
BDC	Bombali District Council
ESS	Environmental Social Safeguard
FSRP2	Food Systems Resilience Program
MAF	Ministry of Agriculture and Forestry
MoL	Ministry of Lands
MoSW	Ministry of Social Welfare
NWRMA	National Water Resources Management Authority
SCADeP	Smallholder commercialisation Agri Development Project

**Appendix 11: Consultation with Deputy Public Relations Officer of 50 -50 Group**

**Meeting Type/Venue:** Stakeholder Consultative Meeting at the Office of the Deputy Public Relations Officer, 50-50 Group

**Date of meeting** 30/03/2021 **Chaired by** Ing. Mohamed Jalloh

**PROJECT :** WEST AFRICA FOOD SYSTEM RESILIENCE PROGRAM (FSRP2)

**List of Attendees/Participants:**

# Nr	Name	Company	Position	Invited	Attended
1	Dr. Stanislaus Adiaba	Consultant		✓	✓
2	Ing. Mohamed Jalloh	Local Consultant		✓	✓
3	Marian.P. Kargbo	50-50 Group	Deputy Public Relations Officer	✓	✓

**List of Acronyms:**

EPA	Environmental Protection Agency
ESS	Environmental Social Safeguard
FSRP2	Food Systems Resilience Program
MAF	Ministry of Agriculture and Forestry
MoL	Ministry of Lands
MoSW	Ministry of Social Welfare
NWRMA	National Water Resources Management Authority
SCADeP	Smallholder commercialisation Agri Development Project

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