

SOMALI URBAN RESILIENCE PROJECT

P163857

RESETTLEMENT POLICY FRAMEWORK

DRAFT

13 June 2018

TABLE OF CONTENTS

TABLE OF CONTENTS	ii
LIST OF ABBREVIATIONS	iv
DEFINITIONS	v
1 INTRODUCTION	9
1.1 Objectives of the Resettlement Policy Framework	9
1.2 Rationale for Preparing RPF	9
1.3 Objectives of the Resettlement Policy Framework	10
1.4 Project Development Objectives	10
1.5 Project Component	10
1.6 Project Beneficiaries.....	15
1.7 Potential Social Impacts	15
Potential Positive Impacts	15
Potential Negative Impacts.....	16
1.8 RPF Consultation.....	16
2 LEGAL FRAMEWORK REVIEW.....	18
2.1 National Laws.....	18
2.2 Municipality of Mogadishu Laws	18
2.3 Somaliland Laws	19
2.4 Puntland Laws	20
2.5 World Bank Policy	21
2.6 Gap Analysis between Country Legislations and World Bank Safeguards Policy	22
3 PRINCIPLES GUIDING RESETTLEMENT	26
4 ELIGIBILITY CRITERIA AND ENTITLEMENTS	28
4.1 Categories of potential Project Affected Persons	28
4.2 Determining number of PAPs	29
5 A/RAP PREPARATION AND IMPLEMENTATION.....	30
5.1 Subproject Screening.....	30
5.2 Census of Project Affected Persons	30
5.3 Eligibility.....	30
5.4 Valuation and Compensation	30
5.5 A/RAP Implementation and Schedule.....	31
Vulnerable Groups.....	34
Any of above impacts.....	34
5.6 Subproject Implementation Schedules	36
6 IMPLEMENTATION ARRANGEMENTS.....	37
6.1 Capacity for Implementation.....	37
6.2 Roles and Responsibilities.....	37
7 GRIEVANCE REDRESS MECHANISM.....	39
8 Budget, Public Consolations, and Disclosure.....	40
8.1 Budget.....	40
8.2 Public consultations.....	40

8.3 Disclosure	40
9 MONITORING AND EVALUATION	41
9.1 Internal Monitoring	41
9.2 External Monitoring	41
Annex I: A/RAP ToR.....	43
Annex II: A/RAP Outline.....	48
Annex III: Details of Public Consultations.....	49
Mogadishu RPF Consultations	49
Garowe RPF Consultations.....	52
Annex IV: Sample Census Questionnaire	54
Annex V: Grievance Redress and Record Form	55

List of Tables

Table 1.1. Consultation Participants in Mogadishu and Garowe
Table 2.1. Comparative Gap Analysis of Somali Laws and Policies and World Bank Operational Policies
Table 5.1. Entitlement Matrix
Table 6.1 Institutional Roles and Responsibilities

List of Figures

Figure 7.1 Grievance Redress Process

LIST OF ABBREVIATIONS

- A/RAP** - Abbreviated or full Resettlement Action Plan
- BRA**- Benadir Regional Administration
- CERC** - Contingency Emergency Response Component
- GRM** – Grievance Redress Mechanism
- GFDRR**- Global Facility for Disaster Reduction and Recovery
- IDP** - Internally Displaced Person
- IFC** – International Finance Corporation
- IRM**-Immediate Response Mechanism
- MOM**-Municipality of Mogadishu
- OP** - Operational Policy
- PAP** - Project Affected Person
- PIM** - Project Implementation Manual
- PIU** - Project Implementation Unit
- RAP**- Resettlement Action Plan
- RPF** - Resettlement Policy Framework
- TA**-Technical Assistance
- SUIPP** – Somalia Urban Investment Planning Project
- SURP** – Somali Urban Resilience Project
- TOR**-Terms of Reference
- WB** - World Bank

DEFINITIONS

Census	A complete and accurate count of the population that will be affected by land acquisition and related impacts. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation and for preparing and implementing Abbreviated or full Resettlement Action Plan (A/RAP).
Compensation	Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced ¹ .
Cut-off Date	The date the census and assets inventory of persons affected by the project begins. Persons encroaching on the project area after the cut- off date are not eligible for compensation and/or any other type of resettlement assistance. ²
Displaced Persons	The people or entities directly affected by a project through the loss of land and the resulting loss of residences, other structures, businesses, or other assets ³ .
Eligibility	The criteria for qualification to receive benefits under a resettlement programme ⁴ .
Grievance Redress Mechanism	Complaint mechanism is a locally based formalized way through which project affected people and communities may raise their concern directly with the project when they believe the project has caused or may cause them harm. The Grievance Redress Mechanism ensures that complaints are being promptly received, assessed and resolved by those the responsible for the project.

¹ IFC Handbook for Preparing a Resettlement Action Plan, Undated

² World Bank Operational Policies (OP 4.12)

³ Ibid

⁴ Ibid

Host Community	A host community is any community of people living in or around areas to which people physically displaced by a project will be resettled.
Household	The term household refers to a group of people who reside together and share in the functions of production and consumption. It is also the smallest unit of consumption, and sometimes production.
Household Head	For purposes of a census, the household head is considered to be that person among the household members who is acknowledged by other members of the household as the head and who is often the one who makes most decisions concerning the welfare of the members of the household.
Involuntary Resettlement	Direct economic and social impacts that both result from investment projects, and are caused by: (a) The involuntary taking of land 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 access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons ⁵ .
Involuntary	Means actions that may be taken without the displaced person's informed consent or power of choice ⁶ .
Land Acquisition	The process of acquiring land under the legally mandated procedures of eminent domain.
Livelihood Restoration	Livelihood Restoration means the measures required to ensure that Project Affected Persons (PAPs) have the resources to at least restore, if not improve, their livelihoods. It requires that

⁵ Involuntary Resettlement Sourcebook, Planning and Implementing in Development Projects, 2004 World Bank

⁶ Ibid

	<p>people are given the means and assistance necessary for them to improve, or at least restore, their livelihood and living conditions to pre-project levels. Inventory of Losses means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets.</p>
Project Affected Person (PAP)	<p>Project Affected Persons are persons on whom the project has a direct economic and social impact. The impact may be caused by the involuntary taking of land resulting in;</p> <ul style="list-style-type: none"> a) relocation or loss of shelter; b) loss of assets or access to assets; c) loss of income sources or means of livelihood whether or not the person should move to another location; or d) by the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons⁷.
Replacement Cost	<p>Full market value for replacing lost assets, plus transaction costs. For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of</p>

⁷Ibid.

	<p>transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes.</p> <p>In determining replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where Somali law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard.⁸</p>
Resettlement	Resettlement covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures ⁹ .
Resettlement Action Plan	An abbreviated or full resettlement action plan [A/RAP] is the planning document that describes what will be done to address the direct social and economic impacts associated with involuntary taking of land
Resettlement Entitlements	Resettlement entitlements with respect to a particular eligibility category are the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category.

⁸ Ibid

⁹Ibid.

1 INTRODUCTION

The Somali Urban Resilience Project (SURP) is an infrastructure and governance development project aimed at improving access to socio-economic infrastructure and strengthening municipal governance in Somalia. The Project also aims to strengthen inter-governmental relationships between the federal, state, region and municipal levels. It is intended that the SURP will also strengthen the state-citizen relationship and the government's legitimacy in the eyes of its people by providing visible and tangible benefits. The Project is thus as much about urban resilience as it is about peace building and institution building. SURP builds on the preparation work carried out under World Bank's ongoing Somalia Urban Investment Planning Project (SUIPP). SUIPP financed institutional assessments, feasibility studies and engineering design work for urban investments in Mogadishu, Hargeisa and Garowe municipalities; institutional assessment of Hargeisa Water Agency and the Ministry of Public Works at the federal level; and helped to set up Project Implementation Units (PIUs) and build fiduciary, safeguards, project management, and monitoring and evaluation capacity of the PIU staff based at these municipalities.

In Mogadishu, the SUIPP carried out feasibility studies and preliminary engineering designs for: 4 primary urban roads (17km in length) and 47 secondary roads (34km in length) across 17 districts; 30 km of secondary roads and 2 bridges in Garowe; and a solid waste management facility and an anaerobic pond liquid waste management system in Hargeisa. Due to funding limitations the initial interventions will begin in Mogadishu and Garowe. However, the Federal Government of Somalia has made it explicit that it wants this project to be of national scale.

1.1 Objectives of the Resettlement Policy Framework

The objectives of this RPF are, among others, to:

- Establish the resettlement and compensation principles and implementation arrangements for SURP components and subprojects;
- Describe the legal and institutional framework underlying Somali approaches for resettlement, compensation and rehabilitation, along with OP/BP 4.12 principles;
- Develop the gap analysis and gap filling measures that will apply to this RPF to ensure compliance with both sets of laws/Policies;
- Define the eligibility criteria for identification of PAPs and entitlements;
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- Provide procedures for filing grievances and resolving disputes; and
- Provide an outline and guidance for development of A/RAPs

1.2 Rationale for Preparing RPF

When OP 4.12 is triggered, and a project has multiple subprojects, the policy allows for preparation of a Resettlement Policy Framework (RPF) in cases where the zone of impact of specific subprojects is not yet known or determined at the time of project appraisal. For SURP the specific roads to be financed in the project may be subject to change due to budgetary, security, and political economy considerations such as alterations in local priority or when donor partner financing scales up. As such an RPF will be prepared initially, with RAPs¹⁰ to be prepared once the specific subproject road segments are determined. It is anticipated that the number of PAPs will be few, and therefore an Abbreviated Resettlement Action Plans (ARAPs) may be prepared for respective subproject sites. World Bank policy allows for

¹⁰ RAP ToR provided in Annex 1

preparation of Abbreviated RAPs when impacts are considered “minor” (i.e. if affected people are not physically displaced and less than 10 percent of their productive assets are lost), or when fewer than 200 people are displaced, which is expected to be the case with this project.¹¹ In this RPF, the terms RAP, ARAP and A/RAP are used interchangeably.

1.3 Objectives of the Resettlement Policy Framework

The objectives of this RPF are, among others, to:

- Establish the resettlement and compensation principles and implementation arrangements for SURP components and subprojects;
- Describe the legal and institutional framework underlying Somali approaches for resettlement, compensation and rehabilitation, along with OP/BP 4.12 principles;
- Develop the gap analysis and gap filling measures that will apply to this RPF to ensure compliance with both sets of laws/Policies;
- Define the eligibility criteria for identification of PAPs and entitlements;
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- Provide procedures for filing grievances and resolving disputes; and
- Provide an outline and guidance for development of A/RAPs

1.4 Project Development Objectives

The objectives of the Project are to strengthen public service delivery capacity at the sub-national level and support the reconstruction of key urban infrastructure in targeted areas.

The SURP will do so by: (i) providing capacity building support to the Benadir Regional Administration (BRA) and Garowe Municipality and strengthening government systems at the sub-national level by channeling funds on-budget; (ii) supporting the rehabilitation of secondary urban roads in Mogadishu and Garowe; (iii) generating short-term income generation opportunities and improving connectivity for the urban poor, IDPs and returnees; and (iv) augmenting the municipal government’s planning capacity by financing road connectivity and drainage network assessment in Mogadishu.¹² The project would support urban resilience, mainly institutional, physical, spatial and economic resilience. The achievement of the above objective would support the Government’s efforts to demonstrate visible and tangible improvements in the lives of its citizens, critical for strengthening the legitimacy of the government and sustaining social and political stability in the country.

1.5 Project Component

The following three components are proposed for a duration of 36 months: (i) Mogadishu; (ii) Garowe; and (iii) contingent emergency response.

Mogadishu and Garowe prioritized infrastructure investments through a participatory decision-making process using the criteria below:

- (i) *Strategic investments that contribute to urban resilience.* The investment should be aligned with a broader strategic plan or vision of the city. This plan should focus on how to make the city more resilient.

¹¹ Operation Policy OP 4.12, World Bank.

¹² Due to funding limitations, this road connectivity and drainage network assessment is only being carried out in Mogadishu. Funds will be sought to expand these assessments to Garowe and other key urban areas.

- (ii) *Inclusiveness.* Investments identified should be as inclusive as possible, i.e. incorporate needs of the IDPs, returnees, refugees and host communities. The investments should be selected in a participatory manner in consultations with community representatives.
- (iii) *Maximizing development impact.* Investments should maximize development impact and return on investment, thus avoid small scale/piece meal investments.
- (iv) *Coordination/complementarity with ongoing projects.* Investments should avoid overlap with ongoing government and development partner interventions and try to complement and build on these activities.
- (v) *Labor intensiveness.* Investments should provide short term income generation opportunities for vulnerable groups.
- (vi) *Sustainability.* Investments should build in operations and maintenance measures to ensure that they were sustained over the long term.
- (vii) *Government visibility.* Investments should be visible to citizens and highlight the government's (both federal and state levels) lead in implementation so as to strengthen their legitimacy.

Component 1: Mogadishu Municipality (US\$6.50 million)

Infrastructure. This component will finance the rehabilitation of approximately 19 roads in 7 districts of Mogadishu, covering an estimated total of 7.5 km. Under the Somali Urban Investment and Planning Project (SUIPP), the preparatory phase of SURP, a Project Implementation Unit (PIU) was established within the BRA and capacity of PIU staff strengthened, institutional assessment of the municipality undertaken, and Feasibility Studies, Preliminary Engineering Designs for 31 roads across all 17 districts of Mogadishu with a total cost of US\$6.9 million were prepared. These roads were selected based on participatory consultations held in each of the 17 districts that involved the BRA, district councils, traditional leaders, and community representatives.¹³ However, due to funding constraints, only US\$4.37 million including supervision fees is available for road rehabilitation which will finance approximately 19 roads with a total length of 7.5 km. This particular package of roads is being selected based on the following criteria: (i) strategic importance of the target areas in central Mogadishu; (ii) connectivity to key socio-economic facilities such as markets, health facilities, schools, mosques, and district headquarters; and (iii) benefit to both urban poor communities as well as IDP communities. The specific roads to be financed in the project may be subject to change due to budgetary, security and political economy considerations.

The Feasibility Studies and Preliminary Engineering Designs for these roads were carried out during the preparation project – the SUIPP.¹⁴ The roads will be accompanied with side drainage to mitigate against flash floods that can impact the road investments, pedestrian walkways to ensure a larger percentage of the population benefit from the project, and solar battery charged street lights to improve safety of communities. As this component cannot finance all key primary and secondary roads in Mogadishu, analytical work looking into road

¹³ The community representative groups used were those set up by the USAID funded Transition Initiatives for Stabilization project and included participation from women, youth and IDPs groups. The consultations were led by BRA with support from the UNOPS community liaison team.

¹⁴ During the SUIPP, it was originally estimated that a unit cost of 1km of road would be USD200,000. The PEDs however have determined that this was grossly underestimated and the cost per 1km is at USD 380,000 (almost 90% higher than the original estimate).

connectivity and drainage networks within the city is being carried out which will help the government identify and prioritize areas for future investments in these sectors. (See para 26)

All roads in this component will be constructed using precast concrete interlocking paving blocks with properly compacted sub-base and base materials. Such roads have two key advantages: (i) it is labor intensive and will provide short term income generation opportunities for communities; and (ii) it would allow communities to maintain and repair the roads with minimal training and support. The project will ensure that both IDPs and host communities, particularly the poor and the marginalized, equally benefit from the short-term employment opportunities. It is estimated that approximately 22,000 person days of labor would be generated from employment of approximately 330 people in the rehabilitation/construction of the targeted 19 roads. Moreover, the project will support the formation of Maintenance Committees within each district to supervise and mobilize the community for necessary maintenance and repairs. All roads have inverted block concrete open side drainage catered for in the detailed engineering designs.

This component includes the engineering supervision of the civil works contracts by an independent engineering supervision firm or agency. The supervision fees for both Mogadishu and Garowe have been included in this component as BRA will be managing the engineering supervision consultancy contract for the civil works in both cities. In Mogadishu, the supervision firm would be required to procure equipment for the testing of the crushing strength of the precast concrete interlocking blocks. This equipment would most likely be set up at the Minister of Public Works with capacity building incorporated into the Terms of Reference for the supervision engineering firm. Given the allocation of funds for road rehabilitation is small, the costs of engineering supervision for these roads would be proportionately high as there would be minimal economies of scale.

Capacity Building. This component will also support the capacity building of the PIU in Mogadishu with a focus on financial management, procurement and environmental and social safeguards and engineering. While basic, these are the areas that are critical for ensuring the implementation of quality infrastructure in a transparent and accountable manner, which in turn will help strengthen people's trust in the municipal government's ability to deliver services. The PIUs are de facto part and parcel of the municipalities and on-the-job capacity development of the PIU staff will translate into knowledge transfer to the wider municipal staff. The capacity strengthening builds off of the institutional assessments carried out for BRA under the SUIPP.

To supplement the capacity building activities financed under SURP, concurrent Technical Assistance (TA) is being provided to the BRA through funding from the Global Facility for Disaster Reduction and Recovery (GFDRR). This TA supports the preparation of a Trunk Drainage Masterplan as well as a Road Connectivity Assessment for Mogadishu. The Trunk Drainage Masterplan will map out existing trunk drainage systems and identify gaps in their connectivity and develop topography specific designs. This will help mitigate unplanned expansion of the drainage system, frequent localized flooding, and road shoulder erosion among others. A comprehensive drainage network will also help ensure that roads built under SURP are well maintained. The proposed Road Connectivity Assessment will look at how the main road network can be developed to improve the connectivity of SURP-financed roads to existing and proposed trade and commercial hubs and socio-economic facilities. The proposed activities, together with the SURP, will help strengthen municipal governance of BRA and urban resilience of Mogadishu through better planning and (re)construction of critical urban

roads and drainage systems in the city. Such master plans would also enable the BRA to develop Mogadishu city in a more planned and coordinated manner going forward and provides the municipality an important tool to maximize limited resources and mobilize additional financing for roads and drainage works.

Operation and Maintenance (O&M). This component will finance the development of O&M plans for the road and drainage investments supported under the project including support to the Maintenance Committees at the district level. These committees have already been formed by the BRA and TIS+ program for the maintenance of secondary roads in the city and are composed of the District Administrator, community members, religious leaders and members of the business association. Under the SURP, the composition of these committees will be revisited to ensure greater inclusivity of women, youth and IDPs. Further, the committees will be provided training to better take on their role of informing the municipal governments of maintenance needs of the secondary roads and mobilizing and engaging community members for day-to-day maintenance such as gutter clearance as required. This component will also finance the training of BRA units responsible for infrastructure maintenance, help the municipality develop and improve guidelines for the formation process and composition of the Maintenance Committees, and support better coordination of the committees' activities. Actual maintenance of the roads is expected to be financed by BRA and is not allocated for this in project due to the limited funding available.

Project Management. Finally, this component will finance project management costs i.e.- staffing of the PIU in Mogadishu; audits; establishment and implementation of a grievance redress and feedback mechanism (GRM) related to project activities; and monitoring and evaluation of project activities including geo-enabled monitoring. Recognizing that various elements of the project could become a focus for local disputes, the GRM will be integrated into the design of the project and described fully in the Project Implementation Manual (PIM).

Component 2: Garowe Municipality (US\$ 2.50 million)

Infrastructure. This subcomponent will likely finance four roads in Garowe covering an estimated total of 4.4 km. The SUIPP phase prepared Feasibility Studies and Preliminary Engineering Designs for a total of 19 roads and two bridge investments. Due to funding constraints, however, only US\$2.17 million is available for the rehabilitation of secondary roads which will cover approximately four of the 19 roads. These roads will be prioritized based on the connectivity they provide for both urban poor communities and IDP settlements to key socio-economic facilities, high economic internal rates of return and high benefit/cost ratio. The specific roads to be financed in the project may be subject to change due to budgetary, security and political economy considerations.

All roads in Garowe will be constructed using Otta seal surfacing with properly compacted sub-base and base materials designed to support the anticipated traffic loading. This surfacing was selected given: (i) it is cost efficient relative to other surfacing options as future resurfacing or maintenance is required only every 5-10 years; (ii) it would allow for communities to maintain and repair the roads with minimal training; and (iii) it is labor intensive and would provide short term income generation opportunities for communities. The project will support the formation of Maintenance Committees at the village level in the district to supervise and mobilize the community for necessary maintenance and repairs. It is estimated that for the case of the construction of Otta seal pavement, approximately 18,000 person days of labor would

be generated, through short-term employment of approximately 250 people, from the rehabilitation/construction of the roads.

Capacity Building. This component will also support the capacity building of the PIU in Garowe Municipality with a focus on financial management, procurement and environmental and social safeguards and engineering. These are the areas that are critical for ensuring the implementation of quality infrastructure in a transparent and accountable manner. The PIUs are de facto part and parcel of the municipalities and on-the-job capacity development of the PIU staff will translate into knowledge transfer to the wider municipal staff. The capacity strengthening builds off of the institutional assessments carried out for Garowe Municipality under the SUIPP.

Operation and Maintenance (O&M). This component will finance the development of O&M plans for the road and drainage investments supported under the project including support to the Maintenance Committees at the district level. These committees have been formed under the UN-JPLG and are composed of community members including women, youth, IDPs, religious leaders and members of the business associations. Under the SURP, these Maintenance Committees the composition of these committees will be revisited to ensure inclusivity and committees will be further strengthened to take on their role of informing the municipal governments of maintenance needs of the secondary roads and mobilizing and engaging community members for day-to-day maintenance such as gutter clearance as required. This component will also finance the training of units in Garowe Municipality that are responsible for infrastructure maintenance, help the municipality develop and improve guidelines for the formation process and composition of the Maintenance Committees, and support better coordination of the committees' activities. Actual maintenance of the roads is expected to be financed by Garowe Municipality and is not allocated for this in project due to the limited funding available.

Project Management. Finally, this component will finance project management costs i.e.- staffing of a PIU in Garowe; audits; implementation of a grievance redress and feedback mechanism (GRM) related to project activities; and monitoring and evaluation of project activities including geo-enabled monitoring. Recognizing that various elements of the project could become a focus for local disputes, the GRM would include the formation of Grievance Redress Committees at the district level and would be integrated into the design of the project. The GRM would be described in more detail in the Project Implementation Manual (PIM).

Component 3: Contingent Emergency Response (US\$0 million)

This contingency emergency response component (CERC) is included under the project in accordance with Bank Policy Investment Project Financing dated November 10, 2017, Paragraph 12 and 13 for situations of urgent need of assistance, as a project-specific CERC. This will allow for rapid reallocation of project funds in the event of a natural or man-made crisis in the future, during the implementation of the project, to address eligible emergency needs under the conditions established in its operations manual. This component will have no funding allocation initially and will draw resources from the other expenditure category in the case of activation. If an Immediate Response Mechanism (IRM) is established, this component will serve as an IRM CERC to allow the reallocation of uncommitted funds from the project portfolio to the IRM Designated Account (DA) to address emergency response and recovery costs, if approved by the World Bank.

In addition to the project components described above, the team will seek to mobilize additional funds to undertake analytics to further operationalize the concept of urban resilience. Analytics under consideration include: (i) a local political economy analysis at the city-level to better understand the local power dynamics which will help improve the design of a meaningful participatory planning process particularly how to ensure that the most vulnerable groups' voices are heard and better understand the levels of access to services among different population groups; (ii) a study to analyze reasons why previous infrastructure was not properly maintained and inform the development of an effective day-to-day maintenance mechanism for the roads to be financed; (iii) a study on informal economies at the city-level to better understand the scale, location, types of industries, income levels, socio-economic characteristics and needs of the informal laborers, to examine possible economic opportunities for the urban poor and the displaced; and (iv) a citywide land inventory of idle public lands that could be utilized for IDP housing.

1.6 Project Beneficiaries

The immediate project beneficiaries will be the residents of the 7 districts of Mogadishu and the city of Garowe, including those affected by forced displacement (i.e. IDPs, returnees, refugees) and host communities where the secondary road rehabilitation and construction is being carried out. In addition, approximately 330 people in Mogadishu and 250 people in Garowe will benefit from short-term income generation opportunities resulting from the civil works of these secondary roads. Finally, Mogadishu and Garowe municipalities' staff will benefit from capacity building initiatives in this project.

1.7 Potential Social Impacts

SURP implementation is expected to have various social impacts including both positive and negative impacts.

Potential Positive Impacts

Improved Connectivity

Construction and rehabilitation of roads improves the connections between roads by developing a better network that eases traffic flow within a city. In Mogadishu secondary roads play a larger than normal role in city transport. There are several permanent access blockage and frequent barriers erected on primary roads for security reasons. These community roads will improve connectivity across the city especially for public transport providers. City residents can have a more convenient means of accessing basic social services such as schools and health centers.

Reduced Vehicular Maintenance

The current state of the roads often leads to vehicle damage. The construction of these roads will reduce vehicular maintenance costs, decrease down time and provide more savings to the owners.

Reduction in Travel Time

These newly constructed/repared roads will reduce travel time thus providing local people, especially women, more time to do other activities.

Employment Opportunities for Local Residents

Local residents, particularly the poor, will be given the opportunity to work during construction. Residents will be recruited to provide manual labor or undertake any activities for which they might have the capacity.

Enhanced Safety

Due to lack of street lights on these roads, many residents, mostly women, feel unsafe to travel at night. Installation of solar battery charged street lights will enhance security and enable night travel.

Prospects of Local Procurement

There will be instances where the local community members might be engaged to supply materials required for the works.

Reduction in Urban Floods

The proposed community roads will have drainage culverts which will eliminate or at least reduce flood levels in the different neighborhoods which are mostly susceptible to urban flooding.

Curbing of Soil Erosion

There are high levels of soil erosion resulting from storm water flows on some of the roads which has led to property damage. The construction of these roads will eliminate or minimize soil erosion.

Potential Negative Impacts

Displacement of PAPs

There are a few very few cases of expected displacement affecting road side vendors. The implementation of World Bank policies will ensure the affected PAPs are duly compensated.

Loss of Access

There might be loss of access for some of the PAPs for a short period of time during construction. All PAPs will be compensated in accordance with provided guidelines.

Swamping and Changes in Drainage Patterns

Due to insufficient drainage there might be changes in drainage patterns affecting nearby communities. The contractors will be required to ensure any such changes do not cause harm to nearby areas. Also there is possibility of swamping during construction which might create breeding ground for mosquitoes and flukes. The contractors will be required to minimize the possibility of swamping and if necessary take measures to eliminate any parasites.

Insecurity

During construction there are possibilities of increased insecurity due to the predictable extended outdoor presence. The contractors will be required to put security measures into place to ensure the health and safety of their workers.

1.8 RPF Consultation

During the preparation of this RPF stakeholder consultations were carried out in Mogadishu and Garowe where 63 and 36 individuals were respectively consulted. Stakeholders consulted in both cities included municipality staff, district officials and representatives from villages, women, youth, and business groups, and peace committee members (Table 1.1).

Table 1.1: RPF Consultation Participants in Mogadishu and Garowe

PARTICIPANT CATEGORIES	NUMBER
Mogadishu	
District Commissioners	6
Sub-district Administrators	27
Women Group Reps	9
Youth Representatives	11
District Social Services Reps	3
Business Reps	4
Mogadishu Municipality Directors	3
Total Number Participants Mogadishu	63
Garowe	
Village Reps	24
Business Reps	6
Local Government Officials	6
Total Number of Participants Garowe	36

Issues Raised During RPF Consultations

Generally speaking, stakeholders were positive about the arrival of the project. However, during the consultation participants raised several concerns and wanted more elaboration on the information they were given. Below is a summary of all the queries made and the responses provided during consultations in Mogadishu and Garowe. Similar issues were raised in both cities. These concerns are considered typical and representative some of the types of concerns that will be raised when the RAPs are carried out.

- When will the construction start?
 - The participants were informed that the exact date had not been determined yet, but the process was ongoing and when the date is determined they would be informed in advance.
- Why was the length of roads reduced from 2 km to 1 km?
 - It was explained that the length of the roads were shortened due to funds shortage and in the future, if funds were secured through the donors or the community the remaining lengths will be built.
- Will the rest of the roads be built?
 - Participants were informed that completion of the remaining lengths would be subject to funds availability
- When will the census begin?
 - Participants were informed that the census date had not been determined, and once the date is determined they would be notified through different methods such as posters in the district headquarters and radio announcements, and through word of mouth by their representatives.
- Will World Bank be paying compensation?
 - It was made clear that the World Bank would not be providing any compensation and that it was the Municipality that would be compensating affected persons
- How much will they get paid?

- Participants were informed that not all compensation would be in cash. It was indicated that there would be assistance in moving where necessary. It was explained that if it was determined that the affected person were to be paid in cash, the amount would be determined in consultation with established committee.
- When will the payment begin?
 - It was mentioned that any affected persons would be compensated before the commencement of construction
- How will the compensation be determined?
 - Participants were informed that compensation would be determined in consultation with established committee and that it would be fair and reflective of market conditions.
- How would their complaints be addressed?
 - It was indicated that a grievance redress committee comprised of affected persons, municipal government officials, local leaders and representatives of community groups will be formed. The process for addressing grievances was also explained to the participants.

2 LEGAL FRAMEWORK REVIEW

The Somali national laws are still being developed and at the moment there are many parts, including land related matters such as expropriation, which are going through the parliamentary processes. Notwithstanding this, in the current federal state system the different levels of government have developed laws that address land issues or reverted to laws that existed prior to the collapse of the Somali Democratic Republic.

2.1 National Laws

The current supreme law in Somalia is the Provisional Constitution of 2012. The right to own property and the right to compensation is addressed in Sections 1 and 2 of **Article 26** which state:

- Every person has the right to own, use, enjoy, sell, and transfer property;
- The state may compulsorily acquire property only if doing so is in the public interest;
- Any person whose property has been acquired in the name of public interest has the right to just compensation from the State as agreed by the parties or decided by a court.

2.2 Municipality of Mogadishu Laws

Law Number 10¹⁵ of the Municipality of Mogadishu passed on 17/12/1980 deals with compensation related issues. **Article 15** states any building constructed without following the municipal due processes will be considered to be illegal. Section 1 of **Article 16** indicates in the fulfillment of community standards, the Mogadishu Municipality can order the demolition of illegally constructed structures, whether single structures or whole estates, once such a decision is reached by the District Councils' Permanent Committees. According to Section 2 of **Article 16** the demolition of illegally constructed structures can take place in the case of one or both of the following reasons:

- In order to vacate the occupied land for purposes other than residential use; and/or
- Standardization of illegally constructed estate in compliance with urban planning

¹⁵Presented in this document are translations of the Somali version

Section 3, **Article 16** states that: Illegally constructed structures cannot be used for the purpose of acquiring land and its eviction will not lead to compensation. But the municipal government can compensate the affected persons with residential land once the following conditions are met: the affected persons resided in the said structure for a period of not less than eight years; and the property was not constructed for the purpose of acquiring land.

Section 4, **Article 16** states that any compensation resulting from eviction or demolition of any structure or estates will be provided to the initial residents, and according to Section 5 the Municipal Government cannot allocate any such land to other parties as long as the affected persons are present.

Article 17, Section 1 indicates the Mayor of Mogadishu has the authority to order the eviction of legally occupied land for the purpose of communal use. According to Section 2 of **Article 17** any party evicted as a result of section 1 of this Article is entitled to compensation of value similar to the property, and the same size of land shall be granted to the affected person. Section 3 of **Article 17** indicates that when compensation is offered, the following will be taken into account: whether the structure is in compliance with the law concerning land used for permanent or temporary purposes and if it is not built in accordance with the above law the structure will be considered illegal and the owner not qualified for compensation. Section 4 of **Article 17** states that the process to be followed in the acquiring of private property for communal purpose shall be in accordance with Section 12 of law number 28 of the Democratic Republic of Somalia passed on the 28th of May 1955. Section 5 of **Article 17** indicates the expropriation of property for the purpose of communal use, while taking Section 4 of **Article 17** into account, can only be used for communal purpose and not for private use.

2.3 Somaliland Laws

In Somaliland, land matters are addressed in **Law Number 17** of 2001 and Presidential Decree number 363 of 09/09/2008. **Article 20** declares that any structures, whether permanent or temporarily constructed without being in accordance with the land allocation process will be considered to be illegal.

Article 21 addresses eviction and demolition of illegal property. Section 1 of this article indicates “The Municipal government while implementing the city urban plan will have the authority to demolish illegally constructed structures be they temporary or permanent”. In Section 2 of this article eviction from temporary structures can arise if the said land is part of a plan in which it is set aside and it is needed for purposes other than residential use and in which case the evicted parties will be settled in a suitable land and their eviction and settlement costs will be covered by the local government. As per Section 3 “Illegal structures cannot be constructed for the purpose of acquiring land and eviction of such structures will not be due for compensation”. Section 4 mentions that “Parties affected by eviction or demolition of single structures or whole estates will have priority in any land allocation resulting from such activity”.

Article 22 addresses demolition of legal property stating “When the demolition of a legal property results from needs arising due to City Planning, the following will apply: a) The affected party will be compensated for the value of their property. b) The affected party will be allocated with land not less than size to his evicted land and will be offered legal documents”.

Article 23 addresses expropriation of land for the purpose of common good pointing out: a) Following consultation with the permanent national planning committee and having gained

their approval, the Mayor will have the authority to issue an order to take over legally allocated built land or otherwise for the purpose of common good. b) Any party affected by section 1 above will have a right to the following: I) compensation in value similar to the said property and II) be provided with similar property that is equal in value and size to the said property.

2.4 Puntland Laws

Puntland's **Urban Land Management Act** covers all matters related to urban land and provides guidelines on the governance, and management of urban land. Chapter Four of this, yet draft, law covers land right and obligations.

Article 38 confirms the right to own land and property stating: "Every person has the right to legally own land and property in accordance with Article 17 of the Constitution of the Puntland State of Somalia and no property can be repossessed without legal justification unless it is in the public interest, in which case appropriate compensation must be made at the earliest opportunity".

Article 22 of this law deals with the repossession of private land for public interest whereby the Mayor of a town is vested with powers to reposes previously allotted land, subject to approval from local councilors, and the Ministry of Public Works. This law states that: Those affected by this order will have the right to the following: a) Compensation to the value of the structure on the site. b) The right to an alternative and equivalent (in value and size) to the repossessed parcel of land. Although compensation is to be granted under this law, it is also limited to legal structures, as indicated "The compensation will be paid if the structure was lawful". In addition to this, relocation costs will be borne by the affected party. The law also states that the process to be followed during repossession will be in accordance with the Land Laws and the Puntland Constitution. This law strictly limits the use of such repossessed land for public use only. This Article has a grievance redressal mechanism "Any individual affected by the repossession, who does not receive compensation proposed under this article, has the right to request the court for compensation arising from the repossession and the damages related to it".

Article 35 of this law covers relocation or demolition of illegal property stating: The local authority, in fulfilment of the urban plan, has power to demolish illegal structures, whether permanent or temporary. This law permits "Relocation of a settlement when an emerging public interest need arises or when the development of the settlement does not comply with the urban plan or when a specific location has been zoned for a different purpose". The law also states that the inhabitants must be relocated to a suitable alternative and the costs will be borne by the local authority. Although the above is very clear in relation to compensation for illegal structures there is some lack of clarity as the next section seems to be contradictory indicating: "Actions taken against illegal construction do not allow the individual to claim allotment of another parcel and relocation (of inhabitants of illegal structures) does not include any compensation. Only inhabitants of settlements that are relocated will have a rightful claim to allotment of land that may arise from the relocation".

Article 36 addresses the demolition of lawful structures indicating: "When a lawfully constructed structure is recommended for demolition during the review of a town's urban master plan, the owner of the structure will have a right to: a) receive compensation equivalent to the value of the demolished structure and to be relieved of the ownership certificate for this parcel; and b) be allocated land whose size is equivalent to the previous parcel and to be provided with an ownership certificate".

Resettlement is also addressed by **Puntland's Urban Regulatory Framework** passed by cabinet as policy in November 2016. **Section 3.9.13** covers involuntary relocation beginning with the need to avoid or minimize resettlement. This Policy indicates: "When direct economic and social impacts are caused by taking of land resulting in involuntary relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood whether or not the affected persons must move to another location or the restriction of access to legally designated parks and protected areas result in adverse impacts on the livelihoods of the displaced persons, the following guidelines shall be required:

- Where relocation cannot be avoided, displaced persons shall be meaningfully consulted throughout the entire project cycle individually and collectively, with a right to appeal, and receive the opportunity to participate in the project activities, and share the project benefits;
- The property or use rights of owners and users shall be registered;
- Compensation for any loss of private property, such as built structures, crops and trees, and for the type of any use rights, shall be determined at the time of relocation and paid before relocation commences;
- Compensation shall be according to the market value of the land and the property, or the interest therein of the claimant at the valuation date. The assessment of compensation is by an independent evaluator appointed by the Local Council or the General Works Sub-Committee; and
- The relocated persons shall be assisted in restoring their livelihoods and standards of living.

2.5 World Bank Policy

World Bank Policy **OP 4.12 - Involuntary Resettlement** is designed to mitigate social and economic impacts that may result from involuntary taking of land or involuntary restriction of access to property¹⁶. This Policy demands that a resettlement plan be developed to ensure that displaced persons are:

- Informed about their options and rights;
- Provided with technically and economically feasible resettlement alternatives; and
- Provided with prompt and effective compensation at full replacement costs

This Policy requires that particular attention be paid to the needs of vulnerable groups such as those below the poverty line, landless, elderly; women and children, indigenous peoples and ethnic minorities. The following general principles of this Policy are entirely adopted as principles of this RPF:

- Involuntary resettlement should be avoided where feasible, or minimized while exploring all viable alternative project designs;
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs that provide sufficient investment resources to enable the persons displaced by the project to share in project benefits;
- Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs; and

¹⁶ Policy document are available at <https://policies.worldbank.org>

- 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 the implementation, whichever is higher.

Under OP/BP 4.12 all PAPs are due for compensation to the extent that they have been affected by the project.¹⁷

2.6 Gap Analysis between Country Legislations and World Bank Safeguards Policy

This section compares the different laws from Somaliland, Puntland, and the Municipality of Mogadishu with the World Bank's Policy on Involuntary Resettlement. Specifically addressed are consultation requirements, eligibility for compensation, valuation method, grievance redress mechanism, disclosure of information and the timing of compensation payments (See Table 2.1). For the SURP, the Bank's OP 4.12 will take precedence over any of these other laws.

¹⁷ More details provided in Section 4

Table 2.1: Comparative Gap Analysis of Somali Laws and Policies and World Bank Operational Policies

Item	Somali Law/Policy	World Bank Requirements	Gaps	Gap filling measures
Consultation	Mogadishu Municipality: law indicates demolition of illegally constructed structures can only take place once such a decision is reached by the District Councils' Permanent Committees. Puntland's Laws make consultation obligatory and requires that meaningful consultation take place throughout the different phases of the Project. Somaliland Laws call for consultation between the Mayor and the Permanent National Planning Committee prior to the expropriation of private land.	Project affected persons (PAPs) facing physical or economic displacement persons must be meaningfully consulted to express their concerns and discuss ways to minimize impacts on affected communities. PAPs also should have opportunities to participate in planning and implementing resettlement programs	Somali consultation mechanisms appear to prioritize government agencies, and may not adequately involve project affected individuals, households, businesses, or communities	World Bank OP/BP 4.12 and RAP guidelines to be followed
Compensation Eligibility	Somalia's Provisional Constitution states legally owned property can be acquired for public interest and that the property owner will be due for compensation. Also the case for Somaliland, Puntland, and the Mogadishu Municipality. Compensation eligibility by persons with no formal legal rights, although with some variances, is provided for by Puntland, Somaliland, and Mogadishu Municipality. Mogadishu: While wording makes it discretionary, Mogadishu's Municipal law calls for the offering of compensation for illegally situated property. Any compensation is also limited to persons who have lived in the location for a period of not less than 8 years. Nonetheless, the law also clearly states that evicted parties will be settled in a suitable	World Bank recognizes three classes of PAPs eligible for compensation: 1. Those with formal legal rights to land (including customary and traditional rights recognized under the laws of the country) 2. Those who do not have formal legal rights to land at the time of census, but have a claim that is recognized under the laws of the country 3. Those who have no recognizable legal right or claim	Those without legal title to land, including squatters and encroachers, face less protection under Somali laws and policies	World Bank OP/BP 4.12 and RAP guidelines to be followed

Item	Somali Law/Policy	World Bank Requirements	Gaps	Gap filling measures
	land and their eviction and settlement costs will be covered by the local government. Somaliland: compensation is only provided for occupants of temporary structures. Affected persons are to be settled in suitable land and their eviction and settlement costs be paid for by the local government. Puntland: no differentiation between temporary and permanent structures and in both cases the affected persons are to be relocated to a suitable location and the cost are to be borne by the local government.	to the land they are occupying (e.g. squatters, encroachers). Types of losses to be compensated include physical and economic displacement and cover land, residential or commercial structures, and lost income caused by temporary or permanent economic displacement		
Valuation Method	According to all reviewed Somali laws eligible PAPs have a right to be compensated with the same value of the affected property. Unclear how this value is set or determined by government agencies.	Bank requires full replacement cost for all lost assets	Government methods may not ensure full replacement value.	World Bank OP/BP 4.12 and RAP guidelines to be followed
Grievance Redress Mechanism	Somali laws mention the right of the PAP to file their grievances with law courts, however, there is no clear redress mechanism	World Bank policy calls for project-level grievance redress mechanism to cover resettlement and related compensation matters, construction phase grievances and operations phase grievances. Records	Law courts may be cumbersome, costly or intimidating remedy, especially for those with no formal land titles, IDPs, refugees, those unable to read or write, etc. Ideally, should be used only as last resort.	World Bank OP/BP 4.12 and RAP guidelines to be followed.
Information Disclosure	No specific requirement for disclosure of information	World Bank requires disclosure by Bank at InfoShop, and simultaneous public disclosure in-country disclosure by clients (Mogadishu and Garowe municipalities) websites or	Somali law/policy provides insufficient measures to protect PAPs	World Bank OP/BP 4.12 and guidelines to be followed

Item	Somali Law/Policy	World Bank Requirements	Gaps	Gap filling measures
		other readily accessible public disclosure means available in their jurisdiction. Information disclosed in language(s) understood by the PAPs and other stakeholders.		
Compensation Payment Schedule and Cut-off date	Not addressed in Somali laws or policies	Cutoff date to be established at time of census and asset survey Compensation to be agreed upon with PAPs and provided prior to taking over of assets or relocation.	Somali law/policy provides insufficient measures to protect PAPs	World Bank OP/BP 4.12 and guidelines to be followed

As is noted throughout matrix above, in case of conflict between these two sets of laws/policy (Somali and World Bank), OP/BP 4.12 would prevail.

3 PRINCIPLES GUIDING RESETTLEMENT

This RPF is intended to ensure that any possible adverse impacts of sub project activities are addressed through appropriate mitigation measures, in particular, against potential impoverishment risks. These risks can be minimized by:

- Avoiding displacement of people with a well-designed compensation and relocation process;
- Minimizing the number of PAPs, to the extent possible;
- Compensating for losses incurred and displaced incomes and livelihoods; and
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their wellbeing.

The overarching objective regarding resettlement in the implementation of SURP is to minimize as fully as possible the extent of land acquisition and land-use change and to entirely mitigate against the adverse impacts of all unavoidably necessary land acquisition and involuntary resettlement. Minimization of resettlement and mitigation of its unavoidable consequences requires careful planning and conscientious implementation. When the details of land acquisition and involuntary resettlement are fully known, a A/RAP can be defined to provide an implementation guide for the operation. The following are the principles that should guide the implementation of this RPF and the A/RAPs:

- The RPF applies to all components under the project, whether or not they are funded in whole or part by the Bank;
- The policy applies to displaced or impacted persons regardless of the total number involved, severity of the impact, ethnicity, race or color, whether or not they have legal right or claim to the land they are occupying, and those who may not be protected through the Somali and state level compensation legislation;
- Where feasible, involuntary resettlement and land acquisition should be avoided or minimized by exploring all viable alternatives;
- Where relocation or loss of shelter occurs, measures to assist displaced persons should be implemented in accordance with a plan of action for resettlement and compensation;
- The planning and implementation of the resettlement process should be conducted in a consultative manner with all PAPs and stakeholders;
- Absence of legal title to land should not be a basis for denying compensation and Resettlement assistance. All PAPs will be compensated for losses resulting from project interventions. However, a title will be required only for payment of compensation for land;
- Displacement or restriction to access should not occur before necessary measures for resettlement and compensation are in place. Apart from compensation, these measures should include provision of other assistance required for relocation, prior to displacement, and preparation and provision of settlement sites with adequate basic facilities;
- The displaced must be relocated to areas with social infrastructure and basic amenities like schools, potable water, health facilities, etc.;
- All PAPs should be assisted to restore their incomes and livelihood sources to at least pre-resettlement levels. Particular attention will be paid to the needs of the elderly, women and children, those with disabilities, and the landless, among other vulnerable groups;

- Wherever possible, those impacted by involuntary resettlement should be considered for employment in various project activities including construction works and provision of other services;
- Vulnerable groups such as the elderly and women-headed households may need further support in addition to compensation entitlement;
- All compensation will be at replacement value;
- There will be no deduction of depreciation and salvage value from compensation for assets; and
- A Grievance Redress Mechanism will be available to all PAPs.

4 ELIGIBILITY CRITERIA AND ENTITLEMENTS

4.1 Categories of potential Project Affected Persons

Affected groups under sub-project investments in this RPF may include:

1) Affected Individuals – Any individual who risk losing land, property or investments made on land or property, livelihoods and/or access to natural and/or economic resources as a result of a SURP subproject. This could be persons who run small kiosks/businesses, street vendors, orphans, street children, etc.

2) Affected Households – A household is affected if one or more of its members are affected by sub projects, either by loss of property or land, or otherwise his or her livelihood could be affected in any way by project activities. Household members may include immediate family members, relative, or friends. While the number of family members impacted in a household would provide information on the severity of impact and call for additional support, not every member of the affected household becomes eligible to receive compensation for the loss of individual members.

3) Vulnerable Groups and Households – Vulnerable groups, individuals, or parts of households may have different land needs from most households or needs unrelated to the amount of land available to them, e.g.:

- Widows/Female headed households;
- Single women who may be dependent on sons, brothers, or others for support; Elderly;
- Persons with disabilities;
- Persons living with HIV/AIDS or other debilitating illnesses; and
- Internally displaced persons (IDPs), refugees or returnees, living by themselves as a group or with host families;
- Orphans and/or street children; and
- Socially or economically marginalized groups

4) Affected Community – A community is affected if project activities impacts on their socio-economic and/or social-cultural relationships or cohesion. For example project activities could lead into loss of access to a community asset (such as a school, mosque, playground, etc.), social welfare or cultural erosion, etc. In addition, the investments can cause breakdown of communities and social networks due to physical separation as a result of the investment specific infrastructures if not mitigated. These individual and group types are not mutually exclusive, and a female heading a household may be a small business owner or an orphan may be an HIV/AIDS affected person. These groups are particularly vulnerable to physical or economic displacement, and as such the following considerations will be made when sub project sites are identified and PAPs listed. In addition, the list above is not an exhaustive list and the socioeconomic survey which will be done for preparation of sub project specific A/RAPs needs to be thorough in identifying the categories of affected people and their sources of livelihoods. These groups could be identified as being particularly vulnerable to land acquisition or other physical or economic displacement, and as such the following considerations will be made when project sites are identified and PAPs listed:

- Special consideration should be paid to these groups by identifying their needs from the socio-economic and baseline studies undertaken as part of the A/RAP process;
- The groups should be individually consulted and given opportunities to participate in the resettlement decision-making process, as well as project activities;
- Consultation with these groups should ensure that resulting resettlement and compensation improves their pre-project livelihood;
- The A/RAPs should be designed to ensure special attention is paid to the monitoring of the resettlement process in order to ensure that pre-project livelihoods are indeed improved upon;
- PAPs should be given sufficient technical and financial assistance to make use of the grievance mechanisms of the project where required; and
- Decisions concerning them should be made in the shortest possible time

4.2 Determining number of PAPs

Determination of the number of PAPs is not possible at this time due to the lack of definition of specific siting for subprojects. However, preliminary investigations of potential road segments indicate the presence of structures, including those of established roadside vendors. The purpose of this RPF is therefore to establish the mechanisms, procedures and principles for compensation and livelihood restoration for all potentially affected people under and guide the preparation of the A/RAPs for individual investments. The number of PAPs including determination of physical or economic displacement will only be established through a census¹⁸ to be undertaken as part of the preparation of the investment specific A/RAP(s).

¹⁸ Sample census questionnaire in Annex III

5 A/RAP PREPARATION AND IMPLEMENTATION

5.1 Subproject Screening

The preparation of sub-project A/RAPs¹⁹ will begin with Screening. This is done to identify the land/ areas that may result in resettlement impacts, types and nature of potential impacts and to provide adequate measures to address them. This process will ensure that PAPs are:

- Informed about their options and rights pertaining to resettlement;
- Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives; and
- Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the Sub-project(s)

The screening process will be led by the implementing municipalities and will be conducted with full participation and consultation with PAPs. If the screening process indicates a need for resettlement, then a rapid socio-economic survey, census and land asset inventory to determine the extent of resettlement required will be conducted and followed by the preparation of A/RAP for each sub-project.

5.2 Census of Project Affected Persons

A census of PAPs will be conducted to determine their number and record their socio-economic profile prior to the beginning of civil works. This information will be used to measure the magnitude of the impacts on PAPs and for future monitoring. A cut-off date will be publicly announced to indicate the beginning of the census. Any persons moving into the areas or establishing business after the cut-off date will not be considered for compensation. The cut-off date will be announced in community centers; posters will be displayed in visible congregation areas; and will be published in local newspapers. Information to be collected will at least include: personal details of PAPs including family members and the monthly income generated from the ongoing economic activities before the census. A sample census questionnaire is provided in Annex II.

5.3 Eligibility

All potential PAP's need to be identified and defined in terms of eligibility arising from both physical and economical displacement. Persons to be displaced under SURP will fall into the following categories:

- Those who have formal legal rights to land and property including renters and lease holders;
- Those who do not have formal legal rights to land and property including squatters and IDPs;
- PAPs in buildings or structures constructed without permits on someone else's land or state owned land, and property;
- Businesses that have legal rights to operate; and
- Businesses that do not have legal rights to operate including roadside vendors and kiosks.

5.4 Valuation and Compensation

¹⁹ A detailed RAP ToR is presented in Annex I

Generally speaking, physical relocation is not expected to take place and impacts will be limited to loss of access during construction. The persons who are likely to be affected by the project will be small neighborhood businesses. These businesses will include small shops most of which are part or extensions of residential plots. Roadside vendors with mobile carts or tables are also likely to be impacted upon. It is also expected that roadside wooden or iron sheet kiosks will be affected. Particular attention is to be paid to the needs of vulnerable PAPs such as: women headed households, orphans, chronically ill, elderly and disabled. For property valuation, the set values will be representative of the market rates at that particular time. For loss of income, rates will be based on daily profit averages for a particular type of business derived from random sampling in the Project areas. Loss of income compensation will depend on the number of days that access will be restricted or denied. See Table 5.1 for a matrix of entitlements for different types of resettlement or loss of incomes or assets.

5.5 A/RAP Implementation and Schedule

A/RAP implementation will be carried out by the PIU, and led by the PIU's safeguard specialist, who, depending on available funding, may rely on outside consultants for assistance. The schedule for the implementation of activities related to specific A/RAPs can only be determined once subproject sites have been determined and as A/RAPs are being completed. The schedule will be prepared based on the principles of this RPF, and must be agreed between the PIU, relevant municipality or other government jurisdiction, and affected PAPs to give legitimacy to the process as outlined in the Somali laws and World Bank policy. These will include the target dates for start and completion of civil works, the dates of the possession of land and properties used by PAPs, dates of the full compensation, dates of transfer of titles (if required) to relevant proper entities, and date of hand over of land to implementing agency. This schedule will be determined by the PIU in consultation with the government authorities and PAPs. The consultation process will ensure that A/RAPs contains acceptable measures agreed upon among all stakeholders that link resettlement activity to civil works under each specific investment in compliance with this policy. The timing mechanism of these measures will ensure that no individual or affected household would be displaced (economically or physically) due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected.

Table 5.1: Entitlement Matrix

Asset	Type of Impact	Entitled Person (s)	Entitlement
Commercial Land	No Displacement: Land used for business partially affected, limited temporary loss	Occupier	Cash compensation at 5% of net annual income based on estimates from comparable businesses
	Displacement: Premise used for business severely affected, remaining area insufficient for continued use	Owner	Replacement with land of equivalent size and market potential or compensation in cash at full replacement value according to PAP's choice. Assistance in finding new location
		Tenant/IDP	Cash compensation equivalent to 1 month of net income based on estimates from comparable businesses. Assistance in finding new rental/lease location. Relocation assistance including 1 month rental assistance and coverage of moving costs to re-establish the business. Livelihood restoration entitlement
Residential Land	No Displacement Land used for residence partially affected, and/or limited temporary loss, and the remaining land remains viable for present use	Owner	Compensation in cash at full replacement value for affected land
		Tenant	Assistance with finding new rental/lease location if temporary or permanent move necessary. Rent and deposit refund along with relocation assistance to cover moving costs
	Displacement: Displacement: Premise used for residence severely	Owner	Land for land replacement with land of equivalent size and market potential or compensation for full replacement value in cash accordig to PAP's choice. Assistance with finding new land.
		Tenant	Assistance with finding new rental/lease location. Rent for two months and deposit refund along with relocation assistance to cover moving cost

	affected, remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning law/s.	IDPs/Returnees	Assistance with finding new rental/lease locations. Relocation assistance to cover moving cost.
Buildings and Structures	No Displacement: Structure partially affected, but the remaining premise remains viable for continued use	Owner	Like for like replacement or Cash compensation for affected structure per PAP's choice. Restitution work or Cash assistance to cover cost of restoration of the remaining structure
		Tenant	Cash compensation for affected assets (any verifiable improvement to the property) and disturbance compensation equivalent to 1 month's rent.
	Displacement Entire structure affected OR Structure partially affected but the remaining structure is not suitable for continued use	Owner	Cash compensation for the full replacement cost entire structure and other fixed assets without depreciation, or construction/provision of alternative structure which is acceptable to the PAP. Right to salvage material without deduction from compensation and relocation assistance to cover moving cost
		Tenant	Cash compensation for any verifiable improvement to the property, rent and deposit refund and relocation assistance to cover moving cost Right to salvage material without deduction from compensation and relocation assistance to cover moving cost
		Informal dwellers	Cash compensation for affected structure and relocation assistance to cover moving cost Right to salvage material without deduction from compensation and relocation assistance to cover moving cost
		Street vendors	Cash compensation equivalent to 1 month of net income based on estimates from comparable businesses. Right to salvage material without deduction from compensation and relocation assistance to cover moving cost
		IDPs/Returnees	Compensation for any assets affected Right to salvage material without deduction from compensation and relocation assistance to cover moving cost

Trees	Cut/uprooted (loss of timber or fruit)	All PAPs	Cash compensation for full replacement market value of the produce of one tree for two years, assistance in establishing replacement trees
Standing crops	Crops affected by land acquisition or temporary acquisition or easement	All PAPs	Cash compensation equivalent to average of last 3 years of market value for the mature and harvested crops
Business	Loss of Access	All PAPs	Cash compensation equivalent to 50% of net monthly income based on estimates from comparable businesses for length of time access is lost (temporary loss of access) or up to three months' income (permanent loss of access) Assistance to help find alternative temporary or permanent locations to re-establish business Right to salvage material without deduction from compensation Livelihood restoration assistance if required (assistance with job placement, skills training)
Community building	Loss of access	All PAPs	Cash compensation to cover up to one month public transportation cost to the nearest same facility in the town/city
	Displacement	Owner	Like for like structure replacement or Cash compensation at full replacement cost for the entire structure and other fixed assets without depreciation, or alternative structure which is acceptable to the PAP. Right to salvage material without deduction from compensation and relocation assistance to cover moving cost Assistance with finding new location
		Tenant	Cash compensation at full replacement cost for any verifiable improvement to the property, rent and deposit refund and relocation assistance to cover moving cost Assistance with finding new location
Vulnerable Groups	Any of above impacts	May include:	Any of following measures if needed:

		<ul style="list-style-type: none"> •Widows/Female headed households; •Single women dependent on sons, brothers, or others for support; •Elderly; •Persons with disabilities; •Persons living with HIV/AIDS or other debilitating illnesses; •Internally displaced persons (IDPs), refugees or returnees, living by themselves as a group or with host families; •Orphans and/or street children; •Socially or economically marginalized groups 	<p>Additional assistance for finding replacement land, housing, places of business and for moving (temporarily or permanently)</p> <p>Additional assistance for new land to be cleared or structures to be built</p> <p>Additional livelihood restoration support</p> <p>Psychosocial counseling to adjust to physical or economic displacement</p>
--	--	--	---

5.6 Subproject Implementation Schedules

Each investment/sub project once identified and screened, if required, will prepare an individual implementation schedule, which will be included in the A/RAP for that investment. Therefore, all A/RAPs will include an implementation schedule for each activity covering initial baseline and preparation, actual relocation, and post relocation economic and social activities. The plan will include a target date when the expected benefits for resettled persons and host community, if relevant, would be achieved. Arrangements for monitoring of implementation of the resettlement and evaluating its impact will be developed during the preparation of individual A/RAPs implementation schedules. Target dates for achievement of expected benefits to resettled persons and hosts will be set and the various forms of assistance to the resettled persons will be disseminated to them. While works may begin on portions of subproject sites where there is no resettlement or compensation, no works may begin on those portions where physical or economic displacement will occur until all relocation of people and structures and related compensation have been completed.

6 IMPLEMENTATION ARRANGEMENTS

The proposed SURP will be implemented on behalf of the FGS by Mogadishu and Garowe municipalities in their respective cities. These two municipalities will have overall responsibility for project implementation in their respective cities. PIUs have already been established within both municipalities under the SUIPP and they report to their respective Mayors. Under SURP, the PIUs will have project management responsibility, coordinating overall project implementation, ensuring the timely availability of fund transfer to contractors, implementing the relevant safeguard instruments (Environment and Social Management Frameworks, Resettlement Policy Framework, Environment and Social Management Plans and Abbreviated Resettlement Action Plans) and ensuring continuous community outreach and consultation, maintaining project accounts and producing financial reports, monitoring and evaluating program implementation and impacts, developing and implementing the GRM and reporting results to various stakeholders. The PIUs will be supported by a contracted engineering supervision agent who will be responsible for monitoring the contractors of the civil works. The PIUs will also be supported by an independent Monitoring Agent that has been contracted by the Bank to provide monitoring support of all projects in the Bank portfolio.

6.1 Capacity for Implementation

Given that SURP is following on from the ongoing SUIPP, the PIUs in Mogadishu and Garowe are in a satisfactory state of readiness for rapid project implementation. Under SUIPP, the PIUs were staffed with a Project Focal Point/Coordinators, Procurement Specialists, Finance Specialists, Project Engineers, Environment and Social Safeguard Specialists and M&E Specialists. These positions were all competitively recruited. The capacity in the PIUs will continue to be enhanced through training by the Bank technical staff on fiduciary and safeguards issues as well as the engineering supervision firm.

6.2 Roles and Responsibilities

Table 6.1 – Institutional Roles and Responsibilities

Institution	Responsibility
Mogadishu and Garowe municipalities	Overall coordinator and supervision of SURP
PIUs in each municipality	<ul style="list-style-type: none"> • Stakeholder engagement with communities in and near project sites • Preparation of safeguard instruments including ESMF, RPF and A/RAPs. • Supervision of all safeguard activities, including implementation of A/RAPs • Payment of compensation
Compensation Committees in each municipality	Determination of asset or income losses incurred by PAPs and their valuation
GRM Committees in each municipality	<ul style="list-style-type: none"> • Responsible for receiving and addressing project-level grievances, except for those under appeal or needing specific PIU intervention.

	<ul style="list-style-type: none"> • Reporting back to PIU and community on GRM performance
Monitoring & Evaluation of resettlement and compensation activities ²⁰	<ul style="list-style-type: none"> • Internal M&E: PIU M&E specialists with support from PIU Safeguards specialist for ongoing monitoring of A/RAP implementation • External M&E: Third party auditor/M&E specialist for periodic and A/RAP completion audits

There is no single official organogram that links all these entities. PIUs sit within the Municipal governments and have lead responsibility for project activities. Compensation and Grievance Committees will include a mix of government and community representatives and will provide reporting on their activities to the PIU.

²⁰ Both internal and external M&E will be used, please see section 9

7 GRIEVANCE REDRESS MECHANISM

A mechanism to address grievances that may arise from project related activities will be put in place. These grievances may arise from resettlement and compensation activities, or from impacts from construction activities. A Grievance Redress Committee (GRC) comprised of PAPs, municipal government officials, local civil society leaders and representatives of women and youth groups will be formed to receive and handle any arising complaints²¹. Figure 7.1 below provides a guidance on the process to be followed in handling grievance.

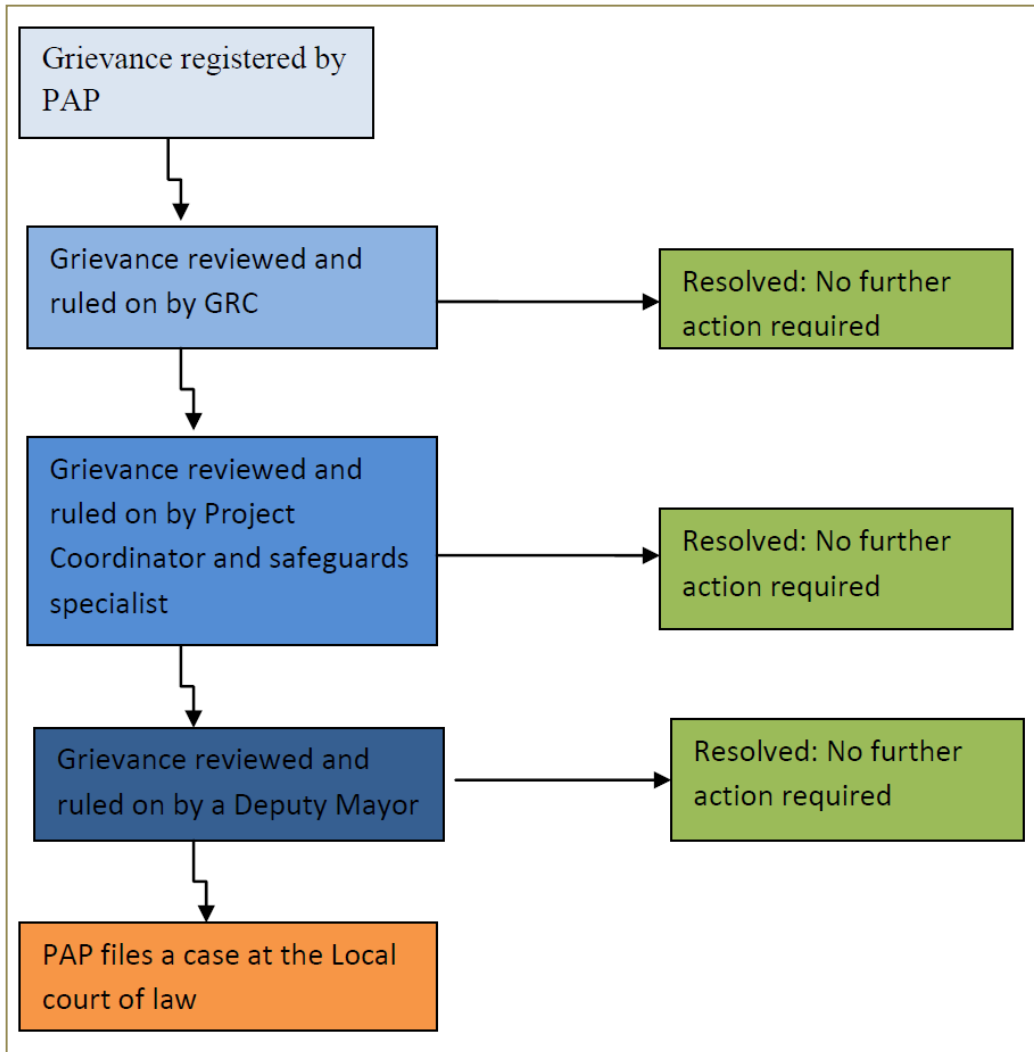


Figure 7.1: Grievance Redress Process

The PAPs will have the opportunity to file their complaints and be responded to within three days of launching their complaint. In the case that the PAP is not satisfied with the identified solution they will be assisted to file a complaint at the municipal court.

²¹ A sample Grievance Redress Form is provided in Annex IV

8 Budget, Public Consolutions, and Disclosure

8.1 Budget

An itemized indicative budget will be prepared for the implementation of resettlement activities including compensation. Once the budget for each sub-project is finalized, it will be sent to World Bank for approval. At this stage it is not feasible to estimate the exact number of people who may be affected since all the sub-projects have not been fully identified. As such, it is not possible to provide an estimate of the budget required to cover the total cost of resettlement that will result from the implementation of the SURP. The budgets for each municipality will be developed from the specific social assessment studies and mitigation/livelihood restoration measures to be developed. The budgets will cover resettlement activities including compensation cost for affected assets such as buildings, fruit trees, and loss of access. Funds for the preparation and implementation of the A/RAP will be financed through SURP while funding for compensation will be provided by the local government.

8.2 Public consultations

Public consultations and participation afford potential PAPs the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood of conflict between and among PAPs and implementing agencies. In recognition of this, particular attention will be paid to public consultations with PAPs when resettlement and compensation concerns come into play. Public consultations will take place during the planning stages when the potential subproject sites are being considered and finalized. The participation strategy will include provision of a full opportunity for involvement of potential PAPs and other stakeholders at a time and place that is convenient to the PAPs. Therefore, as a matter of strategy, public consultations will be an on-going activity taking place throughout the entire project cycle. For example, public consultation will occur during the preparation of (i) socio-economic studies, (ii) resettlement and compensation plans (iv) environmental impact assessments, and (v) during the preparation of the compensation contract. All consultations will be informed, inclusive (of all groups and gender) and the A/RAP will have information in the main body on locations, dates and number of consultations held along with number participants (gender disaggregated data), summary of issues raised and responses provided by the Project. There will be an annex providing details of consultation with evidence.

8.3 Disclosure

This RPF will be disclosed in compliance with relevant Somali regulations and the Bank's OP 4.12 on Involuntary Resettlement. The document will be disclosed at the Info-shop of the World Bank and will also be available to any interested persons. Mogadishu and Garowe municipalities will disclose this RPF publicly through websites or other readily accessible public disclosure means available in their jurisdiction. This will be done in a language understood by the PAPs and other stakeholders.

9 MONITORING AND EVALUATION

During the implementation of the A/RAP both an internal and an external resettlement monitoring and evaluation (M&E) will be carried out to ensure all PAPs are adequately compensated. The internal resettlement monitoring will be carried out by the Project M&E Specialist. For external resettlement M&E, an independent agency will be contracted. A monitoring plan will be developed to assess whether the goals of the compensation plan are being met. The local government will facilitate coordination of information collation such as surveys and supervise documentation in accordance with set procedures. Funds for external monitoring will be covered through Project budget. Financial records will be maintained by the Project Finance Specialist and the finance department of the local government. The following parameters and verifiable indicators will be used to measure compensation plans performance:

- Collection and storage of census data into a database for comparative analysis;
- Number of PAPs physically or economically displaced by each sub-project;
- Number of impacted residents employed by the project;
- Timing of compensation in relation to commencement of physical works;
- Compensation amount paid to each PAP;
- Number of people raising grievances and reached resolutions;
- All items in the EM will be monitored; and
- Consultations held.

Both internal and external monitoring reports will be used to assess whether any changes should be made to the implementation of the A/RAP. The sub-project team and the PIU should meet after each monitoring exercise to consult over M&E findings.

9.1 Internal Monitoring

Internal monitoring will be conducted by the M&E Specialist member of the PIU to measure progress against milestones set in the A/RAP. The sub-project team will also be involved in conducting its own monitoring. The M&E Specialist will write monthly reports to monitor the impact of the Project. The following specific items will need to be monitored:

- PAP notification and holding adequate community consultation;
- Census of all PAPs has been carried out;
- A/RAP and socio-economic survey has been prepared;
- Compensation has been carried out in accordance with the RPF; and
- All grievances have been recorded and addressed.

9.2 External Monitoring

Each local government will engage a third party to undertake regular audits and monitor to evaluate socio-economic conditions of the PAPs against the baseline data collected before A/RAP. This external independent monitoring, to be undertaken twice a year, will allow corrective actions to be carried out when/where it is necessary. The role of the external M&E will be defined in a ToR to be approved by the World Bank. At a minimum this ToR will include the following:

- Review and make recommendations on the gaps in A/RAP implementation;
- Track progress towards the completion of critical actions as defined in the A/RAP;
- Validate the internal monitoring data and make recommendations regarding internal monitoring;

- Track progress towards the completion of corrective actions arising from internal monitoring; and
- Complete and report on audits at defined intervals

Annex I: A/RAP ToR

A Consultant will prepare the Abbreviated/Resettlement Action Plan (A/RAP) on the basis of the most recent and accurate information on the: (i) proposed resettlement and its impacts on displaced persons and other adversely affected groups; and (ii) legal issues affecting resettlement. The A/RAP covers elements that are specific to the project context. The objectives of the consultant assignment are to:

- Prepare the A/RAP that is consistent in policy and context to the laws, regulations, and procedures adopted by the Federal Government of Somalia and the World Bank's operational policy on involuntary resettlement (OP4.12) covering displacement, resettlement, and livelihood restoration;
 - Conduct consultations with identified project affected persons (PAPs), based on a census of the affected sites;
 - Establish district committees who will be part of A/RAP implementation of valuation and compensation approaches;
 - Develop in a participatory manner the proposed grievance mechanism to be covered in the A/RAP; and
- Complete a baseline socio-economic survey of PAPs and host communities.

1. Scope of Work

The following sections of the A/RAP correspond to the scope of work to be completed by the Consultant.

2. Description of the project

General description of the affected areas

3. Potential Impacts

Identification of the: (i) components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.

Objectives: The main objectives of the resettlement program as these apply to the SURP should be described in relation to the SURP.

Socio-economic studies: The findings of socio-economic studies to be conducted with the involvement of potentially affected people will be needed. These generally include the results of a census of the PAPs covering:

- Current occupants of the affected area as a basis for design of the A/RAP and to clearly set a cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- Standard characteristics of displaced households, including a description of production systems, labor, and household organization;
- Baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;

- Information on vulnerable groups or persons, for whom special provisions may have to be made; and
- Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

There may be other studies that the A/RAP can draw upon, such as those describing the following, as needed:

- Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;
- Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
- Public infrastructure and social services that will be affected; and
- Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework: The analysis of the legal and institutional framework in Federal Government of Somalia should cover the following:

- Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc.;
- Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the A/RAP for the sub-project;
- Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc. related to displacement and resettlement, and environmental laws and social welfare legislation;
- Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- Gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and
Legal steps necessary to ensure the effective implementation of A/RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc. and which are specific to the sub-projects.

The institutional framework governing A/RAP implementation generally covers:

- Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in A/RAP implementation;

- Institutional capacities of these agencies, offices, and civil society groups in carrying out A/RAP implementation, monitoring, and evaluation; and
- Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

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

Valuation of and compensation for losses: The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and

Description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).

Resettlement Measures: A description of the compensation and other resettlement measures that will assist each category of eligible PAPS to achieve the resettlement objectives. Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

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

- Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- Legal arrangements for recognizing (or regularizing) tenure and transferring titles to resettlers.

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

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

Community Participation: Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPS and host communities, should include:

- Description of the strategy for consultation with and participation of PAPS and hosts in the design and implementation of resettlement activities;
- Summary of the consultations and how PAPS' views were taken into account in preparing the resettlement plan;
- Review of resettlement alternatives presented and the choices made by PAPS regarding options available to them, including choices related to forms of

compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and

- Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including indigenous peoples, ethnic minorities, landless, children and youth, and women) are adequately represented.

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

A/RAP implementation responsibilities: The RAP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover:

- Delivery of A/RAP compensation and rehabilitation measures and provision of services;
- Appropriate coordination between agencies and jurisdictions involved in A/RAP implementation; and
- Measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to A/RAP components (e.g. community-based livelihood restoration; participatory monitoring; etc.).

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

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

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

Timetable and Outputs

The Consultant is expected to submit to the Benadir Regional Administration the following:

- Inception report describing the procedures and timetable for completion of the A/RAP preparation process by first week after contract signing;
- Report summarizing the preliminary results of the baseline socio-economic survey and PAPs census (by six weeks after contract signing);
- Report summarizing the consultations with PAPs and other key stakeholders (by two months after contract signing); and
- Draft A/RAP report (by nine weeks after contract signing).

After completion of the review of the draft A/RAP, including consultations with PAPs and communities on the main finding of the A/RAP, a final RAP will be disclosed by the Benadir Regional Administration. During the review process, the Consultant is expected to make the necessary changes to the RAP and organize the disclosure and consultation process.

Annex II: A/RAP Outline

The following table provides general outlines for RAPs and ARAPs, derived from World Bank OP/BP 4.12 guidelines:

<u>Overview of RAP Contents</u>	<u>Overview of ARAP Contents</u>
<ul style="list-style-type: none"> 1 - Project description 2 - Potential impacts 3 - RAP objectives 4 - Socioeconomic studies 5 - Legal and institutional framework 6 - Eligibility 7 - Valuation of and compensation for losses 8 - Resettlement measures 9 - Site selection and preparation, relocation 10 - Housing infrastructure and social services 11 - Environmental protection & management 12 - Public participation 13 - Integration with host populations 14 - Grievance procedures 15 - Organizational responsibilities 16 - Implementation schedule 17 - Costs and budget 18 - Monitoring and evaluation 	<ul style="list-style-type: none"> 1 - Project description and potential impacts 2 - Census survey and valuation of assets 3 - Socioeconomic survey and income restoration measures (if applicable) 4 - Consultations with displaced people about acceptable alternatives 5 - Organizational responsibilities and grievance redress mechanism 6 - Monitoring and evaluation 7 - Implementation schedule, costs and budget

Annex III: Details of Public Consultations

Mogadishu RPF Consultations

SOMALI URBAN RESILIENCE PROJECT
RESETTLEMENT POLICY FRAMEWORK CONSULTATION
MOGADISHU ATTENDANCE SHEET: MAY 2018

	NAME	TITLE	DISTRICT	SIGNATURE
1	Cabdiqaadir Xaseen	Goboomiye	D. Dabqadi	
2	C/qani Macalin Yaqub	G/k/x/A/Bulsho	Deq. C/Casib	
3	Cabdi Nuure Hidle	G/W/zaad	Deq. Warfinkab	
4	Nuuradin M/ed Cilmi	G/L/2 Kuxiga	Deq. Warfinkab	
5	Wuub Cabdi Cilmi	G/W/K/A/Hawo	Deq. Warfinkab	
6	Raxmo Xuseen Yaxye	G/Lamaad	Warfinkab	
7	Boonca Abukar Maxamed	G/Waaxda	D. Xa'asab	
8	Waliyo Abukar Cismaan	G/Awar	D. Xa'asab	
9	Ibtahif Yuusuf Ustaxad	G/W	Bidweere	
10	C/axmed Xuseen Baki	G/Waaxda	D. Xa'asab	
11	Luban Maxamed Tibaax	G/Waaxda	D. Xa'asab	
12	Cari C/qasdir Farax	G/k/A/Bulsho	D. Xa'asab	
13	Xabibo Maxamed	G/Waaxda	D. C/Casib	
14	idiris Hassen Omar	G/W/zaad	D. C/Casib	
15	C/kaalan Maxamed Cabdi	G/Laanta 3	D. Shingani	
16	Abshir Adan Farax	G/W/Isports	D. Shingani	
17	Alxamud Axmed Amur	WV Sports	D. Shingani	
18	Xasun Ismaail Cali	WV Sports	D. Shingani	
19	Caawid Maxamed Hilowle	G/Laanta 2aad	D. Shingani	
20	Deego Sade Xireey	G/Laanta 1aad	D. Shingani	
21	Deego Cabdi Maxamed	Fadan	D. Shingani	
22	Ikhtaan Abukar Jinnow	W/ Jannow	D. Shingani	
23	Baxsan Shidane Xuseen	G. Ki. W. Habon	D. Warfinkab	
24	Bibi Maxamed Xaaji	G. W. H. H. H.	D. Xa'asab	
25	IKAR Abukar Macan	G. W. H. H. H.	D. Xa'asab	
26	Muse Cleadi Shire	G. W. H. H. H.	D. Xa'asab	
27	Maryam badd Xuseen	G/L. Shingani	D. Shingani	
28	Mohamed Axmed	G/L. Xa'asab	D. Xa'asab	
29	Cabdi Xuseen Balaal	Xogey	D. Shingani	

**SOMALI URBAN RESILIENCE PROJECT
RESETTLEMENT POLICY FRAMEWORK CONSULTATION
MOGADISHU ATTENDANCE SHEET: MAY 2018**

Zan Zam Mohamed Abd	C/Casils	G. Wored	
ABDI AXMED CUSUBI	C/Casils	G. Isbortiga	ABDI
Moh'd Moh'di Abd	A/Aziiz	G. dh/lo/casils	
C/wali Axmed Moh'd	Werte-Wabadi	G/dh/lo/wada	
Xawo Saam Ckalle	Western	G/Lama	
Mahad Abdi Abi	Wanta	Warke-	
cale Calasow Abay	Boondheere	G/waad	cale ✓
Ibraahiy Max'ud Xasan	" " "	G/waad	
Galuf Yuusuf Max'ed	" " "	G/waad	
C/risaan Cumar Xasan	" " "	G/waad	
Xasan cade Xirsi	" " "	G/Isbortiga	
Lubaan Max'ed Cali	" " "	G/dh/lo/wada	
Ruqo Max'ud Abay	" " "	G/haweenka	
Rintoon Max'ed Seef	" " "	G/K, haweenka	
make max'ed cusub	" " "	G/Nabda	
macali C/raxmaan shir	" " "	G/Nabda	
cali Jincule qaboo	Shingami	G/dh/lo	
Salxud Maxamud Cali	Shinacawi	dhalinwadi	Sal G
Abd Maxamed J. J. J.	Cu/tehranta Hare	Dag/C/Casils	Abd
faachimo Aadan Xasan	C. ur. Dh.	D- Xajadab	
C/wasab Abukar ibi	Gu. Waaq	D X/Isbortiga	
faarax Xasan galay	...	D X/Isb.	Galay
MAKAMED SHIIF MUUMIN	G. W. Gole Xiro	D/X Weyne	



Garowe RPF Consultations

#	Full Name	Position
1	Hassan Yassien Bulshalle	Director of M&E
2	Hassan Aadan Mohamed	Wadajir village Coordinator
3	Abdullahi Ali Said	Israc village Coordinator
4	Jawahir Shire Abgal	Hodan village Coordinator
5	Abshiro Ibrahim Said	Waberi village Coordinator
6	Asho Farah Garadle	Waberi village Coordinator
7	Muhubo Mohamud Yusuf	Horseed village Coordinator
8	Hamdi Mohamed Guled	Businesswomen
9	Shamis Mohamed Farah	Halgan village Coordinator
10	Lul Ali Qasim	Halgan village Coordinator
11	Falis Said Aw-Nur	1st August village Coordinator
12	Hawa Ali Mohamed	1st August village Coordinator
13	Halimo Mohamed Ali	1st August village Coordinator
14	Muno Abdullahi Muse	Bussineswomen
15	Fawsiyo Dahir Ali	1st August village Coordinator
16	Sacdia Cisman Mohamed	Halgan village Coordinator
17	Nimco Abdisalan Dirie	Businesswomen
18	Farhia Osman Mohamed	Halgan village Coordinator
19	Hamdi Ahmed Ali	Halgan village Coordinator
20	Rukia Salad Ali	Hodan village Coordinator
21	Asho Maish Mohamed	Hodal village Coordinator
22	Maryan Mohamud Gadele	Hodal village Coordinator
23	Fartun Ahmed Mohmaed	Hodal village Coordinator
24	Hawa Ali Jama	Horseed village Coordinator
25	Hawa Yusuf Muse	Businesswomen
26	Saido Mohamed Jama	Hanti-wadag village Coordinator
27	Khadijo Mohamed Farah	Businesswomen
28	Fatuma Jama	Hanti-wadag village Coordinator
29	Warsan Hussein	Hanti-wadag village Coordinator

30	Bisharo Buh Ahmed	Waberi village Coordinator
31	Shukri Gas Mohamud	Bussinesswomen
32	Abdiasis Bashir Said	Photographer, GM
33	Abdinasir Abdullahi Barre	M&E Specialist, PIU, GM
34	Mohamed Abdirahman Gure	PIU Coordinator, GM
35	Abdulkadir Said Bulshalle	Director of Environment, GM
36	Mohamed Ali Gurey	Executive Secretary, GM

FIGURE 3: GAROWE RPF COVSULATAION PICTURES



Annex IV: Sample Census Questionnaire

Background Information	
Questionnaire Code:	Survey Date:
Interviewer Name:	District & Street:
Family Members	
Name:	Gender: Age:
Position in family (tick 1): Parent: Child:: Other:	Education level: Occupation: Monthly Income:
Specify other:	
Work or business location:	Length of time in current work/ business:
Housing and Tenure Status	
Type of house: Number of bedrooms:	Tenure status (tick 1): Owned: ... Rented:... IDP... Length of Residence time:
Business	
Type of business affected: Registration status: Avg. monthly income and profit:	Name of business owner: Permanent number of employees: Temporary number of employees:
Affected Community Facilities	
Description affected facility:	
Estimated number of affected persons:	
Size of land impacted	
Other assets owned by PAP	
Source and amount of monthly income	
Amount of income impacted	
Gender of household and	
Any other information	

Annex V: Grievance Redress and Record Form

Grievance Record	
Name of complainant:	Telephone:
Date complaint filed:	Nature of grievance:
Name of person taking complaint:	
Position:	Signature:
Review/Resolutions	
Date of conciliation session:	Was complainant present?
Nature of complaint:	
Was field verification of complaint conducted:	Finding of field investigations:
Was agreement on the issue reached?	If agreement reached provide details;
If agreement not reached provide points of disagreement:	
Mediator Name:	Signature: Date:
Complainant Name:	Signature: Date:
Sub-project team member name:	Signature: Date: