



**THE RESETTLEMENT POLICY FRAMEWORK (RPF) FOR THE
ECOWAS-REGIONAL ELECTRICITY ACCESS PROJECT (PHASE 1)
FOR THE ENERGY SECTOR IN THE GAMBIA**



National Water and Electricity Company (NAWEC)

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Abbreviations and Acronyms

AIDS	Acquired Immune Deficiency Syndrome
DLS	Department of Lands and Surveys
DPPH	Department of Physical Planning and Housing
DOA	Department of Agriculture
ECOWAS	Economic Community of West African States
EHS	Environmental Health and Safety
EIA	Environmental Impact Assessment
ESMF	Environmental and Social Management Framework
GBA	Greater Banjul Area
GEAP	Gambia Environment Action Plan
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
IDA	International Development Association
J-PIU	Joint Project Implementation Unit
LV	Low Voltage
KV	Kilovolts
LACA	Land Acquisition and Compensation Act
LCMC	Local Coordinating and Monitoring Committee
LGA	Local Government Authorities
LRR	Lower River Region
MDFT	Multi-Disciplinary Facilitation Team
MOA	Ministry of Agriculture
MOLRG	Ministry of Lands and Regional Governments
NARI	National Agricultural Research Institute
NAWEC	National Water and Electricity Company
NEA	National Environment Agency
NGO	Non- Government Agency
OMVG	Organisation pour la mise en valeur du Fleuve Gambie
OMVS	Organisation pour la mise en valeur du Fleuve Sénégal
PAP	Project Affected Person
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
ROW	Right of Way
RPF	Resettlement Policy Framework
T &D	Transmission & Distribution
WAPP	West African Power Pool
WB	World Bank
WCR	West Coast Region

Definitions of Terms Used in the Report

Unless the context dictates otherwise, the following terms shall have the following meanings:

“Alkalo” pl. alkalolu: The administrative head of the village usually from the founding family /clan of the village

“An Environmental Impact Assessment (EIA)”: An environmental assessment instrument to identify and assess major potential environmental impact of proposed sub projects, evaluate different alternatives and design appropriate mitigation, management and monitoring measure.

“Bantaba” means an open space in the village where people meet and discuss village matters

“Census” means a field survey carried out to identify and determine the number of Project Affected Persons (PAP) or Displaced Persons (DPs). 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 seyfolu and *alkalolu*.

“Compensation” means the payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets thereon.

“Cut-off date” is the date of commencement of the census of PAPs or DPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation.

“Displaced Persons” mean persons who, for reasons due to involuntary acquisition or voluntary contribution of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not the said Displaced Persons are physically relocated. These people will have their: standard of living adversely affected, whether or not the Displaced Person must move to another location ; lose right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.

“District” means an area demarcated under the Local Government Act 2002 and it is the administrative unit immediately below the Region

“District Authority” means the district authority established under section 132 of the Local Government Act 2002. The District Authority is responsible for managing the affairs of the district

“District Tribunal” means subordinate court at district level that handles customary matters such as land under customary tenure.

“Involuntary Displacement” means the involuntary acquisition of land resulting in direct or indirect economic and social impacts caused by: Loss of benefits from use of such land; relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the Displaced Persons has moved to another location; or not.

“Involuntary Land Acquisition” is the repossession 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 legal rights including customary

“Kabilo”: A collection of families that constitute a village

“Land” refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.

“Land acquisition” means the repossession of or alienation of land, buildings or other assets thereon for purposes of the Project.

“Local Authority” includes the council and the District Authority

“Local Government Authority” means a council established under the Local Government Act 2002

“Market Value” means the most probable selling price or the value most often sought by buyers and sellers.

“Project Affected Person(s) (PAPs)” are persons affected by land use or acquisition needs of the GERMP. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets, lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.

“Rehabilitation Assistance” means the provision of development assistance in addition to Compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable Displaced Persons to improve their living standards in a sustainable way, income earning capacity and production levels; or at least maintain them at pre-Project levels.

“Replacement cost” means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on **Market rate in the area (commercial rate)** according to the Gambian law for sale of land or property. In terms of land, this may be categorized as follows; (a) “Replacement cost for agricultural land” means the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes;

“Replacement cost for houses and other structures” means the prevailing cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs shall include: (a) transporting building materials to the construction site; (b) any labour and contractors’ fees; and (c) any registration costs.

“Resettlement Assistance” means the measures to ensure that Displaced Persons who may require to be physically relocated are provided with assistance during relocation, such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement.

“The Resettlement Policy Framework (RPF)” has been prepared as a mandatory instrument to be used throughout the NAWEC Project (GERMP) implementation. The RPF will set out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of

the people who may be affected by the program. The **Resettlement Action Plans (“RAPs”)** for the NAWEC Project will be prepared in conformity with the provisions of this RPF.

“**Seyfo**” pl. **seyfolu** - the administrative head of a district sometimes referred to as District Chief

Executive Summary

The governments of The Gambia, Guinea Bissau, and Mali are preparing the Economic Community of West African States (ECOWAS)-Regional Electricity Access Project (Phase 1) for World Bank financing. The project is part of the Organisation pour la mise en valeur du Fleuve Gambie (OMVG)/ Organisation pour la mise en valeur du Fleuve Sénégal (OMVS) Power System Development which is also part of the wider ECOWAS’ West African Power Pool (WAPP) program. The Project objective is to increase access to reliable and durable energy services in the three countries and to enable cross-border electrification in those countries. An estimated 100,000 households are expected to have access to electricity under the project in each of the three countries. In the Gambia the project area is the Lower River and West Coast Regions and it will consist of the construction of 225kV transmission lines from Soma substation to Brikama substation and the construction of 33kV distribution network connecting households in targeted localities in the two regions. The project comprises two main components as follows:

Component 1: The expansion and reinforcement of electricity distribution infrastructure to reach a maximum of affordable new connections.

Sub-component 1a: Access through Grid Extension and Reinforcement: this involves the construction of 225kV transmission lines from the existing Organization for the Development of Senegal River Basin (OMVS) substations in Mali and under-construction substations of the Organization for the Development of the Gambia River Basin (OMVG) in The Gambia and the construction of 33KV distribution network connecting targeted localities in the two regions. It includes the extension of distribution network within each locality, the reinforcement of existing distribution networks to reduce technical losses, the implementation of cross border distribution network.

Sub-component 1b: Supplies of Connection equipment:

This component supports the provision of all connections supplies required for 100,000 connections in each country, the delivery of smart meters for large consumers, and provision of prepaid meters and service connection materials for 100,000 low voltage (LV) customers per country.

Component 2: Project Management and Technical Assistance to the joint implementation unit and national implementation units. This involves technical assistance (TA) activities to support or reinforce the Joint Project Implementation Unit (JPIU) and national PIU and to institutional and commercial activities including:

- Project Coordination and Implementation Support -Sub-component 2a:
- Access planning support- Sub-component 2b;
- Sustainable environment for cross border electrification- Sub-component 2c

Project component likely to trigger negative environmental and social impacts

The Project component likely to trigger negative environmental and social impacts is **Sub-component 1a: Access through Grid Extension and Reinforcement** which involves the construction of 225KV Transmission line from the OMVG substation in Soma to the Brikama substation and the construction of 33kV distribution network for household connections. The transmission lines for 225kV will require land acquisition for construction of the tower, a corridor of 40 meters (20meters on either side) and a 3meter access road to the construction site during the construction phase. The specific localities to be covered by the 33kV distribution lines have yet to be identified but it is not expected to result in permanent land acquisition. In addition for both cases there may, also be cases of temporary land acquisition for construction of work and storage sites and refuse dumps for waste generated during the construction. There may also be loss of earnings when occupiers of right of way (ROW) are required to move temporarily/ stop work until construction is completed. It is in this context that an RPF is being prepared. Although there are no national legal codes with respect to safety of 225kv lines it is advisable not to allow PAPs to move back to under high voltage transmission lines for safety reasons.

A Resettlement Policy Framework (RPF) is being prepared because at this stage of project preparation, not all the locations of sub-projects have not been fully defined so it is not possible to determine what the total land acquisition requirements and the real social impacts that can be used, in terms of loss of livelihoods and economic activities.

The Resettlement Policy framework document establishes policies, principles, institutional arrangements and indicative budgets to carry out the resettlement activities based on the national legislations of the Government of the Gambia and the policies of the World Bank particularly, Operational Policy (OP) 4.12.

Land administration and compulsory land acquisition

The Ministry for Lands and Regional Governments is the main Government agency responsible for administration of land in the Gambia and the relevant acts relating to land administration are the Lands (Regions) Act 1991 which covers land in the provinces and the State Lands Act 1991 which covers Banjul, the entire Kombo St. Mary as well the districts of Kombo North, South and Central in the West Coast Region. There are also the Physical Planning and Control Act 1991 and the Surveys Act 1991; Local Government Act, 2002; The Survey Act, 1991, Land Use Regulations, 1995; Lands Commission Act, 2007; State Lands Regulations, 1995; Development Control Regulations, 1995.

The Constitution 1997, and the Land Acquisition and Compensation Act (LACA) 1991 provide the legal basis for the acquisition of property by the state for public/ planning purpose. The World Bank policy on involuntary resettlement OP/BP 4.12, Involuntary Resettlement stipulates the processes and procedures to be followed in cases of involuntary resettlement as a result of the implementation of a Bank financed project. Although the national laws have many points in common with the World Bank policy, there are however significant differences which includes the rights of squatters, special assistance to vulnerable groups, monitoring and evaluation of the program.

Resettlement Action Plan

All infrastructure investments need to be screened on a case-by-case basis to determine: i) whether land will be required and ii) whether associated mitigating measures that will be necessary before the construction phase have been defined in sufficient detail that they can be readily implemented. Where involuntary resettlement and land acquisition is unavoidable, a Resettlement Action Plan will have to be prepared. The activities to be undertaken shall include: consultations between the Project and the affected communities;

conducting a baseline survey to determine their socio-economic status; identifying the impacts of the resettlement on assets and livelihoods; identifying affected groups/individuals; conducting a valuation exercise; preparing resettlement costs and submitting to appropriate authorities in the Gambia for funding; and compensating the affected persons.

Valuation and Compensation

Compensation can be in kind, in cash or both and the method of valuation shall be replacement cost for assets (land and properties) affected by the project without taking into account depreciation, and where the remaining part of a demolished asset is not economically viable, compensation is estimated based on the entire asset. Land acquired, shall preferably be compensated in kind in accordance with the laws of the Gambia and the World Bank Safeguard Policy OP 4.12. Buildings and other structures are to be compensated in cash using replacement cost. Other valuation methods have been presented for trees and crops. Resettlement and compensation are the responsibility of the Gambia Government.

Matrix of compensation packages by type of asset lost and ownership right

Compensation Category	Types of loss	PAP	Compensation Method
Land acquisition and compensation (Permanent acquisition) <i>Note: If remaining parcel is not viable, owner has right to require purchase of entire parcel.</i>	Customary lands, private lands	Customary owner Leaseholder	Cash compensation equivalent to replacement value, including transfer taxes, and titling fees Owner has the option of being allocated a new plot if one is available and it is suitable to owner's needs, plus cash coverage of any transfer taxes and titling fees, plus in the case of agricultural lands: cash compensation for preparing the land.
	Agricultural land Less than 20% of land holding affected but rest of Land still economically viable.	Customary owner Leaseholder	Cash compensation for affected land equivalent to replacement value
			Cash compensation for affected land equivalent to replacement value
			Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for

			the remaining period of tenancy/ lease agreement, whichever is greater.- Tenant/ lease holder
<p>Compensation for houses/infrastructure irrespective of legality of occupation rights of the land on which the structure is built</p> <p><i>This category will include squatters occupying line corridors</i></p>	All immovable structures and physical assets including buildings, concrete floors, perimeter walls, wells, outbuildings, etc.	Customary owner, tenant, title holder, user, squatters	<p>Replacement value equivalent to the cost of constructing a new structure of similar construction standard and size at prevailing prices without depreciation. Costs for replacement of walls and fences will be calculated by unit length, whilst costs for wells will take account their depth and lining</p> <p>PAPs will be allowed to remove salvageable construction materials and this will not affect compensation. Transportation costs will be based on truck hire costs commensurate with volume of salvageable materials and possessions</p>
	Temporary structures including kiosks, shacks, converted shipping containers	Customary owner, tenant, title holder, user, squatters	Full costs of removal and transfer to a location selected by the owner of the structure
	For tenants only: compensation for cost of any improvements made	tenant, squatters	Replacement value
Temporary loss of revenues during construction	Include residential tenants, business operators (whether owners or renters of their premises) and squatters	Customary owner, tenant, title holder, user, squatters	Full compensation of revenue lost/ cost of temporary relocation
Compensation for crops	Standing crops (include groundnuts, maize, millet, etc.)	Customary owner	If harvest is not possible, valuation based on unit area cultivated (preferably in ha) multiplied by the yield potential (kg/ha) and prevailing market price (price/kg)

Trees (includes timber, fruit trees)	Timber	Customary owner	Valuation based on prevailing market price
	Banana	Customary owner	Market value of the trees harvested in that year plus one additional year
	Other fruit trees (mangoes, oranges, coconut, guava, papaya)	Customary owner	Number of trees affected x by the average annual yield potential/tree x the number of productive years left at time of felling x the prevailing market price
Loss of community infrastructure	Roads, bridges, buildings	Community	Replacement/repair of damaged infrastructure to its previous or better standard
Loss of sacred sites	Partial/total loss loss (to be avoided as much as possible)	Community	Community to identify a suitable site to be rehabilitated to the standard required by the community

Consultations with Project Affected Persons

Thorough consultations with Project Affected Persons (PAPs) shall be undertaken through public and one-on-one meetings and through their involvement in resettlement committees and monitoring teams, and documentation of holdings and assets. They shall also be consulted in discussing agreements on compensation, preparation of contracts and compensation payments. The consultations seek to increase transparency, public understanding, and citizen involvement in the design and implementation of the RAP. It helps ensure that the PAPs are adequately informed about and involved in project preparation and implementation and have the chance to make informed decisions regarding their position on the project. During the preparation of the RAP, a communication strategy will be developed to underpin and guide these consultations with a clear and consistent message to be delivered to the PAPs and the wider public through public and private meetings, media outlets especially community radios and traditional drama groups amongst others. The PAPs will also be informed of the GRM and their legal rights.

Grievance Redress Mechanism

Grievances resulting from resettlement and compensation be resolved using a grievance redress mechanism (GRM). The GRM shall consist of a two-tier system: (i) local/community level; (ii) project level grievance resolution; with the law courts as final resort when the disputes cannot be resolved... The general process is that a PAP should first raise a grievance at the local level with the head of the project team in the area that will register and keep record of the complaint, and address it and where necessary use the traditional dispute resolution system involving community leaders. If the grievance is not resolved at this level, it is referred to the Grievance Redress Committee (GRC) at the project level, who will also register and keep record. Regardless of the GRM, the complainant can at any time seek to proceed to the legal system as provided for in the 1997 Constitution, the State Lands Act 1991 and the Land Acquisition and Compensation Act 1991.

Monitoring and evaluation

Monitoring and evaluation are important components of the Resettlement Action Plan, and shall be carried out throughout the project cycle for feedback and the institution of corrective measures where necessary. The Social Safeguards specialist within the PIU shall be responsible for the internal monitoring and he/she shall

be assisted by the National Monitoring Committee (NMC) and Local Coordination and Monitoring Committee (LCMCs) set up by the OMVG to monitor the investment program in Lower and West Coast Region. The NEA will have overall supervisory role for monitoring. The reports of the monitoring shall be sent to the PIU and the Regional J-PIU as well as the World Bank.

There will be a midterm and final evaluation of the implementation of the RAP. The latter should preferably take place after all RAP activities have been completed including development initiatives, but before the financial commitments to the program are finished. This will allow the flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

Capacity Building

Capacity building is a necessary aspect during the implementation of these safeguards instruments and outcome of the stakeholder consultations showed a strong need for capacity building in NAWEC. Capacity building will be organized for the implementing agency and its partners at the central and decentralized levels. In the medium and long term it is recommended that NAWEC includes safeguards training in the training program of the NAWEC Training School.

Budget and Implementation of RAP

Resettlement Action Plans will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. The overall cost of resettlement and compensation will be determined during the socio-economic study. However, an indicative cost of some of the proposed activities relating to the implementation of the RPF is provided in the table below.

Indicative budget for the Implementation of the RPF

S/No.	Activity	Cost USD	Financing	
			Gambia Govt. (OMVG)	IDA
1	Preparation of the RAP	75,000		x
2	Implementation of the RAP- compensation of loss of assets and revenue, relocation of PAP, assistance to vulnerable groups and contingencies	200,000 ⁽¹⁾	x	
3	Supervision of the monitoring by NEA*			
4	One day training workshop for staff of NAWEC, partner agencies and representatives of local communities on requirements and roles	4,500		x
5	Information and public awareness	20,000		x
6	Training of project partners on social and environmental safeguards (NEA, NAWEC / LGA & Community representatives, LCMC etc.) at central and decentralized levels	20,000		x
7	Monitoring and Evaluation	25,000		x
	Total	344,500	200,000	144,500

(1) This cost relates only to the distribution network. The cost for the TL has been paid by the member states to the OMVG that is charged with the management and disbursement of compensation funds.

* The cost of supervision and monitoring by NEA is to be included in the budget of the Environmental and Social Management Framework.

The implementation of the RAP will be financed by the Gambia Government. The funds will be disbursed in the same manner as the funds for the other components of the project and will comply with the regulations of The Gambia Government on the disbursement of funds by government and quasi-government agencies (i.e. direct transfer to bank accounts of the respective beneficiaries) and where the PAP does not have an account, cash payments shall be made against presentation of a national identification card or some other form of identification acceptable to the Gambian authorities.

The IDA credit will finance the preparation of the RAP, communication, sensitization, capacity building, monitoring and evaluation (mid-term and final evaluation) estimated at USD 144,500.00 (One Hundred and Forty Four Thousand Five Hundred US Dollars).

When completed the Resettlement Action Plan shall be widely disclosed. This will include distribution of as many copies as possible to different institutions and communities for comments and suggestions. The document will also be distributed to individuals and community leaders such as Members of the National Assembly (NAMs), Regional Governors; Area Councillors, and displayed at “Bantabas” etc. For national and international disclosure the World Bank Web-site will be used. After the PAPs have been compensated and the RAP has been implemented, an independent RAP implementation audit will be commissioned, and its outcomes shared with the World Bank.

CHAPTER 1: INTRODUCTION

1.1 Project Description

The Gambia, Guinea Bissau, and Mali are preparing the ECOWAS-Regional Electricity Access Project (Phase 1) for World Bank financing. The project is part of the OMVG/OMVS Power System Development which is in line (The Gambia, Guinea, Guinea-Bissau, Mali, and Senegal) support by ECOWAS through the West African Power Pool (WAPP), which supports the interconnection of power systems and the promotion of cross border electricity trade, in order to provide electricity services for border communities to reduce poverty and promote wealth creation.

This first phase of the project will increase access to reliable energy services in targeted areas and enable cross-border electrification between the countries involved. The expected outcomes include: (i) increased electricity access rate that will contribute to the development of the countries and (ii) increased cross-border electricity trade between participating countries that will allow more cost-efficient coverage of power demand. The project consists of the construction of interconnection of a 225 kV loop of electricity transmission line with 15 high and medium voltage stations and dispatch centers in Kaléta and Sambangalou. The 15 substations, distributed between the OMVG member countries divide the line into 16 stations totaling 1,677km. Two of the substations will be built in The Gambia at Soma (Lower River Region) and Brikama (West Coast Region) respectively.

The OMVG project component to be financed by the World Bank comprises the construction of 225kV transmission lines from Soma to Brikama and 33kV lines to connect targeted households in the two regions. The project is in line with recent energy policy document that seeks, amongst others to "close the power generation gap in GBA to improve service quality and access supported by necessary investments in transmission and distribution."⁽¹⁾ The implementation of the Gambian portion of the project will be entrusted to the National Water and Electricity Company (NAWEC). The project will focus on the Lower River and West Coast Regions. Figure1 below shows the two regions.

1.2 Project Objectives

The Programme Development Objective is to increase access to affordable and reliable electricity in the region. The Project Development Objective for the proposed Phase 1 operation is to increase access to reliable energy services in The Gambia, Guinea Bissau, and Mali and to enable cross-border electrification in those countries. An estimated 300,000 households in the three West African Countries, The Gambia, Guinea-Bissau and Mali, (over 100 000 households in each country on average) are expected to have access to electricity which will benefit almost three million people. The project comprises two main components as follows:

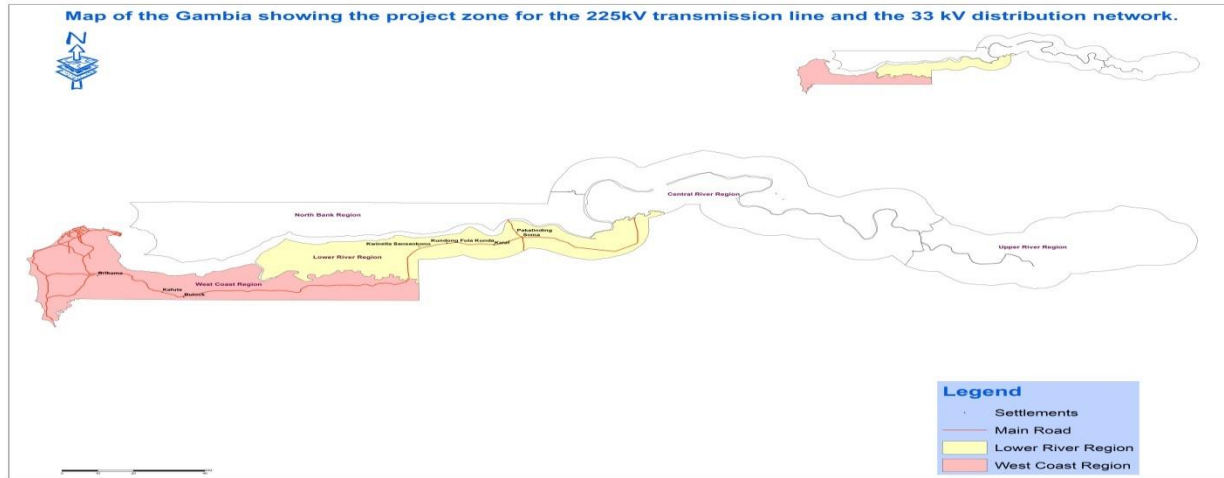
Component 1: The expansion and reinforcement of electricity distribution infrastructure to reach a maximum of affordable new connections

Sub-component 1a: Access through Grid Extension and Reinforcement

Distribution extension and reinforcement: This component involves the construction of 33KV

1. *The Gambia Electricity Sector Roadmap-High Level Update-August 2017: Ministry of Petroleum and Energy*

Figure 1: Map of The Gambia showing the project zone for the 225kV transmission line and the 33kV distribution network



distribution network connecting all localities from the existing OMVS substations in Mali and under construction substations of OMVG. It includes the extension of distribution network within each locality, the reinforcement of existing distribution networks to reduce technical losses and the implementation of cross border distribution network. This component will focus on the construction of new and reinforcement of existing distribution line that are essential for the localities.

Cross border electrification. This component involves the construction of 33KV distribution network connecting all localities from the under-construction substations of OMVG. The cross border will be established between Senegal- Mali, Senegal-Guinea Bissau, Senegal-the Gambia. It also includes the extension of distribution network within each locality.

Sub-component 1b: Supplies of Connection equipment:

This component supports the provision of all connections supplies required for 100,000 connections in each country, the delivery of smart meters for large consumers, and provision of prepaid meters for 100 000 low voltage (LV) customers per country.

Component 2: Project Management and Technical Assistance to the joint implementation unit and national implementation units.

The IDA credit will focus on TA activities to support or reinforce the joint PIU and national PIU and to institutional and commercial activities including:

Sub-component 2a: Project Coordination and Implementation Support

Project Coordination and Implementation: This sub-component will focus on all aspects related to overall project management, including fiduciary aspects, M&E, Procurement, Financial Management, knowledge management, communication and the monitoring of safeguards mitigation measures, strengthen the capacity of implementing agencies. Activities will include the creation of the project Joint coordination (JPIU) and the hiring of a Joint Project Coordinator, national level Project Management, Institutional Support/Capacity Building. The project in the five countries will each host a National Project

Coordination Unit (N-PCU). The project (WREP) will support staff salaries, operating costs and key national studies aiming at preparing or documenting the project's intervention. National level monitoring and evaluation activities will include regular monitoring of implementation performance and results, annual outcome evaluations.

Services and supervision: The JPIU will play a crucial role in the hiring of unique supervision firm for all countries. The supervision engineer will deploy satellite in each country. The JPIU will also support in monitoring and reporting including defining of joint technical standards. The services and the operating cost of the project including external auditors, the project operating costs.

Sub-component 2b: Access planning support

Least Cost Electricity access development Plan: This activity will establish a least cost development plan for each country or update the distribution master plan in each country. It will draw from the conclusions / findings of National Electrification Strategy. It will provide an optimized investment pipeline to maximize electricity access across national territory and form a crucial basis for investment/budget planning and donor coordination in each country.

Sub-component 2c: Sustainable environment for cross border electrification

Institutional and commercial support: This activity will provide the institutional and commercial arrangements to be put in place in order to ensure a sustainable performance of the cross-border electrification. It will also care for some critical cross-cutting institutional strengthening and training needs identified at national levels. Activities will include power purchase agreement.

1.3 Project component likely to trigger negative environmental and social impacts

The Project component likely to trigger negative environmental and social impacts is **Sub-component 1a: Access through Grid Extension and Reinforcement** which involves the construction of 225kV Transmission line from the OMVG substation in Soma to the Brikama substation. The transmission lines will be mounted on pylons of an average height of 25 -30m with an average distance of 500 m between the towers. The average width of the corridor is 40 meters ie.20m on either side. The component also includes the construction of 33kV distribution network for household connections. Although a lot of care will be taken to minimize potential direct impacts there will still be impacts which could include the loss of livelihoods during the preconstruction and construction phases; and the loss of land used for the construction of the pylons and to make way for a 3m access road to the work site, and loss of forests and other trees within the 40meter corridor. Other impacts may include the loss of property in the urban areas especially at Soma and at Kembujeh where the lines switch from one side of the road to the other in order to reach the substation in Brikama.

The specific localities to be covered by the 33kV transmission lines have yet to be identified. The standard ROW width for these lines is 5m, 2.5m on either side of the centerline. The height of the structures could range from 11 to 14 m above ground, but actual heights will depend on site-specific conditions and topography.

With respect to the selection of the routes, effort should be made to minimize involuntary resettlement. It should be possible, particularly in the rural areas, to exercise sufficient flexibility to minimize risks and impacts to existing structures and infrastructure. In the communities visited during consultations the existing access roads provide enough space for the construction of poles. It is not expected that there will

be land acquisition and resettlement however, the PAPs may suffer a temporary loss of earning, when people occupying the ROW will have to relocate or cease operations for a limited period but can return to their original location/ resume operations once construction has been completed.

These negative impacts can be either permanent or temporary. Permanent losses will occur where permanent installations (pylons) are built on the land and where houses occur within the 40m corridor. Temporal loss will result in an interruption in the current use of property or land by the affected person as a result of the project activities. The costs for the compensation have yet to be determined. The exact number of PAPs including determination of the economic displacement costs will only be established as part of the preparation of the investment specific to the RAPs. **Table1** gives details of categories of losses and their impacts on displaced persons.

Table 1: Categories of losses and their impacts on displaced persons

Loss Category	Social Impacts
Relocation	Impoverishment, disturbance of production systems, loss of sources of income, loss or weakening of community systems and social networks, loss of access to social amenities such as hospitals and schools, water; dispersion of kin groups, loss of cultural identity and traditional authority, loss or reduction of potential for mutual help, emotional stress.
Loss of land but no relocation	Impoverishment, loss of sources of income and means of livelihood, loss of assets or access to assets, increased time to access resources
Alienation due to neighbors being relocated	Impoverishment, weakening of community systems and social networks, loss of mutual help and community support , loss of traditional authority, Loss of identity and cultural survival, emotional stress
PAPs and host communities	Impoverishment, loss of sources of income, reduced time and access to resources such as hospitals and schools, water, increased time to access resources, Disruption of social fabric, increased crime, increase in diseases such as HIV/AIDS, Clash of cultural and religious beliefs and cultural norms

As the proposed activities under this project are likely to result in people losing their land, assets and access to assets, their income and livelihoods with or without physical relocation then World Bank OP/BP 4.12, Involuntary Resettlement is triggered. Since the precise location of the sites is not known this Resettlement Policy Framework (RPF) has been prepared to provide a screening process, for the activities, to ensure that where land acquisition for project activities is inevitable, resettlement and compensation processes for the lost land and associated assets are conceived and executed in a sustainable manner. The RPF document establishes policies, principles, institutional arrangements and indicative budgets to carry out the resettlement activities based on the national legislations of the Government of the Gambia and the policies of the World Bank particularly, Operational Policy OP/BP 4.12.

This process requires the provision of sufficient investment resources to meet the needs of the persons affected and/or displaced from their habitat and resources. It also requires adequate collaborative consultation and agreement with the project affected persons to ensure that they maintain or improve their livelihoods and standards of living in the new environment.

1.3 Scope

NAWEC is required to prepare a Resettlement Policy Framework (RPF) to cover requirements under the Resettlement Policy (OP 4.12). The purpose of this policy framework is to clarify the rules and principles that will apply to the project in case of involuntary resettlement, due to land acquisition resulting in the loss of land, access to goods and other sources of income. The document describes the institutional arrangements, mechanisms for managing the grievances or conflicts, and the system of monitoring and evaluation.. In parallel an Environmental and Social Management Framework (ESMF) is being prepared by NAWEC to meet the requirements of the World Bank's Environmental Assessment Policy (OP 4.01), including the World Bank Group Environment, Health and Safety (EHS) guidelines, and to comply with the relevant laws and regulations of the Government of The Gambia.

1.4 Methodology

In developing the RPF the following methodology was adopted:

➤ **Desktop Review**

This consisted of reviewing relevant documentation (both print and electronic) made available and they include: the Concept Note for the loan; national legal and policy documents on land administration including compulsory land acquisition and the World Bank's Operational Policy (OP)/Bank Policy (BP) 4.12.

➤ **Field visits and consultations with potential PAPs**

The visits and the consultations provided the opportunity to:

- See some of the potential project intervention sites and to discuss with the local communities about the project and its potential social impacts (both positive and negative);
- Provide an opportunity for the potential beneficiaries to express freely their views and concerns with respect to the implementation of the project;
- Based on the discussions identify specific interests and discuss potential roles and responsibilities of stakeholders that would facilitate their participation, ownership and sustainability of the project.

The consultations took the form of interviews with representatives of relevant government agencies and focus group discussions with potential project beneficiaries at the community level. The summary of the interviews and the community consultations is attached as **Annex 6** and the list of persons interviewed are attached as **Annex 7 and 12**.

➤ **National workshop**

A national workshop was convened on 26th April 2018 to discuss the draft report with the stakeholders and the comments/observations from the workshop were incorporated in the present report.



The consultants with the lady Governor (center in white) and members of Technical Advisory Committee



Women participants in : Kundon Fullakunda



Kembujeh



Participants at: Brikama Misira



Foni Bulock

CHAPTER 2: POLICY AND REGULATORY FRAMEWORK FOR LAND ACQUISITION AND INVOLUNTARY RESETTLEMENT IN THE GAMBIA

Land acquisition and involuntary resettlement programs are governed by national laws and policies as well the World Bank safeguard policy OP/BP 4.12 which are presented below.

2.1 Land Administration in The Gambia

The Ministry for Lands and Regional Governments is the main Government agency responsible for the administration of land in the Gambia. The Ministry is supported in this role by two key technical departments; the Department of Lands and Surveys and the Department of Physical Planning and Housing. The former is responsible for the survey, mapping and demarcation of national and international boundaries and government layouts whereas the latter is responsible for ensuring the rational and equitable utilization of the available land resources. In addition to these two institutions there is the Land Commission which is provided for in the Constitution (Art. 192). The Commission, in co-ordination with relevant public agencies and government institutions, manages lands vested in the state and provides advice to the Minister on land matters.

The main acts relating to land administration are the Lands (Regions) Act 1991 which covers land in the provinces and the State Lands Act 1991 which covers Banjul, the entire Kombo St. Mary as well the Districts of Kombo North, South and Central in the West Coast Region. There are also the Physical Planning and Control Act 1991 and the Surveys Act 1991; Local Government Act, 2002; The Survey Act, 1991, Land Use Regulations, 1995; Lands Commission Act, 2007; State Lands Regulations, 1995; Development Control Regulations, 1995

2.2 Land Tenure in The Gambia

Land tenure in both the provinces and the state land areas fall under four main categories:

- i. Customary;
- ii. State Ownership;
- iii. Leasehold; and
- iv. Free hold.

Customary or traditional tenure is an interest or title which a member of the larger community acquires in the communal land. It is an interest which is held as of right by virtue of being a member of the community. The member who holds such interest has the right of beneficial occupation; unfettered use (subject to the laws of the country). Upon death, the interest devolves on his/her successors in title ad infinitum. This form of tenure is mostly prevalent in the Provinces.

State owned lands are public lands which have been specifically acquired by the government under an appropriate enactment using the state powers of eminent domain. Currently the relevant legal instrument is the State Lands Act of 1991, which provides for the compulsory acquisition for public purposes or in the public interest. Under such ownership the rights become vested in the government which can then proceed to dispose of the lands by way of leases, certificate of allocations etc. to the relevant beneficiary state institutions as well as private individuals and organizations.

Lease hold tenure involves the execution of a lease between individual(s) and the Government/ District Authority for a period of twenty one years for Provincial lands and ninety nine years in the state lands area. It is an interest in land for a specified period. Various terms and conditions may be imposed by the grantor including the payment of rent as consideration for the grant.

Free hold tenure is the highest form of ownership with no term limits and is only created by express grant from the Government. It is a rare form of tenure which confers absolute ownership of the land and it exist mainly in Banjul and the immediate suburbs.

2.3 The Laws on Compulsory Acquisition

In addition to The Lands (Regions) Act 1991 and the State Lands Act 1991 the other relevant national laws with respect to compulsory land acquisition, compensation and resettlement are:

- The Constitution of the Republic of the Gambia 1997
- the Land Acquisition and Compensation Act 1991

2.3.1 The Constitution of the Republic of the Gambia 1997

The Constitution of the Republic of Gambia (1997) recognizes and upholds the principle of private ownership of lands. Although the State has the inherent right of compulsory acquisition the Constitution clearly states that this can only be done in public interest. Article 22 of the Constitution states that, “*No property of any description, shall be taken possession of compulsorily, no right over or interest in any such property shall be acquired compulsorily in any part of The Gambia, except:*

Section 1(a)” The taking of possession or acquisition is necessary in the interest of defence, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such a manner as to promote public benefit;” and

Section 1(b)” the necessity therefore is such as to afford reasonable justification of the causing of any hardship that may result to any person having any interest in or right over the property;”

Section 1(c) provides for the prompt payment of fair and adequate compensation and aggrieved persons have a right of access to a court or other impartial and independent authority for redress. Section (4) expressly stipulates that where the compulsorily acquisition involves the displacement of any inhabitant who occupy the land under customary law; the Government shall resettle them on suitable alternative land with due regard to their economic wellbeing and social and cultural values.

An important provision in the Constitution (Section 6) provides for the giving back of lands to the owners when such lands are not used for the purpose for which they were compulsorily acquired in the public interest.

2.3.2 The Land Acquisition and Compensation Act (LACA) 1991

This Act provides the legal basis for the acquisition of property by the state for public/ planning purpose. Section 3 of the Act provides that all land acquired under the provisions of the Act shall be designated as

state land and shall be administered under the provisions of the State Lands Act 1991. Section 4 empowers the Minister to acquire any property for public/planning purpose paying such consideration or compensation as may be agreed upon or determined in accordance with the Act.

Section 11 of the Act provides for compensation for land acquired under LACA. In computerizing the compensation the market value of the property is taken. The open market value means the best price at which an interest in property might reasonably be expected to be sold at the time of valuation. The method often used to determine the open market value is the cost of replacement method. This method is based on the current cost of construction of the structures and improvements, including design, supervision, financing costs depreciated to reflect the remaining useful life and the state of repairs of the structure.

In its practical implementation, whenever land is required for public purpose, the Land Administration Board may enter upon and survey such land for the purpose of ascertaining whether the land is suitable for the purpose for which it is required as well as to determine and mark out its boundaries.

When the Minister of Lands directs that any such land is to be acquired under this Act, notices are given to all persons having interest or claiming to be entitled to the land following a reasonable enquiry for the purpose. By such notice, which must be published in the Gazette at least once, such persons shall be asked to yield up possession of the land specified in the notice after the expiration of a specified period of time, which shall not be less than six weeks from the date of the notice. It is only after the expiration of the period specified in the notice that Government can be entitled to enter into and take possession of the land.

2.3.3 Dispute Resolution

The Land Acquisition and Compensation Act provide that all disputes and disagreements on compensation or title can be settled by arbitration or by the Supreme Court. All cases of disputed interest or title, except those held under customary occupation, may be referred by the Land Administration Board to arbitration with the consent of the land owner in conformity with the Arbitration Act. For land under customary tenure, disputes shall be referred to the relevant District Tribunal.

All cases of disputes that are not settled by either arbitration or a District Tribunal shall be determined by the Supreme Court through a summons taken out by either the Attorney General or by any person holding or claiming any interest in the land to be acquired. Such recourse to the Supreme shall be made within 21 days after the decision of either arbitration or a District Tribunal. The Supreme Court has the jurisdiction to hear all other cases of disputes arising from compulsory acquisitions.

2.4 World Bank Safeguard Policy, OP/BP4.12

2.4.1 OP/BP 4.12: Involuntary Resettlement

The World Bank policy on involuntary resettlement OP/BP4.12, which was revised in 2013, indicates the processes and procedures required to be followed where people have to lose property, means of livelihood or where they experience a change in their standard of living as a result of the implementation of a Bank financed project. It also provides that due consultations be undertaken with all PAP before, during and

after project implementation with special attention to disadvantaged groups (women, children and the disabled) within the population.

Consistent with World Bank policies and the International Finance Corporation (IFC) guidelines for the preparation of a Resettlement Action Plan (RAP), the following need to be put into consideration:

- i) Involuntary resettlement should be avoided, or minimized, as much as possible, by considering all feasible options including viable alternative project designs. Where involuntary resettlement is unavoidable, all people affected by it should be compensated fully and fairly for lost assets;
- ii) Involuntary resettlement should be seen and undertaken accordingly as an opportunity for improving the livelihoods of the affected people; and
- iii) All people affected by involuntary resettlement should be consulted and involved in resettlement planning to ensure that the mitigation of adverse effects as well as the benefits of resettlement are appropriate and sustainable.

In accordance with OP 4.12 this RPF will be ;

- a) made widely available and circulated in The Gambia , at all publicly accessible locations and in a form that the potentially affected people can understand; and
- b) also made available on the Bank's website.

The RPF can be revised as necessary during the entire life of the project. All revisions must be approved by the Bank.

2.5 Comparative Analysis of Gambian Laws with W/Bank Safeguard Policy OP 4.12

This section gives a comparison of the requirements World Bank Safeguard Policy OP 4.12 and Gambian legislation on compulsory land acquisition and compensation namely: Land Acquisition and Compensation Act, 1990. This gap analysis is presented in Table 4-1 but the principal findings from this analysis are as follows:

Gambian law addresses some of the requirements of OP 4.12 but equally a lot of gaps do exist. The similarities of the two include:

- i) It is generally accepted by the two that those losing land or property should be properly compensated and that compensation should be assessed as replacement value.
- ii) Notification of compulsory purchase is required and redress is provided through the legal system;

Some of the important gaps include:

- i) Whilst OP 4.12 aims at minimizing severe long-term hardship, impoverishment, and environmental damage caused by involuntary resettlement, current national laws merely

provide the environment for compulsory acquisition of land and subsequent payment of appropriate compensation. There is no explicit requirement to minimize hardships relating to involuntary resettlement. Thus, additional measures such as allowances for ‘disturbance’ and assistance to resettle PAPs are not provided for by Gambian law;

- ii) Unlike OP 4.12 which covers economic and social impacts resulting in relocation or loss of shelter, loss of assets or access to assets and loss of income sources or means of livelihood, Gambian law does not provide for additional measures to aid livelihood recovery or to provide special assistance to vulnerable groups;
- iii) The Land Acquisition and Compensation Act provides for limited consultation procedures. Apart from a disclosure notice informing potential victims of Government’s intention of acquiring their property compulsorily for Public purposes, the Act has no provision for public consultation and involvement in the acquisition process;
- iv) The Land Acquisition and Compensation Act recognize only those who have legal title to the land to be acquired. Consequently those who do not have a legal (Freehold, Leasehold or customary) right to land are not entitled to any compensation for lost property, assets or earnings. These groups, who would therefore not qualify for compensation, include squatters whether residential or business and renters.
- v) The Land Acquisition and Compensation Act provide no legal requirement to prepare Resettlement Action Plans (RAPs) or to undertake monitoring of the resettlement process.

Because adherence to OP/BP 4.12 is a prerequisite for implementation of this project, this RPF therefore requires that NAWEC fully respects and implements the provisions of World Bank Safeguards Policy, OP/BP 4.12 in conjunction with national legislations and where the two differ the standard set by the Bank’s OP/BP 4.12, should prevail.

Table 2: Comparative analysis of The Land Acquisition and Compensation Act and O.P. /B.P 4.12

Provision	Land Acquisition & Compensation Act 1991	World Bank OP 4.12
Compensation	1. Compensation required. 2. Compensation to be assessed as replacement value.	1. Compensation required. 2. Compensation to be assessed as replacement value.
Notification	Required	Required
Redress	Redress provided through the legal system	Redress provided through the legal system
Consultation	Provides for limited consultation procedures.	Public consultation and involvement including disclosure and information on grievance redress procedures required.
Objective of Resettlement	Merely provides for compulsory acquisition of land for public purpose	Minimizes severe long-term hardship, impoverishment, and environmental

	and subsequent payment of compensation.	damage
Coverage	Does not provide for additional measures to aid livelihood recovery or for increased assistance to vulnerable groups.	Covers economic and social impacts resulting in relocation or loss of shelter, loss of assets or access to assets and loss of income sources or means of livelihood.
Minimizing Resettlement	No explicit requirement to minimize involuntary resettlement.	Involuntary resettlement should be minimized as much as possible.
Eligibility	Recognizes only those who have legal title	In addition to those who have legal title the Policy also recognizes squatters and vulnerable groups.
Preparation of Resettlement Action Plan	No legal requirement to prepare Resettlement Action Plan.	Resettlement Action Plan required
Cut-off Date	The date that the Minister of Lands and Regional Governments notifies potential PAPs of his approval for the acquisition of his property for public purposes	The date of completion of the census of people occupying the land to be acquired and the inventory of their assets and the affected groups have been duly informed of their dues.
Monitoring of Resettlement Process	Monitoring of resettlement process not provided.	Monitoring of resettlement process required.

2.6 Institutional Framework for Resettlement

For the purpose of this RPF, the main institutions involved and their responsibilities at national, regional, local and / community levels are highlighted below.

i) National Level

At the national level the following agencies will be involved in the implementation of the RPF:

a) Ministry of Lands and Regional Governments

The Ministry of Lands and Regional Governments is the apex Institution responsible for all land administration activities in the country. The Ministry is the final approving authority for all planning and land transactions undertaken and processed by its technical departments. It is the custodian of all land-related legislation (including the Land Acquisition and Compensation Act) and oversees all Boards and Authorities responsible for land matters report to the Minister through the Directors of Lands and Surveys and Physical Planning and Housing respectively.

This Ministry is also responsible for Decentralization (Local Government Act 2002) which seeks to promote greater community involvement in the policy formulation and decision-making processes in order to improve local governance. This requires involvement of the local community apart from the elected members and public servants, especially in those areas which directly affect the lives of the whole community. A more aware and involved community is likely to yield fresh ideas on problems and their

solutions. Therefore, in the context of the preparation and implementation of the RAP the local community will be expected to be closely involved.

b) Department of Lands and Surveys

The Department of Lands and Surveys is responsible for the day-to-day administration of the State Lands Act, the survey Act, the Land Acquisition and Compensation Act and the Rating and Valuation Act. The Department is mandated to:

- i) demarcate all layout plans
- ii) prepare lease plans
- iii) maintenance of the National Geodetic Survey Framework
- iv) prepare cadastral (registration) plans for adjudication on land titles
- v) prepare base maps for valuation purposes
- vi) prepare various types of thematic maps
- vii) carry out property valuations for rating and compensation purposes

The Department acts as the secretariat of the Land Administration Boards and processes all applications for land, leases and assignments.

c) Department of Physical Planning and Housing

The Department of Physical Planning and Housing is responsible for:

- i) the preparation of physical development and land use plans at national, district and local levels
- ii) control of land development at national, district and local levels
- iii) control and coordination of land use at national, district and local levels
- iv) implementation of the National Housing Policy
- v) approval of all applications for development permits
- vi) Serves as the secretariat of the six Divisional Planning Authorities as well as the National Planning Board.

d) National Environment Agency (NEA)

The National Environmental Agency was established by the National Environment Management Act 1994. The NEA is charged with the responsibility for environmental management in The Gambia. The Agency prescribes standards and guidelines relating to environmental protection and/or pollution. It may, by notice in writing, direct any developer carrying on any project to submit an Environmental Impact Assessment covering the project.

In this project the NEA will be responsible for the overall supervision of the monitoring program and for screening and appraising the RAP as well as monitoring and evaluating the resettlement/rehabilitation process.

e) Land Surveyors' Board

The Act provides for the establishment of a Land Surveyors' Board to, among other things, grant license to private surveyors to enable them carry out surveying work in The Gambia and to advise the Director of

Lands and Surveys or the Minister for local Government and Lands on any matter referred to it in connection with cadastral or other survey matter under the provision of the Act.

f) National Physical Planning Board

The Physical Planning and Development Control Act provides for the setting up a National Physical Planning Board. The Board shall be appointed by the Minister for Lands and Regional Government, and shall authorize and direct the preparation of draft Plans in accordance with the Act and shall advise the Minister:

- a) On the formulation of general Physical development policy for the country as a whole or for any part as may be necessary;
- b) On any matter relating to the administration of the Physical Planning and Development Control Act, including the making of appropriate regulations; and
- c) On any matter referred to it by the Minister and shall do such other things as it may consider necessary for the carrying out of its functions under the Act.

Similar bodies are also provided for by the Act at the regional level and referred to as Regional Physical Planning Authorities.

g) Attorney General's Department

The Attorney General's Department has redress mechanisms in place for aggrieved persons. Affected persons who are not satisfied with compensation due them are empowered by the constitution to seek redress in the court of law. When this happens, the Attorney General's Department represents the government in the court proceedings. The Attorney General's Department is also responsible for drafting the Executive Instrument for acquiring the needed land for the project.

h) The National Water and Electricity Company (NAWEC)

The implementing agency for the project is NAWEC, a vertically- integrated water and electricity public company that handles the generation, transmission, and distribution of electricity in the Gambia. NAWEC is required to prepare a Resettlement Policy Framework (RPF) to cover the requirements under the Resettlement Policy (OP/BP 4.12) for this project. It will be directly involved in all matters relating to physical or economic displacement of people by the project and the preparation and administration in close collaboration with OMVG any compensation that has to be paid.

ii) Regional Level

a) Local Government Authorities

The Local Government Authorities only direct involvement in land administration is the maintenance of a register of all properties in their jurisdiction for rating purposes and in this way they have register of ownership albeit not always very accurate.

b) Governors' Offices

The Offices of the Governors process and prepare all applications for leases within their jurisdiction. The Governor is the chairperson of the Regional Physical Planning Authority. In the context of this project the Governors in LRR and WCR also chair the CLC – local bodies set up by the OMVG to monitor project implementation especially the social and environmental components at the community level

c) Land Administration Board

The State Lands Act provides for the setting up a Land Administration Board for the Greater Banjul Area (GBA) and for each Region as and when required. The Board, which shall be appointed by the Minister for Lands and Regional Governments, shall perform the following functions amongst others:

- a) Advise on the acquisition and compensation of land for public purpose;
- b) Investigate disputes on land ownership and occupation in designated areas;
- c) Assess land tax and premium for properties within designated areas; and
- d) Monitor the registration of properties and inspect land register and records.

iii) Community level

i) District Authorities/Tribunals

According to the Lands (Regions) Act 1991, customary land is vested in the District Authority. In this regard, the District Authority, chaired by the District Chief, approves all applications for conversion of customary tenure to leasehold. It also considers and approves all applications for transfer of ownership of land within its jurisdiction. The District Tribunal, also chaired by the District Chief, presides over all cases relating to land disputes and ownership.

ii) Alkalolu

The Alkalo (Village Head) oversees the management of all customary land in the village on behalf of the District Authority. As a result the mandate to allocate village land is vested on the Alkalo. He also approves all allocation and transfers made by Kabilo heads. The Alkalo collects land rates on behalf of the Council. Given that the majority of properties fall under this category, the Alkalo perform significant land management functions in the country.

2.7 National Gender and Women's Empowerment Policy (2010-2020)

The Gambian society is essentially a patriarchal system and this, together with socio-cultural factors, perpetuates gender inequality which results in the exclusion of women, girls, people with disabilities and other vulnerable groups from actively participating in some sectors of the development process. In an effort to address this situation and promote gender equality the government of The Gambia established the National Women's Council and Women's Bureau by the Council Act of 1980. The current Government policy, the National Gender and Women's Empowerment Policy (2010-2020), seeks "to achieve gender equity and women empowerment as an integral part of the national development process through enhancing participation of women and men, girls and boys for sustainable and equitable development and poverty reduction." The Policy provides guidance for the achievement of its objectives through its Implementation Plan, which sets out indicators and a framework to assist sectoral departments, partners, and other stakeholders to mainstream gender from a rights-based approach in their planning and programming and implementation processes. The proposed project will provide an important opportunity to assist women to improve their livelihood through the provision of energy for food processing, food conservation and improved conditions in health centers particularly in the maternity wings.

CHAPTER 3: PROCEDURES FOR LAND ACQUISITION AND RESETTLEMENT FOR THE ECOWAS REGIONAL ELECTRICITY ACCESS PROJECT (PHASE 1)

Resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs. Where it is not feasible to avoid it, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.

The proposed activities under Component 1 of the Project will require land which may lead to loss of land, temporary restriction of people's access to their land and temporary loss of livelihoods. In this case, resettlement action plans, consistent with OP/BP 4.12 and the present resettlement policy framework, must be prepared.

3.1 The screening process

The screening of all project activities must be carried out to determine: i) whether land is required and ii) whether alternative options (design and/or alignment) have been explored to avoid or minimize resettlement. Once a particular activity is identified such as construction of access roads, storage sites, worker sites, Right of way (ROW)) the Social Safeguards Specialist in PIU will complete an Involuntary Resettlement Screening and Categorisation Form (Annex I) to determine whether land is required, the land size, location and availability, The checklist is designed to inform the Social Safeguards Specialist about critical issues and to make available to the PIU and the NEA key information so that mitigation measures, if any, can be identified and/or that requirements for further analysis can be determined at an early stage of the project cycle for compliance with national legislations and Bank safeguards. The Social Safeguards Specialist will be required to answer all the questions, in particular the following questions (12 and 13 in the Categorisation Form):

- Will the activity result in displacement, loss of assets, or access to assets (Yes or No)? and
- Will the activity result in the permanent or temporary loss of crops, fruit trees, and household infrastructure (such as granaries, outside toilets and kitchens, etc.?) (Yes/No)?

If the answers are 'No,' the activity poses no particular resettlement concern. Simple mitigation measures should be included in the bidding documents and the contractors be made to fully implement those clauses. If one or more of the answers are 'Yes,' then a Resettlement Action Plan (RAP) is required for that particular activity. The findings are forwarded to the PIU for field verification of the assessment results and subsequently forwarded by the PIU to the NEA for further scrutiny and approval for the preparation of the RAP. The decision of the NEA shall be communicated to the PIU. The PIU, in consultation with the NEA shall recruit consultant(s) to prepare a RAP which will entail amongst others a census and baseline survey to be followed by the preparation of the plan. The completed plan is to be submitted to the NEA for review and appraisal. Where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan (ARAP) may be prepared.

The NEA will advise the PIU about the outcome of the review which may include acceptance or resubmission or rejection of the RAP(s). Once approved by NEA the PIU will send the document to the

Bank for review and no objection and once cleared by the Bank the PIU will proceed with the implementation of the RAP. This activity, commands priority over the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before the PAPs have been fully compensated and the necessary measures for resettlement are in place. The PIU will ensure that compensation is effected in line with the national laws and World Bank Safeguard Policy on Involuntary Resettlement.

3.2 Preparation, Review and Approval of the Resettlement Action Plan

After the screening and the decision to proceed with the preparation of a RAP the following activities will be undertaken as part of the preparatory process:

3.2.1 Consultations, public awareness and information sharing

In the preparation of the RAPs, the PAPs and other stakeholders will be consulted by the PIU during the design and implementation of the project. Such consultations will be part of the ongoing activities of the project. The consultations seek to increase transparency, public understanding, and citizen involvement in the design and implementation of the RAP. It helps ensure that the PAPs are adequately informed about the project and have the chance to make informed decisions regarding their position on the project. The target group for these consultations will be the PAPs and other relevant stakeholders such as government agencies, at national and regional levels, Local government representatives, NGOs and CSOs, women and youth groups at the regional level. These consultations shall, in all cases, take due consideration of representativeness and inclusion of women and marginalized or vulnerable groups. However, in view of the potential difficulties these groups sometimes have in making their voices heard in large open meetings, special arrangements shall be made at group and individual levels to reach out to them to create the necessary awareness and collect their views.

A communication strategy will be developed to underpin and guide these consultations with a clear and consistent message to be delivered to the public through the following methods:

a. Public Meetings

Public meetings in suitable locations ('bantaba,' market place, etc.), the official residence or offices of the local leaders will be held in the affected areas with community leaders, opinion leaders, and PAPs as individuals (as during the survey) and in their groups. At these meetings the people will be informed about the project, the assets likely to be impacted, the principle of compensation for the various types of losses, the entitlement eligibility criteria, if already known, modes of compensation and the complaints and grievances resolution procedures. The stakeholders will also be informed about their rights and the alternatives available to them if the proposed compensation to them is considered inadequate.

b) Individual Meetings

Individual(s)-based meetings will be conducted with each affected house hold either at the affected house or local office of the project. During these meetings the affected individual/households will be informed of their asset(s) that have been affected and informed of the resettlement options. The affected group or individual will also be informed of their right to acquire assistance from any competent valuator, lawyer or legal councilors during the assessment or meeting relating to the assessment of assets.

c) Use of Media Outlets

Local newspapers, community and local radio stations shall be used to increase public awareness and promote transparency of the project activities including the RAP process.

d) Traditional Drama Presentations

These will include the traditional drama groups such as Kanyeleng kafos and youth groups who will present the project and the RAP process in drama form to facilitate easier understanding of the key issues of the project and the procedure for assets evaluation and compensation.

The outcome of these consultations shall be adequately recorded and included in project documentation by the Social Safeguards Specialist in the PIU.

3.2.2 Participation of PAPs in Project Activities

An important outcome of the consultative process is stakeholder participation in the proposed project and to facilitate this, the PAPs will be assisted to form groups that will assist PAPs to better articulate their concerns and promote greater participation in the resettlement process. The contractor will be encouraged to use PAPs to supply materials and service needed for the sub-project implementation and if they have the competence. Finally the PAPs will be included in resettlement committees and monitoring teams.

3.2.3 Baseline Survey

Preparation of the resettlement plan will entail undertaking a baseline survey consisting of a census of all affected persons and assets and a socio-economic survey of the conditions of the affected persons.

The census would identify potentially affected individuals, households and vulnerable groups (children, the elderly, female headed households, widows, widowers, etc.). The socio-economic study will collect baseline socio-economic data of the potentially affected populations/communities within the project targeted areas. The socio-economic assessment would focus on identification of stakeholders (demographic data), the participation process, identification of affected people, impact on their property, their production systems, the institutional analysis and the system for monitoring and evaluation. Detailed calculation of household economies and identification of all impacts will be necessary in the socio-economic assessment and be determinant in the potential compensation process.

3.2.4 Development of a Resettlement Action Plan

The resettlement action plan to be prepared by a consultant will include:

- Description of the project sub-component
- Potential impacts (including those identified during the census and the socio-economic survey)
- Relevant findings of the socio-economic study and the census
- Legal framework
- Institutional framework
- Eligibility
- Valuation of and compensation of losses indicating whether compensation is in-kind for each loss or, for those assets whose indemnification is in cash, the unit compensation rates and overall cost for monetary compensation, including transport, administrative and other (e.g., contractor hiring) costs

- Resettlement measures
- Community participation
- Grievance procedures
- Organizational responsibilities
- Present any economic rehabilitation measures required
- Implementation schedule
- Costs, budget and the sources of funds
- Monitoring and evaluation
- A timetable for resettlement and sub-project activities

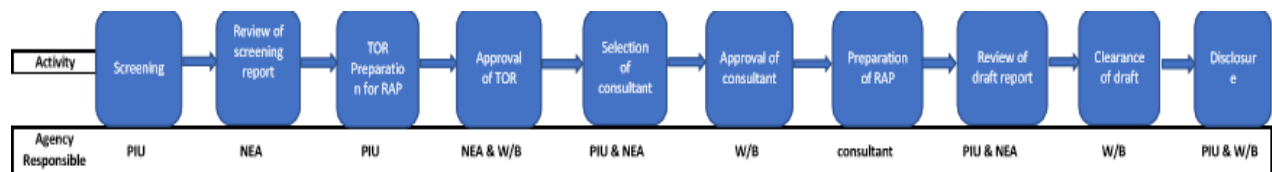
3.2.5 Review of the draft RAP

Once the RAP is prepared the draft report is submitted to NEA for review. Upon completion of review, the NEA will advise the PIU on the outcome based on the option which may include acceptance or resubmission or rejection of the RAP. The PIU will inform the J-PIU and the Bank accordingly. The approved individual RAPs will be disclosed in the J-PIU Regional Access project website, the National project website and the World Bank websites. In addition, each RAP will be available in the localities (Office of the Governor, Area Council Offices and the Local Chief’s Office).

3.2.6 Relocation and Compensation

The implementation of the RAP commands priority over the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before the necessary measures for resettlement are in place. The PIU will ensure that compensation is effected in line with the national laws and the World Bank Safeguard Policy on Involuntary Resettlement. The PIU will oversee the implementation of the RAP. A reputable NGO or consultants may, for reasons of transparency and expediency, be contracted for carry out the compensation of the PAPs which should be completed before any commencement of the civil works.

Figure 2: Screening and Preparation of the RAP



CHAPTER 4: ELIGIBILITY CRITERIA FOR AFFECTED GROUPS/INDIVIDUALS

4.1 Eligibility Criteria for Compensation

Once involuntary resettlement is identified necessary based on the results of the screening for a Project activity the PIU in consultation with the NEA and the Bank shall hire consultant (s) to prepare the RAP which will include , a census to identify the persons who will be affected by the project and who will therefore be eligible for compensation and/or assistance. The Government is responsible for properly defining the eligibility of the project affected people (PAP) but with criteria acceptable to the Bank. The potential PAPs can be classified in one of the following three groups:

- i) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the Gambia);
- ii) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of Gambia or become recognized through a process identified in the resettlement plan;
- iii) Those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under categories i) and ii) are provided compensation for the land and any other assets that they lose, and may be entitled to other forms of assistance in accordance with OP/BP 4.12. Persons covered under iii) are provided compensation for lost assets other than land, and resettlement assistance instead of compensation for the land they occupy, if they occupy the project area prior to the established cut-off date and other assistance, as necessary, to achieve the objectives set out in OP/BP 4.12. Project Affected Persons under categories ii) and iii) above include residential and business tenants, tenant farmers, squatters, petty traders, and businesses operated out of make-shift structures (such as shipping containers and other informal structures).

The primary requirement for eligibility is that PAPs are enumerated at their place of work or residence during the RAP census. Where PAPs are not, for one reason or the other, enumerated during the census, or in cases of disputed eligibility, PAPs will be expected to provide proof of their presence in the project area prior to the cut off date [i.e. the beginning of the census period] in order to be eligible for compensation. Proof can include registered land titles, certificates of occupancy, proof of customary ownership, tenancy agreements, rent receipts or development permits. Where PAPs have none of the above, testimony from neighbors, employers, Village Alkalos, or District Seyfos will be allowed.

4.2 Cut-off Date

For each investment the cut-off date for eligibility will be set as the date when the PIU begins the census of people occupying the land to be acquired and the inventory of their assets (land, farm harvests, built structures, and other infrastructure such as wells and fences) and the affected groups have been duly informed of their dues. The same information should be made public in a meeting attended by the persons affected by the subproject. The cut-off date will also be displayed at the offices of the Regional Governors, Regional Offices of NAWEC and the Area Councils.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. However, the PIU should prevent people from coming into the area after the census cut-off date.

4.3 Categorisation of persons likely to be affected

. PAPs may fall within the following groups:

- a. Project affected persons (PAPs) as individuals whose assets may be lost and/or affected, including land, property, other assets, livelihoods, and/or access to natural and/or economic resources as a result of activities of this Project.
- b. Project affected households as groups of PAPs in one household and where one or more of its members are directly affected by the Project. These include members of the household, dependent relatives and tenants.
- c. Vulnerable groups who could be members of affected households. They include vulnerable members, such as those who are too old or too ill; children; those stricken with HIV/AIDS and/or other serious or contagious diseases; women; unemployed youth, and orphans; households headed by women that depend on sons, brothers, and others needing support and are especially vulnerable. The vulnerable groups will be eligible for additional assistance.
- d. Affected local communities – A community will be affected if project activities affect its socio-economic and/or social-cultural relationships or cohesion. For example project activities could lead to loss of welfare or cultural cohesion etc.

4.4 Assistance to Vulnerable Persons

Vulnerable groups are usually disadvantaged in processes involving land transactions especially when a lot of paperwork is involved. As a result, this resettlement process will extend particular recognition and support to all vulnerable groups including orphans, female-headed households, small scale female farmers, elderly persons, people living with disabilities and people living with HIV/AIDS. Such assistance shall ensure that women working on fields they do not own get compensation and that women and youth have a fair share of the compensation of family assets affected by the project. The census will expressly identify such people. Other forms of assistance include:

- provision for separate and confidential consultation;
- provision of a contractor, if necessary, to construct their new house;
- assistance with dismantling salvageable materials from their original home;
- priority access to all other mitigation and development assistance;
- Provision of support where the PAP wishes to refer his/her claim to court. Such support may include legal advice and provision of a valuator;
- Facilitate access to electricity at subsidized rates;
- Provision of support for small income generating activities for women ; and
- For people living with HIV/AIDS strengthen the support they receive such as counselling, specific health-care support.

CHAPTER 5: EVALUATION OF ASSETS AND COMPENSATION

Valuation is the process of determining the value of land, or an asset that PAPs possess or use. Compensation for all land use and assets in kind or cash will be required for the following:

- *Land;*
- *Residential buildings, any structures and fixtures;*
- *Cultivated crops (both cash and food crops) and trees; and*
- *Loss of livelihood (businesses, employment or farming)*

For valuation, replacement cost is used for land and properties affected by the investment without taking into account depreciation. Where the remaining part of a demolished asset is not economically viable, compensation is estimated based on the entire asset.

The type of compensation will be an individual choice although every effort will be made to instill the importance and preference of accepting in kind compensation if the loss amounts to more than 20% of the total loss of subsistence assets. **Table 3 below** describes the different forms of compensation.

Table 3: The Different Forms of Compensation

Cash Payments	Compensation will be calculated in Gambian Dalasis, based on the replacement cost. Rates will be adjusted for inflation
In-kind Compensation	Compensation may include items such as land, houses, and other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment.
Resettlement and Economic Rehabilitation Assistance	Assistance may include livelihood restoration measures, moving allowance, transportation and labor

i. Land Compensation

Compensation for Land in urban areas

The compensation will be based on replacement cost, which will be the market price plus the cost of buying a new plot of land and the fees and taxes involved.

Compensation for Agricultural Land

For agricultural lands compensation will be in kind by providing land of equal size and equal productive potential and located in the vicinity of the land that was acquired. The compensation will also include the cost of preparing the land to levels similar to those of the affected land and the cost of any registration and transfer taxes. If no unoccupied land is available then compensation will be in cash based on the current market value of land in the same locality. Any associated costs of purchasing the land i.e., taxes, and registration fees will be included in the compensation. Compensation will also be

done for any improvement made on the land with calculation made using current prevailing market rates for labour, equipment and materials. In cases where land lost is only a small fraction of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided will be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land).. Any trees or structures lost as a result of the relocation will be separately assessed and compensated.

ii. Compensation for Crops

The principal annual crops comprise food and cash crops. Annual food crops include early/late millet, maize, sorghum, rice and findo. Cash crops comprise groundnuts, sesame and cotton. These crops combined are important sources of food, nutrition and cash income of families and individuals. Therefore, the destruction of these crops would mar the livelihood standards of famers and would warrant a compensation package for them. In the light of this, the valuation of annual crops would be based on the unit area cultivated (preferably in ha) multiplied by both the yield potential (kg)/ha that depends on the crop quality and current market price (price/kg) of the crop to derive the value of income from one season's production. The same computation methods would be used for the following year's harvest. PSU, DOA and NARI could be consulted for the database on commodity market prices and yield potential of annual crops.

iii. Compensation for houses and infrastructure

Values of buildings and other structures will be determined using the replacement cost method which will be based on current cost of erecting the building/structure and improvements,

The replacement cost for buildings and structures will be derived from references to current unit construction costs for similar types of structure. Similarly, costs for replacement of walls and fences will be calculated by unit length whilst costs for wells will take account their depth and lining. Costs will include those related to reinstating utility connections.

For temporary structures, (such as shipping containers, kiosks, sheds used as shops, and residences), compensation does not include replacement cost because it is assumed that the structure will be dismantled and/or relocated to another site. Assistance will however be provided to cover the full cost of removal and relocation to another site which they will be assisted to find.

iv. Compensation for loss of revenue derived from both formal and informal activities

This category of entitlements cover PAPs who, whether or not they have ownership rights to affected land or structures, are current residential or commercial occupants of these lands or structures, and will experience disruption to their living arrangements or livelihoods. The principal groups falling into this general category include farmers, business operators (whether owners or renters of their premises) and squatters (such as Right of Way (ROW) occupiers).

This category covers the following:

- (i) Loss of Income from Rent and Expenditure Incurred for Alternative Accommodation during reinstatement period;

(ii) Loss of Business Income and Loss of Business Goodwill;

(iii) Loss of Wages, Loss of Fees from Apprentice, Loss of Job Training.

For category (i) the comparative method is used based on the average monthly net profit. For category (ii) the method used is the comparative sales method and compensation is based on the comparable rent past and rent advance paid. Finally for category (iii) the comparative method is used and compensation is based on going fees and wages.

There are different types and levels of compensation under Gambian law which include compensation for: i) land and value of any improvements or works constructed on such land; ii) loss of usufructuary rights over such lands in the case of land under customary tenure; iii) Value of such lands in the case of freehold land. However, as stated above the compensation in some cases fall below the requirements of the OP 4.12 and where this is the case, the provisions of the latter will be used. These and other supplementary measures as are necessary to achieve replacement cost for lost assets, will be in each RAP. Once individual sub-project impacts are identified and valuation of individual structures is completed, detailed compensation rates for different structures will be included in the resettlement plan, and the plan will be submitted to the World Bank for review and no-objection.

v. Compensation for Fruit Trees

In the Gambia, fruit trees comprise mangoes, oranges, coconut, guava, banana, papaya and medicinal trees. They are principally important as a source of supplementary food for families. They also provide cash income for its growers and shade in the case of mango trees for family and individual relaxation. The compensation rates for fruit trees are varied for instance banana trees have a relatively much shorter productive lifespan than mango trees. A banana tree will not bear fruit more than once a year. In this regard, compensation for banana trees would be based on the full market values of the trees harvested in that year plus one additional year. Payment for the second-year would entail the replacement cost of planting a new tree, managing it and harvesting it all within a year. For the affected fruit trees in the project site, the valuation of compensation package would be based on comparable data from other recent RAPs where available* or estimated by the number of fruit trees affected multiplied by the average annual yield potential/tree which is also multiplied by the number of productive years left at the time of felling the fruit trees all valued at the prevailing open market price commensurate with its quality. If seedlings are provided it will be the number of years until the replacement trees come into full production.

For this RPF, the compensation rate will be based on the value of the mango and other fruits harvested in one season multiply by the rest of the productive life of the tree. . The compensation could also be in the form of providing a combination of new grafted and local trees to farmers, as well as cash payments to offset lost yearly income.

The Planning Service Unit (PSU) and the National Agricultural Research Institute (NARI) of the Ministry of Agriculture's (MOA) can be contacted for database on agricultural commodities prices and potential yields for crops and fruit trees.

* Abbreviated Resettlement Action Plan for the Amdalie-Kanuma Transmission and Distribution Corridor –
NAWEC –March 2018

vi. Compensation of timber trees

Where the transmission and distribution cables are to pass through a forest park, protected area or community forest, the valuation of the trees for compensation would be carried out using the tariffs from the Forestry Department were last updated in 2015.

vii. Compensation for Community Assets

Community assets include community-owned assets such as water points, marketplaces and community/public facilities (e.g., schools, wells, clinics police posts) community forests. Community assets will be identified through the census and enumerated. In the event that community assets are affected, in-kind and new facilities will be provided even if there are existing facilities at the new location, except if such assets are not needed in the new place. However, if community trees are affected, the community will be compensated through provision of new seedlings equal in number to the trees lost and the cost of taking care of the seedlings until maturity..

viii. Compensation for Sacred Sites

This RPF is conscious of the fact that valuation of sacred places is a difficult undertaking because of the complexity of placing monetary value on a cultural site such as circumcision forest as in Kaiaf. Additionally, most sacred sites belong not only to an individual but a family, village or community. Under this RPF to the largest extent possible, the sacred sites and use of land that is defined to be cultural and/or sacred property by the Banks Safeguards OP 4.11 will be avoided. Sacred sites will include but not restricted only to; museums, altars, initiation centers, ritual sites, ancestral tombs, trees, stones, and cemeteries, which are considered sacred by the project affected persons. It will also include other such sites or places/features that are accepted by local laws (including customary), practice, tradition and culture as sacred. However, if the impact on some cultural sites is unavoidable, utmost care should be taken to ensure that all related activities affecting such sites and compensation is culturally appropriate and acceptable to the involved community and that all the processes are done in a consultative manner and with full participation of the affected communities.

Table 4: Matrix of compensation packages by type of asset lost and ownership right

Compensation Category	Types of loss	PAP	Compensation Method
Land acquisition and compensation (Permanent acquisition) <i>Note: If remaining parcel is not viable, owner has right to require purchase of</i>	Customary lands, private lands	Customary owner Leaseholder	Cash compensation equivalent to replacement value, including transfer taxes, and titling fees Owner has the option of being allocated a new plot if one is available and it is

<i>entire parcel.</i>			suitable to owner's needs, plus cash coverage of any transfer taxes and titling fees, plus in the case of agricultural lands: cash compensation for preparing the land.
	Agricultural land Less than 20% of land holding affected but rest of Land still economically viable.	Customary owner Leaseholder	Cash compensation for affected land equivalent to replacement value
			Cash compensation for affected land equivalent to replacement value
			Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater.- Tenant/ lease holder
Compensation for houses/infrastructure irrespective of legality of occupation rights of the land on which the structure is built <i>This category will include squatters occupying line corridors</i>	All immovable structures and physical assets including buildings, concrete floors, perimeter walls, wells, outbuildings, etc.	Customary owner, tenant, title holder, user, squatters	Replacement value equivalent to the cost of constructing a new structure of similar construction standard and size at prevailing prices without depreciation. Costs for replacement of walls and fences will be calculated by unit length, whilst costs for wells will take account their depth and lining PAPs will be allowed to remove salvageable construction materials and this will not affect compensation. Transportation costs will be based on truck hire costs commensurate with volume of salvageable materials and possessions
	Temporary structures including kiosks, shacks, converted	Customary owner, tenant, title holder, user, squatters	Full costs of removal and transfer to a location selected by the owner of the structure

	shipping containers		
	For tenants only: compensation for cost of any improvements made	tenant, squatters	Replacement value
Temporary loss of revenues during construction	Include residential tenants, business operators (whether owners or renters of their premises) and squatters	Customary owner, tenant, title holder, user, squatters	Full compensation of revenue lost/ cost of temporary relocation
Compensation for crops	Standing crops (include <i>groundnuts, maize, millet, etc.</i>)	Customary owner	If harvest is not possible, valuation based on unit area cultivated (preferably in ha) multiplied by the yield potential (kg/ha) and prevailing market price (price/kg)
Trees (includes timber, fruit trees)	Timber	Customary owner	Valuation based on prevailing market price
	Banana	Customary owner	Market value of the trees harvested in that year plus one additional year
	Other fruit trees (mangoes, oranges, coconut, guava, papaya)	Customary owner	Number of trees affected x by the average annual yield potential/tree x the number of productive years left at time of felling x the prevailing market price
Loss of community infrastructure	Roads, bridges, buildings	Community	Replacement/repair of damaged infrastructure to its previous or better standard
Loss of sacred sites	Partial/total loss loss (to be avoided as much as possible)	Community	Community to identify a suitable site to be rehabilitated to the standard required by the community

CHAPTER 6: THE MECHANISMS FOR PREVENTION AND RESOLUTION OF CONFLICTS

Grievance procedures are required to ensure that PAPs are able to lodge complaints or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. The procedures should also ensure that the entitlements are effectively transferred to the intended beneficiaries. PAPs will be informed of the intention to implement the grievance mechanism, and the procedures will be communicated at the time of the preparation of investments' specific RAPs.

6.1 Types of Complaints and Conflicts to Resolve

Where compulsory acquisition is to take place and a resettlement and compensation program has to be implemented the potential sources of conflicts include, for example, the following:

- (i) Inventory mistakes made during census survey as well as inadequate valuation of properties.
- (ii) Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development.
- (iii) Disagreements on plot/asset valuation.
- (iv) Disputed ownership of a given asset (two or more affected individual(s) claim on the same).
- (v) Where affected individual(s) opt for a resettlement based option, disagreement on the resettlement package (for example the location of the resettlement site does not suit them).

6.2 Objectives of the Grievance Redress Mechanism

The objectives of the grievance redress mechanism are to:

- a. Provide an effective avenue for affected persons to express their concerns and resolve disputes that are caused by the project;
- b. Promote a mutually constructive relationship among PAPs, government and project proponents;
- c. Prevent and address community concerns;
- d. Assist larger processes that create positive social change; and
- e. Identify early and resolve issues that could lead to judicial proceedings

6.3 Structure of the GRM

The GRM shall consist of a two-tier system: (i) local/community level; (ii) project level grievance resolution. Where the grievance cannot be resolved at these levels the complainant shall refer the matter to the law courts. The general process is that a PAP should first raise a grievance at the local level. If it is not resolved at this level, it is referred to the Grievance Redress Committee (GRC). If this proves unsuccessful in resolving the grievance, the complainant can proceed to the Supreme Court within a period of 21 days. At this stage the project staff working with the communities will record the

complaints- the nature of the complaint and whether or not it has been resolved. These reports shall be forwarded to the Social Safeguards Specialist of the Project.

6.3.1 Local Level Grievance Redress

A functional local level grievance redress process shall be constituted by the PIU and managed by the project team leader in the area where the PAP is located and he will be assisted by the local community elders. The Project Team Leader will designate one of his staff to be responsible for keeping records of the grievances/complaints lodged by the PAPs. In this respect he will be assisted by the village Alkali or his representative. Resolution of disputes at this level will be practical efficient for the PAP because in many cases, the types grievances will often relate to issues of inventories, requests for information, or to activities that have yet to take place, such as disbursement of compensation which can be directly addressed by the project team leader in the locality. In cases where the dispute relates to traditional and customary issues such as land ownership, inheritance and land boundaries the project team leader will resort to the traditional dispute resolution mechanism comprising community leaders. The specific composition and other details will be spelt out at the RAP stage.

If the complaint cannot be resolved at this level, the PAP will be advised in writing on the action to be taken.

6.3.2 Project-level Grievance Redress

The GRC will deal with all resettlement-related grievances that have not been resolved at the local level. The GRC will include a representative from each of the following agencies: (i) the Area Council; (ii) The Project Manager or his representative; (iii) an NGO working in the area; (iv) a trade association; and/or the Ministry of Agriculture; (v) one or more representatives of PAPs. The Social Safeguards Specialist in the PIU will serve as the secretary to the Committee.

The main functions of the Committee are:

- a. Support the Project in publicizing the existence of the GRM and how it functions;
- b. Establish procedure for receiving and logging complaints and resolving disputes; verify grievances and their merits;
- c. Discuss with the PIU solutions to such grievances;
- d. Communicate the recommended course (s) of action decisions to the Claimants;
- e. Ensure that all notices, forms, and other documentation required by Claimants are made explained in Local language understood by people;
- f. Ensure documentation of all received complaints and the progress of remediation for future reference.

6.3.3 The Law Courts.

If the GRC does not provide a satisfactory resolution for the PAP, he or she will be advised that to seek redress through the legal system as provided for in the Constitution 1997 and other relevant laws which will need to be done within 21 days after failure of the GRC to resolve the dispute.

6.4 Financing of the Grievance Redress Mechanism and Cost of Remediation

The Government shall be responsible for the funding of logistics for the GRC as well as the eventual compensation or resettlement costs.

Table 5: Implementation Plan for the Grievance Redress Mechanism

Steps	Process	Description	Completion Time frame	Responsible Agency/Person
1	Receipt of complaint,	Document date of receipt, name of complainant, village, nature of complaint, inform the PIU	1day	Social Safeguards Specialist who acts as the Secretary to GRC
2	Acknowledgement of grievance	By letter, email, phone	1-3 days	Social safeguard officer at PIU
3	Screen and Establish the Foundation/Merit of the Grievance	Visit the site; listen to the complainant/community; assess the merit	3-7 days	GRC including the social safeguard officer and the aggrieved PAP or his/her representative
4	Implement and monitor a redress action	Where complaint is justified, carry out resettlement redress in line with the entitlement matrix and OP 4.12	10-15 days or at a time specified in writing to the aggrieved PAP	PIU and Social safeguard Officer
5	Extra intervention for a dissatisfied scenario	Review the redress steps and conclusions, provide intervention solution	2-4 weeks of receiving status report	PC-PIU
6	Judicial adjudication	Take complaint to court of law	No fixed time	Complainant
7	Funding of grievance process	GRC logistics and training, redress compensation, court process	No fixed time	Gambia Government

6.5. Monitoring of the GRM

The Project officer at the community level will keep a register of all grievances received relating to activity (ies) for which the project is responsible, and how these have been resolved. This information will be provided to the PIU on a regular basis so that it can be summarized and include in the required monitoring reports for the Bank. These reports will also include the status of grievances referred to the GRC at the project level. If the grievance resolution requires follow-up action, the PIU will, as applicable, undertake this action. This follow up action will cover grievances referred to the GRC, valuation grievances and legal / inheritance problems.

CHAPTER 7: INSTITUTIONAL RESPONSIBILITIES FOR THE IMPLEMENTATION OF THE RESETTLEMENT POLICY FRAMEWORK

To ensure the success of the resettlement plan requires an appropriate institutional framework both at agency and field levels. It is therefore important to identify as early as possible in project preparation the appropriate agencies to be mandated to carry out the various activities set out in the RPF.

7.1 Economic Communities of West Africa States

As the promoter of Regional Electricity Access Program, ECOWAS will be responsible for the regional coordination of the project and it shall provide the necessary support and guidance to the national implementing agencies through the Joint Project Implementation Unit (J-PIU). The J-PIU shall have a social and environmental unit with one social and one environmental specialist that will be responsible for regional oversight for the implementation of the safeguards policies and support and advice to the environmental and social unit within the national Project Implementation Unit (PIU).

7.2 National Water and Electricity Company (NAWEC)

NAWEC has overall responsibility for the implementation of the Project and in this regard it will have oversight responsibilities for the implementation of the RPF and the RAPs. It shall provide the necessary support and guidance to the PIU and shall liaise closely with the J-PIU and other partners such as the OMVG. It will receive and review the monitoring and evaluation reports and ensure that all necessary corrective measures are taken by the PIU on time.

7.3 The Project Implementation Unit (PIU)

he PIU shall be responsible for the whole resettlement planning and implementation process. It will be responsible for the oversight of implementation of the RPF and provide an enabling environment for the same and for this purpose it shall have within the PIU an environmental and social unit with one social and one environmental specialist. The Management of NAWEC shall have overall oversight role and responsibility. The project will be supported in this regard by the Joint Project Implementation Unit (JPIU referred to earlier and other and other supporting structures for the project (See below).

The Environmental and social unit with the support of the J-PIU shall ensure that:

- Initial screening, and ensuring subproject specific Environmental Social Impact Assessment/ Environmental Management Plans/Resettlement Action Plans are developed
- The concept of minimal relocation and resettlement is taken into account in developing sub-projects;
- Ensuring that bidding documents contain environmental and social clauses and that contractors fully implement those clauses;
- Ensure that compliance monitoring with Bank safeguard policies and national environmental laws and regulations is periodically carried out.

- Ensure that compulsory acquisition process is initiated where it is required (preparation of plans, preparation of the necessary legal instruments for acquisition)
- Supervise the implementation of monitoring and evaluation program.

Once the RAP is prepared and approved the PIU will be responsible for the day-to-day management of the resettlement program which will include liaising with the PAPs, Government agencies and other service providers to ensure compensation and other forms of assistance are provided to PAPs in a timely manner since civil works can only commence after the completion of this process.

7.4 National Environment Agency

The NEA will have a monitoring supervisory role and shall be responsible for confirming the results of the screening process, reviewing and clearing subproject-specific safeguard instruments and conducting compliance monitoring, with national laws and regulations, as well as World Bank safeguards policies and procedures. In addition the Agency shall:

- Conduct quarterly environmental visits to the project sites and provide technical advice and support in project implementation
- Participate in the training and sensitization of beneficiaries to enhance understanding of the national laws on social safeguards and World Bank Safeguard instruments, particularly OP/BP 4.12

7.5 Organisation pour la mise en valeur du Fleuve Gambie (OMVG)

The current energy project is one of several major regional projects being promoted within the member states of the Organization and in this regard the OMVG will be playing a significant role in facilitating the project's implementation. In addition to mobilizing resources from member states for compensation arising out of the implementation of safeguards instruments, it has supported sensitization activities in the member states about this and other projects through the Local Coordination and Monitoring Committee (LCMC). At the national level the OMVG focal point within the Department of Water Resources coordinates and facilitates consultations among stakeholders on OMVG matters including projects.

7.6 Capacity Building and training

The policies and procedures laid out in this document represent a significant departure from past practices. During the consultations with the stakeholders at central and community level it was clear that training and sensitization will be necessary to facilitate a smooth implementation of the RPF and the other safeguards instruments.

It is particularly important to strengthen the capacity of the staff of NAWEC and other collaborating institutions on the safeguards, particularly on the World Bank Safeguard instruments OP 4.12 and the tools, procedures and content of resettlement programs (RPF, RAP, ARAP , and Access Framework.). This will require some training for NAWEC and its implementing partners. For the immediate a national training workshop should be organized for NAWEC and the project implementing partners such as the Government agencies at both central and decentralized levels, representatives of local communities at the start of the project so that all key partners are clear about the role and responsibilities in the implementation of the social safeguards. With specific reference to NAWEC it is important to follow up the national training with short term intensive where more structured training modules have been developed overseas training for the staff of the safeguards unit similar to those organized or sponsored by

the World Bank. Such specialized training does not presently exist in The Gambia. For the future it is recommended that NAWEC reviews the curriculum of the Training School with a view to including environmental and social safeguards training, at least to build the institutional capacity. At the community level the emphasis should be on sensitization and awareness creation.

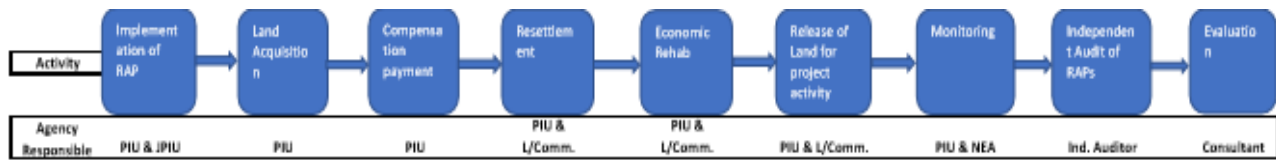
Institutional Arrangements and Responsibilities

Table 6 below indicates for each task of the RPF the institution(s) responsible and the resource requirements including additional resources to be mobilized if necessary.

Table 6: Institutional Responsibilities for the implementation of the RPF

N°	Tasks	Institution responsible	Remarks/ Observations
1.	Preparation of a RAP	PIU	Funds for the preparation of the RAP
2	Review and Approval of RAP	NEA	
3	Implementation of RAP	PIU, J-PIU	An NGO may be hired for implementation
4	Land Acquisition	PIU	Funds to pay for the Compensation to be provided Gambia Government
5	Payment	PIU	Payment of compensation can be contracted to a reputable NGO or consultants for early completion and transparency
6	Resettlement	PIU & Local Communities	Resettlement sites to be identified assessment of needs
7	Economic Rehabilitation	PIU & Local Communities	Support for revenue generating activities
8	Monitoring of implementation	Social safeguards (PIU) Social safeguards in J-PIU	Facilitation of the participatory monitoring of the PAPs
9	External monitoring	NEA	Activities to be funded based on an MOU between NAWEC and NEA
10	Evaluation	PIU & J-PIU	Task to be carried out by an independent auditor

Figure 3: Implementation of the RAP and institutional responsibilities



CHAPTER 8: MONITORING AND EVALUATION

Monitoring and evaluation are fundamental components of the Resettlement Policy Framework and they will be carried out on a continuous basis. Monitoring of the resettlement process is normally the responsibility of the PIU, whereas evaluation is normally undertaken by an external agency.

It is important in monitoring that feedback be provided to the various agencies involved in the process so that identified problems can be resolved and avoided for the remainder of the resettlement process.

8.1 Monitoring

Monitoring will take place during the implementation of the resettlement policy framework and will consist of both internal and external monitoring.

- Internal Monitoring

The Social Safeguards Specialist within the PIU will be required to provide monthly reports on progress on the identification and acquisition of land, progress in the compensation of PAPs and the level of their participation in project activities. These reports will be submitted to the PIU for transmission to the Project Steering Committee/NAWEC.

Secondly, the PIU will compile the monthly resettlement reports and make an integrated resettlement report in the annual M&E report to the NAWEC Management, the World Bank and the NEA and the OMVG (J-PIU). The LCMC will provide support to the PIU in organizing local communities to participate in the monitoring.

- External Monitoring

External monitoring will be done by the NEA. The frequency and scope of this monitoring will be determined in the Memorandum of Understanding to be signed between NAWEC and NEA before the start of the Project.

The monitoring system will:

- a) alert PIU, the NAWEC Management and the OMVG on the necessity for land acquisition in any project component;
- b) provide timely information about the valuation and negotiation process;
- c) report any grievances that require resolution; and
- d) document timely completion of the sub-project resettlement obligations for all permanent and temporary losses, as well as unanticipated, additional construction damages.

8.2 Evaluation

An evaluation will be done to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed. The method associated with this monitoring is to get both objective information and PAP perception.

The following are the objectives of the evaluation:

- (i) General assessment of the compliance of the implementation of the Resettlement Action Plan with general objectives and methods as set in this document;
- (ii) Assessment of the compliance of the implementation of the Resettlement Action Plan with laws, regulations and safeguard policies;
- (iii) Assessment of the consultation procedures that took place at individual and community level, together with the Central Government and Local Government levels;
- (iv) Assessment of fair, adequate and prompt compensation as they have been implemented;
- (v) Evaluation of the impact of the compensation on income and standard of living;
- (vi) Identification of actions, as part of the on-going monitoring, to improve the positive impact of the program and mitigate its possible negative impact if any.
- (vii) There will be an independent Rap completion audit after implementation of each RAP

8.3 Indicators for Monitoring and Evaluation

8.3.1 Monitoring Indicators

Indicators are set of targets prepared at project design against which project progress or otherwise can be measured. The monitoring indicators can be summarized as follows:

- number of statutory acquisition notices delivered and those outstanding;
- number of PAPs including squatters who have left the area by type by category comprising owners who have lost land or structures as well as tenants and employees who have lost their place of work, and the number remaining;
- number, type, and value of cash and in-kind compensation payments made;
- number and type of grievances redress applications, type of grievance made, and manner of resolution; and

- issues brought to the notice of the PCU handling the resettlement process by PAPs and the mode of settlement used.

8.3.2 Evaluation Indicators

Similarly, the evaluation indicators are also summarized below:

- the nature and extent of stakeholder engagement;
- the numbers of PAPs relocated compared with the initial estimates;
- the compensation disbursed by type/ category of PAP, including the ability to comply with the terms of compensation contained in the RAP;
- an assessment of the effectiveness of the grievance process, including grievance resolution, corrective actions taken, and the monitoring thereof;
- any outstanding adverse impacts identified that need to be resolved before closing out the involuntary resettlement component of the project;
- the extent to which PAPs have recovered their project activity incomes and living standards; and

CHAPTER 9: BUDGET AND FUNDING ARRANGEMENTS

9.1 Budget

Resettlement Action Plans will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. The estimate of the overall cost of resettlement and compensation cannot however be determined prior to identification of the site for the project component, but will be determined during the socio-economic study. The estimates for the resettlement on the distribution lines are based on the assumption that there will be very limited permanent acquisition. Compensation will therefore relate more to temporary acquisitions for access, worker sites and storage sites and loss of livelihood such as trees. Based on the outcome of a similar study (Chapter 5 Section V above), the proposed estimates for compensation provided below are reasonable.

However, an indicative cost of some of the proposed activities relating to the implementation of the RPF is provided below.

Table 7: Indicative budget for the Implementation of the RPF

S/No.	Activity	Cost USD	Financing	
			G/Govt.	IDA
1	Preparation of RAPs	75,000		x
2	Implementation of the RAPs- compensation of loss of assets and revenue, relocation of PAP, assistance to vulnerable groups and contingencies, plus RAP completion audit	200,000 ⁽¹⁾	x	
3	Supervision of the monitoring by NEA*			
4	One day training workshop for staff of NAWEC and partner agencies on requirements and roles to cover hire of meeting hall, transport refund to participants, lunch and refreshments.	4,500		X
5	Information and public awareness	20,000		X
6	Training of project partners on social and environmental safeguards (NEA, NAWEC / LGA & Community representatives, LCMC etc.)	20,000		X
7	Monitoring and Evaluation	25,000		X
	Total	344,500	200,000	144,500

(1) This cost relates only to the distribution network. The cost for the TL has been paid by the member states to the OMVG that is charged with the management and disbursement of the compensation funds.

* The cost of supervision and monitoring by NEA is to be included in the budget of the Environmental and Social Management Framework.

9.2 Sources and Mechanism of Financing

The implementation of the RAPs, prepared as a result of the implementation of the present RPF will be financed by the Gambia Government. The indicative figure as indicated in the Table 7 above is USD344,500 (**Three Hundred and Forty Four Thousand US Dollars**). A detailed inventory of all affected assets carried out while preparing the RAP will provide the basis for estimating the compensation and assistance costs. The funds to the PAPs will be disbursed in the same manner as the funds for the other components of the project and will comply with the regulations of The Gambia Government on the disbursement of funds by government and quasi-government agencies (i.e. direct transfer to bank accounts of the respective beneficiaries) and where the PAP does not have an account cash payments shall be made against presentation of a national identification card and a telephone number.

The IDA credit will finance the preparation of the RAPs, communication & sensitization, capacity building, monitoring and evaluation (Mid-term and Final evaluation) estimated at USD 144,500 (One Hundred and Forty Four Thousand Five Hundred US Dollars).

CHAPTER 10: CONSULTATION AND DISCLOSURE PROCEDURES

Consultations with the communities are an important component of any resettlement exercise as they give an opportunity to the community, particularly the PAPs, to participate in the project. The consultations seek to increase transparency, public understanding, and citizen involvement in the design and implementation of the RAP. It helps ensure that the PAPs are adequately informed about the project and have the chance to make informed decisions regarding their position on the project. It is important for the consultation process to be documented.

10.1 Consultations on the Preparatory Processes

The documents on the resettlement process will be extensively discussed at the preparatory stage for the views of the stakeholders and once the documents are finalized they will be made available to the general public to ensure as wide publicity as possible.

10.2 Consultations on the Resettlement Policy Framework

During the preparation of the present RPF extensive consultation were held with the different stakeholders, beneficiary communities including potential PAPs and NGOs. A summary of the points raised in these discussions are attached as Annex 6a and 6b. The present document has been presented at a validation workshop and the comments/observations from the workshop have been incorporated.

10.3 Consultation on the Resettlement Action Plan (RAP)

Consultations with the PAPs and the public on the entire process of resettlement are essential as they offer the affected persons an opportunity to participate and contribute to both design and implementation of the project activities. These initial consultations provides information to the PAPs the principle of compensation for the various types of losses, the entitlement eligibility criteria, if already known, modes

of compensation and the complaints and grievances resolution procedures. The stakeholders will also be informed about their rights and the alternatives available to them if the proposed compensation to them is considered inadequate. The PAPs as a group or individual will also be informed of their right to acquire assistance from any competent valuator, lawyer or legal councilors during the assessment.

After this visit the Consultant(s) will embark on the preparation of the RAP and in this process shall hold individual meetings with PAPs with each affected household/individuals either at the affected house or local office of the project. During these meetings the affected individual/households will be informed of their asset(s) that have been affected, the value of such assets, the compensation due to each PAP and the resettlement options.

The PAPs shall be consulted on the completed and approved RAP through meetings to be organized by the Social Safeguards Specialist. During such meetings the PAPs will be informed of the compensation package for each PAP and modalities and timing of the settlement package, if known, shall also be communicated. A copy of the RAP will also be left with the Alkali for further reference if any of the PAPs wishes to do so.

10.4 Public Disclosure

The document for the Resettlement Action Plan when completed will be widely disclosed. Methods for the disclosure of the document will include:

- (i) Distribution of as many copies as possible to different institutions and communities for comments and suggestions.
- (ii) Distribution to individuals and representative persons like Members of the National Assembly (NAMs), Regional Governors, Village Councilors, Village Development Committee members etc.
- (iii) Conducting meetings to discuss the plan. The meetings will be conducted at the places where the resettlement will take place.
- (iv) An executive summary of the RPF and of any RAP will be made available in the local languages and distributed in the communities affected by the resettlement.
- (v) The Government will also authorize dissemination of this document through the World Bank's Info- Shop.

Annex 1: Involuntary Resettlement Screening and Categorization Form

Impact	Not Known	Yes	No	Remarks or identified problems, if any
Is the proposed -project activity likely to involve land acquisition?				
Does the land in question have to be compulsorily acquired?				
Are the sites for land acquisition known?				
What is the ownership status of the land?				
Are non-titled persons present?				
Will tenants, lessees, share farmers, or other third party users be affected?				
Will there be loss of housing?				
Will there be loss of crops, trees, and other fixed assets?				
Will there be loss of incomes and livelihoods?				
Will access to facilities, services, or resources be lost?				
Will there be loss of businesses or enterprises?				
Will any social or economic activities be affected by land use related changes?				
Will the involuntary resettlement be conducted in accordance with World Bank Safeguard Policy?				
Does the government executing agency have sufficient skilled resources for resettlement planning and implementation?				
Are training and capacity-building required prior to resettlement planning and implementation?				

Annex 2: Main Contents of the Resettlement Action Plan

- Description of the project sub-component
- Potential impacts(including those identified during the census and the socio-economic survey)
- Relevant findings of the socio-economic study and the census
- Legal framework
- Institutional framework
- Eligibility
- Valuation of and compensation of losses indicating whether compensation is in-kind for each loss or, for those assets whose indemnification is in cash, the unit compensation rates and overall cost for monetary compensation, including transport, administrative and other (e.g., contractor hiring) costs
- Resettlement measures
- Community participation
- Grievance procedures
- Organizational responsibilities
- Present any economic rehabilitation measures required
- Implementation schedule
- Costs, budget and the sources of funds
- Monitoring and evaluation
- A timetable for resettlement and sub-project activities

Annex 3: Contents for Abbreviated Resettlement Action Plan

- Census of displaced persons and valuation of assets.
- Description of compensation and other resettlement assistance to be provided.
- Consultations with displaced people about acceptable alternatives
- Institutional responsibility for implementation and procedures for grievance redress.
- Arrangements for monitoring and implementation and,
- A timetable and budget

Annex 4: Sample Resettlement Summary Data Sheets - Population Census, Asset Inventory and Socio-Economic Survey

1. Number of families who live on the parcel of land to be taken : _____

CURRENT HOUSING

FAMILY	HOUSE PLOT SIZE (M ²)	HOUSE DIMENSIONS (M ²) ; (Number of Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS
PAP 1.					
PAP 2					
PAP 3					
...					

Observations on Housing:

PAP 1: _____

PAP 2: _____

PAP 3: _____

REPLACEMENT HOUSING COST

FAMILY	HOUSE PLOT COMPENSATION (M ²)		HOUSE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			TOTAL
	Replace in-Kind	Cash Comp Dalasi / M ² Tot	m ²	Dalasi/ / m ² (same building materials)	Total	Item	Dalasi / per	Tot	
PAP 1									
PAP 2									
PAP 3									
...									
Totals									

2. Number of businesses on the parcel of land to be taken : _____

CURRENT HOUSING

BUSINESS TYPE (E.G., TAILOR, HARDWARE STORE, GRAIN SELLER)	PLOT SIZE (M²)	BUSINESS DIMENSIONS (M²) ; (Note whether structure, kiosk or table ; for structure, number of Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS (E.G., AMOUNT OF INVENTORY, NUMBER OF EMPLOYEES, MONTHLY PROFITS)
1.					
2.					
3.					
...					

Observations on Businesses:

- 1: _____
- 2: _____
- 3: _____

REPLACEMENT COSTS

BUSINES S	PLOT COMPENSATION (M²)		STRUCTURE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			LOST WAGES, PROFITS (PER MO.)		TOTAL
	Repla ce in- Kind	Cash Comp		m ²	Dalasi per/ m ² (same building materials)	Tota l	Item	Dalasi/ per	Tot	Employee	
Dalasi M ²		Tot	No.							W age	
PAP 1											
PAP 2											
PAP 3											
...											
Totals											

3. Number of Agricultural Plots Taken: _____

FARMER PAP	LAND		CROPS			TREES					OTHER INFRASTRUCT.		TOTAL	
	m ²	In-kind	Cash Total (and Dala si//m ²)	Crop (kg/ha)	Value (Dala si/ha)	Total (Prod ha x Dala si/ha)	Timber		Fruit			Item		Value
							Species	Value	Species	Yield (Dala si/kg)	Value			
1.														
2.														
3.														
...														
Totals														

Annex 5: Sample of Complaint Reporting Form*

Date: _____

Region _____ District _____ Village _____

File N°

COMPLAINT

Name of Complainant: _____

Address: _____

Village: _____

Type of assets affected: _____

DESCRIPTION OF COMPLAINT:

.....
.....
.....

At, Date.....

Signature Complainant

Follow-up actions undertaken:

.....
.....
.....

At, Date.....

(Signature of Complainant)

Signature of Chairman of Committee

Resolution

.....
.....
.....

At..... Date.....

Signature of Complainant
Committee

Signature of Chairman of the
Committee

*Where the PAP is illiterate and unable to write the the Project Team Leader or his representative shall assign staff to assist him/her to fill the form

Annex 6a: Summary of Consultations with representatives of government agencies

1) Meeting with the Coordinator of the project, Mr. Demba Jallow (NAWEC) on Monday 26th February 2018

Mr. Jallow provided a general overview of the development of the project and explained that the current project is part of the regional project to be implemented by The OMVG. Within this broader framework The Gambia will be supplied power from Manatalli and the 225 Kv transmission lines will pass through southern Senegal and enter Gambia at Soma where a substation will be built by the OMVG. From Soma the transmission lines will continue north across the River Gambia into Senegal. In Gambia territory the 225kV lines will continue south to Brikama where another substation is to be built by the OMVG. The Bank is financing the transmission and access up to the household in the communities in the two regions. Mr. indicated the national focal point for the Gambia which is within the Dept. of Water Resources.

The coordinator also briefed the consultants about another W/Bank project, GERMA which is a national project.

Finally the coordinator some of the key people to be consulted which include The National OMVG focal point, Mr. Mustapha Mane , national expert with AECOM, THE CONSULTING Engineers and the division heads within NAWEC. The consultants raised the issues of facilitating meetings with the various stakeholders as well as the some of the communities likely to be impacted by the project.

2) Discussions with Bakary L. M. Kanteh- Provincial Operations Director on Monday 26th February 2018

The meeting was attended by Mr. Ousainou A. Joof, Regional Manager (Farafenni). Mr. Kanteh explained that national coverage in LRR stops at Toniataba. He explained the challenges now faced include limited access and the high operating cost of provincial power stations. Recent development with the supply of electricity from Senegal has helped ease the situation in North Bank Region. The proposed project he said is important in addressing access in the south Bank-LRR and WCR. As a way of facilitating access in the rural areas the cost of meters have been reduced from D6,500 (in the GBA) to D5,000 in the rural areas and health centers and schools have been connected free of charge as well as supplying/ facilitating access to community boreholes.

He expressed the need for greater awareness within the company of safeguards because present investment activities all insist on putting in place safeguards policies. There is therefore a need to build capacity and create general awareness among the NAWEC staff and the general public. An important component of capacity building will have to be training.

3) Discussions with Mr. Amadou Jallow, Snr. Environmental Officer, NAWEC on Tuesday 27th February 2018

Mr. Jallow explained that strictly speaking the organization has no policy on safeguards and this is the first time he has been involved in safeguards issues even though he is the Senior Environmental Officer. His background, he explained, was administration/management and he was transferred to the Environment mainly to manage the sludge which had become a serious environmental challenge. He explained that he has not had the opportunity to be trained in environment and safeguards issues and therefore expressed the need for training and a greater awareness creation within all levels in NAWEC. The current staff of 3 he considers not enough with all the safeguards issues that will arise in the implementation of the projects. In response to what training facilities exist within NAWEC, Mr. Jallow explained that there is a school that provides training technical training in engineering subjects.

3b) Discussions with Ababacarr F. Mendy, Acting Head of the Training school and Mr. Sainey S. Sagnia, Fire and Safety Officer o Tuesday 27th February , 2018

Mr. Mendy explained that the school offers training in engineering subjects mainly electricity and mechanics to diploma and certificate levels as well as Health and safety/ Fire safety. Total enrolment currently is 25 for diploma and 25 from certificate. Generally the training is geared to support the man power needs of the company at the technical level. In addition to the formal training the school also organizes quarterly training programs on health and safety for staff unable to attend the formal classes at the school. Asked whether environmental and social safeguards are included in the training Mr. Mendy answered in the negative.

Comment: The training school provides an opportunity to run programs on environmental and social safeguards and the quarterly training provides a platform for sensitizing the NAWEC staff on safeguards issues including the managers. In the short term NAWEC needs to train the staff in the environmental unit on safeguards and other staff whilst assessing the possibility of expanding the training at the school to include environmental and social safeguards.

4) Meeting with Mr. Mod K. Ceesay, Permanent Secretary and Mr. Kemo Ceesay, Director of Energy, the Ministry of Petroleum and Energy on Wednesday 28th February 2018

In his remarks the Permanent Secretary welcomed the recent developments in the energy sector within the framework of regional interconnectivity and which can improve the country's electricity supply at cheaper prices. He explained the challenges facing NAWEC and informed of the strategy developed by the government to address these challenges contained in "The Gambia Electricity Sector Roadmap-High Level Update." He said safeguards need to be taken into account to ensure sustainability and putting a face on development. He, however, expressed concern that in the case of the Trans-Gambia Bridge, compensation was paid to illegal occupants who came in when they heard about the possibility of compensation. Such opportunistic claims should be avoided in as much as we want to compensate bona fide occupants. The consultant explained that although illegal occupants are entitled to some form of compensation there is however a mechanism in place, the cut-of- date which ensures that only those present at the time of census and show loss of assets or restriction of access to livelihoods will be compensated. In concluding Mr. Njie emphasized the need for a greater involvement of the Ministry and NAWEC in the implementation of this project.

5) Meeting with Mr. Muhammed Jaiteh, Director, Forestry Department on Wednesday 28th February 2018

The Director explained that presently there are three forest management regimes- gazette forest parks which belong to the state, the community forest which belongs to the communities and the protected areas which are jointly managed. Forest resources in this country, he said are under great pressure and as a result certain species have had to be protected. With respect to the project he said the information available to him indicate that some of the Forest Parks such as Mutaru Kunda Forest Park in Kiang West may be affected and Furuyar. He further expressed concern that in the past they seen projects fell trees including protected species which were not within the corridor of the project. This, he said is improper and gives the impression of a collusion between the contractor and the timber vendors.

The Director also said there are tariff/ royalty payments for the different species of timber trees which are periodically revised and gazetted.

6) Meeting with Mr. Edi Jarju, Manager Transmission and Distribution , NAWEC on Thursday 1st March 2018

Mr. Jarju explained the 225kV line is will require a corridor of 40meter corridor. For the 33kV line the corridor is 5m. Mr. Jarju expressed the constraints currently which include logistics and capacity building especially in the field of safeguards which is relatively new. The NAWEC Training school provides an opportunity for capacity development but he believes it needs to be revamped, the curriculum reviewed and linked to other institutions for accreditation.

7) Meeting with the Executive Director of NEA, Mr. Momodou J. Suwareh, and staff on Thursday 1st. March 2018

The meeting was attended by Messrs. Malick Bah (Snr Program Officer, EIA), Lamin B.J. Samateh (Snr. Environment Inspector) and Mr. Badgie (Senior Environmental Inspector)

The E/Director expressed concerned that they are not always adequately involved in the implementation of the safeguards in some projects. They only see the proponents at the beginning of the project design and once implementation starts they never hear from them until a supervision mission arrives. He expressed the determination of his institution to see that this changes otherwise they will be obliged to take remedial actions. With this project he expressed concern over the possibility of felling trees not in the right of way and the potential damages that can occur to wildlife and the environment in general which all need to be taken into account. He expressed his agency's ability to assure supervision of the implementation of the safeguards however the cost related to this excise must be met by the project. The best way forward was to have an MOU which, he said, will spell out clearly the activities to be undertaken and the costs. Such monitoring can be done quarterly by headquarters and monthly at the regional level. The E/Director also referred to the need for capacity for the Agency.

8) Meeting with Mr. Mustapha Mane, National Expert for OMVG Energy Project, AECOM

Mr. Mane explained the various components of the OMVG Energy program and that AECOM is hired by OMVG to implement, amongst environmental and social safeguards issues in The Gambia. In addition to the transmission lines he is also monitors the two substations (Soma and Brikama). For the transmission lines there will not be any physical relocation of people he said. Already the OMVG has carried out sensitization programs in the communities and the report is available with the OMVG. The main outstanding exercise, he said is the preparation of the RAP. Compensation he said will be paid by the

OMVG from contributions by the member states. On his assessment of national capacity to implement safeguards policies in The Gambia he said this is very limited and some training will be necessary for the key actors. Already the OMVG has organized a first training program in each of the member states on environment and social safeguards issues.

9) Meeting with Baba Fatajo, Managing Director, NAWEC on Monday 5th March 2018

The meeting was attended by the Deputy Managing Director, Mr. Nani Juwara. After the welcome remarks the consultant briefed the M/Director about the progress so far highlighting the growing importance and relevance of safeguards in project investment activities. There is a need for the institution to build capacity in this area. Mr. Fatajo explained the recent experience with the Amdalai –Kanuma transmission line which had to be stopped because of the failure to observe environmental and social safeguards by the contractor. He expressed the commitment of NAWEC to fully respect safeguards policies in the implementation of their projects. He thanked the traditional donors for their understanding and support in this area as it is relatively new for them. He indicated the possibility of starting special unit for environment and social safeguards in the company.

10) Meeting with the Deputy Executive Director of the Women’s Bureau, Mrs. Ndey Fatou Jobe , Thursday 5th March 2018

The meeting was attended by Mr. Amadou Cham, Assistant Director Research. The Deputy Executive Director explained the importance of access to energy for women which can greatly ease their burden in the processing sector and contribute to livelihood improvement. However, accessing electricity is expensive especially for women whilst availability is erratic. Because most women depend on the meters brought by their husbands sometimes the husbands insist that they pay the bills because they are the ones using it for business. This sometimes creates friction in the home. So facilitating access of women to their meters is an important area that the new project should consider.

On environment and other safeguards issues Mrs. Jobe expressed the need to sensitize women and provide support that addresses the special challenges of women in accessing electricity for livelihood improvement.

11) Meeting with Bai Lamin Sillah, Snr. Hydrological Superintendent and OMVG Focal Point, Dept. of Water Resources

Mr. Sillah explained that as the Focal point he is responsible for coordinating OMVG activities in The Gambia and liaising with sectoral ministries and departments. The OMVG energy program relates to both the transmission lines and the construction of the substations. The latter is to be funded by the Koweiti Fund, he said. He said compensation will be handled by the OMVG out of a special fund to which each member state has contributed.

He explained that already measures have taken include establishment of the management committees in the three regions chaired by the Governors, the creation of the LCMC, commencement of the sensitization programs and training of the members of the LCMC. With respect to the RAP he explained that OMVG has contracted AECOM to implement it.

12) Meetings with the Governors(West Coast and Lower River Region) and members of the Technical Advisory Team-TAC- on Wednesday 7th and Thursday 8th March 2018 respectively

The meeting in LRR took place at the Governor's Office in Mansa Konko and that of WCR took place at the Governor's office in Brikama. At these meetings the participants expressed appreciation for the project and explained the activities undertaken by OMVG such as the establishment of the management and monitoring committees. However, they expressed concern over the failure of the Organization to deliver on some of their promises such the setting up of the office and the provision of logistical support. With respect to the transmission project they asked when the compensation will be paid because already the people have been informed and sometimes they are asked these questions. On this issue the consultant explained that the compensation will come once the RAP has been prepared. With respect to NGOs the meeting recognized the important role NGOs can play in the sensitization program.

On grievance redress the members recommended that we use the traditional mechanisms. It was recommended that any capacity building program should include MFDTs who operate at the lowest level in the communities.

13) Meeting with Mr. Dudu Darbo, President of Association of Farmers Educators Traders (AFET) Thursday 8th March 2018

Mr. Darbo explained that AFET is an NGO that works with a cross section of community groups for many years. He considers the project very important for his members particularly the traders and food processors who are mainly women. Some of the activities they can do include sensitization and training at the grassroots level. On the implementation of the RAP he said they do not have that capacity.

14) Meeting with Mr. Kebba Ceesay, Director of Lands and Surveys on Wednesday 14th March 2018

The meeting was attended by Mr. Dawda Darbo, Valuation Officer. The Director explained the system of land administration in The Gambia and the conditions under which compulsory land acquisition can take place for public use as provided for in the Land Acquisition and Compensation Act, 1991. He also explained the valuation systems used for the different categories of assets. However, he insisted on the need to sensitize the potential PAPs and to ensure that the project establishes the rightful owners of the land to avoid future conflicts. The Director also raised the possibility of the transmission lines passing over the AMRC plots near the Brikama substation. This needs to be verified in time to allow alternative arrangements.

On the issue of land disputes the Department, he said is only involved in disputes over lease property and state lands. Other disputes relating to customary land are referred to the District Authority and the District Tribunal. Normally, he said, it is the responsibility of the Land commission to address such disputes but although the Act has been passed the Commission has not yet been set up.

Annex 6b: List of communities consulted and their views

Community visited	Key remarks /observations by the community	Remarks
Soma 7/03/18 Jarra West, LRRegion	The community expressed delight about the project for the comfort and opportunities as a source of livelihood. Questions were raised on the amount of compensation and the payment time. They insisted on a fair and just compensation so that when a house is affected the person should be adequately compensated for his house or garden	The consultants explained that the amount of compensation to be paid will be determined by the team doing the RAP. The assured the people at the meeting that it will be fair but they have a right to appeal against what is offered if it is considered In adequate. All these will be cleared explained when that team comes
KAIAF 7/03/2018 Kiang East Lower River Region	Potential areas that could be affected are farmlands house garden and a sacred forest for circumcision Some of the land belong kabilos and not individual so there is a need to have all names on the form to avoid problems What about workers in gardens that may be affected by the project What can be done if there are mistakes on the registration form	The community was informed that the RAP team will be coming and any errors earlier recorded can be rectified. With respect to the sacred site efforts will be made to avoid it but where this cannot be done the team will discuss with village about what can be done. Workers in gardens will also be compensated for loss of earning during the period of construction.
Kundong Fula Kunda 7/03/18 Kiang Central Lower River Region	Expressed great appreciation for the project because it will bring benefits such as lights, processing their coos to the community. The area that could be impacted is on the other side of the road opposite the village. It was the old settlement before the new one. The area is mainly farmland and belongs to the kabilos. On compensation they wanted to know how much they will get and when will the payment. Disputes relating to land are not common where it occurs it is resolved by the Alkalo and the community elders. In addition the community also highlighted some of their development needs which include a school and a well.	The community as in the previous cases was informed that the amount and time of payment will be known once the RAP is prepared and approved.
Kweinella Sansankono 7/03/18 Kiang Central Lower River Region	Also expressed appreciation of the project for the benefits of light at home, health centre and the school. Presently there is no electricity. For the women it will help in the processing of local drinks and making of ice blocks for sale to public and fishmongers who are mainly women. The potential area that could be impacted	The community was assured that all categories of owners impacted by the project will be compensated.

	includes individual, kabilo and village farmland. With respect to conflicts relating to the land the chief said these are resolved by a committee of elders.	
Brikama Misira 8/03/18 Central Kombo District- West Coast Region	This is peri-urban area that is highly populated and it is the site of the OMVG/NAWEC substation. Welcome the project and indicated already on their own they have , with external support and in collaboration with NAWEC brought electricity to their community but not all members have been able to access it because of the high cost of the meter. They hope this matter will be looked into in the new project. Any impact will affect dwelling houses.	The point on facilitating access to electricity, particularly for the vulnerable groups need to be considered
Kembujeh Central Kombo District West Coast Region 8/3/18	The settlement is just outside Brikama and essentially rural with no access to electricity. The villagers expressed deep appreciation for the arrival of the project. Potential areas that can be affected could be farmlands, rice fields etc. In the case of the rice fields the women who work on them are not the owners of the land who are mainly from Brikama. Some members enquired whether women working on other peoples' land will receive compensation.	It was explained to them that all those affected will be compensated and that special attention will be given to ensure that women farmers working on other peoples' lands are compensated directly
Bulock Foni Bintang Karanai West Coast Region 8/3/18	Although electricity is available only a small number of households are connected so they hope the new project will be different. Some of the benefits expected are light in homes, greater security, increased business opportunities in food processing, welding etc. The potential areas that could be impacted are farmlands, rice fields and cashew fields with private and kabilo ownership. In the discussions the issues of the amount of compensation was raise particularly where orchards (cashew and mangoes) are concerned since the impact in these cases may be permanent	On the compensation the community was reassured that all the factors plus other to their benefit will be considered to ensure they have a just and equitable compensation. The points they are raising now should be taken up when the RAP team arrives. With regard to the time for the payment they were informed that this will depend on the completion of the RAP.

Annex 7a: List of Persons Contacted in Government & Other Institutions

S/No.	Name	Institution	Tel	email
1	Mod K. Ceesay, Permanent Secretary	Ministry of Petroleum & Energy	9867701/3479001	modkceesay@mope.gov.gv
2	Kemo Ceesay, Director	“ “	9972288	kceesay@gmail.com
3	Baba Fatajo, Managing Director	NAWEC	9964097	bsfatajo@hotmail.com
4	Nani Juwara, Dep. Managing Director	“ “		njuwara@nawec.gm
5	Lang Sabally, Director Corporate Affairs	“ “	9964075	
7	Demba Jallow, Manager, Corporate Planning	“ “	9962609	dembajallow@hotmail.com
8	Bakary L. M. Kanteh, Provincial Operations Director	“ “	9964098/3964098	bkanteh@nawec.gm
9	Ousainou A. Joof, Reg. Manager/Farafenni	“ “	9967940/3664040	ousgam@yahoo.com
10	Alh. Amadou S. Diallo, Snr. Env. Officer	“ “	9964161/3664161	alagidiallo@hotmail.com
11	Ababacar F. Mendy, Acting Head, NAWEC Training School	“ “	9969769/3664189	
12	Sainey S. Sagnia, Fire Safety Officer	“ “	9988989/2126491	saineysagnia@ymail.com
13	Bambo Fatty	“ “	9904378	
14	Ba Ensa Saidykhan, SPPO	Dept. of Physical Plann. & Housing	9952198	
15	Momodou J. Suwareh, Executive Director	National Environ.. Agency	9962978	momodoujama@vahoo.co.uk
16	Malick Bah, Snr. Program. Officer	“ “	993664	Malbah11@gmail.com
17	Lamin B.J. Samateh, SEI	“ “	9130435	laminbjsamateh@gmail.com
18	Dawda Badgie	“ “	9956093	badgiedawda@gmail.com
19	Mustapha Mane, Nat. Expert for Gambia	AECOM, OMVG Energy Project	2710330	taphamane@hotmail.fr
20	Muhammed Jaiteh, Director	Dept. Forestry	9879695	Modikaba2002@yahoo.co
21	Ndey Fatou Jobe Deputy Executive Director	Women's Bureau	7798036	jobendeyfatou@hotmail.com
22	Amadou Cham, Asst. Director, Research	“ “	2040660	Chama1969@yahoo.com
23	Bambally Gassama, Snr. Planner	Dept. oof Agric.	9917177	
24	Pah Nyabally, Planner	“ “	9704341	

Annex7b: List of participants in the communities visited

CONSULTATION REGISTER (KWINELLA)

WAPP - Regional Electricity Access Project - ESMF - (THE GAMBIA)

N	NAME	ACTIVITIES/OCCUPATION	CONTACT DETAILS	SIGNATURE
1.	DAMBA SANYANG	CATTLE FARMER	7940967 6205538	[Signature]
2.	DAMBA YARBON	FARMER	6750210	[Signature]
3.	DRAMBOU MANJANG	FARMER	6503867	[Signature]
4.	BAISUMANG DIBBA	FARMER	7024585	[Signature]
5.	LAMU MANJANG	ALIKALO	6707123	[Signature]
6.	SULAYOMAN SANYANG	FARMER	6274909	[Signature]
7.	LAMIN MANJANG	FARMER	6427333	[Signature]
8.	SALO SANYANG	FARMER	6871755	[Signature]
9.	KESBA SABALY	FARMER	6603425	[Signature]
10.	KANJARA TAMOR	FARMER	6194305	[Signature]
11.	DAMBA MESSANG	FARMER	6273975	[Signature]
12.	SAPFO NAKOTO	FARMER	6217065	[Signature]
13.	SAPFIS SANYANG	FARMER	6507230	[Signature]
14.	EATOU YARBON	Lady Counselor	6767117	[Signature]
15.	BINJA DABBA	FARMER	6288875	[Signature]
16.	MANJANG DABBA	FARMER	6971143	[Signature]
17.	EATOU DRAMBOU	FARMER	6194281	[Signature]
18.	KESBA SILLAT	FARMER	7358220	[Signature]
19.	SALO SARR	FARMER	244281	[Signature]
20.	KAMBA MANJANG	FARMER	6279480	[Signature]
21.	KARJANGA JOBE	FARMER	6275065	[Signature]
22.	TREBA DUMBAYA	FARMER	7120150	[Signature]
23.	SUBBONDING SANYANG	FARMER	6209538	[Signature]
24.	MAMA SANYANG	FARMER		[Signature]

CONSULTATION REGISTER (SOMA)

WAPP -Regional Electricity Access Project -ESMF- (THE GAMBIA)

07-03-2018

N ^o	NAME	ACTIVITIES/OCCUPATION	CONTACT DETAILS	SIGNATURE
1.	Demba Darboe	Farmer	9029006	
2.	Abdusulie Darboe	Farmer	7623212	
3.	Karang Ansumana	Lesson Teacher	9754355	
4.	Bunja Darboe	Security	2188099	
5.	Ansumana Saadyba	Farmer	7422914	
6.	Wandifa Jobe	Security	7092092	
7.	Buramanding Fofana	Messenger	7785606	
8.	Bakary Sibba	Carpenter	7809085	
9.	Seedy Jobe	Plumber	6307268	
10.	Momodeer Kanteh	Farmer	7534102	
11.	Baba Kanteh	Driver	7520183	
12.	Ebrima Kanteh	Farmer	4827915	
13.	Omar Kanteh	Teacher	6595425	
14.	Ah Saikoo Kanteh	Imam	2200652	
15.	Malamin Darboe	Farmer	9993751	
16.	Docku Darboe	Farmer	9855220	
17.	Tumbul Jobe	Messenger	6858344	
18.	Bakary Mannel	NAKIZ	6844766	
19.	Alhagy Jatta	Doc	6906944	

CONSULTATION REGISTER (..... KUDANG FULAKUNDA 7/8/2018)

WAPP - Regional Electricity Access Project - FSMF - (THE GAMBIA)

No	NAME	ACTIVITIES/OCCUPATION	CONTACT DETAILS	SIGNATURE
1	Modou Joof	Farmer		
2	Kelba Jarra	Farmer	6961648	
3	Aja Jawo	Farmer	7348179	
4	Khaddy Yabou	Rice farmer	6303374	
5	Kumba Sabally	Farmer	6902393	
6	Ngoneh Sowe	Rice farmer	2487482	
7	Bintou Jallow	Rice Farmer		
8	Penda Bah	Rice Farmer	7095042	
9	Fatou Sowe	Rice Farmer	2900687	
10	Supra Sabally	Rice Farmer	7374190	
11	Wurry Sabally	Rice Farmer	2956232	
12	Raibel Jallow	Rice Farmer	2068496	
13	Moskieba Bah	Rice Farmer	7074968	
	Fatou Sabally	Rice farmer	6213059	
	Nyfa Jallow	Rice farmer	7210026	
	Tinet Jallow	Rice farmer	7059598	
	Nosey Jallow	Rice farmer	7059889	
	Ansey Bah	Rice farmer	2802406	
	Penda Jallow	Rice farmer	2840562	
	Tainaba Sowe	Rice farmer	2845479	

CONSULTATION REGISTER (..... KAIAF VILLAGE))

WAPP -Regional Electricity Access Project -ESMF- (THE GAMBIA)

7/3/2018

N	NAME	ACTIVITIES/OCCUPATION	CONTACT DETAILS	SIGNATURE
1.	Ath Chernoo Sanneh	farmer	7233848	
2.	Sama Kassama	Farmer	7627774	
3.	Fansu Colley	farmer	7162651	
4.	Yaya Jasseey	Driver	6172093	
5.	Lamin Sanneh	farmer	7033841	
6.	Sidat Sanneh	Dever	7321317	Sidat Sanneh
7.	Sheriff Kassama	Farmer	7627085	
8.	Ath Dongou Sanneh	farmer	7779098	
9.	Sheriff Jarju	farmer	2963898	
10.	Yusufa Jabbe	farmer	7805384	
11.	Omar Kassama	farmer	7777190	
12.	MA SANNEH	farmer	-	
13.	JALAMANG SANNEH	farmer	7777207	
14.	YAYA SANNEH	farmer	7452639	
15.	WRANDIFA JANNEH	farmer	2790241	
16.	DEMBA SANNEH	farmer	7645556	
17.	NYEMASATON SANNEH	farmer	- 2582047	
18.	AWA NYAHADO	farmer	- 7941064	
19.	AWA FEDERA	farmer	- 6527703	
20.	MARIAMA KUYATEH	farmer	- 2239056	
21.	NBASALLY DAFFGH	-	- 7878029	
22.	NYEMASANG KASSAMA	-	- - -	
23.	AXIA TOURAN	farmer	- 7298424	

ID	NAME	ACTIVITIES/OCCUPATION	CONTACT DETAILS	SIGNATURE
1	Alhige Bojang	Farmer	6532644	
2	Ebrima Ceesay	"	3444368	
23	Sulayman mendy	"	6680573	
4	Lamin Saidy	"	6125799	
5	Sama Sonko	"	7706190	
6	Makking manjan	"	6750159	
7	fanta ceesay	"	6324001	
8	manjma camara	"	6880418	
9	Yama camara	"	6992983	
10	Kaddy Touray	"	9257363	
11	Ba Koto yabo	"	6457542	
12	Yama Sangang	"	6156532	
13	Binta Jaban	"	6129402	
14	Kaddy Touray	"	6324001	
15	marjama Saidy	"	7741530	
16	fataw Jaitah	"	7988258	
17	mine Jatta	"	6297847	
18	fataw Njie	"	6361047	
19	Abdoulie Sarboe	"	9264506	

CONSULTATION REGISTER (

BLOCK VILLAGE

WAPP - Regional Electricity Access Project - ESMF - (THE GAMBIA)

N D	NAME	ACTIVITIES/OCCUPATION	CONTACT DETAILS	SIGNATURE
	1. MARIAMA SARJO	H/FARMER		
2.	ABDULIE KUJABI	NURSE	6583139	
3.	DEMSA JALDOK	OPERATOR	6900321	
4.	LAMIN GIBBA	FARMER	7334961	
5.	KAMISU BAGE	FIELD WORKER	6160784	
6.	ABDOULIE BAH MALSON		7257135	
7.	KARAMO COLLEY	BUSINESSMAN	6966900	
8.	ENSA BOJANG	SECURITY	7938593	
9.	NYARRA BOJANG	HOUSEWIFE	6480508	
10.	MALAINÉ TAMBA	FARMER	2519174	
11.	MARIAMU TAMBA	HOUSEWIFE	6480508	
12.	MUSA BALDEH	OPERATOR	3686699	
13.	MUSA COLLEY	FARMER	7169210	
14.	MALAINÉ COLLEY	FARMER	3887416	
15.	AWA SONKO	HOUSEWIFE	3058798	
16.	SAMBA KEBBEH	BUSINESSMAN	7672002	
17.	MARIAMA KEBBEH	HOUSEWIFE	7080705	
18.	ABDOU KEBBEH	BUSINESSMAN	7626023	
19.	SAMOU BARRY	FARMER	9060356	
20.	TEARO SONKO	RTD CIVIL SERVANT	6701915	
21.	ALIEU KUJABI	NURSE	6111353	

Annex 8: World Bank Policy on Involuntary Resettlement

OP 4.12 - Involuntary Resettlement

These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject.

OP 4.12
December, 2001

Note: OP/ [BP 4.12](#), *Involuntary Resettlement*, were revised on April 2013 to take into account the recommendations in *“Investment Lending Reform: Modernizing and Consolidating Operational Policies and Procedures”* (R2012-0204 [IDA/R2012-0248]), which were approved by the Executive Directors on October 25, 2012. As a result of these recommendations: (a) [OP/ BP 10.00](#), *Investment Project Financing*, have been revised, among other things, to incorporate [OP/BP 13.05](#), *Supervision* and [OP/BP 13.55](#), *Implementation Completion Reporting*, (which have consequently been retired); and (b) [OP/ BP 8.60](#), *Development Policy Lending*, and [OP 9.00](#), *Program-for-Results Financing*, have also been revised. [OP/ BP 4.12](#) have consequently been updated to reflect these changes, to clarify the extent of applicability of [OP/BP 4.12](#) to Development Policy Lending and Program-for Results-Financing, and to reflect the updated title of the Bank’s policy on access to information.

Questions on this OP/BP may be addressed to the Safeguard Policies Helpdesk in OPCS (safeguards@worldbank.org).

Revised April 2013

1. Bank¹ experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

Policy Objectives

2. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.²

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons

displaced by the project to share in project benefits. Displaced persons³ should be meaningfully consulted and should have opportunities to participate in planning and implementing

resettlement programs.

(c) 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.⁴

Impacts Covered

3 . This policy covers direct economic and social impacts⁵ that both result from Bank-assisted investment projects,⁶ and are caused by

(a) the involuntary⁷ taking of land⁸ resulting in

(i) relocation or loss of shelter;

(ii) loss of assets or access to assets; or

(iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or

(b) the involuntary restriction of access⁹ to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

4. This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are

(a) directly and significantly related to the Bank-assisted project,

(b) necessary to achieve its objectives as set forth in the project documents; and

(c) carried out, or planned to be carried out, contemporaneously with the project.

5. Requests for guidance on the application and scope of this policy should be addressed to the Resettlement Committee (see [BP 4.12, para. 7](#)).¹⁰

Required Measures

6. To address the impacts covered under para. 3 (a) of this policy, the borrower prepares a resettlement plan or a resettlement policy framework (see paras. 25-30) that covers the following:

(a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are

(i) informed about their options and rights pertaining to resettlement;

(ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and

(iii) provided prompt and effective compensation at full replacement cost¹¹ for losses of assets¹² attributable directly to the project.

(b) If the impacts include physical relocation, the resettlement plan or resettlement policy

framework includes measures to ensure that the displaced persons are

(i) provided assistance (such as moving allowances) during relocation; and

(ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.¹³

(c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are

(i) 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;¹⁴ and

(ii) provided with development assistance in addition to compensation measures described in paragraph 6(a);

(iii) such as land preparation, credit facilities, training, or job opportunities.

7. In projects involving involuntary restriction of access to legally designated parks and protected areas (see para. 3(b)), the nature of restrictions, as well as the type of measures necessary to mitigate adverse impacts, is determined with the participation of the displaced persons during the design and implementation of the project. In such cases, the borrower prepares a process framework acceptable to the Bank, describing the participatory process by which

(a) specific components of the project will be prepared and implemented;

(b) the criteria for eligibility of displaced persons will be determined;

(c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area, will be identified; and

(d) potential conflicts involving displaced persons will be resolved.

The process framework also includes a description of the arrangements for implementing and monitoring the process.

8. To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples,¹⁵ ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

9. Bank experience has shown that resettlement of indigenous peoples with traditional land-based modes of production is particularly complex and may have significant adverse impacts on their identity and cultural survival. For this reason, the Bank satisfies itself that the borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not

feasible to avoid such displacement, preference is given to land-based resettlement strategies for these groups (see para. 11) that are compatible with their cultural preferences and are prepared in consultation with them (see [Annex A](#), para. 11).

10. The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in para. 3(a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts covered in para. 3(b) of this policy, the measures to assist the displaced persons are implemented in accordance with the plan of action as part of the project (see para. 30).¹⁶

11. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land (see footnote 1 above), or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area,¹⁷ or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

12. Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction¹⁸ of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

13. For impacts covered under para. 3(a) of this policy, the Bank also requires the following:

(a) Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

(b) In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).

(c) Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in preexisting communities and groups are honored.

Eligibility for Benefits¹⁹

14. Upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project (see the [Annex A](#), para. 6(a)), to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and it specifies grievance mechanisms.

15. *Criteria for Eligibility.* Displaced persons may be classified in one of the following three groups:

- (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan (see [Annex A](#), para. 7(f)); and²⁰
- (c) those who have no recognizable legal right or claim to the land they are occupying.

16. Persons covered under para. 15(a) and (b) are provided compensation for the land they lose, and other assistance in accordance with para. 6. Persons covered under para. 15(c) are provided resettlement assistance²¹ in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank.²² Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in para. 15(a), (b), or (c) are provided compensation for loss of assets other than land.

Resettlement Planning, Implementation, and Monitoring

17. To achieve the objectives of this policy, different planning instruments are used, depending on the type of project:

- (a) a resettlement plan or abbreviated resettlement plan is required for all operations that entail involuntary resettlement unless otherwise specified (see para. 25 and [Annex A](#));
- (b) a resettlement policy framework is required for operations referred to in paras. 26-30 that may entail involuntary resettlement, unless otherwise specified (see [Annex A](#); and
- (c) a process framework is prepared for projects involving restriction of access in accordance with

para. 3(b) (see para. 31).

18. The borrower is responsible for preparing, implementing, and monitoring a resettlement plan, a resettlement policy framework, or a process framework (the "resettlement instruments"), as appropriate, that conform to this policy. The resettlement instrument presents a strategy for achieving the objectives of the policy and covers all aspects of the proposed resettlement. Borrower commitment to, and capacity for, undertaking successful resettlement is a key determinant of Bank involvement in a project.

19. Resettlement planning includes early screening, scoping of key issues, the choice of resettlement instrument, and the information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In preparing the resettlement component, the borrower draws on appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs.²³ The borrower informs potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.

20. The full costs of resettlement activities necessary to achieve the objectives of the project are included in the total costs of the project. The costs of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) are added to the benefits stream of the project. Resettlement components or free-standing resettlement projects need not be economically viable on their own, but they should be cost-effective.

21. The borrower ensures that the Project Implementation Plan is fully consistent with the resettlement instrument.

22. As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its InfoShop. After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.²⁴

23. The borrower's obligations to carry out the resettlement instrument and to keep the Bank informed of implementation progress are provided for in the legal agreements for the project.

24. The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the

borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate (see also [BP 4.12](#), para. 16).

Resettlement Instruments

Resettlement Plan

25. A draft resettlement plan that conforms to this policy is a condition of appraisal (see [Annex A](#), para. 2-21) for projects referred to in para. 17(a) above.²⁵ However, where impacts on the entire displaced population are minor,²⁶ or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower (see [Annex A](#), para. 22). The information disclosure procedures set forth in para. 22 apply.

Resettlement Policy Framework

26. For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy (see [Annex A](#), paras. 23-25). The framework also estimates, to the extent feasible, the total population to be displaced and the overall resettlement costs.

27. For financial intermediary operations that may involve involuntary resettlement, the Bank requires that the financial intermediary (FI) screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see [Annex A](#), paras. 23-25). In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for subproject financing. When, in the assessment of the Bank, no resettlement is envisaged in the subprojects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential sub-borrowers a resettlement plan consistent with this policy if a subproject gives rise to resettlement. For all subprojects involving resettlement, the resettlement plan is provided to the Bank for approval before the subproject is accepted for Bank financing.

28. For other Bank-assisted project with multiple subprojects²⁷ that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or subprojects (a) the zone of impact of subprojects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal (see [Annex A](#), paras. 23-25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.

29. For each subproject included in a project described in para. 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing.

30. For projects described in paras. 26-28 above, the Bank may agree, in writing, that subproject resettlement plans may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to be in compliance with Bank policy, are provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by the Bank.

Process Framework

31. For projects involving restriction of access in accordance with para. 3(b) above, the borrower provides the Bank with a draft process framework that conforms to the relevant provisions of this policy as a condition of appraisal. In addition, during project implementation and before to enforcing of the restriction, the borrower prepares a plan of action, acceptable to the Bank, describing the specific measures to be undertaken to assist the displaced persons and the arrangements for their implementation. The plan of action could take the form of a natural resources management plan prepared for the project.

Assistance to the Borrower

32. In furtherance of the objectives of this policy, the Bank may at a borrower's request support the borrower and other concerned entities by providing

- (a) assistance to assess and strengthen resettlement policies, strategies, legal frameworks, and specific plans at a country, regional, or sectoral level;
- (b) financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations;
- (c) financing of technical assistance for developing resettlement policies, strategies, and specific plans, and for implementation, monitoring, and evaluation of resettlement activities; and
- (d) financing of the investment costs of resettlement.

33. The Bank may finance either a component of the main investment causing displacement and requiring resettlement, or a free-standing resettlement project with appropriate cross-conditionalities, processed and implemented in parallel with the investment that causes the displacement. The Bank may finance resettlement even though it is not financing the main investment that makes resettlement necessary.

1. "Bank" includes IBRD and IDA; "loans" includes IDA credits and IDA grants, guarantees, Project Preparation Facility (PPF) advances and grants; and "projects" includes projects under (a) PPFs

advances and Institutional Development Fund (IDF) grants, if they include investment activities; (b) grants under the Global Environment Facility and Montreal Protocol, for which the Bank is the implementing/executing agency; and (c) grants or loans provided by other donors that are administered by the Bank. The term "project" does not include programs supported by Development Policy Lending (for which the environmental provisions are set out in [OP/ BP 8.60, *Development Policy Lending*](#)), or by Program-for-Results Financing (for which environmental provisions are set out in [OP/ BP 9.00, *Program-for-Results Financing*](#)). "Borrower" also includes, wherever the context requires, the guarantor or the project implementing agency.

2. In devising approaches to resettlement in Bank-assisted projects, other Bank policies should be taken into account, as relevant. These policies include [OP 4.01, *Environmental Assessment*](#), [OP 4.04, *Natural Habitats*](#), [OP 4.10, *Indigenous Peoples*](#), and [OP 4.11, *Physical Cultural Resources*](#).
3. The term "displaced persons" refers to persons who are affected in any of the ways described in para. 3 of this OP.
4. Displaced persons under para. 3(b) should be assisted in their efforts to improve or restore their livelihoods in a manner that maintains the sustainability of the parks and protected areas.
5. Where there are adverse indirect social or economic impacts, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups. Other environmental, social, and economic impacts that do not result from land taking may be identified and addressed through environmental assessments and other project reports and instruments.
6. This policy does not apply to restrictions of access to natural resources under community-based projects, i.e. where the community using the resources decides to restrict access to these resources, provided that an assessment satisfactory to the Bank establishes that the community decision-making process is adequate, and that it provides for identification of appropriate measures to mitigate adverse impacts, if any, on the vulnerable members of the community. This policy also does not cover refugees from natural disasters, war, or civil strife (see [OP 8.00, *Rapid Response to Crises and Emergencies*](#)).
7. For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.
8. "Land" includes anything growing on or permanently affixed to land, such as buildings and crops. This policy does not apply to regulations of natural resources on a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy also does not apply to disputes between private parties in land titling projects, although it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, especially those affecting poor and vulnerable groups.
9. For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).
10. The *Involuntary Resettlement Sourcebook* provides good practice guidance to staff on the policy.

11. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see [Annex A](#), footnote 1). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6.
12. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.
13. The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.
14. Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements.
15. See [OP 4.10](#), *Indigenous Peoples*.
16. Where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 percent in a secure form of escrow or other interest-bearing deposit acceptable to the Bank, and has provided a means satisfactory to the Bank for resolving the dispute concerning said offer of compensation in a timely and equitable manner.
17. See [OP 4.04](#), *Natural Habitats*.
18. As a general principle, this applies if the land taken constitutes less than 20% of the total productive area.
19. Paras. 13-15 do not apply to impacts covered under para. 3(b) of this policy. The eligibility criteria for displaced persons under 3 (b) are covered under the process framework (see paras. 7 and 30).
20. Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.
21. Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate.
22. Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.
23. For projects that are highly risky or contentious, or that involve significant and complex resettlement activities, the borrower should normally engage an advisory panel of independent, internationally recognized resettlement specialists to advise on all aspects of the project relevant to the resettlement activities. The size, role, and frequency of meeting depend on the complexity of the resettlement. If independent technical advisory panels are established under [OP 4.01](#), *Environmental Assessment*, the resettlement panel may form part of the environmental

panel of experts.

24. See [The World Bank Policy on Access to Information, para. 34](#) (Washington, D.C.: World Bank, 2002).
25. An exception to this requirement may be made in highly unusual circumstances (such as emergency operations) with the approval of Bank Management (see [BP 4.12](#), para. 8). In such cases, the Management's approval stipulates a timetable and budget for developing the resettlement plan.
26. Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost.
27. For the purpose of this paragraph, the term "subprojects" includes components and subcomponents.

Annex 10: Bibliography

- 1) Constitution of the Republic of the Gambia, 1997
- 2) State Lands Act,1991
- 3) Local Government Act, 2002
- 4) Land Acquisition and Compensation Act, 1991
- 5) Lands (Provinces) Act
- 6) Physical Planning and Development Control Act, 1991
- 7) Surveys Act 1991
- 8) National Environmental Management Act 1990
- 9) Environmental Impact Assessment Procedures 1999
- 10) Environmental Impact Assessment Guidelines 1999
- 11) Lands Commission Act 2007
- 12) Development Control Regulations, 1995
- 13) Draft Plans Regulations, 1995
- 14) Kenya Electricity Modernization Project (Kemp), Peri-Urban And Off Grid Sub-Components, Resettlement Policy Framework, January 2015
- 15) Nigeria Electricity Transmission Project (NETAP), Resettlement Policy Framework (RPF), April 2017
- 16) Power Distribution Feasibility Studies, Ghana, Resettlement Policy Framework, October 2014
- 17) State Lands Regulations, 1995
- 18) World Bank OP 4.12 - Involuntary Resettlement Operational Manual, 2001 (Revised April 2013)
- 19) The Gambia: Demographic and Health Survey - Gambia Bureau of Statistics Banjul, The Gambia, ICF International Rockville, Maryland USA September 2014
- 20) The Gambia National Development Plan-2018-2022
- 21) The Gambia National Gender Policy 2010- 2020: Prepared by Ministry of Women's Affairs

Annex 11: Terms of Reference for the Resettlement Policy Framework

Introduction and Background

The Gambia lacks substantial resources of electrical energy, despite the country's efforts to develop sources of renewable energy (solar in particular). The main constraints in improving access include lack of sufficient generation capacity, the inadequacy of the transmission and distribution network, and over dependency on expensive fuel oil generation. According to the latest Investment Climate Assessment, almost 80 percent of firms mention electricity as a major or very severe constraint to their operation. Most of their complaints relate to unreliability and cost.

The Gambia is investing in generation and transmission and to remove electricity supply bottlenecks prior to the OMVG interconnection coming on line.

Project Description

The Gambia, Guinea Bissau, and Mali are preparing the ECOWAS-Regional Electricity Access Project (Phase 1) for World Bank financing. The project will increase access to reliable energy services in targeted areas and enable cross-border electrification between the countries involved. The expected outcomes include: (i) increased electricity access rate that will contribute to the development of the countries and (ii) increased cross-border electricity trade between participating countries that will allow more cost-efficient coverage of power demand.

The Ministry of Energy is responsible for the implementation of government policy in relation to electricity supply and distribution, water management, petroleum products and renewable energy. The Gambian portion of the project will be implemented by the National Water and Electric Company (NAWEC), a vertically- integrated water and electricity public company that handles the generation, transmission, and distribution of electricity in the Gambia.

The Project includes three components:

Component 1

The expansion and reinforcement of electricity distribution infrastructure to reach a maximum of affordable new connections (Project Cost USD 440 million)

Sub-component 1a. Access through Grid Extension and Reinforcement

Distribution extension and reinforcement. This component involves the construction of 33KV distribution network connecting all localities from the existing OMVS substations in Mali and under-construction substations of OMVG. It includes the extension of distribution network within each locality, the reinforcement of existing distribution networks to reduce technical losses, the implementation of cross border distribution network. This component will focus on the construction of new and reinforcement of existing distribution line that are essential for the localities.

Cross border electrification. This component involves the construction of 33KV distribution network connecting all localities from the under-construction substations of OMVG. The cross border will be established between Senegal- Mali, Senegal-Guinea Bissau, Senegal-the Gambia. It also includes the extension of distribution network within each locality.

Sub-component 1b. Supplies of Connection equipment:

This component supports the provision of all connections supplies required for 100 000 connections in each country, the delivery of smart meters for large consumers, and provision of prepaid meters for 100 000 low voltage (LV) customers per country.

Component 2

Project Management and Technical Assistance to the joint implementation unit and national implementation units (Project IDA Credit US\$ 20 million).

The IDA credit will focus on TA activities to support or reinforce the joint PIU and national PIU and to institutional and commercial activities including:

Sub-component 2a. Project Coordination and Implementation Support

Project Coordination and Implementation: This sub-component will focus on all aspects related to overall project management, including fiduciary aspects, M&E, knowledge management, communication and the monitoring of safeguards mitigation measures, strengthen the capacity of implementing agencies. Activities will include the creation of the project Joint coordination (JPIU) and the hiring of a Joint Project Coordinator, national level Project Management, Institutional Support/Capacity Building. The project in the five countries will each host a National Project Coordination Unit (N-PCU). The project (WREP) will support staff salaries, operating costs and key national studies aiming at preparing or documenting the project's intervention. National level monitoring and evaluation activities will include regular monitoring of implementation performance and results, annual outcome evaluations.

Services and supervision: The JPIU will play a crucial role in the hiring of unique supervision firm for all countries. The supervision engineer will deploy satellite in each country. The JPIU will also support in monitoring and reporting including defining of joint technical standards. The services and operating costs of the project including external auditors, the project operating costs.

Sub-component 2b. Access Planning support

Least Cost Electricity access development Plan: This activity will establish a least cost development plan for each country or update the distribution master plan in each country. It will draw from the conclusions / findings of National Electrification Strategy. It will provide an optimized investment pipeline to maximize electricity access across national territory and form a crucial basis for investment/budget planning and donor coordination in each country.

Sub-component 2c. Sustainable environment for cross border electrification

Institutional and commercial support: This activity will provide the institutional and commercial arrangements to be put in place in order to ensure a sustainable performance of the cross-border electrification. It will also care for some critical cross-cutting institutional strengthening and training needs identified at national levels. Activities will include power purchase agreement.

Scope of Work

The portion of the project that will be implemented by NAWEC will consist of subprojects developed during project implementation. NAWEC will prepare and implement an Environmental and Social Management Framework (ESMF) to meet the requirements of the World Bank's Environmental Assessment Policy (OP/PB 4.01), including the World Bank Group Environment, Health and Safety (EHS) guidelines, and to comply with the relevant laws and regulations of the Government of The Gambia. NAWEC will in parallel prepare a Resettlement Policy Framework (RPF) to cover requirements under the Resettlement Policy (OP/BP 4.12). The purpose of this policy framework is to clarify the principles and prerogatives of the World Bank operational policy OP/BP 4.12 on involuntary

resettlement, due to land acquisition resulting in the loss of access to goods and other sources of income on which project affected people's livelihood depend, institutional arrangements, mechanisms for managing the grievances or conflicts, the system of monitoring and evaluation and design criteria applied to projects under implementation in the program.

These ToRs cover the preparation of the RPF for the Gambia's portion of the project

3. Objective

The objective of this assignment is to establish a comprehensive regulatory policy framework for involuntary resettlement and/or compensation of population impacted or affected by project's activities.

4. Scope of Work and Duration

The proposed assignment will cover the Gambia. The selected Consultant is expected to visit the country to undertake a thorough ground assessment of the socio-economic and environmental dimensions related to the proposed project activities. This will be done through extensive public consultation and participation to ensure the fostering of more ownership and social accountability from recipient beneficiary communities/stakeholders of proposed project activities

4. Methodology

The format and the methodology of the study must conform to the orientations defined by the World Bank Safeguards policies with due consideration, if any of both ECOWAS/ OMVG EMF and national legislations.

Prior to starting the consultancy, the consultant will provide and discuss with NAWEC and the World Bank an outline he/she plans to adopt in carrying out the studies and time table of visits to the various communities. He/she is expected to use relevant documents and information from NAWEC/OMVG, partners and other sources, as well as his/her experience, contacts, networking skills, email, telephone communications and the internet as supplementary means of collecting and collating the requisite information.

The Consultant is expected to collaborate with relevant personnel of the following ministries in the Gambia: Environment, Social Affairs, Promotion of Women/Gender, and Health as well as the national structures in charge of environmental (and social) assessment, support institutions, energy, and private operators involved in rural development.

5. Tasks and Deliverables

The main tasks and associated deliverables are outlined below:

- Determining impacts on people, property, livelihoods, including estimation of the population to compensate / move and categories of people and goods that will be affected;
- Identifying legal and institutional aspects of acquisition and ownership;
- Outlining and describe principles, objectives, and resettlement process, with reference to the OP/BP 4.12. Particular attention should be given the timetable for the planning and implementation of resettlement in relation to the timing of the approval and implementation of micro projects;

- Defining eligibility criteria for various categories of people affected;
- Defining methods of property valuation and determination of rates of compensation;
- Defining a Grievances Redress Mechanism (GRM);
- Defining methods and procedures for consultation of those affected with their entities;
- Establishing framework for identification, support, and willingness to provide in the Resettlement Action Plan (RAP) for vulnerable groups including women and youth;
- Defining institutional arrangements for implementation of the RPF;
- TOR for the preparation of Resettlement Action Plans (RAP).
- Identifying budget and funding sources (including procedures and terms of payment).

Table of content for the RPF

- Executive summary in English;
- Brief description of project;
- Potential impacts on people, property, livelihoods, including estimation of the population to compensate / move and categories of people and goods that will be affected (to the extent that it can be estimated);
- Legal and institutional aspects of acquisition and ownership;
- Principles, objectives, and resettlement process, with reference to the OP / BP 4.12. Particular attention should be given the timetable for the planning and implementation of resettlement in relation to the timing of the approval and implementation of micro projects;
- Preparation, review, and approval of the RAP (RAP Detailed Plan to provide in the appendix);
- Eligibility criteria for various categories of people affected;
- Methods of property valuation and determination of rates of compensation;
- Management Grievances Redress Mechanism;
- Methods and procedures for consultation of those affected with their entries;
- Identification, support, and willingness to provide in the Resettlement Action Plan (RAP) for vulnerable groups including women and youth;
 - Institutional arrangements for implementation of the CPR;
 - Budget and funding sources (including procedures and terms of payment).
- Appendices
 - TOR for the preparation of resettlement plans including the plan type of a resettlement action plan (RAP).
 - Micro-analysis worksheet for identifying cases of involuntary resettlement.
 - Model complaint form
 - Persons met
 - Bibliography

6. Required Expertise

The consultant must have:

- at least an MSc in a relevant field of Social Sciences;
- proven experience of at least 10 years in preparing documents related to the population resettlement policy framework;
- a good command of operational and procedural requirements of the World Bank in terms of environmental and social studies;
- considerable knowledge of environmental standards and regulations in the Gambia as well as

knowledge of legislation related to the population resettlement;

- knowledge of social and environmental risks related to key areas of energy is desirable;;
- proven track record of having worked with energy projects;
- Excellent writing skills and proven ability to produce good reports.