



Resettlement Policy Framework (RPF)

FINAL

FOR

YOUTH EMPLOYMENT AND SOCIAL SUPPORT OPERATION-ADDITIONAL FINANCING (YESSO-AF)

BY

*Federal Operation Coordinating Unit,
National Social Safety Nets Coordinating Office (NASSCO)
Office of the Vice-President
State House,
Abuja*

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List of Acronyms

S/No	Acronym	Meaning
1	ARAP	Abbreviated Resettlement Action Plan
2	BP	Bank Policy
3	CBO	Community Based Organization
4	CDD	Community Driven Development
4	CiS	Corrugated Iron Steel
5	CSO	Community Support Organizations
6	EA	Environmental Assessment
7	EIA	Environmental Impact Assessment
8	EMP	Environmental Management Plan
9	EPA	Environmental Protection Agency
10	ESIA	Environmental and Social Impact Assessment
11	ESMF	Environmental and Social Management Framework
12	FGN	Federal Government of Nigeria
13	FMENV	Federal Ministry of Environment
14	IDA	International Development Association
15	LB	Land Bureau
16	LGA	Local Government Area
17	LVO	Land Valuation Office
18	MDAs	Ministries, Departments & Agencies
19	MDG	Millennium Development Goals
20	MIGA	Multilateral Guarantee Agency
21	MOE	State Ministry of Environment
22	MoH	State Ministry of Housing
23	NGO	Non Governmental Organization
24	NEGIP	Nigeria Electricity and Gas Improvement Project
25	OD	Operational Directives (of the World Bank)
26	OM	Operational Manual
27	OP	Operational Policies (of the World Bank)
28	OSH	Occupational Safety and Health
29	PAP	Project Affected Peoples
30	PID	Project Information Document
31	PIU	Project Implementation Unit
32	PMU	Project Management Unit
33	PPUD	Physical Planning and Urban Development
34	PWD	Public Works Department
35	RAP	Resettlement Action Plan
36	RP	Resettlement Plans
37	RPF	Resettlement Policy Framework
38	SA	State Agency
39	STDs	Sexually Transmitted Diseases
40	TOR	Terms of Reference
41	URTI	Upper Respiratory Tract Infection
42	WB	The World Bank
43	WHO	World Health Organisation
44	CO ₂	Carbon dioxide
45	GIS	Geographic Information System
UNITS OF MEASURE		
1	ha	Hectare
2	m	Meter
3	m ²	Square meter
4	mm	Millimeter
5	km	Kilometer
6	km ²	Square kilometer
7	t	Ton
8	yr	Year

Definitions of Key Terms

S/No	Word/Term	Definition
1	Compensation	Payment in cash or kind for an asset to be acquired or affected by a project at replacement cost.
2	Cut-off-date	The date after which PAPs will NOT be considered eligible for compensation, i.e. they are not included in the list of PAPs as defined by the socio-economic survey.
3	Displaced Persons	All the people affected by a project through land acquisition, relocation, or loss of incomes and includes any person, household, firms, or public or private institutions who as a result of a project would have their; <ul style="list-style-type: none"> (i) Standard of living adversely affected; (ii) Right, title or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest and grazing land) or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily adversely affected; or (iii) Business, occupation, place of work, residence, habitat or access to forest or community resources adversely affected, with or without displacement.
4	Economically-Displaced Persons	Those affected persons who are affected in way that they lose incomes from crops, land, businesses etc.
5	Encroachers	Those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project.
6	Entitlement	The range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and relocation which are due to /business restoration which are due to PAPs, depending on the type and degree nature of their losses, to restore their social and economic base.
7	Full Cost of Resettlement	Compensation based on the present value of replacement of the lost asset, resource or income without taking into account depreciation.
8	Household	Is the unit which includes all members living under the authority of a household head, they are both family members and other dependants. Under the Land Act, a household would be members of the family whose consent would be required in case of alienation or undertaking any transaction on the family residential land. These members should ordinarily reside on the land. These members typically include the household head, one or several spouses, children and other members of the larger family, tenants, and employee.
9	Income Restoration	The measures required to ensure that PAPs have the resources to <i>at least</i> restore, if not improve, their livelihoods.
10	Indigenous peoples	The people indigenous to an area and include ethnic minorities as defined by World Bank Operational Policy on Indigenous Peoples (OP 4.10).
11	Involuntary Resettlement	Refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition. Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that result in displacement. <p>This occurs in cases of:</p> <ul style="list-style-type: none"> (i) lawful expropriation or restrictions on land use based on eminent domain: and (ii) Negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.
12	Land acquisition	The process whereby a person or household is involuntarily alienated from all or part of the land s/he owns or possesses, to the ownership and possession of a project for public purposes, in return for fair compensation.
13	Land-Owner	An individual/household/institution recognized as owning land either by customary tenure, freehold tenure, or leasehold including customary occupants of former public land.
14	Market Value	The process of determining market value has sought to establish appropriate compensation figures so that the affected population is able to restore their standards of living to levels “at

15	Physically Displaced Persons	least as good as or better than” than they were prior to the project. Those affected persons who have to physically relocate because they reside within the land to be acquired for the ROW or encumbered as a result of the Power Project.
16	Project-Affected Area	Is the area where the Project may cause direct or indirect impacts to the environment and the residents.
17	Project-Affected Person	Persons who lose assets as a result of the Project, whatever the extent of the loss; lost assets include land rights, structures, crops, business, access or a combination of those losses; not all Project Affected Persons (PAPs) have to physically relocate as a result of the Project
19	Project Affected Household	The family or collection of PAPs that will Experience effects from and acquisition regardless of whether they are physically displaced or relocated or not.
20	Relocation	The physical moving of PAPs from their pre-project place or residence, place for work or business premises.
21	Replacement Cost	WB policies require that all affected assets (land and structures) are compensated for at their replacement cost. Replacement cost of an affected asset is equivalent to the amount required to replace the asset in its existing condition. The replacement cost of land is its market value. The replacement cost of structures is equal to the cost of constructing/purchasing a similar new structure, without making any deductions for depreciation, and inclusive of the labor cost.
22	Resettlement Action Plan	The time-bound action plan with budget setting out resettlement strategy, objectives, entitlements, actions, responsibilities, monitoring and evaluation.
23	Resettlement Impacts	The direct physical and socio-economic impacts of resettlement activities in the project and host areas. Refers not just to the physical displacement of people, but also covers taking land that results in the relocation or loss of shelter, loss of assets or access to assets, and/or Loss of sources of income or means of livelihood (<i>OP 4.12</i> , paragraph 3)...
24	Resettlement Policy Framework	A resettlement policy framework is required for projects with subprojects or multiple components that cannot be identified before project approval. This instrument may also be appropriate where there are valid reasons for delaying the implementation of the resettlement, provided that the implementing party provides an appropriate and concrete commitment for its future Implementation. The policy framework should be consistent with the principles and objectives of OP 4.12 of the World Bank.
25	Socio-economic survey	The census of PAHs/ PAPs of potentially affected people, which is prepared through a detailed survey based on actual data collected.
26	Sharecropper	An individual/household occupying land under a private agreement with the owner for purpose of agricultural use.
27	Tenant	An individual/household/institution occupying land or space in a home under a private agreement with the owner whereby the right of occupancy is paid for in cash to the owner.
28	Vulnerable	Any people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement i.e.; female-headed households with dependents; disabled household heads; poor households; landless elderly households with no means of support; households without security of tenure; and Ethnic minorities.

EXECUTIVE SUMMARY

Introduction

The Federal Government of Nigeria sought and obtained the World Bank Board of Executive Directors approval for the parent YESSO in the amount of US\$300million on March 26, 2013 and It became effective on August 7, 2013 with an expected closing date of June 30, 2020. The development objective of the parent credit is “increased access of the poor to youth employment opportunity, social services, and strengthened social safety net system in the participating states”.

However, with the advent of the present administration and its avowed focus on social welfare programme, a Social Protection Reform Agenda was articulated implicit in which is the formation of a National Social safety Nets Coordinating Office (NASCO) to be responsible for providing leadership for a coordinated safety net intervention in the country. This along with the fact that the debilitating human and development conditions in the North East requires all available support for recovery and necessity to address implementation challenges of the parent YESSO informed the need for an Additional Financing.

The immediate implication of the above was the change in PDO *inter alia* “to increase access of the poor and vulnerable, using improved social safety nets systems, to youth employment opportunities in all participating states and to provide targeted cash transfers to the poor, vulnerable and internally displaced people (IDPS) in the North East States”. This revised PDO ensures that all the states in the country, including and especially the North East would be eligible to participate in the project.

Project Description

YESSO is directed at supporting the Government of Nigeria in setting up a social safety net system (component 1) based on three core programs implemented at State level: labor intensive public workfare (PW) (component 2), skills development for low income youth (component 3), and targeted cash transfers (TCT) for the North East only (component 4).

The activities of the **Public Workfare Component** will involve labour intensive micro civil works. This could result in acquisition of land, the loss of assets or access to assets important to production, the loss of income sources or means of livelihood, thereby triggering the World Bank Resettlement Policy. To substantiate, Resettlement Policy is triggered, when the natural resource – e.g. land – even if not owned by the affected people was hitherto cultivated by them and provided them with a livelihood, or affected people have established a structure – e.g. temporary shop/shack, in both the instances the policy is triggered. In the first there is a loss of access to livelihood if there is no crop or else also produce; and in the latter the loss of asset and livelihood.

Need for RPF

At this time of project preparation, the sub-projects are not yet identified. Consequently, specific information on the number of sub-projects, site location, local communities, geo-physical land features, nature, etc. are not available. Therefore, a Resettlement Policy Framework (RPF) is required to be prepared in adherence to World Bank’s OP 4.12. The RPF sets out a framework and process for the application of the World Bank’s Resettlement Policy through the life of the project. Based on this, a Resettlement Action Plan (RAP) satisfactory to the World Bank will need to be

prepared for each public work where land is acquired or persons are displaced from their homes, lands or businesses, or their access to income sources or livelihood is lost.

The main objective of the RPF is to describe and clarify the policies, principles and procedures to be followed in minimizing and mitigating adverse social and economic impacts that will be caused by YESSO in the course of implementation. The RPF serves as a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the Public Works Component of YESSO. It is vital to note that for each subproject supported under the Project that involves land acquisition or relocation of people, or a loss of access to income sources or livelihood a separate Resettlement Action Plan (RAP) satisfactory to the Bank is required prior to signing a work order.

Project Location

The YESSO project targets the following 20 states: Abia, Adamawa, Bauchi, Borno, Cross River, Ekiti, Enugu, Gombe, Imo, Kaduna, Kano, Katsina, Niger, Kogi, kwara, Ogun, Ondo, Osun, Oyo, Taraba and Yobe. The YESSO is currently being implemented in Bauchi, Cross River, Ekiti, Niger, kwara, Kogi, Osun and Oyo. However, the YESSO-AF is targeted at expanding the support operations to the North East States of Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe.

Legal Framework for Land Acquisition

The legal framework for land acquisition in Nigeria is the Land Use Act of 1978, reviewed under Cap 202, 1990. The relevant World Bank Operational Policy (OP 4.12), which addresses land acquisition and involuntary resettlement was reviewed. The differences between the Land Use Act and the Bank's OP 4.12 reside mostly in rehabilitation measures, which are neither proscribed nor mandated in the Act. *Thus* in the event of divergence between the two (World Bank Safeguard Policy and Nigeria Land Use Act), the provisions that protect the interests of and better mitigate the negative impacts on the affected people will be applicable.

Potential Impacts

Positive and negative social impacts on the targeted areas/communities are expected in the course of YESSO-AF implementation phase.

On the positive side, YESSO-AF targets the vulnerable and poor people, especially and including the Internally displaced people (IDPs) in camps and in host communities. It is designed to contribute to positive social outcomes relating, for example, to increased well-being, providing opportunities for employment and livelihoods for the target beneficiaries in the North East, as well as providing opportunities for rejuvenating economic activities in conflict affected areas of the North East. Specifically, the actual implementation of the project is substantial in building a comprehensive and flexible **Social Safety Net (SSN) through increasing access of the poor and vulnerable, using improved social safety net system, to youth employment opportunities in all participating states and to provide targeted cash transfers to the poor, vulnerable and Internally Displaced People (IDPs) in the North east States.** With respect to ensuring participation of women and vulnerable sections, aiming for 40-50% women participants is emphasized in YESSO-AF execution.

While no major negative impact is envisaged in YESSO-AF, there could be multiplicity of micro negative impacts resulting from small scale land acquisition, temporary relocation of residents, the loss of assets or access to assets important to production, the loss of income sources or means of

livelihood. The potentially displaced persons include IDPs returning to original locations or other suitably safe but different locations, land tenants, agricultural land users, owners of structures, losers of livelihoods (farmers, business people, employees), mobile/itinerant, moveable kiosk, table, container, stall/shed/shop (local materials), shop/store (modern construction), etc. In other words, virtually all the sub-projects will lead to no impact or cause less than 200 people to experience adverse impacts or physical displacement from their productive assets (income generating).

The World Bank resettlement policy, OP 4.12 is designed to ensure that the negative impacts of YESSO implementation on people are minimized or mitigated. When displacement occurs, the affected persons/people are compensated for their loss (of land, property or access to livelihoods or income sources) in kind -- e.g. land for land -- or a combination of land and cash or, when appropriate, cash compensation. It must be noted, however, that in dealing with compensation, preference shall be given to land based resettlement strategies for PAPs whose livelihoods are land-based.

Where sufficient land is not available at a reasonable price, non-land based options centered on opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. However, this lack of land shall be documented and justified. Palliative assistance should be avoided, i.e. assistance that is not sustainable such as temporary payments or food donations.

It should be noted that massive involuntary displacement in YESSO-AF is not envisaged. Also YESSO-AF does not envisage that it will lead to the acquisition of protected areas (PA) such as legal entities for Biodiversity Conservation or community resource management areas. However, in the unlikely event that this happens the procedures offered by OP 4.12 which is negotiated process framework will be followed. Moreover, it is not inconceivable that YESSO-AF is likely to create protected areas such as areas where extraction is limited to support rehabilitation and/or conservation, erosion control measures, areas to enhance ground water recharge dedicated catchment for basins and protected slopes or woodlands. In such situations persons who have settled in such areas or who use resources from them (e.g. quarries, sand mining, hunting, fishing) will be compensated in accordance with OP 4.12 and the objective of this RPF, as enunciated in the entitlement matrix.

Thus, adequate measures shall be put in place in order to ensure that subprojects are screened for potential resettlement and, where resettlement is anticipated, that the appropriate measures are taken to compensate project affected persons.

While it is certain that YESSO-AF sub-projects may result in negative impacts to different categories of Project Affected Persons, the estimated number of the persons who may be affected are not known until the exact sub-project details are known.

Guiding Principles for Resettlement Planning

This document identifies the guiding principles for resettlement planning for the Borrower (Nigerian Government) and mechanisms that should be put in place in order to screen subprojects and ensure that appropriate measures are in place to address any issues which arise from potential land acquisition/disruption of means of livelihood under the YESSO-AF.

Once the proposed intervention has been identified and design is underway, a socio-economic survey and census (including complex households such as compounds) shall be carried out within the area directly affected by the project where land will be acquired or people displaced. The socio-economic survey should focus on such issues as livelihoods, household and compound composition, clan and sub-clan organization, other forms of social organization, ethnic groups, traditional and non-traditional leadership and other factors in the area, conflict and other issues relevant to the design of the intervention and the resettlement plan thereof. The census should include information on all income sources including remittances. The water supply available to each household and the availability of electric power will also be recorded. All the above data shall be photographically documented. A sample household questionnaire has been prepared as an annex to this RPF. Concurrently, data will be collected on services available to households in the area such as educational institutions, health-care facilities, places of worship, extension agencies, shops and any other services normally used by household members. Transport facilities (roads, bus and van lines, etc.) should be recorded. Distance from households to such facilities should be noted.

To ensure that all losses are properly captured, project implementation personnel will ensure that identification and categorization of the likely loss or impact is undertaken during the planning and design stages of each sub-project; determine the magnitude and coverage of impacts early in project planning in order to justify the resettlement instrument to adopt. General categorization of losses will be done to reflect extent of loss in terms of the following: permanent or temporary loss; full or partial loss; minimal or significant loss. The valuation procedures of all assets that will be affected will be conducted by a qualified valuer/surveyor. *Compensation for loss of income and assets will be at replacement cost such that the PAPs will experience no net loss and eligibility criteria have been developed for this. The evaluation of assets and compensation is at replacement costs and cannot be any locally decided rates nor should it be based on state principles and frameworks.* Project affected persons, communities, NGOs relevant stakeholders shall participate in the resettlement/rehabilitation process. The mechanisms for consultation have been outlined in this RPF and shall include resettlement committees for PAPs and communities and interagency committees for participating stakeholders.

The procedure for delivery of compensation will be detailed in each RAP and should include, *inter alia*:

- Full payment of compensation is carried out before possession of acquired sites and before works begin.
- Land/Asset valuation committee communicates the amount to be paid to the acquiring agency and the Ministry of Land will ensure that the amounts are fair and adequate. This should be agreed first with the States, LGA and community representatives before communicating to beneficiaries so that unnecessary hurdles are avoided.
- While it may be necessary to disclose the payment at community or LGA levels to ensure transparency, the implication on safety of the affected individuals must be taken into cognizance seriously.
- Donations by the community or an individual will be documented on an affidavit and confirmed verbally by the individual owner or a recognized elder(s) of clan(s) or sub-clan(s) in front or in the presence of two witnesses known from the same community certifying the identity of the donors. No coercion of land should be seen as part of voluntary land donation. It needs to be reiterated that donation process needs to be documented, verified by organizations such as CBOs/NGOs and signed off.

The key objectives of stakeholder consultation and participation during the project cycle are: Pre-Planning – disseminate information about proposed project interventions and consultations to identify impacts and issues; Planning and Design – joint walk through (as is the current practice) and consultations for mitigation and design enhancement measures; Implementation – regular monitoring for impacts; and Post Implementation – monitoring of post implementation benefits and lessons.

Project affected people/communities will be made fully aware of the principles and guidelines used for project impact mitigation. Involvement of affected communities is crucial in planning and implementing subproject RAPs, when these are required. Preparation of subproject RAPs will be based on detailed consultations with affected people and other stakeholders. Details of these consultations including dates, names of participants, issues raised and how these have been addressed will need to be documented in the subproject RAPs. Grievance redress and community monitoring will also enhance stakeholder participation.

Formal and informal discussion sessions should be undertaken with key stakeholders for assessing the issues of the proposed sub-projects, and their perspective for their solution. The main objective of the meetings is to ensure the participation and generation of compatible views and ideas.

Community meeting, which should be open to all, is the primary means of community consultation and information dissemination. Where participation of certain group of people in community meetings is difficult, due for example to geographical distance or social segregation, other methods such as door-to-door visits, structured and unstructured interview, separate community meetings or other participatory techniques will be considered. In addition to community meeting, there are other vehicles that could be used for communication and consultation such as listed below:

Completing questionnaires/application forms, public readings and explanations of project ideas and requirements making public documents available at the national, local and community levels at suitable locations like the official residences/offices of local elders, announcement In various media, newspaper announcements placement in more than one paper, preferably all local papers, notice board near project site, posters located in strategic locations and many public places frequented by community and radio and local television

Any of these means must take into account the low literacy levels prevalent in the rural communities by allowing enough time for responses and feedback and putting messages in the language readily understood by such people. Ideas and complaints coming from the population shall be documented.

In fact the State Social Safety Net Implementation Agency (SSNIA) should as a matter of reaching the relevant public engage directly with stakeholders and taking their concerns into account. In other words, for effective consultation, the SSNIA should hold specific events (preferably community-level meetings) at which affected people will feel comfortable expressing their views. Such events should be carefully documented by written minutes, recordings, video recordings, etc. and the minutes of these meetings together with attendance lists should be included with the RAP to demonstrate that consultation has taken place. RAPs will explicitly show how ideas from PAPs were taken into account. Generally, the SSNIA are not required to accept every suggestion or demand made, but they should take each reasonable suggestion into account as a matter of good faith.

To support the social uplift of vulnerable people the project will provide assistance targeted specifically at vulnerable groups to enhance their livelihoods through training/income generating activities. Consultations carried out with vulnerable groups during project planning, will include identification of their skill needs and priorities and training programmes.

The public consultation carried out during the preparation of this RPF revealed the following situations amongst the stakeholders, *inter alia*:

- YESSO-AF is a commendable effort and they are eagerly waiting to see the project implementation since it tends to strengthen the resolve of our State governments and MDAs to create employment for our youths, especially and engage them in meaningful works.
- However, they noted that host community should be given priority to implement works with a view to taking ownership and should be allowed to monitor the adequacy (quality) of works in the YESSO-AF in their domain. Any irregularity in the compensation system such as disfranchisement or denial of rights and elite capture will likely cause conflict. PAPs should be compensated before work starts at the various sites. Proper understanding of roles between MDAs in the entire management of the project is necessary.

The stakeholders, in turn, were helped to appreciate that:

- YESSO-AF is designed to strengthen the efforts of both the Federal and state government on youth employment and recovery and resettlement in the North east.
- World Bank supporting the efforts of both the Federal and state government on youth employment and recovery of the North east show that due process and appropriate mechanism for the programme to succeed shall be ensured. That is why at this preparatory stage relevant instruments such as the RPF and ESMF are being prepared.
- The design of YESSO-AF emphasizes equity, justice and transparency in the implementation through social inclusiveness of the targeted audience, avoidance of elite capture, working with trade/CO groups, ensuring first-come, first serve with priority given to the vulnerable.
- Objective criteria shall be used in selecting sub-project and priority sites for any development which are community-driven.
- This RPF and the subsequent site-specific RAPs will ensure adequate compensation system in every respect.
- Capacity building is an essential element of the RPF and all participating relevant MDAs or parties shall be trained in resettlement issues.
- YESSO-AF implementation as supported by the World Bank will ensure that appropriate structure is put in place and roles and responsibilities well defined.
- Monitoring and Evaluation are essential part of YESSO-AF to assess that the goals, actions and commitments set are being met and implemented according to schedule.

Grievance Redress Mechanism

Grievances could arise due to: failure to register PAP or identity of individual is disputed; losses not identified correctly; inadequate assistance or not as per entitlement matrix; dispute about ownership; delay in disbursement of assistance; and improper distribution of assistance.

The grievance redress mechanism is designed with the objective of solving disputes at the earliest possible time which will be in the interest of all parties concerned and therefore implicitly

discourages referring such matters to the law courts for resolution which will otherwise take a considerably longer time.

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals and communities will have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency.

It must be appreciated that there is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to resolving conflicts that could arise are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs and project conditions and scale.

In its simplest form, grievance mechanism which will be the responsibility of the SSNIA should have the following primary components: receive and register a complaint, screen and assess the complaint, formulate a response (within a specified time frame), select a resolution approach, implement the approach, settle the issues to the satisfaction of the complainant, track and evaluate results, appeals process, monitoring and reporting to project management to detect systemic problems; learn from the experience and communicate back to all parties involved.

It must be understood, that informal traditional dispute mechanisms, based primarily on negotiations between aggrieved parties and through community meetings to reach consensus on a satisfactory resolution, are already practiced in the beneficiary communities, especially in the rural communities. These traditional dispute practices appear to function well and are generally accepted by community members as a satisfactory means for resolving disputes and grievances. However, to make the grievance redress process more systematic, aggrieved parties will be able to appeal to Desk Offices set up by the SSNIA at the local government levels to facilitate resolution of the grievance. Note that accessible appeal mechanisms start at the local level. At the time the inventory and valuation is done, the signing officers should include a local leader, a representative of those displaced, and a representative of the works engineer and the SSNIA. This is the group that should hear any complaint, as it includes authorities on the taking itself, on the local social reality. Any complaints/appeals made to these bodies will be recorded in a register, identifying the name of the aggrieved party, date grievance registered, nature of grievance, and measures suggested for addressing the grievance, including escalating resolution of the grievance to SSNIA for recourse through traditional judicial practices, and date of grievance redress.

A Rehabilitation and Resettlement Committee shall be constituted within the state SSNIAs made up of representatives from the relevant MDAs, affected communities and affected persons as well as NGO/CBO to monitor and review the progress of implementation of the scheme or plan of rehabilitation and resettlement of the affected families and to carry out post implementation social audits. As the need may be, these committees could be established at all levels (community, LG and State).

As a matter of emphasis, anonymity of the complainants is very vital. SMS or emails to SSNIA focal point dealing with grievances could be one way to avoid local level conflict and adverse repercussions.

To monitor and review the progress of implementation of any plan of rehabilitation and resettlement of the affected families and to carry out post implementation social audits, a Functional Resettlement Implementation Committee shall be constituted within the SSNIA.

RPF Coordination and Implementation

YESSO-AF will require a multi sector operation. Thus the institutional arrangement has been pragmatically designed to involve other relevant federal and state MDAS, local government, local communities and CSOs/NGOs.

The Federal Operation Coordinating Unit (FOCU) shall have an oversight role, but actual resettlement planning and implementation shall be the SSNIA's responsibility. The primary responsibility for project design and execution depends on the States through a State Project Management Team (SSNIA). The SSNIA shall provide awareness, mobilization and facilitation, project appraisal, approval & disbursement, capacity building, monitoring & evaluation, reporting to FOCU.

A Desk Safeguard Officer from the Ministry of Environment seconded, or competitively recruited from the State Civil Services, to the project will be designated to oversee the implementation of this Safeguard instrument (this RPF) as well as any other social provisions as deemed fit for project implementation as per the regulations of the World Bank and Government of Nigeria and the respective State governments. For effectiveness, the capacity needs of the Officer will need to be enhanced to address safeguards issues.

Each RAP must include a detailed budget, that takes into consideration the losses expected on proposed site (like land acquisition, property losses, means of livelihood losses), preparation of resettlement action plan, resettlement assistance to displaced persons, monitoring and auditing, training, etc. The budget is the responsibility of the participating States. Some of the costs of resettlement (e.g. professional services, site preparation, etc.) can be financed from the Bank loan, while other costs (e.g. compensation payments, acquisition of land) cannot be financed from the Bank loan and shall be borne out of counterpart funds. In either case, *resettlement costs should be included in the overall sub-project budget which is estimated at N 3million due to the multiplicity of the micro subprojects and no major resettlement issues are envisaged and borne by each of the participating States.*

Monitoring and evaluation

In order to successfully complete the resettlement management as per the implementation schedule and Compliance with the policy and entitlement framework, there will be need for monitoring and evaluation of the RPF and RAP implementation. Number of coercion cases reported, for instance, in terms of relinquishing of location/accessibility means of livelihood, etc. should form part of the indicators to be captured under the grievance mechanism, monitoring, and/or auditing.

Monitoring and evaluation will be a continuous process and will include internal and external monitoring. The safeguards officer in the SSNIA shall play a key role in reporting the progress of implementation as well as ensuring compliance by the SSNIA. The outcomes of these monitoring or level of compliance will form part of the agenda for the World Bank's supervision mission.

Specific procedures and roles at different levels to ensure adherence and avenue for mitigation of social impacts shall be defined in relation to identified issues at the specific sub-project sites. This

will also influence the manner of RAP implementation as well as monitoring and evaluation and auditing but in line with the principles set out in this RPF. The RPF underscores the importance of monitoring and evaluation of the sub projects under the YESSO-AF program. It also highlights mechanisms for internal and external monitoring and provides the indicators.

Consultation, Review and Disclosure

For YESSO-AF, public consultation and stakeholder participation which have been initiated in the course of the preparation of this RPF are considered. This RPF documents those that were consulted, dates, concerns raised and how the RPF/YESSO-AF responds to these concerns.

This RPF shall be disclosed in-country to the general public for review and comments at designated locations in the participating States and in World Bank Info Shop before it is approved by the Bank. Table below indicates some of the information to be disclosed which will be fine tuned in the RAP. The SSNIA will make copies available at its office, relevant local government council, relevant State Ministry of Environment and other stakeholders of the participating States. The executive summary of the RPF will be disclosed at different levels through different means. The document in its entirety will be available on the website of the SSNIAs and the infoshop of the Bank. The final list of sites approved by the States, the process of selection of the sites, and the RAPs are all subject to final review and clearance by the World Bank in order to ensure compliance with Bank safeguards. Individual RAPs that shall be prepared for each sub-project based on the guidelines and procedures highlighted in this RPF document are also to be disclosed in the same manner as this RPF.

Indicative Information to be Disclosed, Frequency and Media			
Topic	Documents to be disclosed	Frequency	Media
Resettlement, Rehabilitation and Land Acquisition	Resettlement Action Plan (RAP)	Once in the entire project cycle. But to remain on the website and other disclosure locations throughout the project period.	World Bank's Infoshop, Ministries of Environment, Lands & Survey, Implementation agency offices & website.
	Information regarding impacts and their entitlements	Once at the start of the project and as and when demanded by the PAP.	Through one-to-one contact with PAPs, Community consultation. List of PAPs with impacts and entitlements to be pasted in office and website of Ministry of Lands and Survey / Implementing Agencies
	R&R and LA monthly progress report.	10th day of every month	Implementation agency's website.
	RAP Impact Assessment Report	After substantial completion of each phase	Ministry of Lands and Survey Implementation agency's website.
	Land Acquisition Notifications	As required under the LA Act	Ministry of Lands and Survey, Implementation agency's website.
	Grievance redress process.	Continuous process throughout the project cycle.	Ministry of Lands and Survey / Implementation agency's website. One to one contact with PAPs.
Public Consultation	Minutes of Formal Public Consultation Meetings	Within two weeks of Meeting	Ministry of Lands and Survey / Implementation agency's website.

CHAPTER 1: GENERAL INTRODUCTION

1.1 Background

The Federal Government of Nigeria sought and obtained the World Bank Board of Executive Directors approval for the parent YESSO in the amount of US\$300million on March 26, 2013 and It became effective on August 7, 2013 with an expected closing date of June 30, 2020. The development objective of the parent credit is “increased access of the poor to youth employment opportunity, social services, and strengthened social safety net system in the participating states”.

As a support operation to Federal and State Government initiatives for youth employment and social services for the poor, the federal level emphasizes technical support to States on key building blocks of Social Safety Nets programs. Being financed through a Specific Investment Loan (SIL) over a period of seven (7) years. the operation is currently being implemented in eight participating states (Bauchi, Cross River, Ekiti, Kogi, Kwara, Niger, Osun and Oyo) to be extended to be extended to other states in the country based on expression of interest and evidence of ownership and funding of similar projects as YESSO.

The parent YESSO is a flagship operation that is strengthening the state level social safety net systems and reducing vulnerability of poor youth and women through increased access to work opportunities and promoting human capital development of such households using incentives to keep children in school and to ensure that women attend health centers in participating states. This system building approach, which also covers the Federal level, is assisting the Government of Nigeria to respond effectively and efficiently to current and future challenges in human development among poor households. The operation has four components. The first component is institutional strengthening and enhancing the capacity of a central social safety net platform in each participating state and at the Federal level. The central platform consists of a targeting system, a register of poor and vulnerable households and individuals and a monitoring and evaluation system. Three interventions that rely on the social safety net platform constitute the remaining components of the operation: a public workfare program (Component 2); a skills for jobs scheme (Component 3); and a Conditional Cash Transfer program (Component 4).

1.2 Objectives of YESSO

In retaining the core elements of the parent YESSO, the Project Development Objective of the YESSO-AF is “to increase access of the poor and vulnerable, using improved social safety nets systems, to youth employment opportunities in all participating states and to provide targeted cash transfers to the poor, vulnerable and internally displaced people (IDPS) in the North East States”. This revised PDO ensures that all the states in the country, including and especially the North East would be eligible to participate in the project. Furthermore, the following changes from the parent project were made to increase the emphasis of YESSO on the North East and especially on employment opportunities, with the aim of providing assistance to poor and vulnerable households, including IDPs and host communities, for increased consumption, improved livelihoods and human capita:.

- i. minor revision in the development objective of the operation to include the vulnerable and the internally displaced people in the North East;
- ii. changes in the results framework in view of the additional funding and geographical focus;
- iii. realignment of the components as a result of the new national safety net program;

- iv. deletion of the conditional cash transfer component;
- v. introduction of a targeted cash transfer component to be focused only on the vulnerable households and individuals (especially IDPs resettling/relocating to safe environments) in the North East; and
- vi. Revised institutional arrangements of some of the components.

Achievement of the PDO will be measured by the following key performance indicators:

- a) Number of unemployed youth receiving cash payment in return for working in public works program in each participating State (disaggregated by gender and IDP status);
- b) Number of states using the Single and Unified Register for selecting eligible beneficiaries for various interventions (disaggregated by gender and IDP status)
- c) Number of trained youths from selected benefiting households with job (increased earnings) one year after completion of skills for job intervention (disaggregated by gender, IDP and employment status)
- d) Number of vulnerable households receiving targeted cash transfers in the North East.
- e) Number of direct project beneficiaries (disaggregated by gender).

The activities of the **Public Workfare Component** will involve labour intensive micro civil works. This could result in acquisition of land, the loss of assets or access to assets important to production, the loss of income sources or means of livelihood, thereby triggering the World Bank Resettlement Policy. To substantiate, Resettlement Policy is triggered, when the natural resource – e.g. land – even if not owned by the affected people was hitherto cultivated by them and provided with a livelihood, or affected people have established a structure – e.g. temporary shop/shack, in both the instances the policy is triggered. In the first there is a loss of access to livelihood if there is no crop or else also produce; and in the latter the loss of asset and livelihood.

At this time of project preparation, the sub-projects are not yet identified. Consequently, specific information on number of sub-projects, site location, local communities, geo-physical land features, nature, etc. is not available. Therefore, this Resettlement Policy Framework (RPF) sets out a framework and process for the application of the World Bank's Resettlement Policy through the life of the project. In any case, a separate Resettlement Action Plan (RAP) satisfactory to the World Bank must be prepared for each case where land is acquired or persons are displaced from the homes, lands or businesses.

1.3 Involuntary Resettlement Requirements

The World Bank's Operational Policy on Involuntary Resettlement (OP 4.12) must be applied to any project which displaces people from their homes or land or productive resources, and which results in relocation, the loss of shelter, the loss of assets or access to assets important to production, the loss of income sources or means of livelihood. The policy also applies to land acquisition whether or not the project affected persons (PAPs) will move to another location; therefore, people are in most cases compensated for their loss (of land, property or access) either in kind or in cash.

The World Bank's resettlement policy framework has the following objectives:

- i. Involuntary resettlement and land acquisition should be avoided where feasible, or minimized, exploring all viable alternatives;

- ii. Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share in project benefits. Displaced and compensated persons must be meaningfully consulted and have opportunities to participate in planning and implementing the programs linked to their resettlement; and
- iii. Displaced persons should be assisted in their efforts to improve their livelihoods; standards of living should be improved as a result of the resettlement program, or at least restored, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of project implementation, whichever is higher.

1.4 The Need for YESSO-AF RPF

The Resettlement Policy Framework (RPF) is designed to provide procedures and guidelines that will be followed to ensure that the project interventions comply with the requirements of the World Bank's OP 4.12, which is applicable to this project.

The RPF provides a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs for sub-projects during the implementation of YESSO-AF.

The RPF sets out the policies, principles, institutional arrangements, mechanisms for consultation, grievance redress mechanisms, schedules and indicative budget that will take care of any anticipated resettlement. These arrangements shall also ensure that there is a systematic process (as against an hoc one) for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government procedures and requirements, and outline compensation for affected persons.

The RPF provides the framework within which Resettlement Action Plans will be developed when specific locations and impacts of the sub-project have been identified.

It should be noted that this RPF is being prepared in *paripassu* with an Environmental and Social Management Framework (Annex 1.1).

1.5 Justification for the RFP

Interventions proposed under YESSO-AF are not different from those undertaken under the parent YESSO and will have potentially positive and negative impacts. However, the inclusion of the North east, an area currently impacted by conflict, required a revision of the RPF. By virtue of its design, the YESSO-AF will contribute to positive social outcomes relating, for example, to increased well-being, employment generation and enhancement of incomes and providing livelihood security for the targeted populations in the Northeast, especially rejuvenating economic activities and resettlement of internally displaced people (IDPs). The negative impacts could entail loss of access to and/or property, loss of livelihoods, loss of assets, loss of sources of income, loss of access to locations that provide higher incomes or lower costs, etc., which will result from acquisition mainly from displacement due to the execution of the sub-projects.

Given that the sub-projects will be demand-driven and based on community priority and needs, at the stage of YESSO-AF preparation, specific information on numbers of sub-projects, site location,

local communities, nature, etc. are not available. Thus it is difficult to identify what the specific social impacts of the sub-projects are with regard to the exact locations and magnitude of the sub-projects (volume, scope, scale and/or actual nature of activities, etc.). Aspects like who will be impacted, how, where, number, extent, and exact location, will be available only when program implementation gets underway. Therefore, the RPF will guide the addressing of social impacts of the proposed sub-projects.

1.6 Scope of Work for the Resettlement Policy Framework

The scope of work for the RPF assignment cover the elements outlined in Annex 1.2. The elements are consistent with the provisions described in OP 4.12, paras 2 and 4.

1.7 Main Tasks and Methodology for the RPF

The series of tasks identified and carried out in the preparation of this RPF include: project description, legal and institutional guidelines and requirements, world bank safeguards policies, social assessment and socio-economic surveys, estimated population, displacement and categories of affected people, eligibility criteria for various categories of affected people, entitlement matrix for proposed resettlement and compensation policy, methods for valuing affected assets, organizational arrangements and procedures for delivery of entitlements, methods for consultation with and participation of affected people, grievance redress mechanisms, linking resettlement to livelihoods component of the project and employment generation opportunities, budget and funding arrangements, monitoring arrangements, and implementation schedule.

Annex 1.3 outlines a detailed description of the process of preparing this RPF.

CHAPTER 2: PROJECT DESCRIPTION

2.0 Introduction

This Chapter provides information on the proposed project (the different components). It also highlights the socio-economic settings of the project location.

2.1 Project Overview and Components

The total project cost is estimated at \$100,000,000. The project development objective would be achieved through the four major components depicted in Fig.1 below:

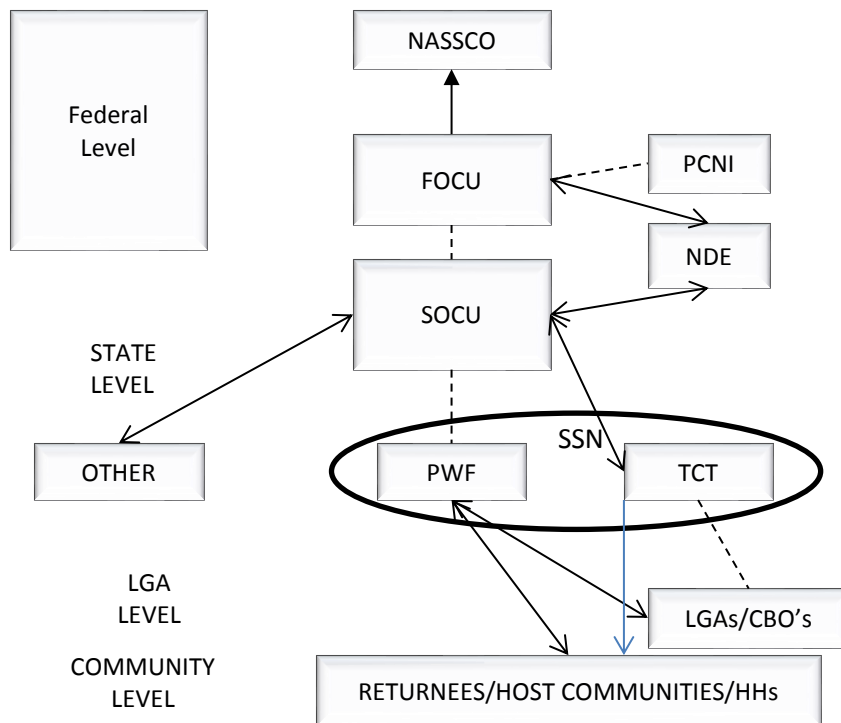


Fig.1: YESSO Flow Chart

2.1.1 Component 1 -Strengthening the Social Safety Net System in Nigeria (US\$ 20 million):

The proposed operation through this component would assist Government in defining and consolidating the *institutional responsibilities* and *implementation arrangements* to contribute to government efforts in creating and strengthening a social protection platform anchored on effective SSN coordination and monitoring units at Federal and State Government levels for partnership of all stakeholders in sustained and impactful implementation of social safety nets in Nigeria.

This component comprises two sub-components, which aim to assist both the Federal government and the participating State Governments.

Sub-component 1.1 (US\$7million)- Supporting social safety net programme implemented at the state level, at the Federal level, through:

- a) supporting states to implement and monitor their social safety net programs; carrying out a communication strategy to disseminate information on these programs; and undertaking monitoring and evaluation of elected social safety interventions at the state level;
- b) Carrying out studies, reviews, and analyses on the implementation of programs under the Project and facilitating the sharing of local and international experience on Project related activities;
- c) managing a joint account for the state level funds for the selected social safety nets interventions in the NE States; and
- d) supporting the implementation of skills for jobs intervention by the special unit' at the Federal office of the National Directorate of Employment.

Sub-component 1.2 (US\$13million) Supporting NE States to develop and implement key operational tools designed to contribute to harmonization and integration of safety net interventions at the state level through:

- a) create a common targeting mechanism to identify poor and vulnerable households and individuals, including IDPs;
- b) creating Single Registers in all participating States, using the common targeting mechanism referred to above and Unified Registry of Beneficiaries (URB) in NE States using existing registers;
- c) developing a monitoring and evaluation system and an integrated management information system to track and monitor the progress made by programs at the Beneficiary level; and
- d) adopting a common payment system for cash transfer and stipend payments under the programme.

2.1.2 Component 2 Public workfare Program

The objective of the public workfare program is to support sub projects through the provision of PW Payments and Training to PW Beneficiaries as well as technical advisory services, goods and Operating Costs for managing and administering such sub projects, Majorly it would assist NE State governments putting in place an effective and efficient mechanism to provide immediate labor intensive work opportunities for unskilled youth from poor households. In enhancing the mechanism of public workfare programs to increase access to “immediate work” opportunities and income support to unemployed male and female youth, this component would also improve access to basic social and economic infrastructure and invariably enhance capacity of participating unemployed male and female youth. These expected outputs will lead to increased income and consumption ability of youth, effective demand at local markets, increased household asset development, and savings and investment. Finally, the activities of participants in the public works or services will contribute to an enabling environment for development through creation of community assets.

The key principle in this component is that the unemployed youth aged 18 – 35, selected by State Agencies through a transparent and objective community-based process, would be registered into a “workfare scheme” for a maximum period of one to two years. The participants would undergo orientation and periodic life skills training sessions and be deployed to public works in each State based on context. Local Government Authorities and Community groups would be involved in the administration of the public work schemes and especially in the identification, supervision and monitoring of the public works and services. The workfare scheme is to include “graduation” or “exit” programs as appropriate.

Key Features of the Public workfare program include:

- **Targeting, Selection and Registry into the Public Workfare Scheme:** Common targeting method that makes use of existing and new Registers, with various government and donor agencies in selecting beneficiaries would be used in targeting and registry of beneficiaries.. Eligible participants from the unified registry of beneficiaries would be selected into the public workfare scheme based on characteristics which include: unemployed, unskilled youth of working age (18 -35), at least 40-60 percent quota for women and residents within selected or designated communities or LGAs.
- **Orientation and Livelihood skills training are an important part of the public workfare program.** In other to ensure full understanding and consensus among the participants about the essence of the scheme and the expectation, as well as preparing the participants for a possible exit, it is essential to undertake awareness, re-orientation, self-discipline, self-awareness types of training at the entry or start of each cycle or batch of the scheme and also provide periodic opportunities for livelihood training during the course of the scheme. The livelihood training would prepare the participants for possible exit from the scheme within the agreed period of one year.
- **Nature of Public Works (PW) activities:** PW activities would need to meet a number of criteria, in addition to being not less than 75 percent labor-intensive. The other criteria include providing a public benefit and adhering to social and environmental safeguards. Other general criteria will also apply and will exclude, among others, works that solely yield private benefits or benefits that are likely to be captured by a small elite group within the community. Furthermore, compliance to environmental and social safeguards and adoption of mitigation measures would also be included. Possible types of public works include rehabilitation of water canals for irrigation schemes; land clearance for irrigation schemes; reforestation; gully reclamation; relevant agricultural activities especially value addition and marketing, land husbandry and soil conservation measures; construction of market stalls for selling farm produce; and construction of livestock selling pens. Other planned PW activities would include rehabilitation of small bridges; brick molding for construction purposes; rehabilitation of classroom blocks and toilets ; improvement and beautification of public spaces including the cleaning of public areas, planting of trees and flowers; garbage and refuse collection and waste disposal; traffic control; civil security unit, repairing of clinics/ Primary Health Centers; engaging in disaster prevention activities appropriate to the community; water resource management and water harvesting, mainly spring water sources development and extension; enhancing communal peace and Progress and any other public work activities peculiar to each state. In sum, labor-intensive PW activities would contribute to the overall objective of food security and help build resilience to climate-related shocks (drought, floods, etc.) and will be mostly in the areas of agriculture, soil and water conservation and management, and rehabilitation of degraded areas, with the longer-term objective of enhancing livelihoods.
- **Gender focus of PW:** PW will be implemented in a way that the special needs of women are considered. Pregnant and lactating women (if considered able to work according to the criteria set for the project) would be tasked with appropriate light works. Timings and settings would also be allotted so as not to exert a negative influence on their role as care providers. Flexible working hours and the possibility of working half-day would be offered to women. Childcare should also be organized at the workplace to facilitate participation of women breastfeeding young children while some women would be tasked with childcare and paid at the same rate as other workers. The program would also ensure the participation

of women in decision-making process related to the PW program and in particular in the Community Project Management Committee (CPMC).

- **Numbers of work days in PW:** The number of work days per household per month would be limited to 15 in order to ensure that participants have time to engage in other productive activities and that women (especially in cases of households headed by women alone) are able to participate while still having time to dedicate to their children and nutrition activities.
- **Stipend rate of PW:** Since the objective of the PW component is to guarantee a certain level of additional income to the targeted households all through the year they are engaged by the Program, those households would be offered participation in PW activities for a number of days /month/year communicated to them in advance. The daily stipend rate to be paid will be determined given the prevailing market rate for unskilled labor in the participating State. Usually the rate would be lower than the market rate to reduce the error of inclusion as well as political pressure and interference.
- **Exit and Re-Entry:** A number of exit strategies would be introduced into the scheme, depending on the context of each State, to ensure that participants do not stay in the program for more than two years. Such exit strategies as detailed in the draft generic Operations Manual would include livelihood training; forming cooperatives or work gangs that can get into economic activities as a group, participation in savings scheme: deployment into public and private institutions based on existing vacancies and competencies; and networking. Re-certification of economic status of all participants will be done at the end of each calendar year and only those still in “needy” situation would be re-admitted for one more year.

YESSO-AF support on this component would include the development of the operational templates, additional staff at the State Agency levels, equipment for administration of the program – such as vehicles, ICT facilities, Capacity building and operating costs. The State government would provide resources for stipend/material/tools to be made available to participants. However, the YESSO-AF resources would be used for a proportion of stipend payment on a re-imbusement, performance basis. YESSO-AF could finance a percentage of government expenditure on stipends or a specified number of beneficiaries per State. Details would be worked out during appraisal. Other institutions that a State could collaborate/partner with in the area of fund support are Community Based Organizations, Financial Institutions (i.e. Banks) and Other Private sector in their respective state.

2.1.3 Component 3: Skills for Job

This component would pilot a new approach to skills training to ensure that efforts of Governments at combating unemployment, especially among the youth, become more effective. It involves a genre of skills training that is demand driven, leading to a sustainable job, institutional capacity building, and public-private sector partnerships. It has been observed that demand-driven skills training has produced positive results in other countries such as Kenya. Also, in Nigeria, the National Directorate of Employment has implemented some variants of this approach in partnership with States and Local Governments and even with private sectors, but on a limited scale.

The basic objective of this component is to have a functional mechanism that is based on partnership between the public and private sectors for enhancing the employability of youth from poor households. The mechanism involves skills training, internship/apprenticeship with private sector organizations, and tracking of beneficiaries. The skills training include life skills, vocational/sector specific skills and entrepreneurship skills. The tracking of beneficiaries will be carried out through tracer studies coupled with monitoring and evaluation. The expected output

from this component is trained youth in sustainable employment (improved productivity). The employment can be wage employment or self-employment in the private sector.

Key Features of this component include:

- **Public-Private Sector Partnerships.** While the NDE would manage this component at the State level, there would be a Memorandum of Understanding (MOU) between National Directorate of Employment, the respective State Government and State level private sector organizations/associations. The MOU would outline the key roles and responsibilities of each party. The key role of NDE would be that of facilitator while the State Government would be responsible for the provision of a starter-pack. Private sector organizations/associations would be expected to identify the growth/key sectors of the economy and the sorts of skill needed in those sectors. NDE would undertake the selection of the trainers that can effectively deliver competency-based skill training modules that align with the skills needed in the key/growth sectors.
- **Beneficiaries Selection and Enrolment.** The beneficiaries would be unemployed youth, male and female, from poor households who have a minimum of 9 years of schooling and whose ages range from 18 to 35. The beneficiaries would be selected based on this and other agreed criteria from the existing unified registry of beneficiaries and validated by the State Social Safety Nets Implementation Agency (SSNIA). The SSNIA would be responsible for implementing the criteria to select beneficiaries from the Unified Register of beneficiaries into the skills for Job intervention. The State Agency would carry out this activity with the assistance of the NDE, which would then ensure that the selection criteria are strictly adhered to. Also all other activities that have to do with methods of selecting/assigning the beneficiaries of this component would be the joint responsibility of NDE and SSNIA. The activities may encompass taking decisions on the location of training or internship, logistics and decisions on how the beneficiaries are to be selected whether in batches or at once. Comprehensive details of the selected beneficiaries of this component would be developed and kept in a database at the NDE State office while the head office database would aggregate the States' data. Prominent among the details of the beneficiaries are their biometric data and all information relating to the criteria for the selection in the first instance.
- **Training:** Three specific training modules would be implemented by the state level NDE office with support from NDE Headquarters and the modules would be delivered by contracted competent trainers. The training modules are life skills training, vocational/sector specific/technical skills training and entrepreneurship skills training. NDE would facilitate the selection of the trainers on a competitive basis. To avoid any conflict of interest, NDE would be restricted to a general area of training, which in this case would be entrepreneurship skills training. The three sets of skills training would be delivered within a period of three months before the beneficiaries are scheduled for interview that would deploy them for internship/apprenticeship. However, the life skills training would be conducted once a month beyond the initial three months to ensure that the interns/trainees fully absorb the skills into their everyday lives.
- **Internship and Apprenticeship.** The identification of private sector organizations for the internship/apprenticeship would be carried out by NDE, the State Government and the State private sector umbrella organization/association. The State Government would be expected to design a package of incentives to encourage private sector organizations to take interns/trainees. The beneficiaries under the Youth Enterprise with Innovation in Nigeria (YOUWIN) award program would be equally incentivized to take interns under this

component. YOUWIN is being financed by the Federal Government with some support from development partners (such as the World Bank and Department for International Development (DFID)). There would also be a special training module for the selected master craftsmen under the apprenticeship so as to bolster skills and also serve as a sort of incentive for them in addition to the allowance they would receive for taking the trainees through on-the-job training. NDE would contract out the training for the selected master craftsmen. All the activities related to the selection interview and deployment of interns/trainees would be led by the State private sector umbrella association (Chambers of Commerce and Industry or organized private sector). After selection, both the intern/trainee and private sector employer would sign a Commitment Form with the PIU (NDE) at the State level. For a maximum period of six months, each of the private sector employers would either be paid an amount per intern/trainee by NDE or given incentives (by State Government) as compensation for their time, resources and skills devoted to on-the-job training/exposure for the interns/trainees. The supervision and monitoring of the interns/trainees would be the responsibility of NDE and the designated State Agency.

- **Payment Process** The stipend for the trainees and interns would be set below the market wage to ensure that the labor market is not distorted and also that those who cannot secure any other employment are the ones considered under Component 2 of YESSO-AF. To be eligible for payment, interns/trainees would be expected to be present during all training/working hours, complete all work assignments in a timely fashion, adhere to all workplace regulations, attend all training courses and complete all assignments. They should be certified by the trainers and NDE monitoring officers before monthly payments can be made.
- **Accreditation/Certification, Starter-Pack and Post-Training Tracking:** NDE would carry out accreditation/certification of the interns/ trainees at the end of 3 to 6 months periods (of apprenticeship/internship). Some competency tests/exams would precede such an accreditation/certification and the tests/exams would be administered by relevant examination bodies to be determined by NDE. The State Government would be responsible for the provision of starter-packs for the apprenticeship/internship graduates. The starter-packs can be in the nature of tools, equipment, micro-credit, medium term loans, and mentorship. The State Government would also leverage on any assistance on the provision of starter-packs from community-based associations, State indigenes in diaspora, faith-based organizations, wealthy individuals, and other philanthropists. Prospective graduate beneficiaries of State-sponsored starter packs would be encouraged to form cooperatives to facilitate the administration of starter-packs and also ensure that they are deployed for the purpose they are meant for. The tracking would also involve collection of information on labor market activity of the beneficiaries during the post-training period. It is during the post-training period that tracer studies would be carried out by NDE together with the State Government. Beneficiaries' information in relation to the above would be collected and maintained by NDE.
- **Grievances and Appeal:** This is a mechanism whereby complaints, queries or comments/suggestions about the operation should be addressed/responded to effectively and expeditiously. A Grievance Resolution Committee (GRC) to handle queries or comments on every stage of implementation of *Skill for Job* component would be constituted. The GRC would be composed by representatives of the State Government, NDE, and the Local Government/Community.

2.1.4 Component 4: Targeted Cash Transfer (TCT) – (US\$55million):

This component is only for the North East states and will focus on IDPs (HHs or individuals) as well as poor and vulnerable in host communities who are duly registered in the Unified Register, which would be compiled by the states using existing registers in the NE States, by IOM, SEMA, UNICEF, UNFPA, GTZ, USAID etc. The poor and vulnerable groups would include women, youth, elderly, children and people with disabilities. The mechanism, amount, frequency and duration of transfers for the poor and vulnerable individuals and households in the Unified Register, will be consistent with the mechanism currently adopted in the National Social Safety Net Project and will be detailed in the revised operations manual. Also the peculiarities of the North East and the ongoing cash transfers by Federal and State governments as well as development partners and humanitarian agencies will be taken into consideration. As far as the TCTs to the IDPs who are able to return or resettle to safe environments, it is anticipated that there will be four rounds of transfers within the duration of the project and each round would be for 12 months. Transfers will be made to beneficiaries in four tranches based on soft and simple resettlement/relocation/reintegration criteria to be detailed in the revised Operations Manual. This component would entail the following:

4.1. Providing technical assistance to the Participating States to:

- a) develop, design and implement an unconditional TCT intervention for selected TCT Beneficiaries, including for IDPs, and welfare enhancing behaviours by extreme poor and vulnerable individuals and households selected from the agreed Unified Registry of Beneficiaries;
- b) develop a tracking system, monitoring and evaluation framework and management information system for their respective TCT Programs to track operations and monitor the entire cycle from the registration of TCT Beneficiaries to the conciliation of payments and exit after stipulated period; and
- c) devise an information and communication strategy.

4.2 Providing technical assistance to the NE States to implement instruments designed, developed, and tested under component 4.1 with a focus on, *inter alia*, monitoring and control, communication and information, management of the Unified Registry of Beneficiaries, beneficiary surveys, transparent payment system, process evaluation, and the general operation of the TCT Program.

4.3. Provision of Targeted Cash Transfers to the TCT Beneficiaries in the NE States.

2.2 Project Location

The parent YESSO project targets the following 20 states: Abia, Adamawa, Bauchi, Borno, Cross River, Ekiti, Enugu, Gombe, Imo, Kaduna, Kano, Katsina, Niger, Kogi, kwara, Ogun, Ondo, Osun, Oyo and Yobe.. However, YESSO-AF would be limited to the North East states of Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe.

2.3 Socio-Economic Setting of the Participating States

The relevant information such as population, patterns and size distribution of settlements **cultural resources**, social structure/trends and social groups, type of Tenure, educational status, etc. in the States are presented in Annex 2.1.

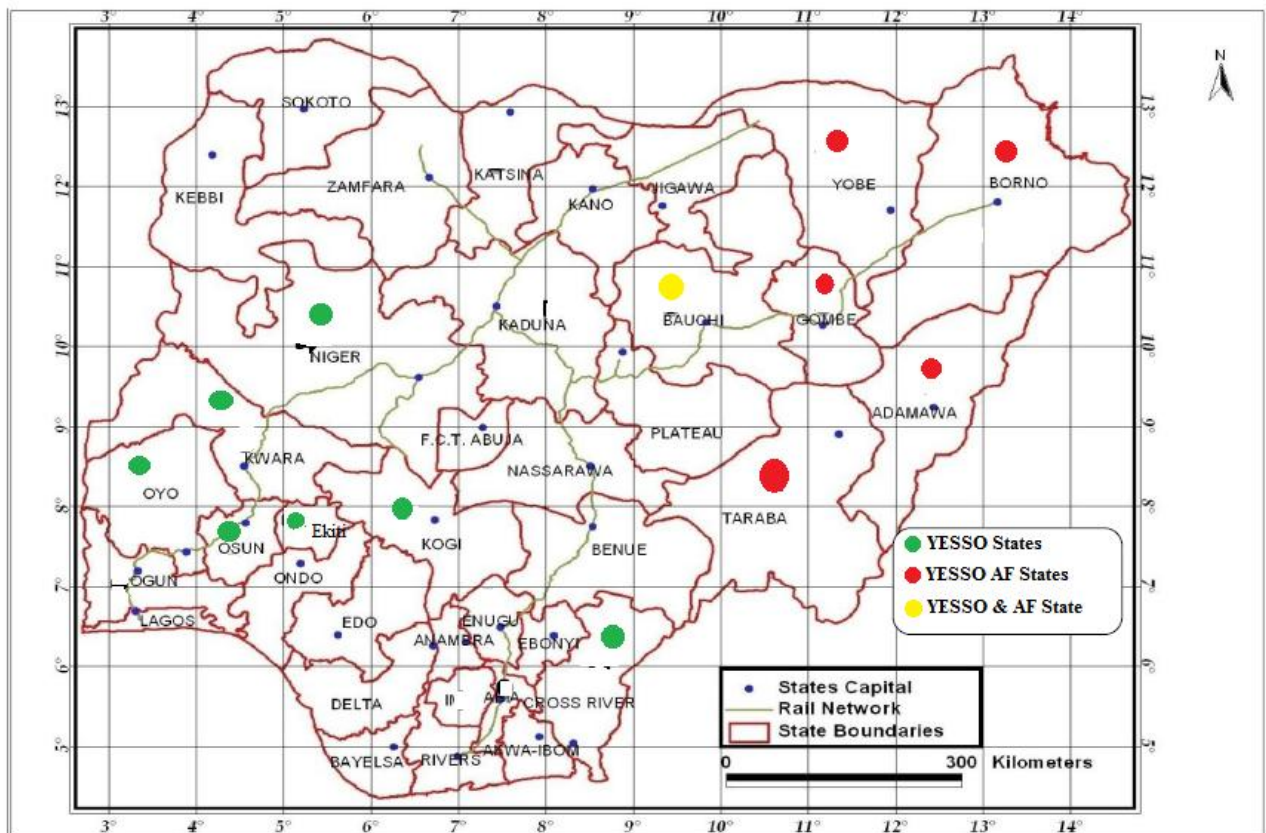
2.4 Youth Employment Schemes in the States

Different employment schemes have been developed to accommodate youth and a number of them are still being promoted by the various states. Some of these include: security (neighbourhood and community policing), forest guards, environmental sanitation, road and drainage maintenance gangs, horticulture and city beautification, traffic control, etc. Some partnerships with the private sector have also been forged to strengthen skills acquisition training for youth.

All these could serve as springboard for YESSO-AF. It will be necessary to identify the 'best practices' in each state and see how others could adopt or adapt these to their local circumstances.

2.5 YESSO-AF - A Catalyst for Development and Growth

As a partner in the Youth Enterprise with Innovation in Nigeria (YOU WIN) project, the World Bank is well-placed to support the participating States with the YESSO. The YOU WIN project is a youth empowerment and entrepreneurship programme conceived by the Nigerian Ministry of Finance in conjunction with the Nigerian Ministry of Communication and Technology, Nigerian Ministry of Youth Development, the private sector and the World Bank.



Map 1: Nigeria Indicating YESSO-AF Targeted States

World Bank has over the years provided lead role among development partners in Nigeria and its work to support several complementary sectors such as the GEM, Local Empowerment and

Environmental Management Project, the RAMP and Fadama projects which have supported rural development and sustainable land management activities. The experiences from these could be brought to strengthen existing or upcoming projects and governments' plans related to youth employment and empowerment scheme, agriculture, etc. through YESSO-AF.

The Bank is also well-placed to support such an activity given that it can draw upon its global expertise in supporting youth empowerment scheme and demonstrating innovative approaches.

2.6 Lessons Learned and Reflected in the Project Design

In the course of preparing this operation, a number of assessments of in-country public works, skills for job and a Recovery and Peace Building Assessment (RPBA) for the North East. This was complemented by tours around the African region (Ghana, Kenya, Rwanda), as well as Brazil. These assessments and study tours have led to some lessons learnt, which have been used to sharpen the design of the operation. The areas in which lessons have been incorporated into the operations include the following:

Skills development alone is not enough: Experience on skills for job across the globe has shown that vocational training in itself is not enough to combat unemployment. Rather, such training must include both life and entrepreneurial skills development. The training should be accompanied by mentoring and attachment to relevant places for on the job training. Whatever skill is developed must be a function of the available employment opportunities across the Country and in participating States in particular. Accordingly, YESSO-AF will ensure that the developed skills are demand driven primarily to satisfy local market environment, especially in the informal sector. Further, the support will foster public-private-partnerships to ensure the beneficiaries find job placement either with a firm or self-employed. As in the Kenya program, the private sector will play a pivotal role in this intervention, a pilot intervention of the operation.

Compartmentalization of the components: There is evidence to show that youth unemployment and recovery and resettlement interventions arising from conflict requires more than one strategy to address it because of the heterogeneous and diffused nature of the problems and youth dynamics. There are some unskilled and uneducated while there are also semi-skilled and educated groups. Accordingly, different strategies would be needed to address the unemployment situation of these groups. In recognition of this fact YESSO-AF has identified two types of employment interventions, namely public workfare for the unskilled and less educated, as well as “skills for job” for semi-skilled and educated youth. The common trend between them would be the targeting system, aiming to ensure that beneficiaries of all schemes are from poor households. Similarly, providing support to the poor, vulnerable and IDPs require a mix of strategies that should not only address social infrastructure but also focus on psycho-social support, support to restart self-managed consumption and livelihood activities etc.

Decentralization of implementation with emphasis on subsidiarity: Nigeria is a union of federal, state and local governments with each tier of government responsible for different activities. States and local governments are closer to the people and will be able to better implement projects which impact the community. It is with this mindset that YESSO-AF will support Federal agencies in coordinating state activities and providing technical backup while ensuring smooth implementation through effective monitoring and evaluation. On the other hand, States are to be fully responsible for the implementation of both public workfare and TCT as well as to collaborate with the National

Directorate of Employment at State level to implement the skills for job. Furthermore, an incentive system to finance more beneficiaries will be based on results achieved and performance of the States activities.

Exit Strategy: An important lesson on safety net interventions is not to create a dependency syndrome such that the beneficiaries will see the intervention as a permanent solution to their poverty/unemployment problem. In this regard, YESSO-AF will support series of strategies to exit all the interventions by identifying menus ranging from skills development, life skills training, attitudinal change to linkage with financial sector, direct job placement and cooperative or economic interest group formation.

Need for robust and responsive MIS and M&E systems: Data management has been a key problem for most existing safety net interventions in Nigeria. This has made it near impossible to track the impact of such interventions on the welfare of the population. In other regions, availability of robust MIS and M&E systems has made it possible for project impact to be adequately tracked and reported, as is the case with Bosa Familia in Brazil. Therefore, as part of the central pillar of the safety net platform, YESSO-AF will support the building of functional and effective MIS and M&E systems to ensure the monitoring of the progress of the operation as well as evaluating its impact. Furthermore, given the scale of the program, to ensure social accountability and transparency, it is envisaged that Community Service Organizations (CSO) and community based organizations will be actively engaged in monitoring and feedback processes.

2.7 Sustainability

Building upon Existing Institutional Structures: YESSO-AF will collaborate with established line ministries, departments and agencies at federal, state and local government levels. The operation will also rely on already existing and sustainable structures at the community level for planning, targeting, identifying, validating, implementing and monitoring interventions. The operation will leverage on structures that were established under previous and on-going World Bank supported projects such as the community associations, community project management and monitoring committees and Local Government Review Committee (LGRC) at the LGA level. However, in realisation of the fact that these structures have been severely constricted due to the conflict in the NE for the past seven years, experiences of iNGOs, CSOs and other key stakeholders would be leveraged upon to re-build these structures. The Federal Operations Coordinating Unit is situated within the construct of an existing Government program and is based in the National Social Safety Nets Coordinating Office (NASSCO), Office of the Vice President with well-placed offices at Federal and state level.

Political Will and Commitment of Government: Early commitment to YESSO-AF by the NE states is visible through the presence of various recovery and resettlement initiatives that the States have established, solely or in collaboration with partners and are already being implemented. Such States have demonstrated that they have a fundamental platform for working towards sustainability of the interventions and would be willing to engage with partners to expand their scope and enhance the results of their recovery and resettlement programs. States such as Niger, Kwara, Cross River, Ekiti, Osun and Oyo have already committed resources to public workfare, youth employment schemes and community development. The project components are based on ongoing, tried and proven interventions as well as key priorities of the respective state governments and other development strategies of the different states. For example, the Youth Employment component

would support and complement the current youth employment schemes of the State governments and the recently announced SURE-P youth employment program through direct labor. In spite of the above, States may face longer term issues with maintaining strong political commitment to continued provision of resources to these recovery and resettlement programs and in sustaining results after the end of the operation, in view of the political electoral cycles and current economic crisis. However, the establishment of a Social Safety Net platform, non-partisan federal level champions exemplified in the formation of various national level committees on the North East (e.g Presidential Coordinating Committee on the North East – PCNI) and involvement of private sector organizations, communities and CSOs will help to sustain broader interest beyond politics and politicians.

Strategic Partnerships: YESSO-AF is designed to engender strategic partnerships with relevant ministries, agencies and organizations within the public and private sector for implementation of social protection and recovery programs. The operation would build champions at the Office of the Vice President, Federal Ministry of Finance, National Assembly, Governors’ Forum and other high level federal and state agencies to increase the budgeting and support for social protection programs. Through Component 1, YESSO-AF will support the government to develop and sustain a SSN platform that will present a framework for engagement. The LGA structure will be a core collaborator with the SSN platform in this initiative. Implementation Committees at Community level will be instrumental in identifying potential beneficiaries, mobilizing beneficiaries for payment and monitoring beneficiaries for utilization of their transfers and co-responsibilities.

Exit Strategy: YESSO-AF design includes the development of a suitable exit plan for beneficiaries, especially in components 2, 3, and 4, part of which will involve linkages to micro-credit schemes, community banks and existing small business development groups. The exit strategy will also involve collaboration with CSOs and other organizations that provide support to micro and small business enterprises.

CHAPTER 3: LEGAL/INSTITUTIONAL GUIDELINES REQUIREMENTS AND SAFEGUARD POLICIES

3.0 Introduction

YESSO-AF would likely include a number of Community-driven projects which are land based. To this end, various interests and titles to particular pieces of land may be impacted. To this end, it is considered necessary to analyze the legal framework for the project. In this analysis, various land holding arrangements have been considered in the assessment of entitlements and compensation for the various interests for lands acquired.

Below, a summary of relevant guidelines, requirements and safeguard policies are presented. Annex 3.1 contains additional information on some of these instruments.

3.1 Land Ownership in Nigeria

A range of diverse cultural and traditional practices and customs characterize land ownership in Nigeria. Below is a broad land ownership classification in Nigeria:

- Community land (Ancestral Land): owned by all the people.
- Communal land: consists mostly of under-developed forests and owned by nobody. Those who clear it first claim ownership.
- Clan or family land: owned by clans and families
- Institutional land: land allocated to traditional institutions such as traditional authorities and chiefs.
- Individual land: land acquired by an individual, which may be inherited by the immediate family, depending on customary practices or purchased or allocated by the government.

The legal framework for land acquisition and resettlement in Nigeria is the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990.

3.2 World Bank Policy on Involuntary Resettlement (OP.4.12)

YESSO is Bank-supported project. To this extent, the relevant Bank policy (OP) 4.12, which addresses land acquisition and resettlement, which was adopted in 2001 also applies.

3.3 Nigerian Law and World Bank OP 4.12 on Compensation – A Comparison

Suffice it to say that the differences between the Land Use Act and the Bank's OP 4.12 mostly concern rehabilitation measures, which are neither proscribed nor mandated in the Act.

In Table 1, a comparison between compensation in Nigerian Land law and the WB policy is shown. Whereas the law relating to land administration in Nigeria is wide and varied, entitlements for payment of compensation are essentially based on right of ownership. The Bank's OP 4.12 is fundamentally different from this and states that affected persons are entitled to some form of compensation whether or not they have legal title if they occupy the land by an announced cut-off date.

The Nigeria Land Use Act and World Bank Safeguards Policy OP/BP 4.12 agree that compensation should be given to PAPs in the event of land acquisition and displacement of persons prior to the commencement of works. Thus all land to be acquired by the government for this project will be so acquired subject to the Laws of Nigeria and the Bank OP 4.12.

In the event of divergence between the two (World Bank safeguard policy and Nigeria Land Use Act), the more stringent one shall take precedence. In other words, the provisions that protect the interests of and better mitigate the negative impacts on the affected people will be applicable.

Table 1: Comparison of Nigerian Law and World Bank OP4.12 regarding compensation		
Category of Affected People/Type of Assets	Nigerian Law	World Bank OP 4.12
Land Owners: Statutory Rights	Cash compensation based on market value	Preference for land-for-land compensation. If not, cash at full replacement value, including transfer costs
Land Owners: Customary Rights	Cash compensation for land improvements; compensation in kind with other village/district land	Preference for land-for-land compensation, land of equal or equivalent value. If not, cash at full replacement value, including transfer costs
Land: Tenants	Compensation based on the value of residual rights held under the tenancy agreement. Entitled to compensation based upon the amount of rights they hold upon land.	Compensation based on value of residual rights held under the tenancy agreement, plus disturbance allowances, Are entitled to some form of compensation whatever the legal recognition of their occupancy.
Agricultural land users	No compensation for land; compensation for standing crops according to values established from time to time by State governments, Not entitled to compensation for land, entitled to compensation for crops.	Compensation in kind or cash for value of land; compensation at full replacement value for lost crops and economic trees and perennials, fully verifying or updating state lists of values, Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels at least.
Owners of structures	Cash compensation based on market values, taking account of depreciation Cash compensation based on market value for Owners of "Non-permanent" Buildings	In-kind compensation or cash at full replacement value including labor, relocation expenses, and transfer costs. Added disturbance allowances .Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of "Non permanent" Buildings
	Cash compensation based on market values, taking account of depreciation .market value for Owners of "Permanent" buildings	In-kind compensation or cash at full replacement value including labor, relocation expenses, and transfer costs. Added disturbance allowances .Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of "Permanent" buildings
Losers of livelihoods	No consideration other than cash	Key objective is restoration of capacity to

(farmers, business people, employees)	values for assets as described above by asset category	generate incomes at least at levels prior to losses. Programs of assistance to achieve this objective. Compensation for periods of lost income.
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CHAPTER 4: PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT ACTION PLAN PREPARATION AND IMPLEMENTATION

4.0 Introduction

All YESSO-AF sub-projects shall be designed to avoid both minor and major involuntary resettlement. Where it is unavoidable, appropriate measures shall be ensured to minimize the impact to the extent possible and these are highlighted in the principles presented in this Chapter

4.1 Involuntary Resettlement

It is generally recognized that the impacts due to involuntary resettlement from development projects give rise to severe economic, social and environmental risks if left unmitigated such as listed in Annex 4.1.

This RPF is developed to ensure that the negative impacts of YESSO-AF sub-projects on people do not occur. And if it does occur, the affected persons/people are commensurately compensated for their loss (land, property or access) in kind e.g. land for land or a combination of land and cash or when cash compensation becomes inevitable.

4.2 YESSO-AF and the Principle of Involuntary Resettlement

Under OP 4.12, those affected by resettlement are defined as those who are directly affected socially and economically by: the taking of land and other assets resulting in: relocation or loss of shelter; loss of assets or access to assets; or loss of direct income sources or means of livelihood (i.e., income and livelihoods directly dependent on the affected areas), whether or not the affected persons must move to another location. The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

In line with OP 4.12, this RPF applies to YESSO-AF in:

1. All components under the project, whether or not they are directly funded in whole or in part by the Bank. In other words, it applies to other activities resulting in involuntary resettlement that are:
 - Directly and significantly related to YESSO-AF sub-projects during implementation;
 - Necessary to achieve its objectives as set forth in the project documents; and
 - Carried out, or planned to be carried out, at the same time as the YESSO-AF sub-projects.
2. All persons displaced due to the sub-projects after the cutoff date regardless of the total number affected and the severity of the impact and whether or not they have legal title to the land.
3. Squatters or other land occupiers who lack legal title or legal occupancy rights to the land they occupy who should be entitled to assistance in accordance with the objectives of the RPF.
4. The implementation of individual resettlement and compensation plans are a prerequisite for the commencement of sub-project activities causing resettlement.
5. It is further required that these measures include provision of compensation required for relocation, prior to displacement, and preparation and provision of resettlement sites (if

necessary) with adequate facilities, where required. In particular, the taking of land and related assets or the denial of access to such assets should take place only *after* compensation has been paid or, where applicable, resettlement sites, new homes, related infrastructure, public services. In all cases, of displacement, moving allowances and other necessary transitional expenses shall be provided to displaced persons.

6. Persons deemed to be vulnerable shall be provided with appropriate support that allows them to resettle to a new location without undue hardship. This assistance could include special transportation, assistance in locating a suitable new location and helping to set up suitable social support services in the new location such as mobility.
7. Compensation in kind in lieu of cash when the affected party depends on land for livelihood where feasible. Annex 4.2 provides an overview of options that can be offered to compensate loss of land or access to normal means of livelihood.

4.3 YESSO-AF Sub-Project Implementation Principle

The implementation of individual RAPs shall be completed prior to the implementation of sub-project activities causing resettlement. In other words, physical resettlement shall take place before civil works begin. Where linear resettlement is involved, RAP implementation should be staggered/sequenced with the work plan for civil works to enable preparation of new sites for the displaced before they are moved.

CHAPTER 5: POTENTIAL IMPACTS OF THE PROJECT

5.0 Introduction

This Chapter of the RPF provides information on the potential impact and likely project affected persons that could be displaced or affected in the course of the YESSO sub-projects in the targeted areas.

5.1 Project Impact

YESSO-AF is designed to **increase access of the poor and vulnerable, within an improved social safety nets, to youth employment opportunities in participating states and to provide targeted cash transfers to the poor, vulnerable and Internally displaced people (IDPs) in the North East States.** It is intended to build on existing Federal and State Level Government efforts to provide support to core poor and vulnerable groups as well as IDPs and assist the Government in building a comprehensive and flexible Social Safety Net (SSN) in the Country.

The target group for the Social Safety Net Support Operation will include extremely poor families the physically challenged, semi-skilled and unskilled unemployed youth aged 18–35 years, and other unemployed youth in the same age bracket in participating States of the Federation and IDPs as well as the poor and vulnerable in host communities. The target group for each participating State will, however, vary depending on the main focus within the overall objective of the operation and the interventions. It is envisaged that close to 10 percent of the poor families and youths in these categories in each State would be covered by the project in its first three years of operation.

A special programme directed at, identifying, assessing, choosing and supporting, the most vulnerable would be developed. The goal of this programme is to provide a safety net until identified vulnerable can become self-sufficient and resilient to economic stresses as much as possible. With respect to ensuring participation of women and vulnerable sections, aiming for 40-60% women participants must be emphasized.

The implementation of YESSO-AF may result in small-scale land acquisition, dislocation of means of livelihood, loss of access and property, etc. which might cause involuntary resettlement

5.2 Identification and Categorization of Loss and Impact

The exact nature of impact is difficult to ascertain now until land acquisition that could lead to physical displacement and/or denial of access to means of livelihood, happens during project implementation.

Nevertheless, Annex 5.1 provides a generic category of losses/disturbance/disruptions which could arise from various sub-projects.

To ensure that all losses are properly captured, project implementation personnel will:

- i. Ensure that identification and categorization of the likely loss or impact is undertaken during the planning and design stages of each sub-project; and
- ii. Determine the magnitude and coverage of impacts early in project planning in order to justify the resettlement instrument to adopt. General categorization of losses will be done to

reflect extent of loss in terms of the following: permanent or temporary loss; full or partial loss; minimal or significant loss.

5.3 Project Affected Persons (PAPs)

In the context of this RPF, Project Affected Persons (PAPs) are those who stand to lose as a consequence of the project, all or part of their assets resulting from acquisition of land, the loss of assets or access to assets important to production, the loss of income sources or means of livelihood. To substantiate, when the natural resource – e.g. land – even if not owned by the affected people was hitherto cultivated by them and provided with a livelihood, or affected people have established a structure – e.g. temporary shop/shack, in both the instances the policy is triggered. In the first there is a loss of access to livelihood if there is no crop or else also produce; and in the latter the loss of asset and livelihood.

No major negative impact is envisaged in YESSO-AF, but multiplicity of micro negative impacts resulting from acquisition of land, the loss of assets or access to assets important to production, the loss of income sources or means of livelihood; is possible.

The displaced persons under the project could potentially include IDPS, land tenants, agricultural land users, owners of structures, losers of livelihoods (farmers, business people, employees), mobile/itinerant, and those with moveable kiosk, table, container, stall/shed/shop (local materials), shop/store (modern construction), etc.

It is important to stress that this policy is not designed to address “economic displacement” *per se*. “*Economic displacement*” occurs where people suffer losses or damage due to project activities that do not involve the taking of land. For example, if a road is realigned causing a business located along the former roadway loses customers, this is a purely economic displacement and not subject to OP 4.12 because land was not taken from the business itself.

OP 4.12 demands mitigation only when land is taken. The policy does not discourage compensation for other kinds of losses and damage such as loss of “goodwill” but such compensation is not required by OP 4.12.

5.4 Project Affected Persons Categories

Essentially, the PAPs may be classified into three groups:

- Those who have formal legal rights to the land they occupy;
- Those who lack formal legal rights to land, but have a claim to land that is recognized or recognizable under the national, local, or traditional laws including those measures put in place by the draft land policy; or
- Those who have no recognizable legal right or claim to the land they occupy.

The likely displaced persons can further be categorized into four groups, viz: *individuals, households, squatters/other land occupiers & vulnerable persons/groups* (Annex 5.2).

5.5 Number of PAPs and Potential Relocation Areas

Furthermore, the location and extent of land to be taken are not known at present and receiving host communities of potentially displaced persons are also not known at this stage project preparation.

Furthermore, the exact nature of subprojects is yet to be identified or designed. To this extent, even estimated figures with regard to the amount of land-space to be used, exact location of and actual sub-project activities, and numbers of affected peoples, are not available.

The socio-economic study/survey during RAP preparation will provide more information on the social conditions of the potentially affected persons and even accurate figures when the exact nature the sub-projects are known and locations defined for them.

5.6 Risks to the Success of the YESSO-AF Project

YESSO-AF stands to benefit the society as a whole through increased access to opportunities for youth employment and economic recovery and resettlement for the poor, vulnerable and IDPs in the NE States and in building on existing Federal and State Level Government efforts to provide support to core poor and vulnerable groups in the region.

Nevertheless, it is not out of place, to note some issues that could pose risk to the success of the project. For instance, the project activities and government level officials may aggravate tensions by suggesting that a few should sacrifice for the benefit of many. Also, some PAPs could be seen as being illegal occupiers where they are presently located for their various activities and thus brute force/coercion is used to remove them from their present location.

To reduce tension and indeed neutralize to the extent possible any socio-economic pressures in the communities that are likely to be exacerbated by involuntary resettlement, consultation and participation of those persons impacted by the sub-project activities must be facilitated and ensured. In other words, PAPs must be offered the opportunity to continue to participate in the planning process that will lead to the preparation of Resettlement Plans by the State PIUs.

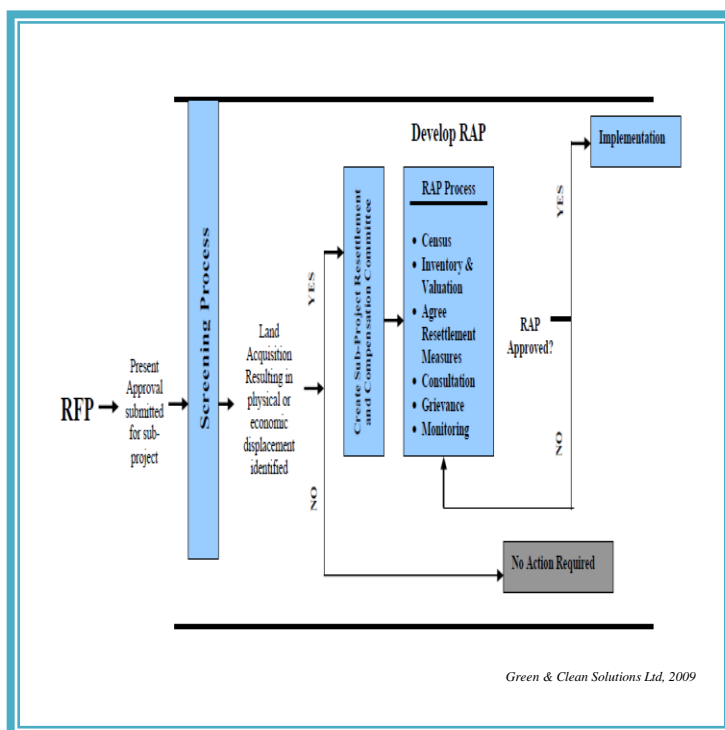
CHAPTER 6: PREPARING AND APPROVING RESETTLEMENT AND COMPENSATION PLANS

6.0 Introduction

This Chapter sets out a “harmonized” step by step process that the YESSO-AF will take to determine whether the subproject will result in physical displacement, and therefore whether a resettlement action plan (RAP) is required and if so, how to prepare and implement one.

6.1 The Screening Process

1. Identify the intervention (sub-project)
2. Identify the exact sub-project location (defined area)
3. Superimpose the intervention on the defined area to identify the likely social impact. In other words, Screen each sub-project in relation to defined area based on the proposed sub-project activity through, for instance, mobilization/creation of awareness on the project in all intervening communities, joint walk through with potentially impacted persons and consultations/participatory process inclusive of affected persons for identification of impacts, mitigation and design enhancement measures.
4. Classify the impact based on its social impact - does the sub-project involve the acquisition of land? Will displacement or restriction of access result? If the answers to these questions are yes, then the resettlement policy has been triggered (Annex 6.1).
5. Triggering of the resettlement policy will require further preliminary determination of whether the subproject should be proposed or not, based on an assessment of the intensity of the impact and on the mitigation measures that will need to be developed and proposed.
6. If screening determines that resettlement is likely, the next step will be to initiate resettlement planning, consultation, socio-economic survey and the preparation of resettlement plans.
7. Essentially, the steps to be undertaken for each individual resettlement plans include identification of Project Affected Persons (PAPs), a socioeconomic census and asset inventory of the area, identification of impacts and eventual compensation and resettlement of those impacted. Indicative Screening Forms and land asset inventory that could be used are provided in Annex 6.2.



Box 1: Typical Processes from RPF Leading to RAP Implementation

6.2 Preparation of Resettlement Action Plans (RAPs)

The Resettlement Plans (RAPs) usually with time-bound actions and budgets are to be prepared for every sub-project in which there are resettlement effects. Box 1 typifies the Processes stemming from this RPF through Screening to Resettlement Plans preparation and implementation.

The RAP provides a link between the impacts identified and proposed mitigation measures to realize the objectives of involuntary resettlement. The RAP also identifies the full range of people affected by the project and justifies their displacement after consideration of alternatives that would minimize or avoid displacement. In addition, the RAP specifies the procedures to follow and the actions to take to properly resettle and compensate affected people and communities.

In order to identify affected people at the household level and vulnerable groups in the sub project impact area(s) and to calculate household incomes, the use of the Socio Economic Surveys and Census are very essential in the preparation of resettlement plans.

The purpose is to collect baseline data within the chosen sites thereby enabling the social assessment/ survey of potentially affected populations/communities.

For YESSO, the socio-economic study will focus on the identification of stakeholders, participation process, identification of affected people (including owners and users of land) and baseline information on livelihoods and income.

The socioeconomic study shall focus on such issues as livelihoods, incomes, household and compound composition, clan and sub-clan organization, other forms of social organization, ethnic groups, traditional and non-traditional leadership and other factors in the area, conflict and other issues relevant to the implementation of a resettlement plan. The census should include information on all income sources including remittances.

The preparation of RAPs is anticipated to be undertaken by a consultant commissioned for this task. It will be prepared in consultation with affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes.

An outline of the basic elements of a RAP is given in Box 2 and Annex 6.3. More detailed guidelines for preparing these instruments are available on the World Bank's Website (www.worldbank.org) or in the World Bank's Resettlement Rehabilitation Guidebook.

6.3 Review and Submission of the RAP

Following completion of the RAP for a sub-project by the Consultant, it shall be submitted to the State PIU along with other interested stakeholders including the participating communities for review and, if needed, revision. The PIU will in turn send the RAP to the Bank for review and approval.

It is essential to note that the RAP must take into account the magnitude of the impacts of the sub-project on the affected people and be prepared in a manner consistent with this framework for Bank approval before the sub-project is accepted for Bank financing. The resettlement and compensation plans must also include measures to ensure that displaced persons are:

- a) informed about their options and rights pertaining to resettlement and compensation;
- b) consulted on, offered choices among, and provided with technically and economically feasible resettlement and compensation alternatives;
- c) provided prompt and effective compensation at full replacement cost for losses of assets and access, attributable to the project; and
- d) enabled to restore but preferably, to improve upon their pre-project living standards and conditions.

Resettlement Action Plans(RAP)

For major impacts, the preparation of a Resettlement Plan (RAP) is required for each site. World Bank OP 4.12 article 25 sets out the requirements of the RAP to include:

- a) Description of the project
- b) Potential impacts
- c) Objectives
- d) Socioeconomic studies
- e) Legal Framework
- f) Institutional Framework
- g) Eligibility
- h) Valuation of and compensation for losses
- i) Resettlement measures
- j) Site selection, site preparation, and relocation
- k) Housing, infrastructure, and social services
- l) Environmental protection and management
- m) Community participation and consultations with affected persons
- n) Integration with host populations
- o) Grievance procedures
- p) Organizational responsibilities
- q) Implementation schedule
- r) Detailed costs estimates and budget
- s) Monitoring and evaluation

Legacy Issues
In the event that any project is to be restarted under YESSO or a project is engaged significantly late or a component of a project that is already well underway is to come under YESSO, Interim Guidelines for Addressing Legacy Issues in World Bank Projects, 2009 will apply

Box 2: Basic Elements of RAP including other Relevant Instruments for managing Resources

6.4 Disclosure of Social Safeguards Instruments

The SSNIAs will disclose this Resettlement Policy Framework by making copies available at their offices, relevant local government councils, relevant State Ministries of Environment and other stakeholders of the participating states as well as the World Bank Info Shop. Table 2 is indicative of the information that could be disclosed.

Topic	Documents to be disclosed	Frequency	Media
Resettlement, Rehabilitation and Land Acquisition	Resettlement Action Plan (RAP)	Once in the entire project cycle. But to remain on the website and other disclosure locations throughout the project period.	World Bank’s Infoshop, Ministries of Environment, Lands & Survey, Implementation agency offices & website.
	Information regarding impacts and their entitlements	Once at the start of the project and as and when demanded by the PAP.	Through one-to-one contact with PAPs, Community consultation. List of PAPs with impacts and entitlements to be pasted in office and website of Ministry of Lands and Survey / Implementing Agencies
	R&R and LA monthly	10th day of every month	Implementation agency’s website.

	progress report.		
	RAP Impact Assessment Report	After substantial completion of each phase	Ministry of Lands and Survey Implementation agency's website.
	Land Acquisition Notifications	As required under the LA Act	Ministry of Lands and Survey, Implementation agency's website.
	Grievance redress process	Continuous process throughout the project cycle	Ministry of Lands and Survey / Implementation agency's website. One to one contact with PAPs.
Public Consultation	Minutes of Formal Public Consultation Meetings	Within two weeks of Meeting	Ministry of Lands and Survey / Implementation agency's website.

CHAPTER 7: ELIGIBILITY CRITERIA FOR VARIOUS CATEGORIES OF AFFECTED PERSONS

7.0 Introduction

In this Chapter, criteria, which are necessary to determine who will be eligible for resettlement and benefits and to discourage inflow of ineligible persons, are set out.

7.1 Eligibility Criteria for Various Categories of Project Affected Persons

PAPs will be entitled to compensation based on the status of their occupation of the potential project area. Under the WB's OP 4.12, PAPs are defined as those who are affected by project activities which result in: relocation or loss of shelter, loss of assets or access to assets; and/or loss of income source, business or means of livelihood, whether or not affected person must move to another location.

7.2 Eligibility

All PAPs irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the project area before the cut-off date. Persons who occupy the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance, except possibly for moving expense.

Similarly, assets built after the cut-off date are not eligible for compensation (see details in Annex 7.1).

All persons residing, conducting activities or earning income within the project affected areas at the cut-off-date, which is the last day of inventory of loss, will be entitled to compensation and resettlement assistance.

To determine their eligibility, PAPs are classified as follows:

- Persons who have formal right to land (including customary and traditional rights recognized under
- Nigerian law);
- Persons with temporary or leased rights to use land;
- Persons who do not have formal legal right to lands or other assets at the time of the census, but who have claim to such legal rights by virtue of occupation or use of those assets; and
- Businesses within the community.

Those who do not have the legal title to land but reside in the affected area before the cut-off-date will be compensated for properties such as houses and other investment on the land, but will not be compensated for the land.

The World Bank's OP 4.12 guidelines require compensation for lost, or impacted, assets and replacement costs to both titled and non-titled landholders and resettlement assistance for lost

income and livelihood. In this project, the absence of formal titles should not constitute a barrier to resettlement assistance and rehabilitation.

The principles adopted entail special measures and assistance for vulnerable PAPs, such as female-headed households, disabled persons, migrants and the poor. PAPs affected through land acquisition, relocation loss of residence and structures, and business enterprise are entitled to a combination of compensation measures and resettlement assistance, depending on ownership right and lost assets. PAPs will be entitled to compensation and resettlement assistance that will help in the restoration of their livelihoods to at least, pre-project standards.

7.3 Cut-Off Date

To avoid an influx of outsiders to subproject areas and misuse of the compensation policy, the date of the census will serve as the cut-off date for eligibility and no new arrivals in the project area or assets created after the cut-off date will be eligible for compensation after this date. The cut-off date will be announced and made public through appropriate means of reach-out such as radio advertisement during the community awareness campaigns. The detailed census of PAPs will be appended to the RAP. Subprojects should only be approved if they include at least a preliminary RAP and budget. Special attention shall be taken to secure the sites from opportunistic occupiers. These measures should include close consultation with the recognized PAPs, signs that inform general public of intended use of site, security patrols to identify opportunistic occupation.

Nevertheless, if works are not initiated two years or more pass after declaration of a cutoff date, a new census and evaluation of properties shall be carried out.

7.4 Proof of Eligibility

The PIUs will consider various forms of evidence as proof of eligibility to cover:

- Affected persons with legal/formal legal rights, documented in the form of certificates of occupancy, tenancy agreements, rent receipts, building and planning permits, business operating licenses, utility bills among others. Unprocessed/unregistered formal legal documents will not bar eligibility and procedures for confirming authenticity of such documents will be established in the RAP.
- Affected persons with no formal or recognized legal rights. Criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established by alternative means of proof of eligibility such as:
 - Affidavit signed by landlords and neighbors
 - Witnessing or evidence by recognized trade union heads, traditional authority, customary heads, community elders, family heads and elders and the general community.
- In the event of family dispute over such a property or land, avoid it or wait for court of competent jurisdiction to arbitrate in the dispute with a final judgment before eligibility is determined.

7.5 Eligibility for Community Compensation

It is important to note that the eligibility may be claimed collectively e.g. as a community or religious group. Communities permanently losing land and/or access to assets and or resources

under statutory/customary rights will be eligible for compensation. Example of community compensation includes public toilets, market places, taxi parks, schools and health centres. The rationale for this is to ensure that the pre-project socio-economic status of communities adversely impacted is also restored. The local community leaders will play a crucial role in identifying users of land.

Eligibility criteria will also be determined by the status of development up to when the study starts and will be further determined by other development approval as issued by the government. The consultant will interview key government officers in the various local government Areas.

7.6 Defining Entitlements and Preparing an Entitlement Matrix

The basis of what is to be paid as compensation will be determined by identifying the most appropriate entitlement for each loss. Based on the entitlements, options for resettlement will be selected in accordance with Bank Policy OP 4.12 (6a (ii)) and the merits of the option.

The RAP planner will prepare an entitlement matrix with respect to both temporary and permanent displacement. This matrix will set the measure for the payment for all losses or impacts. It will also list the type of loss, criteria for eligibility and define entitlements as presented in below and again in Annex 7.2.

Based on this comparison, entitlement matrix presented below in Table 3 is designed to assist the process by bridging the gaps between requirements under Nigeria Law and the World Bank OP4.12. The higher of the two standards is followed in this entitlement matrix, since this procedure also satisfies the requirements of the lesser standard. The missing values in the entitlement matrix will be determined at the time the resettlement plans (RAPs) are being negotiated and prepared.

Table 3. Entitlement Matrix

Entitlement Matrix		
Type of Loss	Entitled Person	Description of Entitlement
1. Permanent loss of land 1.1 Cultivable/residential /commercial land	1.1 (a)Legal owners of land (b)Occupancy/Hereditary tenant	1.1 (a) Cash compensation at replacement value based on market rate plus 10% compulsory acquisition surcharge (b) & (c) Compensation will be paid as plus a one- time lump sum grant for restoration of livelihood and assistance for relocation. .
2. Damage to land (such as abutting sub-project site) 2.1. By excavation etc. from borrows for earth for construction. 2.2 By severance of agricultural holding	2.1. (a)Legal owner/s (b) Village/s or clan/s with customary ownership 2.2. (a)Legal owner/s (b) Village/s or clan/s with customary ownership	2. 1 (a) & (b) Restoration of land to pre-construction condition or cash compensation at prevailing rates for necessary bulldozer/ tractor hours to restoring level and/or truckloads of earth for fill 2.2 Provision of water course to connect severed segment with source of water
3. Loss of income and livelihood 3.1. Temporary loss of access to land for cultivation	3.1.Cultivator occupying land	3.1. Estimated net income for each lost cropping season, based on land record averages of crops and area planted in the previous four years
3.2. Loss of agricultural crops, and fruit and wood	3.2. (a) Owner/s of crops or trees. Includes crops	3.2. (a) Cash compensation for loss of agricultural crops at current market value of mature crops, based on average production.

Entitlement Matrix		
<p>trees. 3.3 Loss of income by agricultural tenants because of loss of land they were cultivating</p>	<p>trees owned by encroachers/squatters (b) /tenant 3.3 Persons working on the affected lands</p>	<p>Compensation for loss of fruit trees for average fruit production for next 15 years to be computed at current market value. Compensation for loss of wood-trees at current market value of wood (timber or firewood, as the case may be). 3.2. (b) Partial compensation to tenants for loss of their crops/trees as per due share or agreement (verbal or written) 3.3 One-time lump sum grant to agricultural tenants (permanent, short-term or long-term agricultural labor (this will be in addition to their shares in crop/tree compensation)</p>
<p>4. Permanent loss of Structures 4.1 Residential and commercial structures</p>	<p>4.1. (a) Owners of the structures whether or not the land on which the structure stands is legally occupied (b) Renters</p>	<p>4.1. (a) Cash compensation for loss of built-up structures at full replacement costs Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure. In case of relocation, transfer allowance to cover cost of Shifting (transport plus loading/unloading) the effects and materials will be paid on actual cost basis or on current market rates. (b) One time cash assistance equivalent to 4 months rent moving to alternate premise. Transfer allowance to cover cost of shifting (transport plus loading/unloading) personal effects paid on actual cost basis or on current market rates.</p>
<p>4.2. Cultural, Religious, and community structures /facilities</p>	<p>4.2. School, church, water channels, pathways, and other community structures/installations</p>	<p>4.2. Complete rehabilitation/restoration by the Project; or, Cash compensation for restoring affected cultural/community structures and installations, to the recognized patron/custodian.</p>
<p>5. Special provision for vulnerable APs 5.1. Restablishing and/or enhancing livelihood</p>	<p>5.1 Women headed households, disabled or elderly persons and the landless</p>	<p>5. Needs based special assistance to be provided either in cash or in kind.</p>
<p>5.2 Change in Livelihood for women and other vulnerable APs that need to substitute their income because of adverse impact</p>	<p>5.2. (a) Vulnerable APs, particularly Women enrolled in a vocational training facility 5.2. (b) owner/s whose landholding has been reduced to less than 5 acres</p>	<p>5.2 (a) &(b). Restoration of livelihood (vocational training) and subsistence allowance @ agreed rate per day for a total of 6 months while enrolled in a vocational training facility</p>
<p>Unanticipated adverse impact due to project intervention or associated activity</p>	<p>The Project team will deal with any unanticipated consequences of the Project during and after project implementation in the light and spirit of the principle of the entitlement matrix.</p>	

CHAPTER 8: METHODS FOR VALUING ASSETS AND COMPENSATION ARRANGEMENT

8.0 Introduction

This Chapter sets out the detailed requirements for determining the value of affected assets.

8.1 Organization Procedures for Valuation of Acquired Land

Valuation methods for affected land and assets will depend on the type of asset. The land asset types identified under Nigeria law in this policy framework include:

- **State (urban and non-urban) owned Land**
State owned land will be allocated free by the Governor or Local Government (perhaps except for processing and registration fees). The State/PIU will be expected to pay compensation to acquire land in this category in cases where the state-owned land is being used by landlords or squatters, settled upon or otherwise being used.
- **Privately owned Land**
Privately owned property, will be acquired at replacement value. The guiding principle is that whoever was using the land to be acquired will be provided other land of equal size and quality or compensation.
- **Assets held under Customary Law**
According to Nigeria law, assets held under customary rights are in the Local Government jurisdictions only and will be valued according to the following method and compensation paid for. The project will compensate assets and investments, and other improvements, according to the provisions of the resettlement plan. Compensation rates will be replacement cost as determined by surveys of recent transactions of similar assets in the same area as of the date and time that the replacement is to be provided. Under customary law land belongs to chiefdoms, towns and villages. A customary land owner or land user on state owned land will be compensated for land, assets, investments, loss of access etc. at replacement rates at the time of the loss.

8.2 Method of Valuation

In ensuring that during the project implementation, PAPs will be provided full replacement cost of lost structures and other impacted assets and are able to rebuild or replace their structures/assets without difficulties. The valuation will estimate asset compensation rates based on full replacement cost without depreciation (Appendix 8-5). The replacement cost approach is based on the premise that the costs of replacing productive assets is based on damages caused by project operations.

Relevant data to be captured during valuation will include:

- Location details of the land, boundaries of the area/section of the land to be affected
- Affected immovable properties: detailed measurement of buildings, shops, other assets, and structures;

- Property details including noting accommodation, constructional details of affected property external works (fence walls, gates, pavements) affected details are relevant.
- Categorizing temporary structures based on constructional details (wall materials), size of structure and use of structure (business/residential/institutional/agricultural); and,
- Data on households affected (tenants, owners, relatives apprentices/trainees and livelihood).

Valuation shall be based on comparisons to recent comparable transactions/costs and comparable assets or land and not simply on general tables that may be out of date and may be based on non-comparable assets or land. An indicative template for calculating Land and Compensation rate is in Annex 8.1.

Forms of Compensation	
1. Cash payments	Compensation will be calculated in Naira. Rates will be adjusted for inflation
2. In-kind Compensation	Compensation may include items such as land, houses, other buildings, building materials, seedlings, agricultural inputs and financial credits for equipments
3. Assistance	Assistance may include moving allowance, transportation assistance and labour.

Box 3: Forms of Compensation

8.3 Methods of Compensation

Individual and household compensation will be made in cash, in kind, and/or through assistance in the knowledge and presence of both man and wife and adult children or other relevant stakeholders where applicable (Box 3). The type of compensation will be an individual choice although every effort will be made to see the importance and preference of accepting in-kind compensation especially when the loss amounts to more that 20% of the total loss of productive assets.

When land holdings necessary for the livelihood of affected persons are taken away or reduced in size by project works, OP 4.12 states that the preferred form of compensation is to offer an equivalent parcel of land elsewhere, i.e. “land for land.” Such land is not always available, but cash compensation is not the preferred form of compensation in such cases.

It is also important to note that, under this policy, cash compensation is only appropriate where there is a market for land or other lost assets in the area of the impact. If all the available land in the area is controlled by the State or by kinship groups such as clans and there is no functioning land market, it is unacceptable to offer cash compensation to, say, a farmer, when he/she has no possibility of acquiring new land in the same area.

8.4 Entitlement for Compensation

Entitlements for compensation shall be based on the eligibility criteria and the various categories of losses identified in this RPF and the actual field consultations during the preparation of the RAP. Unless otherwise indicated, payment of compensation and other entitlements and the extension of assistance will be made to PAP households and individual PAPs, as the case may be. In dealing with compensation, preference shall be given to land based resettlement strategies for PAPs whose livelihoods are land-based. Where sufficient land is not available at a reasonable price, non-land based options centered on opportunities for employment or self-employment should be provided in

addition to cash compensation for land and other assets lost. However, this lack of land shall be documented and justified. Palliative assistance should be avoided, i.e. assistance that is not sustainable such as temporary payments or food donations.

8.4.1 Arrangements for Compensation

A Compensation and Relocation Committee will be set up and be responsible for planning, coordinating and monitoring of compensation and relocation activities. The compensation process for the subproject will involve several steps to be carried out in accordance with the resettlement and compensation plan and the RAP (Box 4). This will be in accordance with the individual project resettlement and compensation plans as outlined in Appendix 8.1.

8.4.2 Community Compensation Payments

Community compensation will be in-kind only for a community as a whole in the form of reconstruction of the structure to at least the same standard or equivalent better standard to that being built by the program in the area to serve the same function. Examples of community compensation include School Building (public or religious), Public Toilets, Well or borehole, Market Place, Taxi Park, Road, and Storage warehouses.

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

8.4.3 Procedures for Delivery of Compensation

The procedure for delivery of compensation will be detailed in each RAP. The SSNIAs will follow approved procedures ensuring that:

- Full payment of compensation is carried out before possession of acquired sites and before works begin.
- SSNIAs formally make offers to affected persons and allow persons to accept or reject offer, offer a counter claim and seek redress under the grievance procedures established.
- Land/Asset valuation committee communicates the amount to be paid to the acquiring agency and the Ministry of lands will ensure that the amounts are fair and adequate. This should be agreed first with the State, LGA and community representatives before communicating to beneficiaries to avoid unnecessary hurdles.
- Cheques in the name of the beneficiary or deposits to the beneficiary's bank account shall be the preferred and first mode of payment; however, payment may be by banker's draft where the amounts involved are "minimal". SSNIAs shall make arrangements with nearest bank to effect payments by banker's draft.
- Payments are made to the affected person personally by the State Agency in the presence of Land/Asset Valuation Committee and an independent witness of the affected person/opinion leader
- Proper receipts are issued and copies given to the affected person, the Finance Department of the State Agency and the Land/Asset Valuation committee.
- Comprehensive reports on payment made are submitted for review by Management of the SSNIAs and the Land/Asset Valuation committee.
- Appropriate safeguards will be developed, utilizing gender-disaggregated socioeconomic information from the census surveys, to ensure that men and women are compensated equally (i.e., that cash payments to households are made jointly, entitlements to land and other in kind compensation are provided equally, etc.).

- While it may be necessary to disclose the payment at community or LGA levels to ensure transparency, the implication on safety of the affected individuals must be taken into cognizance seriously.

8.5 Mechanism for Voluntary Donation of Land: Procedure and Records

Anticipation of land for widening of existing structures or sub-project management to be donated by communities or individuals that will be directly benefited by YESSO-AF on a voluntary basis is not ruled out. This RPF recognizes that these voluntary donations should not severely affect the living standards of PAPs and that the community agrees to replace any of their losses. In addition, the Policy requires that voluntary donations are confirmed and verified by an independent third party. The following procedures, records and safeguards will be adhered to by the project and included in respective RAPs of subprojects, which involve voluntary donations of land and other assets:

1. Site Selection Consultations

While selecting a site for a structure for any of the sub-projects or activities associated with the sub-projects, conduct detailed consultations with customarily recognized or legally titled landowners and any non-titled affected people, such as squatters, tenants, and herders that may have traditional access to these areas. The PIU/project team will facilitate meetings to reach consensus for locations that have least adverse impact. The donors of such land could be a community/clan or sub-clan that owns undivided land collectively or as individuals.

2. Replacement of Losses of the Vulnerable and Poor

Where site selection severely affects the living standards of PAPs, the project will undertake to replace the loss by relocating them to a similar location with comparable resources within the same community or paying reasonable compensation that is acceptable to them. To help facilitate a mutual understanding of ‘reasonable compensation,’ the Project team will guide both parties in line with the compensation and valuation principles in the Project’s Entitlement Matrix.

3. Record of Communally-Guaranteed Amelioration Measures, Third Party Verification, and Grievance Redress

Agreed measures to replace losses of people severely affected by the donations will be verbally accepted by all the PAPs (recognized heads of each household) in the presence of a mutually agreed third party and documented on an affidavit which shall include a description of the amelioration measures guaranteed by the community. The donor community will be represented by a recognized elder(s) of clan(s) or sub-clan(s) who will affix their signatures and/or thumb impressions on the affidavit. The NGOs that are present or involved in facilitating the community mobilization will play the role of the third party. The NGO will also affix their signatures and/or thumb impressions on the affidavit. Construction will only proceed after the donor community has replaced losses through agreed measures and the amelioration has been verified by the PAPs themselves to the mutually agreed third party, verbally and documented in an affidavit to which all PAPs (recognized heads of each household) and the third party affix their signatures and/or thumb impressions. The PAPs will be informed of voluntary donation procedures as part of the disclosure policy of the Project and have access to the grievance redress mechanism outline in this RPF.

4. Record of Donation and Verified Transfer by Legal Authority

Donations by the community or an individual will be documented on an affidavit and confirmed verbally by the individual owner or a recognized elder(s) of clan(s) or sub-clan(s) in front or in the

presence of two witnesses known from the same community certifying the identity of the donors. The donors and witnesses will affix their signatures and /or thumb impressions on the affidavit and the land will be transferred in the name of the community organization (CO) of the respective subproject.

As a matter of emphasis, no coercion of land should be seen as part of voluntary land donation - this is a real risk. It needs to be reiterated that donations process needs to be documented, verified by organizations such as CBOs/NGOs and signed.

5. Report on Subproject Voluntary Donation Process and Documents

The Project team shall compile a report of the above described process and records and documents and submit it to the SSNIA who shall certify and forward a copy to the Bank prior to the commencement of the civil works.

CHAPTER 9: GRIEVANCE MECHANISMS

9.0 Introduction

Grievance mechanisms are increasingly important for development projects where ongoing risks or adverse impacts are anticipated. To manage any social risks which cannot be foreseen now with a view to ensuring successful project development and implementation, experience has revealed that open dialogue and collaborative grievance resolution represent the best practice. The grievance mechanism provides a way to reduce risk for projects and an effective avenue for expressing concerns and achieving remedies for communities. It also promotes a mutually constructive relationship and prevents as well as addresses community concerns while assisting larger processes that create positive social change.

9.1 Potential Sources of Grievances for YESSO-AF,

Grievances could arise due to: failure to register PAP or identity of individual is disputed; losses not identified correctly; inadequate assistance or not as per entitlement matrix; dispute about ownership; delay in disbursement of assistance; and improper distribution of assistance.

9.2 Grievance Redress Mechanism

The redress of grievance is important to avoid unnecessary legal delays and cost overrun of the project. It serves as an avenue for people to express their dissatisfaction over compensation and Rehabilitation & Resettlement provisions involving land acquisition or displacement.

To monitor and review the progress of implementation of any plan of rehabilitation and resettlement of the affected families and to carry out post implementation social audits, a Functional Resettlement Implementation Committee shall be constituted within the SSNIA. The main functions of the Committee shall include the following:

- publicize within the list of affected persons and the functioning of the grievance redress procedure established;
- evaluate grievances from affected persons concerning the application to them of the Entitlement Policy;
- recommend to the Social Officer, SSNIA as the case may be, solutions to such grievances from affected persons;
- communicate the decisions to the Claimants;
- hear appeals from persons, households or groups who, not being affected persons, believe that they are qualified to be recognized as affected persons, to recommend to the SSNIA whether such persons should be recognized as affected persons, and to communicate the decision of the SSNIA in that regard to the Claimants; and
- ensure that all notices, forms, and other documentation required by Claimants are made available in Local language understood by people

9.3 Grievance redress process

The grievance redress mechanism is designed with the objective of solving disputes at the earliest possible time which will be in the interest of all parties concerned and therefore implicitly

discourages referring such matters to the law courts for resolution which will otherwise take a considerably longer time.

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals and communities will have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency.

It must be appreciated that there is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to resolving conflicts that could arise are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs and project conditions and scale.

It must be understood, that informal traditional dispute mechanisms, based primarily on negotiations between aggrieved parties and through community meetings to reach consensus on a satisfactory resolution, are already practiced in the beneficiary communities, especially in the rural communities. These traditional dispute practices appear to function well and are generally accepted by community members as a satisfactory means for resolving disputes and grievances. However, to make the grievance redress process more systematic, aggrieved parties will be able to appeal to Desk Offices set up by the State SSNIA at the local government levels to facilitate resolution of the grievance. Note that accessible appeal mechanisms start at the local level. At the time the inventory and valuation is done, the signing officers should include a local leader, a representative of those displaced, and a representative of the works engineer and the State SSNIA. This is the group that should hear any complaint, as it includes authorities on the taking itself, on the local social reality. Any complaints/appeals made to these bodies will be recorded in a register, identifying the name of the aggrieved party, date grievance registered, nature of grievance, and measures suggested to address the grievance, including escalating resolution of the grievance to State SSNIA for recourse through traditional judicial practices, and date of grievance redress.

A Rehabilitation and Resettlement Committee shall be constituted within the state SSNIA made up of representative from the relevant MDAs, affected communities and affected persons as well as NGO/CBO to monitor and review the progress of implementation of the scheme or plan of rehabilitation and resettlement of the affected families and to carry out post implementation social audits.

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals and communities would have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency. All the grievances will be channeled via the Resettlement and Compensation Committee for each sub project at the sector level.

There is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs and project conditions and scale. Annex 9.1 contains grievance redress forms that could be used for grievance mechanism.

In its simplest form, grievance mechanism can be broken down into the following primary components:

- Receive and register a complaint
- Screen and assess the complaint
- Formulate a response (within a specified time frame)
- Select a resolution approach
- Implement the approach
- Settle the issues
- Track and evaluate results
- Appeals process
- Monitoring and reporting to project management to detect systemic problems;
- Learn from the experience and communicate back to all parties involved.

There would be need to ensure the anonymity of the complainants. SMS or emails to SSNIA focal point dealing with grievances could be one way to avoid local level conflict and adverse repercussions.

9.4 Expectation When Grievances Arise

When local people present a grievance, they generally expect to receive one or more of the following: acknowledgement of their problem, an honest response to questions/issues brought forward, an apology, adequate compensation, modification of the conduct that caused the grievance and some other fair remedies.

In voicing their concerns, they also expect to be heard and taken seriously. Therefore, the company, contractors, or government officials must convince people that they can voice grievances and work to resolve them without retaliation. To address these challenges, companies are being called upon to lead and work with their host communities to fund non-judicial, dialogue-based approaches for preventing and addressing community grievances.

The overall process of grievance is as follows:

- During the initial stages of the valuation process, the affected persons are given copies of grievance procedures as a guide on how grievances will be handled.
- The process of grievance redress will start with registration of the grievances to be addressed for reference, and to enable progress updates of the cases. An example of a grievance redresses form is provided in Annex 9.1.
- The response time will depend on the issue to be addressed but it should be addressed with efficiency. Nevertheless, Grievance form will be filled by person affected by the project with the Grievance Redress Committee which will act on it within 10 working days on receipt. If no understanding or amicable solution is reached, or the affected person does not receive a response from the local Rehabilitation and Resettlement Committee within 15 working days, the affected person can appeal to a designated office in the SSNIA, which should act on the complaint/grievance within 15 working days of its filing.
- Compensation will be paid to individual PAPs only after a written consent of the PAPs, including both husband and wife.
- All reasonable moves shall be made to settle any arising grievance amicably. If affected person is not satisfied with the decision received, he/she can, as a last resort, appeal to a

court of competent jurisdiction. Affected persons will be exempted from all administrative and legal fees incurred pursuant to grievance redress procedures.

- The appeals process will use a local mechanism, which includes peers and local leaders of the affected people. These will ensure equity across cases; they eliminate nuisance claims and satisfy legitimate claimants at low cost.

For YESSO-AF, it is recognized that the formal legal mechanisms for grievance redress tend to be lengthy and acrimonious procedures, and thus an informal grievance redress mechanism through the PIU Safeguard Units will be established. This unit will work with a committee comprising the administrative head of local governments; community/village chiefs, NGOs/CBOs and other relevant Government organs that will be set-up to address complaints.

The grievance redress mechanism is designed with the objective of solving disputes at the earliest possible time which will be in the interest of all parties concerned and therefore implicitly discourages referring such matters to the law courts for resolution which will otherwise take a considerably longer time. For this reason, handling grievances will begin with the State Project Management Unit and involve Local Government. A grievance log will be established by the project and copies of the records kept with all the relevant authorities. A review of grievances will be conducted at least every three months during implementation in order to detect and correct systemic problems.

In addition, where displacement is unavoidable and displaced people are dissatisfied with the compensation and rehabilitation offered, the State SSNIAs will establish an informal forum for the presentation and consideration of individual appeals even at the local levels after the administrative route has been exhausted. The informal forum will include local government, and other concerned responsible parties, as deemed appropriate.

The existence, location, purpose and composition of this forum will be publicized, so that displaced persons are knowledgeable about the availability of this forum for resolving any grievance. If a grievance cannot be resolved in these informal venues, the complainant may take recourse to the administrative and legal systems for satisfaction.

9.5 Grievance Log

The Project Liaison officer will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed (Box 5). The form also contains a record of the person responsible for an individual complaint, and records dates for the following events:

- date the complaint was reported
- date the Grievance Log was uploaded onto the project database
- date information on proposed corrective action sent to complainant (if appropriate)
- the date the complaint was closed out
- date response was sent to complainant.

The **Grievance Logs** shall be collected at the community levels by the LGAs who will then escalate to state SSNIAs should there be need. In respect of whatever levels that grievances are resolved, the project Liaison Officer must ensure that these are carefully documented.

9.6 Monitoring Complaints

The Project Liaison Officer will be responsible for providing the sub-project Resettlement and Compensation Committee with a weekly report detailing the number and status of complaints and any outstanding issues to be addressed in a monthly report, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action.

YESSO RAP Reference No.	
Full Name	
Contact Information	Address:
Please mark how you wish to be contacted (mail, telephone, e-mail)
	Telephone:
	Email:
Preferred Language for Communication(Please mark how you wish to be contacted)	English/Vernacular
National Identity Number	
Description of Incident or Grievance: What happened? Where did it happen Who did it happen to? What is the result of the problem?	
Date of Incident/Grievance	One time incident/grievance(date.....) Happened more than once(How many times.....) Ongoing (Currently experiencing problem.....)
What would you like see happen to solve the problem?	
Signature: Date: Please return this form to: <i>(insert appropriate address)</i>	

Box 5: A Typical Public Grievance Form

CHAPTER 10: IMPLEMENTATION SCHEDULE, LINKING RESETTLEMENT IMPLEMENTATION TO CIVIL WORKS AND RPF IMPLEMENTATION BUDGET

10.0 Introduction

This Chapter emphasizes that in each sub-project, resettlement schedules will be coordinated with construction schedules. All resettlement activities arising out of the works to be implemented in a given year will be completed prior to the scheduled start-up date of those works on the respective sub-project, and prior to disbursements of funds for activities related to the respective sub-project.

10.1 Important principles in Project Implementation:

The project will adhere to the following important principles in its implementation:

- No civil work contracts for proposed project site will be initiated unless land free of any encumbrance is made available; this could be done in phases.
- No construction should be undertaken until PAPs are compensated for their losses, and have received their resettlement entitlements. That is, before any project activity is implemented, PAPs will need to be compensated in accordance with the resettlement policy framework. In cases where a dispute or absence makes it impossible to compensate the affected party(-ies) promptly, payments may be held in escrow by the court or other responsible party on condition that the affected party does not lose the right of grievance and appeal.
- For activities involving land acquisition or loss, denial or restriction to access, it is further required that these measures include provision of compensation and of other assistance required for relocation prior to displacement and preparation of resettlement sites with adequate facilities, where required.
- Taking of land and related assets may take place only after compensation has been paid and where applicable, resettlement sites and moving allowances have been provided to displaced persons. Escrow accounts are allowable as provided above. For project activities requiring relocation or loss of shelter, the policy further requires that measures to assist the displaced persons are implemented in accordance with the individual RAPs. The measures to ensure compliance with this RPF will be included in the RAPs that will be prepared for each piece of land involving resettlement or compensation.
- There will be transition arrangements for displaced families until they get their replacement housing.
- Information sharing and consultation with PAPs will continue throughout the planning and implementation phase of the program, including the relocation and the restoration of livelihoods.
- A completion survey of the delivery of compensation and resettlement entitlements will be undertaken as per the RPF requirement.
- The schedule for the implementation of activities shall be agreed to between the Resettlement Committee and the PAPs. These include the target dates for start and completion of civil works, timetables for transfer of completed civil works to PAPs, and dates of possession of land that PAPs are using.

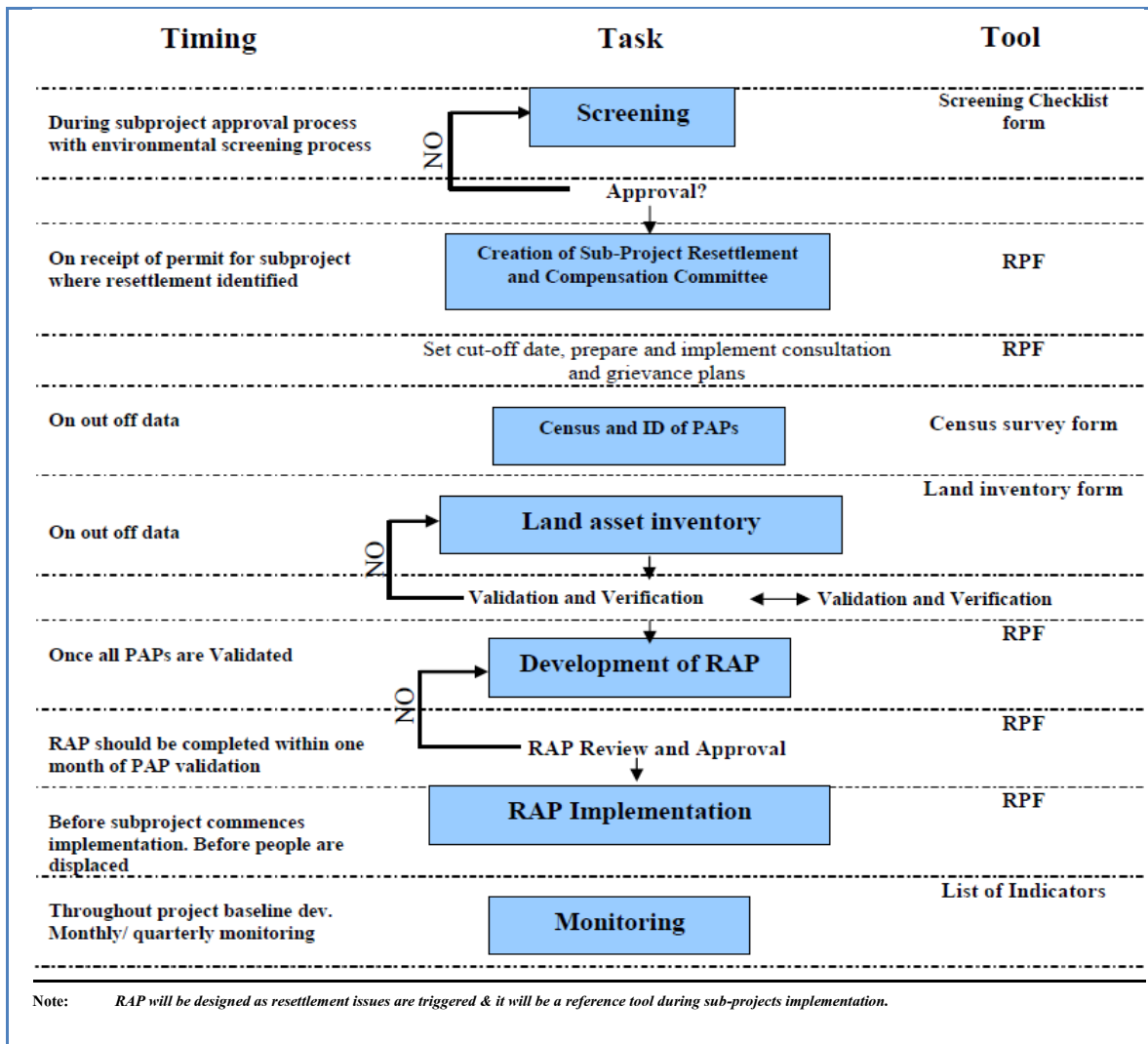
- The dates shall be after transfer date for completed civil works to PAPs and payments of all compensation. How these activities are linked to the implementation of the overall subproject must also be agreed between the parties.

10.2 Coordinating RAPs and Civil works

In compliance with this policy, the screening process must ensure that RAPs contain acceptable measures that link resettlement activity to civil works. Fig. 2 shows a process flow of the various activities indicative of approximate timing.

The timing of these measures will ensure that no individual or affected household will be displaced (economically or physically) due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided to the individual or community affected.

Once the resettlement plan is approved by the state agencies, as well as local and national authorities, the resettlement plan should be sent to the World Bank for final review and approval and then disclosed.



Courtesy: Green & Clean Solutions Ltd, 2009

Fig. 2: A Process Flow Indicative of Approximate Timing of Some Resettlement Activities

10.3 Implementation process

A detailed, time-bound implementation schedule will be included in each RAP, which will include the specification of the sequence and time frame of the necessary activities for land acquisition, release of funds to the acquiring agency, payment of compensation for various categories of loss and relocation, demolition of structures and transfer of land, grievance redress, and monitoring and evaluation.

The timing of the resettlement will be coordinated with the implementation of the main investment component of the project requiring resettlement. All 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 should include a target date when the expected benefits for resettled persons and hosts will be achieved. Arrangements for monitoring implementation of resettlement and evaluating its impact will be developed during project preparation and used during supervision. Monitoring provides both a warning system for project managers and a channel for resettled persons to make known their needs and their reactions to resettlement execution.

Target dates for achievement of expected benefits to resettled persons and hosts should be set and the various forms of assistance to the resettled persons should be disseminated to them (Annex 10.1).

Planning and coordination of the tasks of the various actors is crucial to successful implementation. To achieve this, workshops will be organized with stakeholders and other relevant government agencies, at project launch and at the commencement of every subproject identified to have adverse social impacts. The workshops will focus on the following:

- taking stock of the legal framework for compensation
- settling institutional arrangements and mechanisms for payment of compensation
- defining tasks and responsibilities of each stakeholder
- establishing a work plan.

The stakeholders will be requested to participate in the decision-making process and provide inputs in the area of their expertise in order to establish a coherent work plan or schedule. To approve RAPs will be to confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works in compliance with the World Bank policy.

10.4 RPF and RAP Implementation Budget

The budget for resettlement will be known based on field assessments, prevailing asset replacement values, and actual experience based on sub-project RAPs to ensure that adequate funds for resettlement are allocated during the course of project implementation.

At this stage, no YESSO-AF sub-projects have been developed, and no subproject location is known. It is therefore not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of YESSO-AF. When these locations are known, and after the conclusion of the site specific socio-economic study, information on specific impacts,

individual and household incomes and numbers of affected people and other demographic data will be available, a detailed and accurate budgets for each RAP will be prepared. To guide in arriving at the budget and cost estimates, Annex 10.2 provides elements/items that could feature in the overall budgets.

Each RAP must include a detailed budget, that takes into consideration, **losses budgeted for expected on proposed site** (land acquisition, property losses, means of livelihood losses, etc), preparation of resettlement action plan, resettlement assistance to displaced persons, Monitoring and auditing, training, etc. With regard to budget, some of the costs of resettlement (e.g. professional services, site preparation, etc.) can be financed from the Bank loan, while other costs (e.g. compensation payments, acquisition of land) cannot be financed from the Bank loan and shall be borne out of counterpart funds. In either case, *resettlement costs should be included in the overall sub-project budget which is estimated at N 3million due to the multiplicity of the micro subprojects and no major resettlement issues are envisaged.*

Again this is dependent on the size or extent of the subproject. Annex 10.3 outlines some elements that could be seen as contingencies.

10.5 Sources of Funding

The Government of the YESSO-AF participating States shall fund resettlement matters, respectively.

The State Head, SSNIA will be responsible for ensuring the prompt provision and efficient flow of the budgeted funds for resettlement to the various subprojects. Assisted by the PRC, he will ensure that land acquisition and compensation are adequately funded and carried out in accordance with applicable rules as presented in this framework.

CHAPTER 11: CONSULTATIONS AND STAKEHOLDER PARTICIPATION

11.1 Introduction

Stakeholder participation as contained in this Chapter of the RPF includes consultations and communication with all relevant stakeholders. Consultation includes a two-way process in which ideas about the project and concerns of stakeholders and the project designers are shared and considered mutually by the likely affected populations and other stakeholders. Communication includes the dissemination of information about the project to the concerned public and any other relevant issues.

It is reckoned in this RPF, that early involvement of the public helps to manage public expectations concerning impacts (positive and negative) of the project and expected benefits. Furthermore, it is noted that subsequent public participation, especially at the stage of resettlement plan preparation, will provide continual opportunities for the project proponent and representatives of affected persons to negotiate compensation packages and eligibility requirements, resettlement assistance, and the timing of resettlement activities.

11.2 Objective of the Public participation

Generally, public participation is aimed at providing adequate information to affected communities and stakeholders with a view to reducing the potential for conflicts, minimizing the risk of project on communities and enabling resettlement and compensation to be a comprehensive development programme.

In specific terms, public participation seeks to achieve the following:

- Inform stakeholders of proposed project activities;
- Obtain local and traditional knowledge that may be useful for decision-making;
- Facilitate consideration of alternatives, mitigation measures and tradeoffs;
- Reduce conflict through the early identification of contentious issues;
- Provide an opportunity for the public to influence project design in a positive manner (thereby creating a sense of ownership of the proposal);
- Improve transparency and accountability of decision-making;
- Provide adequate information on the progress of the proposed project, its components and its activities with affected communities;
- Establish if there is any grievance and effective complaints on the proposed project;
- Obtain vital information about the needs and priorities of affected settlements;
- Inform the PAPs and the communities about various options of resettlement and compensation;
- Obtain cooperation and support of the project affected persons and indigenes in processes required to be undertaken for resettlement, planning and implementation; and
- Ensure accurate and transparent resettlement and rehabilitation process for Project affected Persons.

11.3 Identifying Stakeholders

Stakeholders for the purpose of this project are defined as all those people and institutions that have an interest in the planning and execution of the project. This includes those positively and negatively affected by the project. It is important to identify these stakeholders and evaluate their concerns and needs, and their ability to understand and influence the decision-making at the project preparation stage. Table 4 outlines the key stakeholders identified at present, in the course of preparing this RPF. These and others that may be identified subsequently are considered instrumental in various ways to achieving the success of this project.

11.4 Mechanism for Consultation and Participation of Displaced Persons

The public participation strategy for the YESSO-AF will evolve around the provision of an opportunity for involvement for all stakeholders, especially the PAPs. Therefore, as a matter of strategy, public consultation will be an on-going activity taking place throughout the project cycle.

Who?	Definition	How to identify them
Project Affected Persons	Individual people who own assets that will be directly affected.	Field Survey Shows up in the course of project preparation especially during socio-economic survey of specific locations for known sub-projects that requires land take. They fall within generally or publicly known cut-off dates Use identified groups and individuals to tap into stakeholder networks to identify others. They become aware through local media, advertisement in local newspapers, community meetings, etc where they are made aware how the projects will impact them. The project proponent ensures that their interests are registered and continually pass relevant information to them as the case may be about the project as it relates to them.
Local communities	People living in the vicinity of proposed works.	Field Survey Identify the local government area(s) that falls within 1 km radius of the proposed sites, depending on the nature of project Review available data to determine the stakeholder profile of the whole stakeholders or relevant group are captured. Use identified groups and individuals to tap into stakeholder networks to identify others.
Civil society;	Special interest groups.	Identify key individuals or groups through organized groups, local clubs, community halls and religious places. Organizations such as environmental groups will be aware of similar local groups or individuals
MDAs	Relevant MDAs	Have and execute programmes that affect youths Have relevance in land acquisition and resettlement issues, civil works, environmental management, etc.
LGAs	Project Areas	Proposed sub-project location Identify the local government area(s) that falls within 1 km radius of the proposed sites, depending on the nature of project
Private sector bodies & Other institutions	Vocational centres, banks, civil works contractors, etc.	Serve as veritable source of support on youth employment, skill acquisition and enhancement, fund disbursement, etc. Field Survey, Council lists or property registers.

11.4 Mechanism for Consultation and Participation of Displaced Persons

The consultation process will ensure that all those identified as stakeholders are consulted. Subject to state SSNIA's approval, information about the project will be shared with the public, to enable meaningful contribution, and enhance the success of YESSO-AF.

The public participation strategy for the YESSO-AF will evolve around the provision of a full opportunity for involvement for all stakeholders, especially the PAPs. Therefore, as a matter of strategy, public consultation will be an on-going activity taking place throughout the entire project cycle. The key objectives of stakeholder consultation and participation during the project cycle are:

- a) Pre-Planning – disseminate information about proposed project interventions and consultations to identify impacts and issues;
- b) Planning and Design – joint walk through (as is the current practice) and consultations for mitigation and design enhancement measures;
- c) Implementation – regular monitoring for impacts and
- d) Post Implementation – monitoring of post implementation benefits and lessons.

The project affected people/communities will be made fully aware of the principles and guidelines used for project impact mitigation. Involvement of affected communities is crucial in planning and implementing subproject RAPs, when these are required. Preparation of subproject RAPs will be based on detailed consultations with affected people and other stakeholders. Details of these consultations including dates, names of participants, issues raised and how these have been addressed will need to be documented in the subproject RAPs. Grievance redress and community monitoring will also enhance stakeholder participation.

Public consultation and information dissemination, which ensures public understanding of project impacts and allows the affected population to express their voices, are important parts of social risk management process. Public consultation and information dissemination, for them to be effective and meaningful, in turn requires adequate community mobilization to ensure all stakeholders are well informed and have their voices heard.

Different governmental agencies, community organizations, NGOs and consultants are part of public consultation and information dissemination processes of YESSO-AF. SSNIA assume prime responsibilities to carry out public consultation and information dissemination. Representatives of the displaced persons/community leaders are responsible to mobilize community members and encourage their active participation in consultation and information dissemination processes. Where displaced persons lack capacity, consultants or local NGOs may be hired to help them mobilize community members and carry out consultation and information dissemination. Formal and informal discussion sessions should be undertaken with key stakeholders for assessing the issues of the proposed sub-projects, and their perspective for their solution. The main objective of the meetings is to ensure the participation and generation of compatible views and ideas.

Community meeting, which should be open to all, is the primary means of community consultation and information dissemination. Where participation of certain group of people in community meetings is difficult, due for example to geographical distance or social segregation, other methods such as door-to-door visits, structured and unstructured interview, separate community meetings or other participatory techniques will be considered.

In addition to community meeting, there are other vehicles that could be used for communication and consultation like filling of questionnaires/ application forms, public readings and explanations of project ideas and requirements making public documents available at the national, local and community levels at suitable locations like the official residences/offices of local elders, announcement in various media, newspaper announcements placement in more than one paper, preferably all local papers, notice board near project site, posters located in strategic locations and many public places frequented by community and radio and local television.

Any of these means to use must take into account the low literacy levels prevalent in the rural communities by allowing enough time for responses and feedback and putting messages in the language readily understood by such people. Ideas and complaints coming from the population shall be documented.

In fact, the State SSNIA should as a matter of reaching the relevant public engage directly with stakeholders and taking their concerns into account. In other words, for effective consultation, the SPIU should hold specific events (preferably community-level meetings) at which affected people will feel comfortable expressing their views. Such events should be carefully documented by written minutes, recordings, video recordings, etc. and the minutes of these meetings together with attendance lists should be included with the RAP to demonstrate that consultation has taken place. RAPs will explicitly show how ideas from PAPs were taken into account. Generally, the SSNIA are not required to accept every suggestion or demand made, but they should take each reasonable suggestion into account as a matter of good faith.

To support the social uplift of vulnerable people the project will provide assistance targeted specifically at vulnerable groups to enhance their livelihoods through training/income generating activities. Consultations carried out with vulnerable groups during project planning, will include identification of their skill needs and priorities and training programmes.

11.5 YESSO-AF Public Consultation for RPF Preparation and Outcomes

In the course of the preparation of this RPF relevant MDAs and NGOs/CBOs as well as some members of potential project beneficiaries were met. Relevant instrument for data gathering were administered to the relevant stakeholders with the purpose of exploring:

- The adequacy, workability and familiarity with the RPF;
- The extent to which the RPF interfaced with the State Procedures and the system of property valuation;
- Capacity or awareness within the relevant institutions generally of RPF;
- The existing capacity and/or availability to facilitate the application of or compliance with the RPF; and
- Identification of the relevant project affected persons.

The major outcome of the various consultations is summarized in Table 5 while further details on the consultations and those consulted are provided in Annex 11.1.

11.6 YESSO-AF States Commonalties & Differences

Generally, the States have one programme or the other for youth employment already. Best practices programmes amongst the States could be shared. There are institutions in the various

states that handle land acquisition and resettlement issues. This provides a good governance framework to managing the social issues that could occur in YESSO.

Land acquisition process is closely tied to the provision of Land Use Act in the various States and the procedure is not markedly different as they all adhere, essentially to the following:

- Description of parcel of land to be obtained by excision,
- Publication in the Newspapers and use of other reach out methods to owners of the land area and other relevant stakeholders.
- Engagement of the landowners
- Valuation of the development on the land
- Compensation of owners

Thus in general, knowledge of legal instruments on resettlement issues is good with regard to Nigerian Land Use Act.

There is however, a poor understanding of the OP/BP 4.12 in all the states. While some of the States have some experience in resettlement issues as it relates to OP 4.12 on terms of consultation with potential PAPs, land acquisition, etc., others, do not seem to have any experience. Suffice it to say, that capacity to perform resettlement & compensation functions as they relate to YESSO is inadequate. It is essential and indeed mandatory that an orientation and later capacity building be carried out for all the States.

Table 5: Summary of Outcomes of Public Consultation for RPF Preparation	
<i>Stakeholders' Opinions</i>	How Address During Consultation/ by YESSO-AF
<ul style="list-style-type: none"> • <i>Commendable effort and we are eagerly waiting to see the project implementation since it tends to strengthen the resolve of our State governments and MDAs to create employment for our youths, especially and engage them in meaningful works.</i> • <i>Generally, the States have on-going one youth employment scheme or the other that could be leverage on or strengthened.</i> • <i>The report is essentially conceived for the poor, so let them be the beneficiary. Do not disenfranchise or deny them of the opportunity and benefits of the project.</i> • <i>The government will only raise our hope and not execute the project at the end or in a manner that it is designed.</i> • <i>In determining and designing of the sub-projects as envisaged under YESSO an inclusion of the relevant stakeholders' and beneficiaries' opinions of the project is essential.</i> • <i>In the course of civil works members of the host community be given priority to implement works and communities themselves allowed to monitor the adequacy (quality) of works in the YESSO in their domain.</i> • <i>There is need for transparency in the contract award and project execution in order to avoid incompetence in the various measures for YESSO</i> • <i>Though resettlement and compensation issues are noted in the development work of our various governments, it is not as comprehensive like the resettlement policy framework of the World Bank and as such the Government shall be made to adhere to that of the World Bank, otherwise compensation may not get to PAPs.</i> • <i>Past experience shows that compensation, if any, is late in coming after construction/development is carried out or it does not even come at all.</i> • <i>Any irregularity in the compensation system such as disfranchisement or denial of rights and elite capture will likely cause conflict.</i> 	<ul style="list-style-type: none"> • <i>YESSO-AF is designed to strengthen the efforts of both the Federal and state government on youth employment and recovery and resettlement operations.</i> • <i>World Bank supporting the efforts show that due process and appropriate mechanism for the programme to succeed shall be ensured. That is why at this preparatory stage relevant instruments such as the RPF and ESMF are being prepared.</i> • <i>The design of YESSO-AF emphasizes equity, justice and transparency in the implementation through social inclusiveness of the targeted audience, avoidance of elite capture, working with trade/CO groups, ensuring first-come, first serve with priority given to the vulnerable.</i> • <i>Objective criteria shall be used in selecting sub-project and priority sites for any development. Community-driven projects are highly favoured.</i> • <i>World Bank always ensures due process is followed in contract award. There are procurement procedures for any assignment be it construction or otherwise. This is an essential part of YESSO-AF management.</i> • <i>Nigeria Land Use Act and World Bank</i>

Table 5: Summary of Outcomes of Public Consultation for RPF Preparation	
<i>Stakeholders' Opinions</i>	<i>How Address During Consultation/ by YESSO-AF</i>
<ul style="list-style-type: none"> • <i>PAPs should be compensated before work starts at the various sites</i> • <i>Proper understanding of roles between MDAs in the entire management of the project is necessary. There is need for line ministries in the States to interface in their responsibilities to achieve good performance for the project.</i> • <i>Amongst the States, there seems to be a good arrangement in place for dealing with land acquisition, which includes a system of land acquisition. However, while some of the States have more experience in resettlement issues especially as it concerns consultation with potential PAPs, others, do not seem to have.</i> • <i>There is need for capacity building/awareness within the relevant institutions of Bank resettlement issues, the extent to which this interfaces with the existing States' procedures and the system of property valuation as well as the ability to facilitate the application of or compliance with the RPF. Some of us are not familiar with RPF and RAP.</i> • <i>Ensure proper monitoring of the youths once empowered in whatever form as some of them could be mischievous as they have done in other projects such as making away with equipment given or not been able to account for anything.</i> 	<p><i>Safeguards Policy OP/BP 4.12 are the instruments for managing resettlement issues in YESSO-AF. In the event of divergence between the two, the World Bank safeguard policy shall take precedence over Nigeria Land Use Act.</i></p> <ul style="list-style-type: none"> • <i>This RPF and the subsequent site-specific RAP will ensure adequate compensation system in every respect.</i> • <i>Capacity building is an essential element of the RPF and all participating relevant MDAs or parties shall be trained in resettlement issues.</i> • <i>YESSO-AF implementation as supported by the World Bank will ensure appropriate structure is put in place and roles and responsibilities well defined.</i> • <i>Monitoring and Evaluation are essential part of YESSO-AF to assess that the goals, actions and commitments set are being met and implemented according to schedule.</i>

11.7 Opportunities for Reform

YESSO-AF provides opportunities for reforms in a number of issues, such as:

- a) States developing and/or strengthening existing policies on youth employment schemes and management;
- b) Understanding best practice in involuntary *resettlement & compensation management issues*;
- c) Building of capacity/awareness within the relevant institutions on the RPF and other related instruments, the extent to which this interfaces with the existing States' procedures and the system of property valuation as well as the ability to facilitate the application of or compliance with the RPF;
- d) When constraints emerged during implementation, the project should support a legal review of common land resource management, and/or help to develop a new memorandum of understanding signed between the communities and land Ministries/Agencies (for example, forestry and local authority) that set out guidelines for management and benefit sharing;
- e) Revise and adopt in the light of current realities the Harmonized Compensation Rates for Economic Trees and Crops for Geo-Political Zones passed in a resolution by NTDF in 2008 with recourse to the Land Use Act for guidance.

11.8 Level of Stakeholder Engagement

The extent of stakeholders' involvement should be based on the significance of the impacts. For instance, the affected persons must be more consulted in order to appreciate their concerns and views about the project.

11.9 Public consultation and the Project Cycle

Public consultation initiated during the RPF preparation will continue during the execution of YESSO-AF. Box 6 outlines suggested consultation process steps to be enhanced as the case may be. This is very relevant, especially as it relates to the socio-economic surveys, resettlement and compensation plans preparation and drafting and reading of the compensation contract.

Through these, the PIU will be able to:

- clarify the project's objectives in terms of stakeholders' needs and concerns
- identify feasible alternatives (in particular alternative locations) and examine their relative merits in terms of environmental, social and economic factors
- identify and priorities' environmental and resettlement issues and establish the scope of future studies
- Identify processes for continued stakeholders' involvement.

Box 6: Suggested Consultation Process Steps

- a. Identify a list of organisations and individuals who are interested in the project and update this as the project develops (A useful starting step to build upon have been initiated in the course of the preparation of this RPF. At least, relevant MDAs as well as civil society organizations have been identified.)
- b. As needed, contact each consultee to request their help in the plans preparation
- c. Send them information about the project in the form that will be appreciative to them. Give contact details for information and comment
- d. Make the information widely available in local centres; possibly provide a copy to every household and business in the area as the case may be
- e. Collate and analyse all responses and take them into account in planning the resettlement measures
- f. As much as practically possible, write back to each respondent thanking them for their help and explaining how their comments have been addressed. At least a text message or an email could be sent to them to express this.
- g. For all sub-projects with considerable local interest, consider holding a community meeting at which the project will be presented and proponent staff on hand to answer questions
- h. In the event of any delays at any stage of the process issue regular information to keep consultees, especially up to date with what is happening.
- i. Always record the views expressed in consultations.

CHAPTER 12: INSTITUTIONAL FRAMEWORK

12.0 Introduction

The YESSO-AF RPF is built on institutional arrangements amongst public agencies and with local communities and project affected persons.

12.1 Institutional Arrangements

The YESSO-AF would be implemented at both Federal and State levels. Fig 3 outlines the Institutional Arrangements.

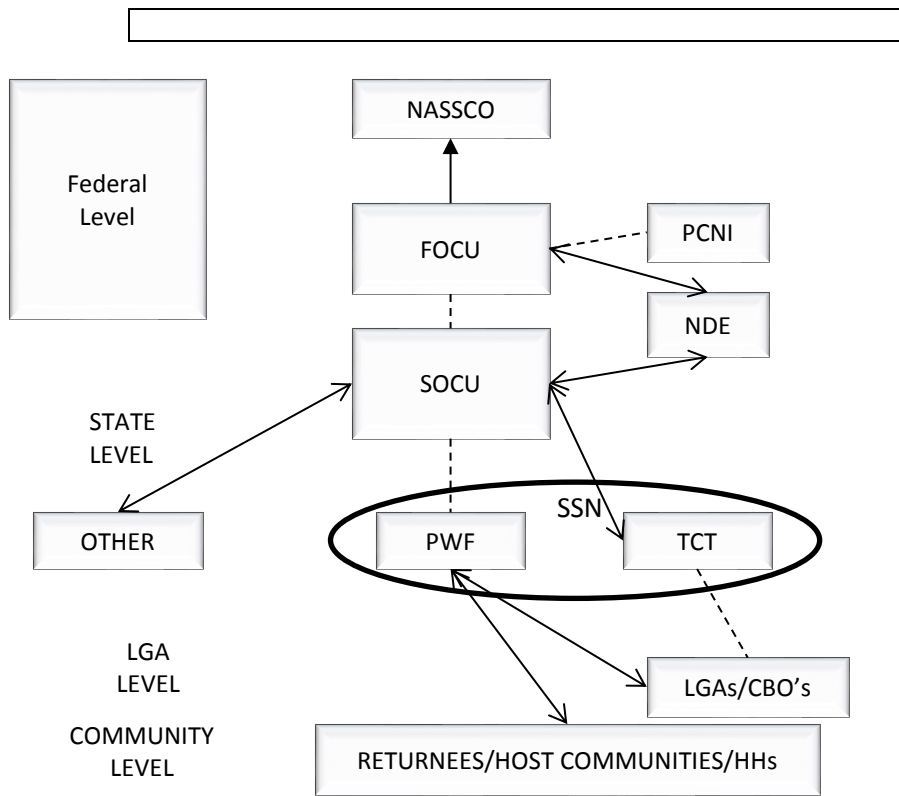


Fig.3: Institutional Arrangements (Federal and State Levels)

The proposed operation promotes partnership, involving Federal agencies, State government, private sector and the community. It would operate mainly through existing structures, systems and support initiatives of governments. While the operation will provide additional resources to existing and on-going initiatives of Federal and State governments with a view to reform and refine them for effectiveness and efficiency, the operation is not intended to cover every initiative geared towards youth employment and social service provision for the poor at start but would support development of a Social Safety Net system that can be used to harmonize and coordinate all such interventions in the immediate future.

At the Federal level, YESSO would involve agencies, including Presidential Coordinating Committee on the North east (PCNI), National Cash Transfer Office (NCTO), NASSCO and NDE, to manage implementation of each component. These agencies have the mandate for implementing similar programs of government and or have the mandate for such interventions.

A Federal Operations Coordinating Unit, under NASSCO in the Office of the Vice President would manage the implementation of the Social Safety Net Platform (Component 1) at the Federal level. It is hoped that the collaboration between FOCU and the PCNI, both under NASSCO, would create appropriate synergy for delivering on the objectives of YESSO-AF.

The NDE, with full responsibility, would implement the skills for job component 3, in collaboration with State Government, relevant public sector institutions and private sector organizations. The NDE would: (i) develop the capacity of NDE staff for component 3 implementation; (ii) deploy skilled personnel for relevant program operations; (iii) develop manuals, curriculums, and instruments needed; (iv) work with States to agree on a process for engaging with the private sector and public institutions at State-level; (v) liaise with Federal and State-level agencies for collaboration; (vi) recruit, train and oversee graduation of participants; (vii) develop M&E and MIS systems; (viii) monitor and evaluate activities; and (ix) through the Federal office of NDE, provide regular updates to FOCU on progress and M&E results.

The operation is expected to support the six states in the NE. Each State will have primary responsibility for the implementation of their programs in the State. In each State, the operation would be managed by a State Social Safety Nets Implementation Agency (SSNIA) designated by the State Government. The SSNIA would be responsible for the Implementation of the intervention components. However, states are at liberty to domicile the 2 state level implementation organs as one or two agencies, depending on the state specific fit.

The LGAs would work with Ward Committees and communities to identify potential households which would benefit from programs and relevant projects/community services.

12.2. Coordination and Implementation of this RPF and other Resettlement Issues

The FOCU shall have an oversight role, but actual resettlement planning and implementation shall be the States' SSNIAs responsibility (Annex 12.1). Some key institutions at the state levels have been identified that will have a part to play in the execution of the resettlement activities. Some of these are identified below with their responsibilities.

12.3 Roles and Responsibilities of Relevant Institutions

1. State Social Safety Net Implementation Agency(SSNIA)

The SSNIA, as the implementing authority, has the mandate to:

- i. Co-ordinate all policies, programmes and actions of all related agencies in the States
- ii. Ensure the smooth and efficient implementation of the project's various technical programmes
- iii. Maintain and manage all funds effectively and efficiently for the sub-projects
- iv. Plan, coordinate, manage and develop YESSO-AF projects to ensure success.
- v. Organize the necessary orientation and training for the departmental officials so that they can carry out consultations with communities, support communities in carrying out RAPs

and implement the payment of compensation and other measures (relocation and rehabilitation entitlement) to PAPs in a timely manner;

Specifically, with regard to social issues, the SSNIA, through its Safeguards Unit, will liaise closely with other relevant MDAs in preparing a coordinated response on the social aspects of the YESSO-AF sub-projects.

A Desk Officer from the Ministry of Environment seconded to the project, or competitively recruited from the state civil service, will be designated to oversee the implementation of this Safeguard instrument (this RPF) as well as any other social provisions as deemed fit for project implementation as per the regulations of the World Bank and Government of Nigeria and the respective State governments. The roles and responsibilities of the Safeguard officer are outlined in Box 7.

Box 7: Roles and Responsibilities of Safeguard Officer

- a. Initiate Resettlement Action Plan (whenever the project involves displacement of homes or businesses) or land acquisition of any kind).
- b. Ensure Social Assessment (SA) (analysis of social conditions related to the subproject such as income levels, local organization, conflicts identified, leadership)
- c. Ensure/Carry out Social Mobilization Plan (assigning a role to the affected community and providing appropriate incentives for people to participate)
- d. Ensure Communication Plan
- e. Ensure development of Livelihood Enhancement Plan (especially where livelihoods are affected adversely by the project, or stakeholders are economically vulnerable)
- f. Review all SA Documents prepared by consultants and ensure adequacy under the World Bank Safeguard policies including the OP4.01.
- g. Co-ordinate application, follow up processing and obtain requisite clearances required for the project, if required
- h. Prepare compliance reports with statutory requirements.
- i. Develop, organize and deliver training programme for the PIU staff, the contractors and others involved in the project implementation, in collaboration with the PIU
- j. Review and approve the Contractor's Implementation Plan for the social impact measures as per the RAP and any other supplementary studies that may need to be carried out by the PIU in relation to resettlement issues.
- k. Liaise with the Contractors and the PIU on implementation of the RAP
- l. Liaise with various National and State Government agencies on environmental, resettlement and other regulatory matters
- m. Continuously interact with the NGOs and Community groups that will be involved in the project
- n. Establish dialogue with the affected communities and ensure that the environmental concerns and suggestions are incorporated and implemented in the project
- o. Review the performance of the project through an assessment of the periodic environmental monitoring reports; provide a summary of the same to the Project Manager, and initiate necessary follow-up actions
- p. Provide support and assistance to the Government Agencies and the World Bank to supervise the implementation.

2. *Ministry of Lands, Survey, Urban and Regional Planning*

- Processes all instruments evidencing ownership and possession of real estate in the states
- Keeps in custody all real estate instruments, records, and their management.
- Manages Lands and all other landed properties for the State Government
- Responsible for the acquisition of Land for projects.
- Recommend to the Governor on the allocation of States (Acquired) lands to individuals and organizations as well as the management of all State Lands.
- Responsible for the preparation of Certificates of Occupancy which evidenced the grant of State lands and the transfer of interest by the customary land holders.

- Undertakes research, survey and carries out inspections and valuation of landed properties for all purposes with a view to advising the various Ministries/Establishments e.g. Compensation Valuation for acquisitions of Right of Ways, general acquisition of Land, Valuation for Insurance purposes, Valuations for Asset sharing, Valuation of Share Equities in Joint Ventures and Memorandum of Agreements, etc.
- Responsible for survey of all Government lands.

3. *State Ministry of Environment*

- Protect and manage the environmental issues in the states.
- Enforce of all environmental legislations and policies;
- Coordinate and supervise environmental assessment studies;
- Ensure minimization of impacts of physical development on the ecosystem;
- Ensure preservation, conservation and restoration to pre-impact status of all ecological processes essential to the preservation of biological diversity;
- Ensure protection of air, water, land, forest and wildlife within the states;
- Ensure pollution control and environmental health in the states; and
- Co-operate with FMEnv and other agencies to achieve effective prevention of abatement of trans-boundary movement of waste.

4 *Local Government Level Institutions*

- Responsible for coordinating activities at local level during the preparation and implementation of RAPs such as activities for determining the cut-off date and for actually implementing the resettlement, and for handling any grievances and complaints.
- Responsible for the appraisal of dwellings and other buildings affected by the project.
- Provide additional resettlement area if the designated locations are not adequate.
- Provide necessary infrastructures in relocated areas.
- Engage and encourage carrying out comprehensive and practical awareness campaign for the proposed project, amongst the various relevant grass roots interest groups.
- Appointing a suitable Desk Officer
- Participating in sensitization of all communities
- Participate in resolving grievances
- Monitor implementation of sub-projects and activities of Operational Officers.

5. *Other Relevant MDAs*

- Serve as veritable source of employment and skill acquisitions as well as resource-based and utility service providers.
- Come in as and when relevant areas or resources under their jurisdiction or management are likely to be affected by or implicated in projects.
- They all are consulted as appropriate by the PIU.
- They participate in the resettlement issues management and in project decision-making that helps prevent or minimize impacts and to mitigate them.
- They may also be required to issue a consent or approval for an aspect of a project; allow an area to be included in a project; or allow impact to a certain extent or impose restrictions or conditions.
- They may have monitoring responsibility or supervisory oversight during construction in an area of concern or interest to them.

6. *Community and other Institutions/ Community Based NGOs/Trade Union*

- Ensure Community participation by mobilizing, sensitizing community members;
- Assist in resolving grievances of PAPs
- Ensure that social values are not interfered with.
- They may have complaints that need to be resolved in the execution of the sub-project.
- Support and assist in the mobilization of the various relevant grass roots interest groups that may have complaints that need to be resolved in the execution of the project with a view to avoiding conflicts and grievances.
- Oversee the development needs of the entire community.
- Ensure Community participation by mobilizing, sensitizing community members;
- Support and assist in the mobilization of the various relevant grass roots interest
- Support project development ideas and assist in monitoring and evaluation

7. *World Bank*

- Maintain an oversight role to ensure compliance with the safeguards policies, review and provide clearance and approval for the RPs of each project site.
- Maintain an oversight role of the supervision of the RPF/RAP implementation, and may conduct spot checks as necessary.
- Conduct regular supervision missions throughout the project implementation, and monitor the progress of the project construction.
- Recommend additional measures for strengthening the management framework and implementation performance.
- In case the WB considers the implementation to be not acceptable and no improvements can be expected, it will require that institutional capacity building measures be taken to strengthen the FOCU and State SSNIAs.

12.4 **Resettlement Activities and Implementation**

Annex 12. 2 presents the various resettlement activities and its corresponding responsible party and a flowchart of a typical resettlement implementation.

12.5 **Measures for Strengthening Organizational Capability - Capacity Building and Training**

Based on the assessment of the institutional capacities of the different MDAs involved, it is recommended that a capacity building and training programme be embedded in the overall project management and support for the stakeholders, especially the PIUs and the relevant MDAs as well as the communities and the NGOs/CBOs. First of all, the capacity of the Desk Officers that shall be seconded to the PIU as Safeguard officers must be enhanced to address safeguards issues. It is the responsibility of the Officers in turn to ensure that all identified members of the implementation team are trained prior to implementation of the resettlement and compensation.

The training should focus on the following, *inter alia*:

- World Bank Safeguard Policy (O.P 4.12) on resettlement and other World Bank operational policies on environment;
- Relevant Nigerian laws and policies relating to land acquisition and resettlement;
- Compensation and supplementary assistance;

- RAP Implementation process.

As part of sensitization, introduction to social and resettlement aspects learning basic concepts and policy, legal and other relevant statutory requirements in Nigeria and World Bank.

Annex 12.2 outlines an indicative training programme that with relevant topics that could be adapted.

CHAPTER 13: INCOME RESTORATION STRATEGY

13.0 Introduction

The key objective of the land acquisition and resettlement plan is to ensure that the economic and social futures of the affected persons/households/communities are at least as favourable as it will have been in the absence of the project. Therefore, the affected people shall receive assistance in rehabilitation.

The income restoration action programme will be described in greater detail in the respective Resettlement Plans. A participatory approach will be utilized in the development of the income generation programme in order to ensure that the ideas, wishes and needs of the stakeholders are included. The programme will support income generating activities with [adequate] commercial potential in the agricultural and non-farm sectors.

13.1 Rehabilitation Measures

Rehabilitation measures may include any of the following:

- Assistance in starting a new business and/or strengthening a new one, in the form of management and marketing assistance, product design and prototype development,
- Assistance in finding new employment opportunities, including skill development through training for the new employment,
- Providing training for agricultural methods and technology to increase production on the non-affected land,
- Providing skill training to prepare participants for off-farm work within or outside of the affected area,
- Providing access to, and giving preference first to affected people and employment opportunities created by the project before other qualified individuals based on objective criteria in affected communities.

13.2 Local Labour Recruitment

Include a clause instructing the contractor to utilize (sub-contract) from among the communities' members/villagers of the area where the work is to take place for jobs that they are capable of carrying out in construction contracts. The same method should be used for the annual maintenance of public workfare, for instance of drains, too. Rather than wait to renovate the drains, an annual maintenance programme could be designed along the lines of the participatory approach outlined above. Thus a yearly budget to pay the local labour of the area for maintenance and cleaning of the drains, for instance, could be prepared.

13.3 Special Assistance

Families severely affected by the Project, that is, losing more than 20% of their land, will be entitled to receive special assistance. Depending on the preference of the owner this special assistance may be given in the form of a land for land swap, or a cash compensation for the lost land. It should be clearly understood that special assistance is applicable where the 20% or greater loss of land also constitutes 20% or more in income.

13.4 Gender Issues in Resettlement Plans

In the affected areas, women play a very active role in on-farm and off-farm income generating and other economic development activities, in addition to performing household duties. Affected households headed by women shall therefore receive special attention and support to maintain their sources of livelihood and [traditional] production patterns.

Gender Assessment and Development should be planned under the project as part of RPs, which will help analyze gender issues during the preparation stage of sub-project and design interventions. At the sub project level, gender analysis should be part of the social assessment and the analysis based on findings from gender specific queries during primary data collection process and available secondary data. The quantitative and qualitative analysis will bring out sex disaggregated data and issues related to gender disparity, needs, constraints, and priorities; as well as understanding whether there is a potential for gender based inequitable risks, benefits and opportunities. Based on the specific interventions will be designed and if required gender action plan will be prepared to mitigate these disparities. With respect to ensuring participation of women and vulnerable sections, aiming for 40-50% women participants should be emphasized.

The overall monitoring framework of the project will include gender disaggregated indicator and gender relevant indicator.

CHAPTER 14: MONITORING AND EVALUATION

14.0 Introduction

The World Bank operational policy (OP 4.12) requires that the project sponsor adequately funded M&E of the activities set forth in the resettlement instrument. Thus this Chapter sets out requirements for the monitoring and evaluation of the implementation of the RPF in order to successfully complete the resettlement management as per the implementation schedule and compliance with the policy and entitlement framework.

14.1 Purpose of Monitoring and Evaluation (M & E)

Specifically, for YESSO-AF, Monitoring and Evaluation (M&E) are required to assess that the goals of the resettlement and compensation plan are met. The purpose of resettlement monitoring will be to verify that:

- Actions and commitments described in the RPs are implemented on schedule;
- Eligible people and communities receive their full compensation prior to the start of the construction activities in the respective areas;
- RP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards;
- Complaints and grievances lodged by project affected people are followed up and, where necessary, appropriate corrective actions are taken;
- If necessary, changes in RP procedure are made to improve delivery of entitlements to project affected people.

Data Reporting and Verification:

A well-coordinated reporting flow is depicted in Fig.4 which illustrates the responsibilities in monitoring and evaluation to ensure/assure the quality of data reporting and verifications:

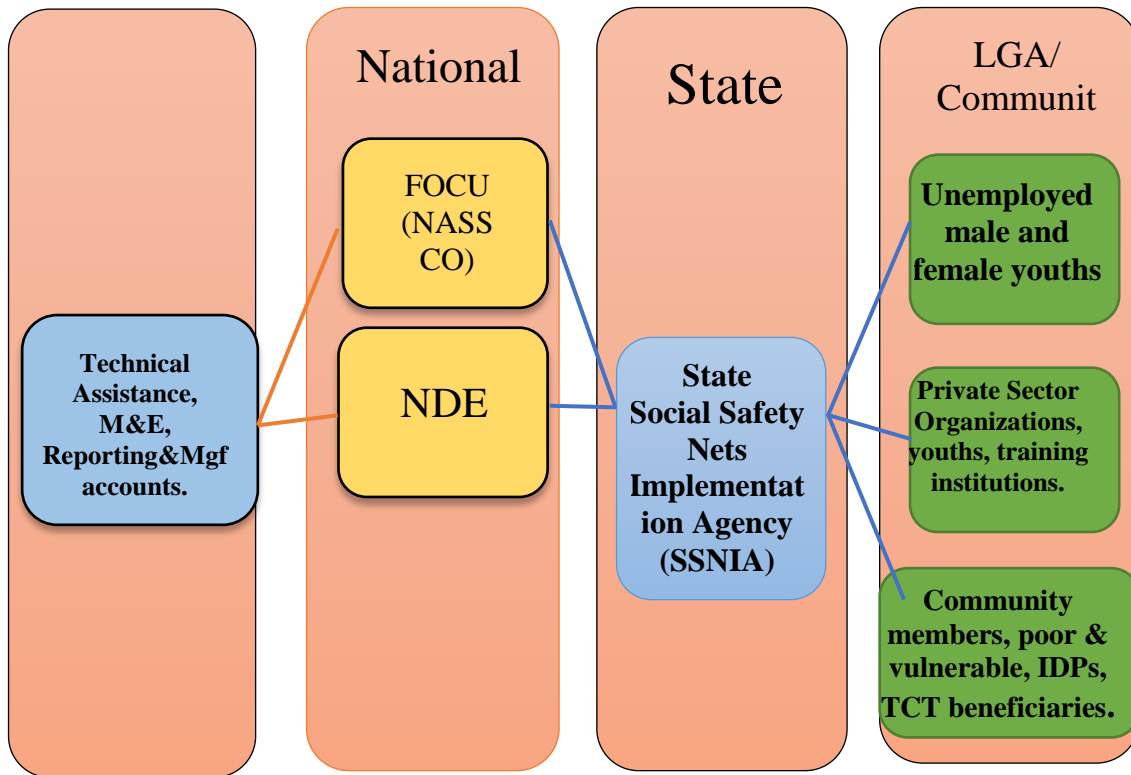


Fig.4: Reporting Flow

14.2 Indicators

All RAPs will identify the relevant major socio-economic parameters by which to monitor and evaluate their success in the light of the peculiar situations in each project location.

Hint: affected individuals, households, and communities are enabled to maintain or improve their pre-project standard of living; the local communities remain supportive of the project and the absence or prevalence of conflicts.

In order to assess whether these goals are met, RAPs will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities.

The M&E indicators should include but not be limited to the following:

- delivery and usage of compensation and resettlement entitlements;
- allocation of replacement land and residential plots, where applicable;
- reconstruction of new houses and other infrastructure, where applicable;
- compensation measures applied to compensate for damage during construction activities;
- reported grievances and action taken;
- problems encountered and action taken;
- general issues related to the success of compensation and resettlement measures.
- implementation progress;
- compensation and resettlement policies;
- delivery of entitlements, including replacement land where applicable;

- changes in livelihoods and incomes among PAPs; and,
- consultation with and participation of PAPs and other Stakeholders.

14.3 Arrangements for monitoring by Implementing Agency

The WB's safeguard policy (OP 4.12) states that the project sponsor (PIU in this instance) is responsible for adequate M&E of the activities set forth in the resettlement instrument. Monitoring will provide both a warning system for the project sponsor and a channel for the affected persons to make known their needs and their reactions to resettlement execution. The sponsor's M&E activities and programmes should be adequately funded and staffed.

The safeguards officer of the SSNIA shall play a key role in reporting the progress of implementation as well as compliance to the SSNIA, FOCU and the World Bank.

The SSNIAs will institute an administrative reporting system that:

- i. Provides timely information about all resettlement arising as a result of YESSO-AF activities;
- ii. Identifies grievances that have not been resolved at a local level and require resolution through the involvement of the SSNIA;
- iii. Documents timely completion – or delays -- of project resettlement obligations (i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary losses; and
- iv. Evaluates whether all PAPs have been compensated in accordance with the requirements of this RAP, and that PAPs are enabled to achieve living standards comparable to or better than to their pre-project living standards

In-house monitoring may need to be supplemented by independent external monitors to ensure complete and objective information. Thus the project is developing an extensive M&E system that includes:

- i. Internal monitoring, in particular reporting by government officials and field consultants, community participatory monitoring;
- ii. External monitoring, with NGOs/CSOs providing independent monitoring; and
- iii. Impact evaluation.

Annex 14.1 indicates some specific variables to monitor routinely in the course of implementation.

14.4 Internal and External Monitoring

14.4.1 Internal Monitoring

The social safeguard unit of the various SSNIAs will perform periodic monitoring of all resettlement activities in the Unit's portfolio. The PIU will consult and coordinate with the appropriate Federal and State agencies (e.g., FMEnv, MOE/SEPA) on social monitoring.

For those areas with minor resettlement, the SSNIA Safeguard section will report at least quarterly on the: implementation schedule, delivery and usage of any resettlement compensation, relocation of marketers and transporters, and their pre- and post-move sales, extent of community involvement and efficiency of resettlement agencies in fulfilling their obligations.

In the areas where a resettlement plan or an abbreviated resettlement plan is required because of land acquisition or significant numbers of displaced persons, the Safeguards Unit, will provide a quarterly progress report on the various resettlement activities. The report will provide detailed explanation of resettlement progress, fund allocation, and issues and problems arising, as well as solutions devised, during implementation. In addition, the report which shall be in a tabular format will have comparisons on the following:

- Timeliness of measures taken
- Estimated and actual extent of compensation delivered
- Number of displacement, lack of access created, and loss of shelter created due to take of land. And all other matters deemed pertinent for facilitating resettlement and project progress.
- No. of sub-projects requiring preparation of a RAP;
- No. of households, and number of individuals (women, men and children) physically or economically displaced by each sub-project;
- Length of time from sub-project identification to payment of compensation to PAPs;
- Timing of compensation in relation to commencement of physical works;
- Amounts of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind);
- No. of people raising grievances in relation to each sub-project;
- No. of unresolved grievances.

14.4.2 External Monitoring

For major resettlement, the SSNIAs will engage an independent firm or organization to conduct periodic external assessments of resettlement progress. The SSNIAs will develop a detailed monitoring work plan for the terms of reference, based on the resettlement plan submitted to and approved by the World Bank. The various SSNIAs will select a firm with extensive experience in social survey and resettlement monitoring for this work. The SSNIAs will review and approve the questionnaires and inventory forms developed by the contractor, as well as the research methods, analytic techniques, and reporting formats proposed by the -contractor

The aim of this independent monitoring is to provide verification of key concerns in resettlement, such as compliance with resettlement policies, implementation progress, the extent of effective consultation and participation of local populations, and the direction and extent of changes of income and livelihood among displaced persons. Careful attention to monitoring matters such as these will help ensure equitable benefits for every displaced person.

14.5 Monitoring and Evaluation Indicators

A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social well-being. The establishment of appropriate indicators in the RAPs is essential since what is measured is what will be considered important. Indicators will be created for affected people as a whole, for key stakeholder groups, and for special categories of affected groups such as women headed households, disabled persons, marginalized persons etc.

A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively

measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social well-being.

The monitoring indicators to be used for different RAPs are developed to respond to specific site conditions.

Input indicators include the resources in terms of people, equipment and materials that go into the RP. Examples of input indicators in the RAP include: the sources and amounts of funding for various RP activities; and the establishment of the Land Acquisition Team.

Output indicators concern the activities and services, which are produced with the inputs. Examples of output indicators in the RP include a database for tracking individual plot compensation; and the payment of compensation for loss of land or assets.

Process indicators represent the change in the quality and quantity of access and coverage of the activities and services. Examples of process indicators in the RAP include: the creation of grievance mechanisms; the establishment of stakeholder channels so that they can participate in RAP implementation; and information dissemination activities. Whatever incentives to ensure proper or expected outcomes that would ensure checks and balances shall be defined by the RAP that would be prepared for specific sub-projects.

Annex 14-2 outlines indicators to monitor and evaluate the implementation of resettlement and compensation plans.

14.6 Storage of PAPs details

Each PAP household will be provided with a signed dossier recording his or her initial situation, all subsequent project use of assets/improvements, and compensation agreed upon and received. The PIU will maintain a complete database on every individual impacted by the project land use requirement including relocation/resettlement and compensation, land impacts or damages.

Each individual receiving compensation will have a dossier containing:

- Individual biological information
- Census data
- Amount of land available to available or household when the dossier is opened.
- Additional information will be acquired for individual eligible for resettlement and/or compensation for level of income and of production, inventory of material assets and improvement in land, and debts.

Each time land is used/acquired by a sub-project, the dossier will be updated to determine if the individual or household/homestead is being affected to the point of economic non-viability and eligibility for compensation/resettlement or its alternatives. These dossiers will provide the foundation for monitoring and evaluation, as well as documentation of compensation agreed to, received, and signed for.

14.7 Completion Audit

An audit will be carried out to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed according to the timetable in the RAP. This completion audit will verify that all physical inputs earmarked in the RAP have been delivered and all services provided. The audit will also evaluate if the mitigation actions prescribed in the RAP have had the desired effect. The socio-economic survey carried out during the RAP preparation of the affected parties before the relocation will be used as a measure against their socio-economic status after the resettlement. The audit will verify results of internal monitoring and assess whether resettlement objectives have been met irrespective of whether livelihood and living standards have been restored or enhanced.

Audit should be carried out after every two years from project commencement date. The audit will also assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement activities and recommending corrections in the implementation. Finally, the audit will ascertain whether the resettlement entitlements were appropriate to meeting the objectives and whether the objectives were suited to PAPs conditions. Annual audit reports will be submitted for scrutiny to the World Bank.

To be effective, the completion audit will take place after all RAP activities have been completed including development initiatives, but before the completion of financial commitments to the programme. This will allow for flexibility to undertake any corrective action that the auditors may recommend before the project is completed. The RAP will outline the non-conformance corrective action plan in the event of departure from expectations.

14.8 Annual audit

The annual audit of RPF implementation will include:

- a summary of the performance of each sub-project vis-à-vis its RAP;
- a summary of compliance and progress in implementation of the process frameworks;
- a presentation of compliance and progress in the implementation of the RPF.
- Assess whether resettlement objectives have been met; specifically, whether livelihood and living standards have been restored or enhanced;
- Assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lesson for future resettlement activities and recommending correction in the implementation;
- Ascertain whether the resettlement entitlement were appropriate to meeting the objectives and whether the objectives were suited to PAPs conditions
- Make recommendations

The RAP shall outline the specific manner the audit findings will be disclosed to the public, thus providing opportunity for stakeholder's review. The annual audit reports will be submitted for scrutiny to World Bank.

14.9 Socio-Economic Monitoring*

The purpose of socio-economic monitoring is to ensure that PAPs are compensated and recovering on time. It will go on as part of the implementation of each sub-project RAP, to assess whether compensation has been paid, income has been restored and resettlement objectives were appropriate

and delivered. Monitoring of living standards will continue following resettlement. The objective is that the income and standard of living of the PAPs has at least been restored and has not declined.

A number of indicators will be used in order to determine the status of affected people (land being used to compare before, standard of house compare to before, level of participation in project activities compared to before, how many children in school compared to before, health standards, etc. The key issue is not the actual standard of living so much as the opportunity to maintain or improve the standard of living. Actual standards of living will depend on the initiative taken by individuals and also on general economic conditions. The resettlement and rehabilitation programme is designed to afford opportunities to maintain or improve standards of living but this cannot be guaranteed because individual or general economic conditions may fluctuate.

As part of the preparation of each RAP, a household survey will be conducted of all PAPs, prior to physical or economic displacement, and this will provide baseline data against which to monitor the performance of the RAP. The scoping report/initial survey shall reveal the nature of data to be collected as part of the household survey. Following all the completion of all expropriation/compensation operations, a household re-survey will be conducted. The aim of the survey is to assess the impact of the social mitigation and measures implemented. In addition, local authorities and PAPs, through awareness creation and sensitization by SSNIAs will be consulted to provide their assessment of the impacts of social mitigation measures applied as part of the overall monitoring and evaluation as well as the auditing of overall performance.

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Annexes

ANNEXES

Annex 1.1: Relevant Safeguard Instruments and Triggered Policies

S/No	Safeguard Instrument	Focus	Remarks
1	Resettlement Policy Framework (RPF)	<ul style="list-style-type: none"> ➤ Provides the direction to all actors involved in sub-projects implementation, for the identification of resettlement implications and measures to adopt to minimize or address resettlement issues created by each sub-project. ➤ Set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of any anticipated resettlements. The arrangements ensure that there is a systematic process (as against an hoc one) for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government procedures and requirements, and outline compensation for affected persons. ➤ Provides the framework within which Resettlement Action Plans/Abbreviated Resettlement Action Plans are developed when the project is certain of the locations and specific impacts of the sub-projects. ➤ Contains a screening /checklist for determining whether OP 4.12 is triggered or not it also provides procedures and guidelines to be followed when the policy is triggered. That is, contains a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the comprehensive programme. 	This document (RPF) and lays the framework for site specific resettlement plans depending on the magnitude of impacts
1	Environmental and Social Management Frameworks (ESMF)	<ul style="list-style-type: none"> ➤ Used as a practical tool during program formulation, design, implementation and monitoring. ➤ Describes the steps involved in identifying and mitigating the potential adverse environmental and social impacts of future investment activities. ➤ Provides guidance in cases where the screening results indicate that a separate Environmental and Social Impact Assessment (ESIA) or an Environmental Management Plan is required. 	Being prepared in paripassu with this RPF
3	Social assessment	<ul style="list-style-type: none"> ➤ Analyses the social issues and solicit stakeholders' views for the design of the Bank-supported project. ➤ Helps make the project responsive to social development concerns, including seeking to enhance benefits for poor and vulnerable people while minimizing or mitigating risk and adverse impacts. ➤ Analyzes distributional impacts of intended project benefits on different stakeholder groups, and identifies differences in assets and capabilities to access the project benefits 	
4	Environmental & Social Screening & Scoping	<ul style="list-style-type: none"> ➤ Screening – <ul style="list-style-type: none"> • First step in the initial assessment of the possible environmental impacts of the proposed project. • The purpose of the environmental/social screening is to identify if the road rehabilitation project requires an ESIA through the elimination of irrelevant environmental issues and focusing on potentially significant issues at the planning and design stages. ➤ Scoping - <ul style="list-style-type: none"> • Assist to identify the Issues that are likely of most importance during the ESIA and eliminates those that are of little concern; • Appropriate time and space boundaries of the ESIA study; • Information necessary for decision-making; and, Significant effects and factors to be studied in detail • Critical step in the preparation of an in determining the terms of reference (TOR) of the ESIA/ESMP. 	Defined the level of impacts and thus the needed instrument that are site specific- ESIA or ESMP?
5	Environmental and Social Impact Assessment (ESIA)	<ul style="list-style-type: none"> ➤ Ensures sustainable development and/or to ensures compliance with local, regional and international regulations relating to environmental protection and conservation. ➤ Provides framework for gathering and documenting information and views on the environmental consequences of activities so that the importance of the effects and the scope of enhancing, modifying and mitigating them can be properly evaluated 	Currently being prepared paripassu with this RAP

Safeguard Policies Triggered by the Project	Yes	No
<u>Environmental Assessment (OP/BP 4.01)</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Natural Habitats (<u>OP/BP 4.04</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pest Management (<u>OP 4.09</u>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indigenous Peoples (<u>OP/BP 4.10</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Physical Cultural Resources (<u>OP/BP 4.11</u>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Involuntary Resettlement (<u>OP/BP 4.12</u>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Forests (<u>OP/BP 4.36</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Safety of Dams (<u>OP/BP 4.37</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Projects on International Waterways (<u>OP/BP 7.50</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Projects in Disputed Areas (<u>OP/BP 7.60</u>)*	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* *By supporting the proposed project, the Bank does not intend to prejudice the final determination of the parties' claims on the disputed areas*

Annex 1.2: Terms of Reference for RESETTLEMENT POLICY FRAMEWORK (RPF) for YESSO-AF

1.0 Introduction:

The Federal Government of Nigeria sought and obtained the World Bank Board of Executive Directors approval for the parent YESSO in the amount of US\$300million on March 26, 2013 and It became effective on August 7, 2013 with an expected closing date of June 30, 2020. The development objective of the parent credit is “increased access of the poor to youth employment opportunity, social services, and strengthened social safety net system in the participating states”.

However, with the advent of the present administration and its avowed focus on social welfare programme, a Social Protection Reform Agenda was articulated implicit in which is the formation of a National Social safety Nets Coordinating Office (NASCO) to be responsible for providing leadership for a coordinated safety net intervention in the country. This along with the fact that the debilitating human and development conditions in the North East requires all available support for recovery and necessity to address implementation challenges of the parent YESSO informed the need for an Additional Financing.

The immediate implication of the above was the change in PDO *inter alia* “to increase access of the poor and vulnerable, using improved social safety nets systems, to youth employment opportunities in all participating states and to provide targeted cash transfers to the poor, vulnerable and internally displaced people (IDPS) in the North East States”. This revised PDO ensures that all the states in the country, including and especially the North East would be eligible to participate in the project.

2.0 Project Description and Components:

The proposed project would be implemented in all participating states, including and especially the North east states of Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe.

The project development objective would be achieved through the following four major components:

- (1) Strengthening **Social Safety Net System (\$20m)**. This component is the main system component which will support the setting-up of basic program architecture for comprehensive Social Safety Net at the Federal level for partnership with State and LGA levels and cover key
- (2) **Result-financing Public Workfare Component (\$230m)**. This component using a result financing approach will support existing public workfare interventions at state level with focus on semi-skilled and unskilled youth.
- (3) **Skill for Job Scheme (\$40m)**. This component will support second chance skills development activities using apprenticeship, mentoring etc to semi-skilled and skilled youth to increase their employability.
- (4) **Performance-based Targeted Cash Transfer Component (\$55m)**. This component will provide resources in addition to Government-funded cash transfers to beneficiaries in the North East states only..

3.0 Involuntary Resettlement Requirements

The World Bank’s Operational Policy on Involuntary Resettlement (OP 4.12) must be applied to any project which displaces people from their homes or land or productive resources, and which results in relocation, the loss of shelter, the loss of assets or access to assets important to production, the loss of income sources or means of livelihood,. The policy also applies to land acquisition whether or not the project affected persons (PAPs) will move to another location; therefore people are in most cases compensated for their loss (of land, property or access) either in kind or in cash.

The World Bank’s resettlement policy framework has the following objectives:

Annex 1.2: Terms of Reference for RESETTLEMENT POLICY FRAMEWORK (RPF) for YESSO-AF

- (i) Involuntary resettlement and land acquisition should be avoided where feasible, or minimized, exploring all viable alternatives;
- (ii) Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share in project benefits. Displaced and compensated persons must be meaningfully consulted and have opportunities to participate in planning and implementing the programs linked to their resettlement.
- (iii) Displaced persons should be assisted in their efforts to improve their livelihoods; standards of living should be improved as a result of the resettlement program, or at least restored, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of project implementation, whichever is higher.

The activities of component 1 will involve labour intensive micro civil works - that is construction and/or rehabilitation of gullies - thus triggering the Bank Resettlement policy.

Implementation of YESSO-AF may therefore result in acquisition of land, loss of access and property which might cause involuntary resettlement. At this time of project preparation, the sub-projects are not yet identified. Consequently, specific information on numbers of sub-projects, site location, local communities, geo-physical land features, nature etc. is not available. Therefore, a Resettlement Policy Framework (RPF) is required to be prepared. The RPF shall sets out a framework and process for the application of the World Bank's Resettlement Policy through the life of the project. In any case, a separate Resettlement Action Plan (RAP) satisfactory to the World Bank must be prepared for each case where land is acquired or persons are displaced from the homes, lands or businesses.

4.0 Objectives for Consultancy

The Consultant will prepare a Resettlement Policy Framework (RPF) applicable to the project over its time frame.

5.0 Mandatory Methodology for the Assignment

In preparing the RPF, the Consultant will be required, at the least start with the following;

- Review relevant Nigerian law and procedures regarding land taking and compensation;
- Review RPFs prepared for other recent World Bank projects in Nigeria (e.g. Fadama III, Community and Social Development Project (CSDP); Commercial Agriculture Development Project (CADP);
- Consult with the appropriate Ministries, Department and Agencies as well as other key stakeholders;
- Consult with other key stakeholders- Community leaders, Community based organizations, relevant civil society organizations.

6.0 Scope of Work for the Resettlement Policy Framework

- i. The Resettlement policy framework shall clarify resettlement principles, organizational arrangements and design criteria to be applied to sub-projects to be prepared during project implementation. Sub-project resettlement plans consistent with the RPF will subsequently be submitted to the Bank for approval after specific planning information becomes available.
- ii. The scope of work for the RPF assignment will cover the following elements, consistent with the provisions described in **OP 4.12**, paras. 2 and 4:
- iii. A brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a Resettlement Policy Framework is required ;

Annex 1.2: Terms of Reference for RESETTLEMENT POLICY FRAMEWORK (RPF) for YESSO-AF

- iv. Principles and objectives governing resettlement preparation and implementation, including a legal analysis and framework, reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
- v. A clearly set out screening process for all subcomponents and a description of the process for preparing and approving Resettlement Action Plans (RAP), including outlining the process and content required for the preparation of such plans;
- vi. Procedures to be followed in conducting a census (a sample questionnaire will be included) and declaring a cutoff date;
- vii. Estimated population displacement and likely categories of displaced persons, to the extent feasible;
- viii. Eligibility criteria for defining various categories of displaced persons;
- ix. A Methodology to identify precisely the affected population before the intervention; and to assure that this population will be the beneficiary of the relocation;
- x. A Methodology for valuing affected assets -- both natural and built assets -- ; Compensation and assistance are to be based on the overall principle that affected people shall not suffer net losses as a result of the project;
- xi. An explanation of the types of compensation that may be provided including land-for-land, cash compensation and others, taking into account the World Bank policy regarding situations where land is a productive asset;
- xii. Organizational procedures for delivery of entitlements, including, for projects involving private sector intermediaries and , the government, A description of the implementation process, linking resettlement planning and implementation to both civil works and livelihood strategies;
- xiii. A description of possible mechanisms for transitional costs (such as moving expenses) and for restoring livelihoods where they are adversely affected;
- xiv. A description of grievance and redress mechanisms to be established taking into account the need for (a) registration of grievances; (b) prompt and transparent action on grievances; (c) due process; (d) opportunity for appeal; and (e) avoidance of legal proceedings to the extent possible;
- xv. A description of the arrangements for funding resettlement including the preparation and review of cost estimates, the flow of funds, and the contingency arrangements;
- xvi. A sample institutional matrix that clearly identifies all the agencies, public or private, that will be involved in a typical resettlement project, their respective roles, the budget allocated to each and the legal arrangements to be made;
- xvii. A description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- xviii. Arrangements for monitoring by the implementing agency and, if required, by independent monitors;
- xix. Template for the design of sub-project RAPs
- xx. A description of the processes of monitoring, verification and evaluation required for effective implementation of the resettlement process.

7.0 Expertise Required

The consultant should have relevant training and extended experience- not less than 5 years- in preparing social impact assessments and resettlement documents in line with the World Bank standards for resettlement policy. The consultant should be familiar with NGOs and community participation approach in rural and urban areas.

8.0 Fees and Reimbursable

Consultant billable fees and reimbursable (travel costs, organization of consultation meetings with key

Annex 1.2: Terms of Reference for RESETTLEMENT POLICY FRAMEWORK (RPF) for YESSO-AF

stakeholders) shall be included in the proposal. However, the consultant will obtain prior clearance from the FMF-PCU before embarking on any activity that could lead to reimbursable costs.

9.0 Reporting requirements

The consultant will work in close coordination with Prof. Foluso Okunmadewa (TTL of the project) and the YESSO task team including Staley Garuba (Social Protection Specialist ETC, AFTSP). In addition, the Consultant will liaise with FMF-PCU who are assisting in the preparatory stage of the YESSO, the Federal Ministry of Finance (FMF), various State Ministries and State Project Implementation Units during preparation of the framework document. The copies of report from the Consultant shall be concurrently submitted to FMF-PCU and the Federal Ministry of Finance for onward delivery to the Bank for review and approval.

The following reports shall be submitted through FMF-PCU for the review and approval of the FMF and the World Bank at the time and in a manner stipulated below:

- (i) Inception report (with table of content of the report) in five (5) hard copies and one (1) electronic copy within **one (1) week** from commencement date.
- (ii) Draft Final report in five (5) hard copies and one (1) electronic copy (CD) within **seven (7) weeks** from commencement date. On submission of the draft report, the client shall be allowed two (2) weeks to review the draft and compile comments;
- (iii) Final report in ten (10) hard copies and one (1) electronic copy (CD) with comments incorporated within **eight (8) weeks** from commencement date.

Final report shall include an executive summary not longer than 5 pages and shall be no longer than 30 typewritten pages exclusive of annexes.

10.0 Duration of task

It is expected that the effort level for this consultancy services shall be over the period of eight (8) weeks within which the Consultant shall accomplish all the tasks including submission of final report to the Client.

Annex 1.3: Methodology for the RPF Preparation

S/N	Phase	Activity
1	Mobilization	Development of Strategy of Work
		Preparation/development of field survey/ data gathering Instruments and Checklists
2	Literature and Policy/Legal Review	Receipt of the TOR, PAD and other relevant documents from Bank and FMF - PCU for the project
		Gathering of all other relevant literature, maps, etc covering the targeted Areas to better understand the project baseline situations.
		Gathering of all relevant laws, regulations and policies
		Review and survey of all relevant literature and interpretation in relation to the project. Literature include the following, <i>inter alia</i> : TOR for YESSO, Other best RPF such as for NEWMAP, YESSO, FADAMA, CSDP, etc. and other relevant documents, reports, publications on land acquisition, compensation that bears relevance to the RPF, United Nations (2006) Human Development Report, National Bureau of Statistics (2009) Social Statistics in Nigeria, the Nigeria Land use Act, Forestry Act, Nigeria's National laws and/or regulations on environmental assessments, and World Bank Operational Policies
3	Consultation	Identification of relevant stakeholders
		Consultation with relevant Bank and FMF - PCU stakeholders
		Meeting with other Relevant Stakeholders
4	Field Investigation	Commence definitive field investigation for Data Collection
5	Organising and Integrating Data for Coherency – Synchronization of field data	Field data quality check to ensure consistency and elimination of errors before data entry commences.
		Data entry and processing
		Findings and Recommendations from analysis
6	RAF preparation	Evaluate the impact of the project on the environment
		Categorisation and definition of impacts
		Designing mitigation and management plans
		Development of RAP process and schedule
7	Disclosure	Display of RAP at the approved designated locations

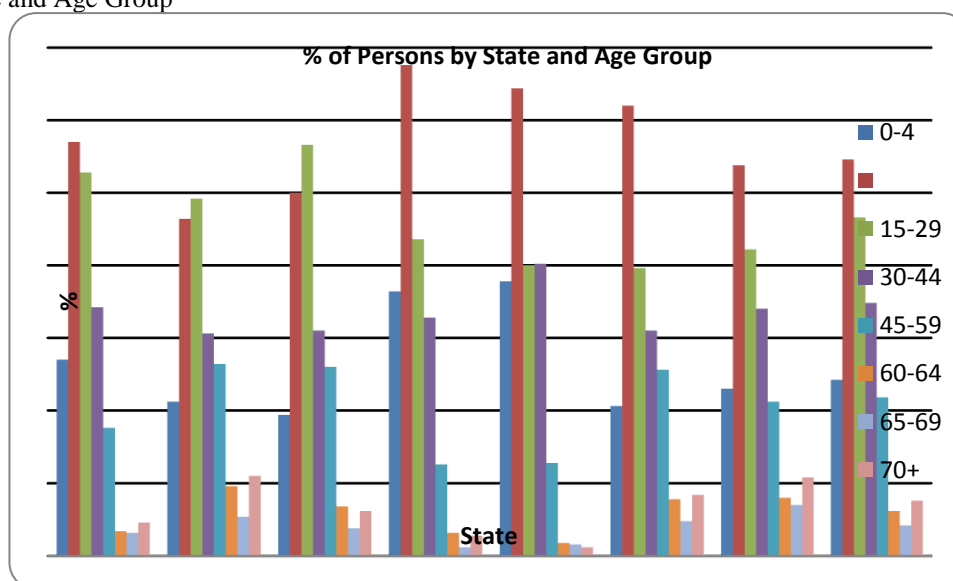
Annex 2.1: Baseline Socio-Economic Conditions of the States

1. Population of the Initial Participating States

State	Male	Female	Total
Cross River	1,492,465	1,396,501	2,888,966
Ekiti	1,212,609	1,171,603	2,384,212
Enugu	1,624,202	1,633,096	3,257,298*
Kano	4,844,128	4,539,554	9,383,682
Kwara	1,220,581	1,150,508	2,371,089*
Niger	2,032,725	1,917,524	3,950,249
Osun	1,740,619	1,682,916	3,423,535
Oyo	2,809,840	2,781,749	5,591,589

Source: OFFICIAL GAZETTE(FGP 71/52007/2,500(OL24): 2006

2. Persons by State and Age Group



3 Settlement Patterns and Size Distribution of Settlements

The average national population density currently stands at 184.2 people/km². There are, however, significant variations among the states. For instance, Enugu, Niger and Osun have population densities of 262, 284 and 334 people per km² respectively. These differences in density reflect also the physical environment. Land, in relation to the population, is relatively scarce as population increases; the pressure on land for all purposes including agriculture increase accordingly; and have implication for the YESSO projects. Each State contains many towns and villages with populations of 20,000 or more, but the state capitals usually with the greatest number of the population.

4 Settlement Patterns and Size Distribution of Settlements **Cultural Resources**

Cultural resources in any country are very important in identifying any particular group of people. In some cultures, rivers, mountains, trees, etc are revered.

Scared shrines, lakes and forests are scattered throughout the study area. Sacred forests, streams and lakes are categorized as cultural and natural resources, to which most of communities had access. While some of these resources which are revered or worshipped are within the community, others are some distance away.

Annex 2.1: Baseline Socio-Economic Conditions of the States

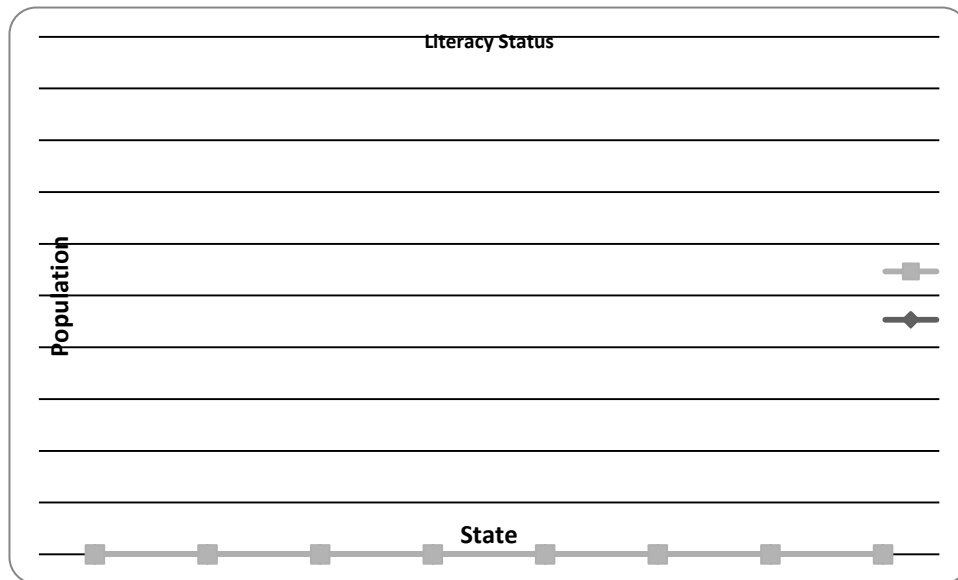
5 Social structure/trends and social groups

Several social groups exist in the communities of the participating states. Their origins depend on their mission. For instance, religious-related and trade-related groups had existed for several years and are interested in the spiritual well-being of their members. These organisations include: council of elders, women associations, youth associations, cooperatives, social clubs, age grades and community development associations

YESSO could leverage on these existing groups to form cooperatives that could serve to ensure discipline and order amongst project beneficiary. This is with the intent for YESSO to succeed where other cash transfer schemes had failed. And of course, support in the management of adverse social impacts due to displacements.

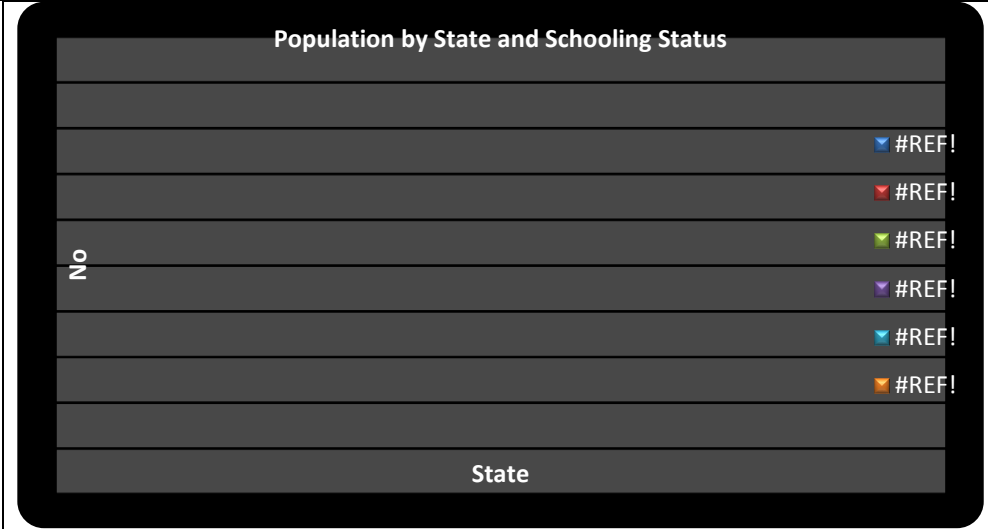
The council of chiefs, Elders, Youths leaders, Women leaders and the Age grades leaders as well as the CBAs and NGOs will be very useful in the resolution of grievances that might crop up.

6. Literacy status

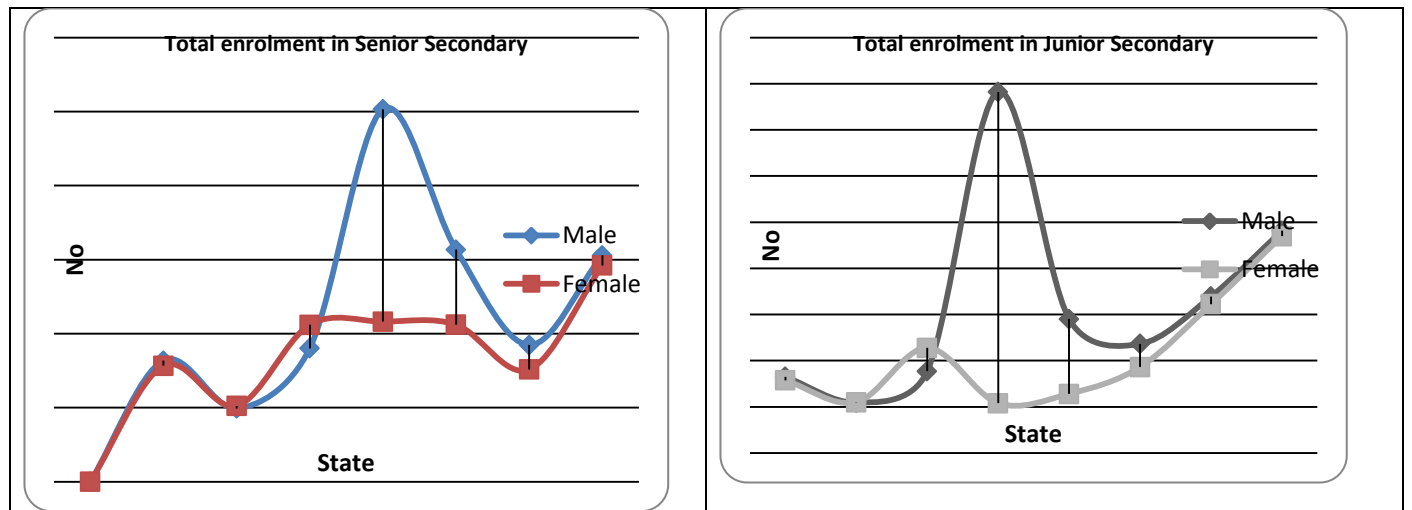


7. Schooling Status in the States

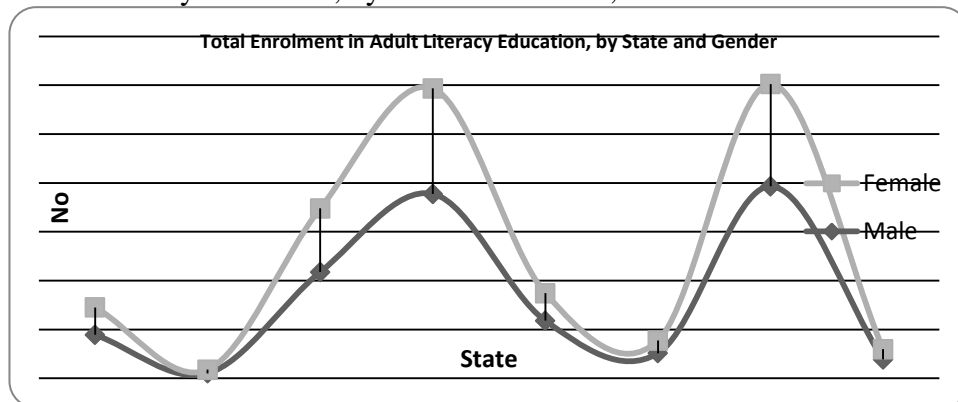
Annex 2.1: Baseline Socio-Economic Conditions of the States



8. Enrolment in Schools



9. Enrolment in Adult Literacy Education, by State and Gender,



Annex 2.1: Baseline Socio-Economic Conditions of the States

10 Population by Educational attainment

Edu Level	Cross River	Ekiti	Enugu	Kano	Niger	Kwara	Osun	Oyo
NONE	620,709	301,486	540,151	3,320,983	1,843,410	730,235	579,351	1,237,322
NURSERY	290,773	295,006	485,970	984,912	321,257	248,291	413,380	666,719
PRIMARY	406,688	271,279	491,998	811,380	201,447	224,624	412,825	677,815
JSS/MODE RNSCHOOL	323,798	367,706	369,717	520,101	174,506	182,088	469,278	629,868
SSS/SEC/TTC	518,653	342,062	617,144	1,083,752	299,484	271,936	548,438	929,540
OND/NCE	145,603	258,318	109,052	210,160	106,120	123,604	269,780	321,739
University Graduate	100,284	196,641	149,424	114,227	49,133	77,416	188,822	195,486
Post Graduate	18,490	29,496	35,086	35,593	11,661	15,160	30,777	36,959
Other	4,442	3,374	3,797	132,840	11,309	3,399	4,266	7,634

11 Comparison of Unemployment Rate by State

Unemployment Rate by State

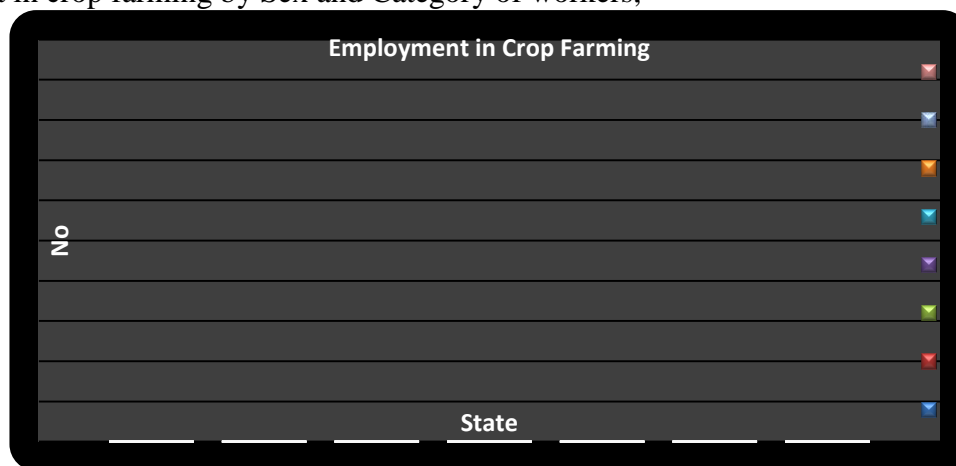
■ Series1, , 0, 0%

The categories most affected by unemployment

Youth with lower levels of education, especially secondary education constituting the greatest unemployed youth and Unemployed graduates. Based on opinions of stakeholders, the possible reasons include lack of enough available jobs to absorb youth, lack of adequate work experience and inadequate and inappropriate educational skills in areas such as entrepreneurial and various technical areas. Lack of start up capital for young entrepreneurs.

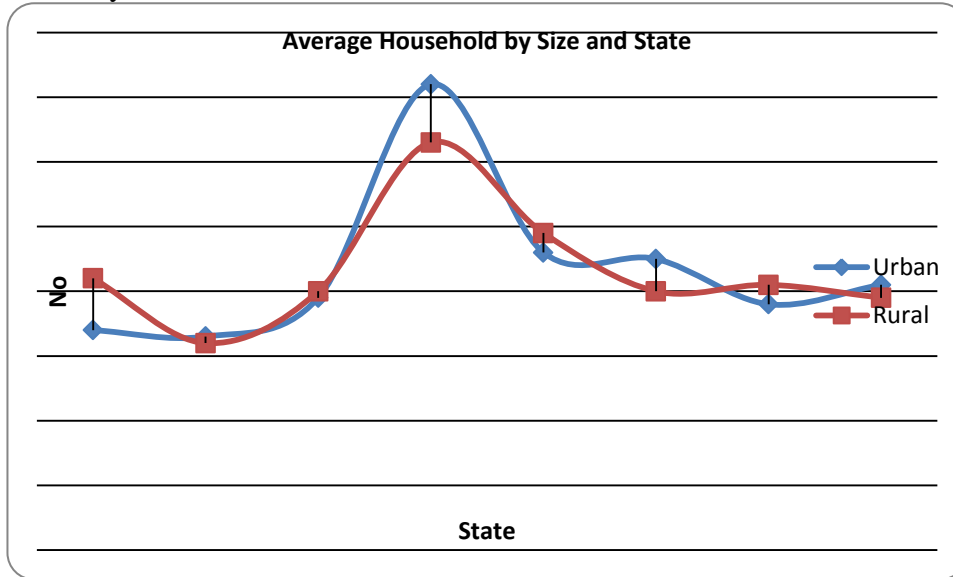
It is noted that YESSO will open a vista of opportunities for the downtrodden.

12 Employment in crop farming by Sex and Category of workers,

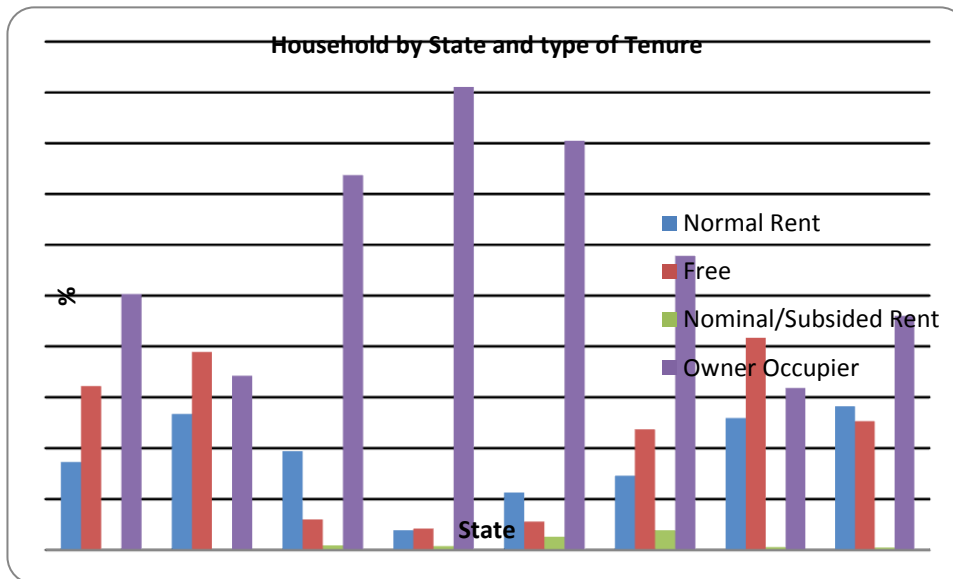


Annex 2.1: Baseline Socio-Economic Conditions of the States

13 Average Household by Size and State

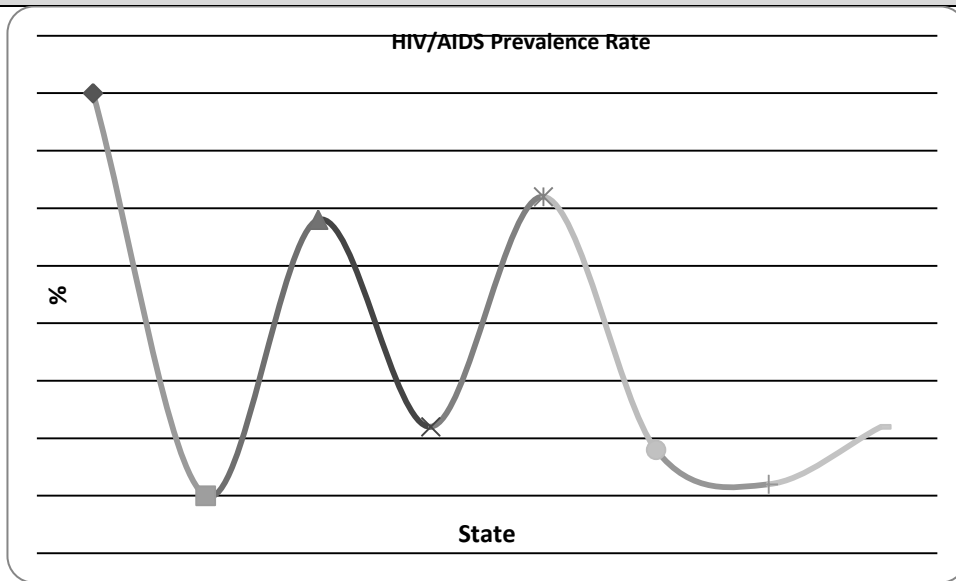


14. Household by State and type of Tenure



15 HIV/AIDS Prevalence Rate

Annex 2.1: Baseline Socio-Economic Conditions of the States



Courtesy: NATIONAL BUREAU OF STATISTICS (2009)

Annex 3.1: Additional Information on Relevant Nigerian Land Legislation

Land Use Act of 1978 and Resettlement Procedures

The Land Use Act, Cap 202, 1990 Laws of the Federation of Nigeria is the applicable law regarding ownership, transfer, acquisition and all such dealings on Land. The provisions of the Act vest every Parcel of Land in every State of the Federation in the Executive Governor of the State. He holds such parcel of land in trust for the people and government of the State. The Act categorized the land in a state to urban and non-urban or local areas. The administration of the urban land is vested in the Governor, while the latter is vested in the Local Government Councils. At any rate, all lands irrespective of the category belongs to the State while individuals only enjoy a right of occupancy as contained in the certificate of occupancy, or where the grants are “deemed”.

Thus the Land Use Act is the key legislation that has direct relevance to resettlement and compensation in Nigeria. Relevant Sections of these laws with respect to land ownership and property rights, resettlement and compensation are summarized in this section.

The concept of ownership of land as known in the western context is varied by the Act. The Governor administers the land for the common good and benefits of all Nigerians. The law makes it lawful for the Governor to grant statutory rights of occupancy for all purposes; grant easements appurtenant to statutory rights of occupancy and to demand rent. The Statutory rights of Occupancy are for a definite time (the limit is 99 years) and may be granted subject to the terms of any contract made between the state Governor and the Holder.

The agricultural (including grazing and ancillary activities), residential and other purposes. But the limit of such grant is 500 hectares for agricultural purpose and 5,000 for grazing except with the consent of the Governor. The local Government, under the Act is allowed to enter, use and occupy for public purposes any land within its jurisdiction that does not fall within an area compulsorily acquired by the Government of the Federation or of relevant State; or subject to any laws relating to minerals or mineral oils.

3.2.1.1 Requirements of the Land Use Act

The State is required to establish an administrative system for the revocation of the rights of occupancy, and payment of compensation for the affected parties. So, the Land Use Act provides for the establishment of a Land Use and Allocation Committee in each State that determines disputes as to compensation payable for improvements on the land. (Section 2 (2) (c)).

In addition, each State is required to set up a Land Allocation Advisory Committee, to advise the Local Government on matters related to the management of land. The holder or occupier of such revoked land is to be entitled to the value of the unexhausted development as at the date of revocation. (Section 6) (5). Where land subject to customary right of Occupancy and used for agricultural purposes is revoked under the Land Use Act, the local government can allocate alternative land for the same purpose (section 6) (6).

If local government refuses or neglects within a reasonable time to pay compensation to a holder or occupier, the Governor may proceed to effect assessment under section 29 and direct the Local Government to pay the amount of such compensation to the holder or occupier. (Section 6) (7).

Where a right of occupancy is revoked on the ground either that the land is required by the Local, State or Federal Government for public purpose or for the extraction of building materials, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements. Unexhausted improvement has been defined by the Act as:

anything of any quality permanently attached to the land directly resulting from the expenditure of capital or labour by any occupier or any person acting on his behalf, and increasing the productive capacity the utility or the amenity thereof and includes buildings plantations of long-lived crops or trees, fencing walls, roads and irrigation or reclamation works, but does not include the result of ordinary cultivation other than growing produce.

Developed Land is also defined in the generous manner under **Section 50(1)** as follows:

land where there exists any physical improvement in the nature of road development services, water, electricity, drainage, building, structure or such improvements that may enhance the value of the land for industrial, agricultural or residential purposes.

It follows from the foregoing that compensation is not payable on vacant land on which there exist no physical improvements resulting from the expenditure of capital or labour. The compensation payable is the estimated value of the unexhausted improvements at the date of revocation.

Payment of such compensation to the holder and the occupier as suggested by the Act is confusing. Does it refer to holder in physical occupation of the land or two different persons entitled to compensation perhaps in equal shares? The

correct view appears to follow from the general tenor of the Act. First, the presumption is more likely to be the owner of such unexhausted improvements. Secondly, the provision of **section 6(5)** of the Act, which makes compensation payable to the holder and the occupier according to their respective interests, gives a pre-emptory directive as to who shall be entitled to what.

Again the Act provides in **section 30** that where there arises any dispute as to the amount of compensation calculated in accordance with the provisions of **section 29**, such dispute shall be referred to the appropriate Land Use and Allocation Committee. It is clear from **section 47 (2)** of the Act that no further appeal will lie from the decision of such a committee. If this is so, then the provision is not only retrospective but also conflicts with the fundamental principle of natural justice,

which requires that a person shall not be a judge in his own cause. The Act must, in making this provision, have proceeded on the basis that the committee is a distinct body quite different from the Governor or the Local Government. It is submitted, however, that it will be difficult to persuade the public that this is so since the members of the committee are all appointees of the Governor.

Where a right of occupancy is revoked for public purposes within the state of the Federation; or on the ground of requirement of the land for the extraction of building materials, the quantum of compensation shall be as follows:

- *In respect of the land, an amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked.*
- *in respect of the building, installation or improvements therein, for the amount of the replacement cost of the building, installation or improvements to be assessed on the basis of prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interest at the bank rate for delayed payment of compensation. With regard to reclamation works, the quantum of compensation is such cost as may be substantiated by documentary evidence and proof to the satisfaction of the appropriate officer.*
- *in respect of crops on land, the quantum of compensation is an amount equal to the value as prescribed and determined by the appropriate officer.*

Where the right of occupancy revoked is in respect of a part of a larger portion of land, compensation shall be computed in respect of the whole land for an amount equal in rent, if any, paid by the occupier during the year in which the right of occupancy was revoked less a proportionate amount calculated in relation to the area not affected by the revocation; and any interest payable shall be assessed and computed in the like manner. Where there is any building installation or improvement or crops on the portion revoked, the quantum of compensation shall follow as outlined above and any interest payable shall be computed in like manner.

World Bank Policy on Involuntary Resettlement (OP.4.12)

The Bank's policy (in paragraph 2) advocates that where feasible, involuntary resettlement should be avoided or minimized. Resettlement shall be conceived and executed as a sustainable development program, where it is inevitable, providing sufficient investment resources to enable persons displaced by the project share in project benefit. Persons displaced shall be:

- i. Duly consulted and should have opportunity to participate in the planning and execution of the resettlement;
- i. Compensated for their losses at full replacement cost prior to civil works;
- ii. Assisted with the move and supported during the transitional period in the resettlement site;
- iii. Assisted in their effort to improve their former living standards, income earning capacity and production levels or at least to restore them.

Interim Guidelines for Addressing Legacy Issues in World Bank Projects, 2009

Virtually all the participating States in the proposed project have had or are running one form of youth employment scheme or the other. These may be considered to be included in the YESSO project. In the event that this happens, this legacy guidelines should be adopted to guide the process.

The purpose of this guideline is to provide Bank project teams and Management with guidance on how to address legacy issues related to Safeguards documents when:

- The Bank restarts engagement in a project after a significant passage of time, or
- The Bank becomes engaged significantly late in a project or in a component of a project that is already well underway.

Legacy issues in the context of social impacts are also commonly understood as impacts that remain after a factory, business, mine, or similar project enterprise has ceased operations. This guidance note is not intended to cover such legacy issues because those types of legacy issues may require situation-specific approaches or other approaches not

well addressed through the use of the Bank's Safeguards work.

In the legacy situations, there may be concerns about the consistency of the proposed project and its social Safeguards-related documents with the Bank's current social Safeguard Policies. These concerns may arise from: a legacy of inadequate social impact assessment; or adequate social impact that was carried out but may have become outdated due to either the passage of time or to significant changes in the local social setting.

Process Framework

YESSO does not envisage the project that will lead to the acquisition of protected areas (PA) or community resource management areas. However, in the unlikely event that this happens the procedures offered by OP4.12 which is negotiated process framework will be followed.

Under this policy, when resources, formerly available to local people and indispensable to their livelihoods, a *process framework* will be negotiated between the affected community and the subproject proponent that will provide for an appropriate and acceptable replacement for that component of livelihood.

Forestry Act

This Act of 1958 provides for the preservation of forests and the setting up of forest reserves. It is an offence, punishable with up to 6 months imprisonment, to cut down trees over 2ft in girth or to set fire to the forest except under special circumstances.

Nigeria is at present a wood deficit nation. In order to ameliorate the situation, the policy on forest resources management and sustainable use is aimed at achieving self-sufficiency in all aspects of forest production through the use of sound forest management techniques as well as the mobilization of human and material resources. The overall objectives of forest policy are to prevent further deforestation and to recreate forest cover, either for productive or for protective purposes, on already deforested fragile land.

Specifically, the National Agricultural Policy of 1988 in which the Forestry Policy is subsumed, provides for:

- Consolidation and expansion of the forest estate in Nigeria and its management for sustained yield.
- Regeneration of the forests at rates higher than exploitation.
- Conservation and protection of the environment viz: forest, soil, water, flora, fauna and the protection of the forest resources from fires, cattle grazers and illegal encroachment.
- Development of Forestry industry through the harvesting and utilisation of timber, its derivatives and the reduction of wastes.
- Wildlife conservation, management and development through the creation and effective management of national parks, game reserves, tourist and recreational facilities, etc.

National Environmental Regulations, S.I 27 of 2009,

This Act is directed at the protection of Watershed, Mountainous, Hilly and Catchment Areas. The regulations require every land owner or occupier, while utilizing land in a watershed, mountainous, hilly or catchment area to: observe and respect the carrying capacity of the land; carryout soil conservation measures; carryout measures for the protection of water catchment areas; use the best available environmentally friendly technologies to minimise significant risks and damage to ecological and landscape aspects; and maintain adequate vegetation cover.

An essential element noted in the regulations is the participatory approach admonished in watershed management; institutional arrangements; and fines, to name a few. It also made provisions for incentives, public education and the involvement of local communities.

Annex 4.1: Economic, Social And Environmental Risks Due To Involuntary Resettlement

1. Landlessness

- Land expropriation removes the main foundation on which many people build livelihoods.
- Often land is lost forever and sometimes it is partially replaced, seldom fully replaced or fully compensated. This is the main form of de-capitalization and pauperization of the people who are displaced, and both natural and man-made capital is lost.

2. Homelessness

- Loss of shelter may be only temporary for many people, but for some it remains a chronic condition and is also felt as loss of identity and cultural impoverishment.
- Loss of housing may have consequences on family cohesion and on mutual help networks if neighbouring households of the same kinship group get scattered.
- Group relocation of neighbours is therefore usually preferable over dispersed relocation.

3. Joblessness

- Loss of salaried employment occurs both in rural and urban displacement.
- People losing jobs may be industrial or service workers, landless agricultural labourers, or artisans.
- Unemployment or under-employment among those who are resettled may linger long after physical relocation.
- Creating new jobs for them is difficult and requires substantial investments, new creative approaches, and reliance on sharing project benefits.

4. Food insecurity

- Destruction of crops diminishes self-sufficiency, dismantles local arrangements for food supply, and thus increases the risk of chronic food insecurity. This is defined as calorie-protein intake levels below the minimum necessary for normal growth and work.

5. Increased morbidity and mortality

- Vulnerability of the poorest people to illness is increased by forced relocation, because it tends to be associated with increased stress, psychological traumas, or the outbreak of parasitic diseases.
- Decreases in health levels result from unsafe water supply and sewage systems that proliferates epidemic infections, diarrhoea, dysentery, etc.

6. Educational loss

- Involuntary displacement disrupts all public services at the departure sites, with heavy effects particularly on school programmes.
- Interruption of school attendance causes prolonged loss of access to education; some children do not return to school at all and are prematurely sent by their families to join the labour force.

7. Social displacement

- The dismantling of community structures and social organization, the dispersion of informal and formal networks, local associations, etc. is a massive loss of social capital. Such displacement undermines livelihoods in ways usually not recognized and not measured by planners, and is a cause of disempowerment and impoverishment.

8. Marginalization

- This occurs when relocated families lose economic power and slide down towards lesser socio-economic positions.
- Middle-income households become small landholders while small shopkeepers and craftsmen lose business and fall below poverty thresholds.
- Economic marginalization tends to be accompanied by social and psychological marginalization.

9. Loss of access to common property

Poor farmers, particularly those without assets, suffer loss of access to the common property goods belonging to communities that are relocated (e.g., loss of access to forests, water bodies, grazing lands fishing areas, cemetery lands, etc.). This represents a form of income loss and livelihood deterioration that is typically overlooked by planners and therefore uncompensated.

Annex 4.2: Options to Compensate Loss of Land or Access to Normal Means of Livelihood

Based on consultation with such displaced persons, the following options could be made available:

1. Offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation where appropriate.
2. Provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable.
3. Make alternative housing and/or cash compensation available prior to relocation.
4. Build new resettlement sites for displaced persons with improved living conditions.
5. In the case of physically displaced persons with recognized or recognizable rights, the project will offer the choice of replacement property of equal or higher value, equivalent or better characteristics and advantages of location or cash compensation at full replacement value.
6. Where these displaced persons own and occupy structures, compensate them for the loss of assets other than land, such as dwellings and other improvements to the land, at replacement cost but sufficient for them to reestablish themselves elsewhere. Note, a floor should be set under compensation to ensure that project operations do not result in homelessness or landlessness (for farmers).
7. Provide relocation assistance adequate for them to restore their livelihood at an adequate alternative site.

Note:

It is important to stress that this framework is not designed to address “economic displacement” in itself. “Economic displacement” could occur where people suffer losses or damage due to project activities that do not involve the taking of land. For example, if a road is realigned causing a business located along the former roadway loses customers, this is a *purely economic displacement* and not subject to OP4.12 because land was not taken from the business itself. If, on the other hand, construction of a drainage canal involves cutting off access by persons to a school or health facility, some compensation could be called for due to the taking of land to build the canal. In summary, OP4.12 demands mitigation only when land is taken. The policy does not discourage compensation for other kinds of losses and damage such as loss of “goodwill” but such compensation is not required by OP4.12.

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Annex 5.1 : Categories of Likely Losses/Impact

Category	Type of Loss
<i>Loss of Income and Livelihood</i>	
Business	<ul style="list-style-type: none"> • Loss of rental income • Loss of clientele • Loss of business income • Loss of wage income (for employees)
Impact on accommodation	<ul style="list-style-type: none"> • Loss of Business, Residential or Industrial Accommodation or Room
Opportunity Livelihood	<ul style="list-style-type: none"> • Loss of income-generating activities
Plants & Crops	<ul style="list-style-type: none"> • Loss of economic or perennial trees • Loss of grazing land • Loss of food crops
<i>Impacts arising from Disturbance/Disruptions</i>	
Impact on Access to Utilities	<ul style="list-style-type: none"> • Disconnection of utility services
<i>Physical Loss of Assets</i>	
Land	<ul style="list-style-type: none"> • Loss of land for residential, agricultural, commercial or industrial use
Structures	<ul style="list-style-type: none"> • Buildings • Temporary Buildings and building sites • Fence walls • Other Civil works – pavements, concrete curbs, concrete wells or reservoirs

Adapted from Resettlement Handbook

Annex 5.2 : Categories of Displaced Persons

1. Individuals:

These are individuals who risks losing assets, investments, land, property and/or access to natural and/or economic resources as a result of a sub-project.

2. Households:

A household is affected if one or more of its members are affected by any sub-project. This includes any member in the households, men, women, children, dependent relatives and, tenants; vulnerable individuals who may be too old or ill to farm along with the others; insofar as displacement due to the sub-project activities creates challenges for which these people are ill prepared.

3. Squatters/Other Land Occupiers

PAPs apply to all physically displaced persons regardless of the total number affected, the severity of impact and whether or not they have legal title to the land.

Thus squatters or other land occupiers who lack legal title or legal occupancy rights to the land they occupy shall be respected as enunciated in OP4.12. Illegal occupants have the same entitlements as legally titled landowners except for compensation for land. Squatters are entitled to assistance in accordance with the objectives of this RPF.

4. Vulnerable Persons/Groups:

YESSO will particularly pay attention to the needs of *vulnerable groups* among those displaced such as those below the poverty line of \$1/day; the landless, the elderly, women and children, the physically challenged other displaced persons who may not be protected through Nigerian land compensation legislation. The objective is to provide whatever additional assistance that may be necessary to restore pre-project living standards of these extraordinary needing persons who are displaced due to the YESSO activities.

Some of the vulnerable PAPs likely to be found in the proposed project States and who will require special consideration due to physical displacement as a result of land take are highlighted below:

a. Internally Displaced Persons-

Annex 5.2: Categories of Displaced Persons

These groups from the past troubles have little or no rights, are often the poorest of the poor, destitute, unskilled, unemployed and unemployable and often shunned by rest of contemporary society.

b. Elderly persons

Elderly people farm or carry out some other form of work as long as they are able. However, resettlement will damage their economic viability even more than losing land since it will separate them from the person or household on whom they depend for their support.

c. Persons Living with HIV/AIDS

It is reported that there is a growing trend of people living with AIDs. Thus PLWA should be paid attention with a view not to compound the woes of their lives. These could readily be identified through health centres and NGOs, etc who support initiatives in this direction and thus adequately compensate them.

d. Orphans and Street Children

These children are more vulnerable since they are often “voiceless” because they have no parents to defend or stand up for them and also because they are considered too young to be heard. Compensation for these orphans and street children, if they are affected by the projects in a way which requires their physical relocation, will take the form of paying for their rehabilitation and training to acquire useful vocational skills.

e. Unmarried women and/or Widow-Female-headed Households

These are women who may be dependent on sons, brothers, or others for support. Since an affected individual is able to name the person with whom he/she is linked in dependency as part of the household, resettlement will not sever this link.

In addition, in other cases, women are the main breadwinners in their household and therefore need access to health service facilities,. These women should not be resettled in a way that separates them from their households as the very survival of their households may depend on them. Their compensation must take into account all these factors.

f. Small-scale Female Farmers

Small-scale female farmers are also vulnerable because they may not have men available within the household to carry out male specific land preparation tasks. Either male relatives in other households help them voluntarily, or they hire men for cash, or food. Land compensation specifically includes the labour costs of preparing new land, so these women are provided for by the compensation plan.

g. Dependent Persons

These are people who are closely tied to their traditional or customary lands and natural resources on these lands, but these lands may not be under legal ownership. Any form of resettlement for local people embodies more serious risks than for any other populations and should consequently be avoided. If this is not feasible, the project will offer affected local and customary people at least compensation and due process available to those with full legal title to land in the case of commercial development of their land under national laws, together with culturally appropriate development opportunities. The project will enter into good faith negotiation with the affected people and document their informed participation and the successful outcome of the negotiation.

h. The physically challenged

These include people with handicaps such as blindness, paralysis, difficulties with locomotion, incapacity to work, etc. Priority shall be given to these kinds of vulnerable persons who are affected. And the needs of each physically challenged person shall be taken into consideration. In some cases, it could be necessary for qualified persons to provide direct assistance in locating (or constructing) new housing nearby to relatives who can help care for an invalid providing transitional support (e.g. moving expenses, temporary food supply, etc.), possibly job training and other support needed to allow vulnerable people to resume their lives under conditions at least as good as prevailed before displacement.

The State PMU will seek to facilitate local social support networks and, failing this, to involve specialized agencies to provide support and care. The idea is not for the state government to become a welfare agency, except insofar as displacement creates challenges for which vulnerable people who are ill prepared.

Annex 6.1: Sample of possible sub project that may be proposed by the communities and/or farmer groups that would trigger the involuntary resettlement policy with probable social impact

Sub project	Impact?	Triggered OP 4.12? (yes/no)
Expansion of area or consolidation of parcels for improved agricultural Production	Trigger displacement, lack of access, loss of shelter due to take of land.	Yes
Rehabilitation of some critical tributaries of rivers	Trigger displacement, lack of access due to take of land	Yes
Rehabilitation of catchment area	Blockage/lack of access due to take of land	Yes
Protection and conservation the critical ecosystem of the watersheds	Trigger displacement Blockage/lack of access due to take of land	Yes
Structural land management measures and civil works such as cross-drainage, check dams, gabions, terracing and other slope stabilization works, river groynes, geotextiles, afforestation, Sharing forests; awareness and capacity building; rehabilitation of livelihoods of previously evicted populations.	Trigger displacement, lack of access, loss of shelter, displacement due to take of land	Yes

Annex 6.2: Indicative YESSO-AF Resettlement Screening Form

Sub-project name	
Sub-project Location (Include Map/sketch)	
- Type of Activity (Structural land management measures and civil works - New construction, Rehabilitation or Periodic Maintenance and/or Vegetative land management measures - afforestation, agroforestry, grassing, bunds, live check dams, no tillage, buffer strips, etc).	
Estimated Cost	
Proposed Date of Commencement of work	
Technical Drawing/specifications Reviewed	(Circle answer) Yes No

This report is to be kept short and concise.

1. Site Selection:

When considering the location of a subproject, rate the sensitivity of the proposed site in the following table according to the given criteria. Higher ratings do not necessarily mean that a site is unsuitable. They do indicate a real risk of causing undesirable adverse social effects, and that more substantial social planning may be required to adequately avoid, mitigate or manage potential effects.

Issues	Site Sensitivity			Rating
	Low(L)	Medium(M)	High(H)	
Involuntary resettlement	Low population density; dispersed	Medium population density; mixed	High population	

Annex 6.2: Indicative YESSO-AF Resettlement Screening Form

	population; legal tenure is well-defined.	ownership and land tenure.	density; major towns and villages; low income families and/or illegal ownership of land; communal Properties
Cultural property	No known or suspected cultural heritage sites	Suspected cultural heritage sites; known heritage sites in broader area of influence	Known heritage sites in project area
Natural hazards vulnerability, floods, soil stability/ erosion	Flat terrain; no potential stability/erosion problems; no known flood risks	Medium slopes; some erosion potential; medium risks from flood	Hilly/mountainous terrain; steep slopes; unstable soils; high erosion potential; flood risks
Natural habitats	No natural habitats present of any kind	No critical natural habitats; other natural habitats occur	Critical natural habitats present

Checklist questions:

Physical data	<i>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</i>
Extension of or changes to existing alignment	
Any existing property to transfer to sub-project	
Any plans for new construction	

Refer to project application for this information.

Land and resettlement:	<i>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</i>
Require that land (public or private) be acquired (temporarily or permanently) for its development?	
Use land that is currently occupied or regularly used for productive purposes (e.g. gardening, farming, pasture, fishing locations, forests)	
Displace individuals, families or businesses?	
Result in the temporary or permanent loss of crops, fruit trees or household infrastructure such as granaries, outside toilets and kitchens?	
Impact assets?	
Negatively impact livelihood and/or standard of living?	
Result in the involuntary restriction of access by people to legally designated parks and protected areas?	
What level or type of compensation is planned?	
Who will monitor actual payments?	

(If the answer to any of the questions is "Yes", please consult the YESSO Resettlement Policy Framework and, if needed, prepare a Resettlement Action Plan (RAP).

Actions:	
List outstanding actions to be cleared before sub-project appraisal.	
Approval/rejection	<i>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</i>

Recommendations:

Requires a RAP to be submitted on date: _____

Does not require further studies

Annex 6.2: Indicative YESSO-AF Resettlement Screening Form

Reviewer: _____
Name: _____
Signature: _____
Date: _____

Annex 6.3: YESSO-AF Simplified Survey Form for Affected Properties, Characteristics of Families and/or Businesses and Impacts Caused by Displacement

1 Property (Goods and Assets Affected)

Household number ¹	Business number ²	Name of household head or business owner	Plot area	Description of houses and constructions	Uses of the property (housing, economic activity, other)	Level of impact (total, partial, minimum) ³	Tenure status (titled owner, owner without documents, tenant, ...)	Employment status of all adults	Comments

¹ Households should be defined as commensal units i.e. people who eat out of the same pot. ² Business should be defined as any economic activity. ³ "Partial" in cases where family/business can develop activities involving listed goods and assets; "Total" where activities cannot be developed as a result of displacement. ⁴ If they are not owners, include the name and address of the owner.

2 Socioeconomic Characteristics of Families

Household number ¹	Name of household head	No. of persons in household	No. of children <13 years of age	No. of adults +60 years of age	No. of students	Sources of income	Place of work or study and distances	Means of transport to place of study/work place	Comments

3 Socioeconomic Characteristics of Business

Business number	Name of business owner	Age of business owner	Type of activity	No. of employees	Monthly income average	Destination of production	Place of selling	Duration of existence of business in affected location	Comments

4 Impacts Caused by Displacement (Households)

Household Number	Loss of land	Loss of house or other structures	Loss or decrease of income	Loss or difficulty of access to educational services	Loss of access to health services	Loss of access to public services	Loss of social networks	Comments

Annex 6.3: YESSO-AF Simplified Survey Form for Affected Properties, Characteristics of Families and/or Businesses and Impacts Caused by Displacement

5 Impacts Caused by Displacement (Businesses)

Business Number	Loss of land	Loss of Business place	Loss or decrease of income	Loss of economic networks	Comments

Annex 5a: Entitlements of Project Affected People – indicative

Sector: _____ Date: _____

Survey no.	Name of Head of Household	Compensation for Land			Compensation for structures			Compensation for crops and trees			Compensation for other assets and losses (e.g. wells, businesses, etc)			Total	
		Quantity (m2)	Unit price Per m	Entitlement	Quantity (m2)	Unit price Per m	Entitlement	Quantity (m2)	Unit price Per m	Entitlement	Quantity (m2)	Unit price Per m	Entitlement		

Annex 6.4: An Outline of the Basic Element of a Resettlement Action Plan		
S/N	Elements	Activities
1	Description of the Project	Define the Project, and its components and the Project Site (s)
		Determine whether the Project will require land acquisition and relocation of persons
		Describe the amount of land acquisition and resettlement required
		Identify options of reducing amount of resettlement
		Quantify the options of minimizing resettlement
2	Project Objectives	Formulate the main objectives of the Project
		Identify Specific Objectives
3	Socio-Economic Studies/Census	Carry out census of affected community/individual and their assets.
		Determine income levels and livelihood patterns of the affected persons
		Identify alternatives of restoring income for the displaced population
		Define magnitude of the impacts with special reference to vulnerable groups(aged, HIV and other ailed persons, female-headed households, the poor etc)
		-Document landholding tenure system in place, lot sizes and any cultural heritages/values that may be restricted by the project
		Describe any social organizations in place that may be impacted
		Document type and size of infrastructure and other services that may be impacted
		Summarize impacts of the project for each categories of affected groups
		Provide mechanism for updating information on the displaced population
4	Legal/Institutional Framework	Define the Project affected Persons
		Identify local agencies responsible for resettlement
		Discuss staffing of the Project Resettlement Unit
		Assess capacity of the agencies to handle the magnitude of the resettlement
		Comply with national and local legislation on matters relating to land and environment
		Describe plan to inform the affected population
5	Eligibility and Entitlements	Set criteria for the displaced persons to be eligible for compensation and resettlement
		Prepare Entitlement Matrix
		Determine Assistance required for resettlement
6	Compensation Assessment	Appoint Registered/District Valuer for compensation purposes
		Carry out consultation with affected persons
		Identify and inspect affected assets for valuation
		Process Valuation Report and prepare Compensation Schedule
		Determine whether additional income assistance is necessary
7	Resettlement Plan	Determine need for relocation and discuss with affected person
		Select site for relocation and make arrangement for land titling in favour of resettlers
		In consultation with respective District Settlement Planning Department, prepare Resettlement Plan
		Discuss outsourced services if any and draw up cost implications
		Ensure Plan comply with environmental consideration
		Evaluate the impact of the Plan on host community
		Determine any special assistance measures necessary to vulnerable groups
		Identify risks associated with the Plan and chart out ways of overcoming them
		Provide information on updating of the Plan
8	Grievances Procedures	Design system for recording grievances and establish response time
		Discuss mechanism for hearing grievances
		Discuss appeal Measures
9	Organizational	Prepare implementation schedule indicating target dates and backstopping measures

Annex 6.4: An Outline of the Basic Element of a Resettlement Action Plan		
	Responsibilities	Discuss arrangements for coordinating agencies and other jurisdictions Describe measures of transferring responsibilities of resettlement sites back to respective authorities
10	Costs and Budgets	Prepare a financial plan with emphasis on responsibilities and accountability List sources of funds Identify components of the sub-project that may require additional external funding Discuss provisions for handling price fluctuations, contingencies and excess expenditure Prepare a template for Project Cost Estimate/budget
11	Monitoring and Evaluation	Discuss measures for external and internal monitoring Define monitoring indicators Determine mode and frequency of reporting and content of internal monitoring Discuss feedback mechanism

Annex 7.1: Eligibility Criteria for Compensation			
PAP Classification	Eligible for		
	Compensation	No Compensation	Assistance
Those with legal right	Land or asset at replacement cost	For land, assets, and structure on the land after the cut-off-date	Assistance as needed
Those with temporary or leased rights at cut-off date	Land and assets at replacement cost	For land, assets, and structure on the land after the cut-off-date	Assistance as needed
Those with no legally recognised right but arrived before cut-off date.	Assets at replacement cost except that compensation may be “topped off” to allow the PAP to acquire a new residence.		Assistance as needed
Those who arrived after Cut-off-date	None	None	None
Those with business located within the Community	Assets and lost income as a result of lost business during project duration	For business located in community after the cutoff-date and outside the affected area.	Assistance as needed

Annex 7.2: Entitlement Matrix

Type of Loss	Entitled Person	Description of Entitlement
1. Permanent loss of land 1.1 Cultivable/residential /commercial land	1.1 (a)Legal owners of land (b)Occupancy/Hereditary tenant	1.1 (a) Cash compensation at replacement value based on market rate plus 10% compulsory acquisition surcharge (b) & (c) Compensation will be paid as plus a one- time lump sum grant for restoration of livelihood and assistance for relocation. .
2. Damage to land (such as abutting sub-project site) 2.1. By excavation etc. from borrows for earth for construction. 2.2 By severance of agricultural holding	2.1. (a)Legal owner/s (b) Village/s or clan/s with customary ownership 2.2. (a)Legal owner/s (b) Village/s or clan/s with customary ownership	2. 1 (a) & (b) Restoration of land to pre-construction condition or cash compensation at prevailing rates for necessary bulldozer/ tractor hours to restoring level and/or truckloads of earth for fill 2.2 Provision of water course to connect severed segment with source of water
3. Loss of income and livelihood 3.1. Temporary loss of access to land for cultivation	3.1.Cultivator occupying land	3.1. Estimated net income for each lost cropping season, based on land record averages of crops and area planted in the previous four years
3.2. Loss of agricultural crops, and fruit and wood trees. 3.3 Loss of income by agricultural tenants because of loss of land they were cultivating	3.2. (a) Owner/s of crops or trees. Includes crops trees owned by encroachers/squatters (b) /tenant 3.3 Persons working on the affected lands	3.2. (a) Cash compensation for loss of agricultural crops at current market value of mature crops, based on average production. Compensation for loss of fruit trees for average fruit production for next 15 years to be computed at current market value. Compensation for loss of wood-trees at current market value of wood (timber or firewood, as the case may be). 3.2. (b) Partial compensation to tenants for loss of their crops/trees as per due share or agreement (verbal or written) 3.3 One-time lump sum grant to agricultural tenants (permanent, short-term or long-term agricultural labor (this will be in addition to their shares in crop/tree compensation)

Annex 7.2: Entitlement Matrix		
<p>4. Permanent loss of Structures 4.1 Residential and commercial structures</p>	<p>4.1. (a) Owners of the structures whether or not the land on which the structure stands is legally occupied (b) Renters</p>	<p>4.1. (a) Cash compensation for loss of built-up structures at full replacement costs Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure. In case of relocation, transfer allowance to cover cost of Shifting (transport plus loading/unloading) the effects and materials will be paid on actual cost basis or on current market rates. (b) One time cash assistance equivalent to 4 months rent moving to alternate premise. Transfer allowance to cover cost of shifting (transport plus loading/unloading) personal effects paid on actual cost basis or on current market rates.</p>
<p>4.2. Cultural, Religious, and community structures /facilities</p>	<p>4.2. School, church, water channels, pathways, and other community structures/installations</p>	<p>4.2. Complete rehabilitation/restoration by the Project; or, Cash compensation for restoring affected cultural/community structures and installations, to the recognized patron/custodian.</p>
<p>5. Special provision for vulnerable APs 5.1. Restablishing and/or enhancing livelihood</p>	<p>5.1 Women headed households, disabled or elderly persons and the landless</p>	<p>5. Needs based special assistance to be provided either in cash or in kind.</p>
<p>5.2 Change in Livelihood for women and other vulnerable APs that need to substitute their income because of adverse impact</p>	<p>5.2. (a) Vulnerable APs, particularly Women enrolled in a vocational training facility 5.2. (b) owner/s whose landholding has been reduced to less than 5 acres</p>	<p>5.2 (a) &(b).Restoration of livelihood (vocational training) and subsistence allowance @ agreed rate per day for a total of 6 months while enrolled in a vocational training facility</p>
<p>Unanticipated adverse impact due to project intervention or associated activity</p>	<p>The Project team will deal with any unanticipated consequences of the Project during and after project implementation in the light and spirit of the principle of the entitlement matrix.</p>	

Annex 8.1: Method of Valuation			
S/No	Loss of Land	Comparative Sales Method	Based on the open market value of comparable recent land transactions
1	Loss of Buildings, structures and other civil works	Replacement Cost Method or Comparative Sales Method (which ever gives a commensurate value)	Full replacement cost value as if new – recent construction cost rates
2	Loss of Business Income and Loss of Business Goodwill	Comparative Method	Based on the average monthly net profit
3	- Loss of Income from Rent and Expenditure Incurred for Alternative Accommodation during reinstatement period	Comparative Sales Method	Based on the comparable rent passing, rent advance paid
4	- Expenditure incurred for Transfer of movable properties and temporary structures	Comparative Method	Based on truck/transport hiring charges
5	- Loss of Wages, -Loss of Fees from Apprentice, - Loss of Job Training	Comparative Method	Based on Current Fees and Wages
6	Loss of access to land used for agriculture	Comparative method	Based on Crop compensation Resettlement assistance: Economic Rehabilitation assistance:
<p>Note: Valuation Methodology <i>Valuation was conducted in line with Principle 8 of the International Resettlement Standards which states that “Resettlement must be seen as an upfront project cost”. Valuation can simply be "defined as the art or science of establishing the value (worth) of a particular interest in property for a specific purpose and at a particular moment in time; taking into considerations all the features of the property and also considering all the underlying factors of the market."</i> <i>All valuation techniques rely on the collection and analysis of data such as social, economic, government and environmental attributes. Specific data include local market conditions and details of property transactions such as location, physical and functional form and legal characteristics. The value of the property is affected by the rights of enjoyment or compensation when such benefit may be alienated.</i></p> <p>Basically there are five methods of valuation namely:</p> <p>1) Comparison Method: while it is true that no two properties can be the same, this method compares like properties. It is the most reliable and requires an active market while adjustments are made to fit specific properties. The limitation faced by this method is lack of data and sometimes misleading data. Comparables may be biased where the seller may sell more or less depending on the needs at the time. Elsewhere the data given may not be correct because of personal secrecy. Thus in long run valuers have been able to come up with values per square foot/meter that can be used in</p>			

Annex 8.1: Method of Valuation

- various regions and give a reasonable value. Adjustments are made depending on various factors.
- 2) **Investment Method:** on the other hand is based on the expected future returns and its applicable where active investment market is available. Just like comparison method, investment method is limited due to lack of varied data.
 - 3) **Cost approach method:** this is where the property value is assessed based on the cost of buying the site and constructing the building. It is based on the reproduction/replacement value.
 - 4) **Profit method:** this method is used in absence of sufficient rental or sales evidence and where the hypothetical purchaser would base his/her offer of profit from the business conducted from the property.
 - 5) **Residual method:** this is applied to property with development potential either undeveloped or partially developed. The above methods together with the above factors lead to the value of the property. It is important to note that the above methods can apply to the same property if the data was available. They however give varied values; experience and the knowledge of the existing property market are necessities for any property valuer to come up with appropriate value and not just the quantification and method of calculation.

Annex 8.2: Calculation of Cost and Compensation Rate

The following are essential to note:

For Agricultural land:

- The pre-project or pre-displacement market value (whichever is higher) of land or 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 Urban land:

- 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.

For Houses and other structures:

- The market cost of the materials to build a replacement structure within 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 transporting building materials to the construction site,
- plus the cost of any labor and contractors' fees,
- plus the cost of any registration and transfer taxes, and without taking into account the value of any salvage materials, or the value or benefits to be derived from the project.

Examples of Methods to be used to determine a Monetary Compensation Rate for Land

FORMULA

For land (displacement Compensation for land on which annual and perennial crops is grown). Land is provided as replacement of expropriated land capable of serving a similar purpose, and monetary compensation in equivalent to the annual average income earned from the total land expropriated.

(area of land in Ha .X productivity of crops) X price of crops)+cost of permanent improvement on land

Value =

((area of land in Ha. X productivity of the crops) X Price of the crops)) X10 +cost of permanent improvement on land.....1

Annual Crops

Area of land in Ha .X productivity of crops) X Price of crops) +Cost of permanent improvement on land.

Value =

((area of land in ha .X productivity of the crops) X price of crops))X10 +cost of permanent improvement on land.....2

Annex 8.2: Calculation of Cost and Compensation Rate

For ripe and unripe perennial crops

Ripe

Value (area of land in Ha X productivity of the perennial crops) X number of years required to ripe) X price of the crops.

Thus:

Value, (the annual yield of the perennial crops in kilogram)The current price of the produce of the perennial crops) x 10 + cost of permanent improvement on land.....3

For unripe perennial crop

Value (number of plant (legs) cost incurred to grow an individual plant)

+ cost of permanent improvement on land.....4

The rate used for land compensation is to be updated to reflect values at the time compensation is paid. The following example, which is based on 2002 data, derives a total value for a one hectare land from the value of the crops on the land and the value of labor invested in preparing a replacement land.

* This example assumes a one-hectare land.

EXAMPLE OF METHOD TO BE USED TO DETERMINE A MONETARY COMPENSATION RATE FOR LAND* (Based on 2002 data. Naira payments will be revised to reflect crop values and labor rates in effect at the time of compensation)		
Item Compensated	Basis of value	Naira/ha
Value of Crops	Average of the highest 2002 official and market survey land prices per ha of staple food crops (millet, plantain, rice etc.),plus cash crops (e.g. sorghum, maize, rice).	
Labor	Labour cost of preparing replacement land	
Total	Replacement value of crops plus labor	

Crop values will be determined based on:

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

The following table presents an example of a compensation schedule for a one hectare land. The Naira values are based on arbitrary labour rates, which will need to be validated at the time payments are made.

EXAMPLE OF LAND COMPENSATION SCHEDULE OF PAYMENTS		
Activity	Month paid	Labour in Naira/ha, Rate cost/day x no. of days
Clear	March	
Plough	May	
Sow	May	
Weed	May	
Harvest	November	
Total		

Example of Calculating of Fruit used for commercial purposes to be compensated at market value based on historical production records

Local fruit trees, e.g guava/ mangoes	
Estimated avg. fruit yield(kg) of mature tree	800 to 1300 kg/year
Market price	
• Height of harvested season(March/April)	NAIRA/kg
• End of season(late May)	NAIRA/kg
Price used as basis of this estimate	80% height of season; 20% end of season
Years to production	Six to seven years
Years to maximum production	Twenty
Cost of sapling	Naira, locally available

Annex 8.2: Calculation of Cost and Compensation Rate

<i>Grafted fruit trees, e.g. mangoes</i>					
Estimated avg. fruit yield (kg) of mature tree	800 to 1300kg/year				
Estimated yield used	Almost entire yield due to market value				
Market price, (varies according to variety)	Naira/kg				
• Height of harvest season (june/September)					
Price used as basis of this estimate	Price per fruit or sac(100kg) as quoted by growers				
Years to production	Four to five				
Years to Maximum Production	Eight				
Costs of Sapling	Naira, not locally available.				
<i>Proposed Schedule for Fruit (e.g. Guava or Mangoes) Trees Cut Down</i>					
Type/ Age of tree	Est Years	In-kind replacement for Mangoes	Local Guava and	Credits/Financial Support	
Sapling Trees planted after project cut –off date in area will not be eligible for compensation	0-1	Deliver to Farmer: 1.Choice of two guava or mango trees ii. (local and/ or improved grafted) iii. Supplies: fencing to project iv. Tree, a bucket for watering, and a spade.		Naira	
Sapling/ Young Tree First minor production 12-50 fruit occurs about age 4-5	1-6	Deliver to farmer: 1.Choice of two guava or mango trees ii. (local and / or improved grafted) iii. Supplies: fencing to protect Tree, a bucket for watering and a spade		Equivalent of X no. Naira in credits or other financial support for labor invested invested in	

Annex 8.3: Arrangements for Compensation

1. Public Participation

This process seeks the involvement and concerns of the PAPs and the communities in a participatory approach with the project, from the beginning to implementation.

Public participation with local communities is an ongoing process throughout resettlement planning and this will have taken off at the screening stage. PAPs will be notified during the identification of subprojects and consulted with as part of the screening process.

The subsequent socio-economic survey will record all relevant information about the PAPs, and ensure that this is accurately reflected in the RAP in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation has been carried out satisfactorily. This will ensure that no affected individual/household is simply “notified” one day that they are affected in this way.

2. Notification

Landowners will be notified by the SA of that their property is required for development of the subproject. The user will be informed through both a formal notification, both written and verbal, to be delivered in the presence of the community heads and the Coordination Committee. To ensure that any sensitive areas are accurately identified during this procedure, all necessary community heads, religious leaders, other elders and individuals will accompany the project team to the site.

3. Documentation of Holdings and Assets

The PIU officials and the local community will arrange meetings with the project affected persons to discuss the compensation process. For each individual or household affected, the project officials completes a compensation dossier containing necessary personal information on, the affected party and those individuals considered as household members, total land holdings, inventory of assets affected, and information for monitoring future arrangements. The dossier shall be confirmed and witnessed by village/community officials and will be kept up-to-date. This is necessary because it ensures monitoring of an individual over time. All claims and assets should be documented in writing.

Annex 8.3: Arrangements for Compensation

4. Agreement on Compensation and Preparation of Contracts

The types of compensation shall be clearly explained to the individual or household involved. The PIU will draw up a contract, listing all property and/or land being surrendered, and the types of compensation (cash and/or in-kind). A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract and the grievance redress mechanisms are to be read aloud in the presence of the affected party and the representative of the local government chairman (or his/her representative), the project officials, and other community leaders prior to signing.

5. Compensation Payments –

All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party, representative of the state environmental agency and the community officials.

Annex 9.1: Grievance Redress Forms

Annex 9.1a. Sample Grievance Redress Form and Agreed Resolution Format

Grievance Form				
Grievance Number:		Copies to forward to:		
Name of the Recorder;		(Original)-Receiver Party:		
LG & Community:		(Copy)- Responsible Party:		
Date:				
Information About Grievance				
Define The Grievance:.....				
INFORMATION ABOUT THE COMPLAINANT			Forms of Receipt:	
Name			<input type="checkbox"/> Community/Information Meetings	
Phone Line			<input type="checkbox"/> Mail	
Village/ Local Govt. Area			<input type="checkbox"/> Informal	
Signature of Complainant and Date			<input type="checkbox"/> Other	
DETAILS OF GRIEVANCE (addition to list could be made as appropriate)				
1. Access to Land and Resources a) Fishing grounds b) Lands c) Pasturelands d) House e) Commercial site f) Other	2. Damage to a) House b) Land c) Livestock d) Means of livelihood e) Other	3. Damage to Infrastructure or Community Assets a) Road b) Bridge/Passageways c) Power/Telephone Lines d) Water sources, canals and water infrastructure for irrigation and animals e) Drinking water f) Sewerage System g) Other	4. Decrease or Loss of Livelihood a) Agriculture b) Animal husbandry c) Beekeeping d) Small scale trade e) Other	5. Traffic Accident a) Injury b) Damage to property c) Damage to livestock d) Other

Annex 9.1: Grievance Redress Forms

6. Incidents Regarding Expropriation and Compensation (Specify)	7. Resettlement Process (Specify)	8. Employment and Recruitment (Specify)	9. Construction Camp and Community Relations a) Nuisance from dust b) Nuisance from noise c) Vibrations due to explosions d) Misconduct of the project personal/worker e) Complaint follow up f) Other	10. Other (Specify)
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Annex 9.1b: Agreed Solutions Format

Date:		
Grievance Number		Copies to forward to:
Name of the Recorder		(Original)-Receiver Party: (Copy) – Party responsible:
Household & business	Resettlement Solution	Remarks

.....
Signature of Key Parties Heads to the Resolution

Annex 9.1c: Template of a Claim Registration and Follow-up Form

Prepared by: Date:
Aggrieved person:
Full name:
Residence:
Project registration number:
Reason for the claim (detailed description of the aggrieved person's version):
Composition of the mediation committee:
Chair (name, position):
LG Chairman/Community Leader/representative (name, position):
Project (name, position):
Other elders (name, position):
Report of mediation efforts:
Agreed solution:
Implementation of the agreed solution:
Close-out:
In case no settlement is reached:
Reason why no settlement could be reached:
Follow-up by claimant:

Annex 9.1d: Template of a Consultation Meeting Minute Form

Date :	Venue:
Project participants:	
Other participants (name, position) :	Total number:
Objective and agenda of the meeting:	
Points addressed by Project:	

Annex 9.1: Grievance Redress Forms

Points raised by participants:	
Follow-up activities:	
Prepared by:	Date :

Annex 10.1: Resettlement Schedule

Activities	Dates	Budget	Comments
Planning of census and surveys			
Information to people affected			
Conduct census and socioeconomic survey			
Analysis of data and identification of impacts			
Definition of assistance measures			
Relocation/assistance			
Follow-up Visit by Responsible Agency			

Annex 10.2: Budget

Each (A)RAP must include a detailed budget, using the indicative template below. The budget must be integrated with the budget for the civil works and should be considered in any feasibility studies or benefit/cost analyses. The (A)RAP will include a detailed budget for the payment of compensation and implementation of the various resettlement aspects for a particular subproject, including amongst others, costs of surveys, third party validations of voluntary land donation, land acquisition, loss of livelihood, loss of crops and other property, and allowances for the vulnerable members of the community. This will enable facilitating the preparation of a detailed and accurate budget for resettlement and compensation. YESSO will prepare the resettlement budget and will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the program. This budget will be subject to the approval of the World Bank.

Template Itemization of a RAP/ARAP Budget

No	Item (Break down and detail as appropriate)	Nigeria Naira	US Dollars	%
A	COMPENSATION			
A1	Land Acquisition			
A2	destruction and damages to crops			
A3	Structures			
A4	Community Infrastructure			
A5	Disturbance allowance			
A6	Contingencies – other compensations			
	TOTAL COMPENSATION			%
B	RESETTLEMENT			
B1	Resettlement land Purchase			
B2	Resettlement Land Development			
B3	Housing Construction			
	TOTAL RESETTLEMENT			
C	ADDITIONAL MITIGATIONS			
C1	Livelihood restoration measures			
C2	Vulnerable groups			
C3	Coordination of additional mitigations			
C4	Grievance management			
	TOTAL ADDITIONAL MITIGATIONS			%
D	IMPLEMENTATION COSTS			
D1	Surveying and asset pre-identification			
D2	Valuation			
D3	Coordination and works supervision			
D4	Legal Advice			
D5	Monitoring			
D6	Evaluation			
D7	Capacity building			
	TOTAL IMPLEMENTATION			%
E	CONTINGENCIES %			%
	GRAND TOTAL			100%

Annex 10.3: Cost Estimates and Contingencies

S/N	Item	Cost (Naira)	Assumptions
1	Compensation for land acquired	per hectare	For land acquisition purposes, based on cost realized in projects involving similar issues in Nigeria.
2	Compensation for loss of crops	per hectare of farm lost	Include cost of labour invested and average of highest price of staple food.
3	Compensation for buildings and structures	N/A	This compensation will be in-kind. New buildings will be built and given to those affected
4	Cost of relocation assistance/expenses	per household	This cost is to facilitate transportation
5	Cost of restoration of individual income	N/A	Assume to be higher than the GDP/capita
6	Cost of restoration of household income	N/A	For household of ten
7	Cost of Training	Per participant	Depends on the number of stakeholders in the counties selected
8	Cost of Management	Per sub-project site	Incurred by stakeholders such as ministries, districts
9	Cost of Monitoring and Evaluation	Per sub-project site	Dependent on the each sub-project site
10	TOTAL	Per sub-project site	Addition of all the cost incurred
11	Contingency	Per Total Cost	5% of the Total cost
12	Grand Total	N/A	Sum of t Total and contingency costs

Annex 11.1: Details of Public Participation

Annex 11.1a: Those Consulted

Rep of Community Services, Women and Youth Employment (SURE-P) met @ Federal Ministry of Finance on the 22nd October, 2012 and in communication through phones and Emails

S/No	Name	Phone Number	E-Mail Address
1	Jimoh A.F	Jfola48@yahoo.com	08029137483
2	Aremu N.O.	noaremu@yahoo.com	08033243297
3	Adeyemo G.A.	toadeyemo@yahoo.com	08055834677
4	Oliver Nwaju	onwaju@gmail.com	08034110341
5	Papka P.M.	peterpapka@yahoo.com	0803 592 3281
6	Eugene O. Itua	eugeneitua@yahoo.com	08030610235

DATE: 5TH September, 2012

STATE: EKITI STATE

S/n	NAME	ORGANIZATION	DESIGNATION	TELEPHONE	E-MAIL	SIG N
1	Olaoye S.B.	Siths Enterprise Project and Wealth Creation	Secretary	08030984939	babalolaolaoye@yahoo.com	
2	Fasusi R.S.	Ministry of Housing and Environment	DAS	08069425487	sanusifasusi@gmail.com	
3	Ogunrinde Festus	Ministry of Integration and Intergovernmental	Planning officer	08136129327	Fesog2005@yahoo.com	
4	Ayo Afolabi	Ministry of Labour, P&HCD	Director	08034638277	aayolawrence@gmail.com	
5	M.A. Ibikunle	Ministry of Women Affairs, Social Development & Gender Empowerment	Director	08037280943	maibikunle@yahoo.com	
6	Ogunjobi O.M.	Ministry of Works and Transport	Director	08032213915	opoileeke@yahoo.com	
7	Yemi Adeyemo	Ministry of Budget and Econ. Planning	Director	08062310834	Yemadeyemo2005@yahoo.com	
8	Ayoola Olufunmilola	Multiple Development Services	Environmental Officer	08038019238	f.ayoola@multideviro.com	
9	Akodu D. Ola	S.E.P.A. Ministry of Environment	Director Pollution Control			
10	Akhade Franklin	MDS	Logistics and Media	08037166226	akhadefranklin@yahoo.com	
11	Ajakaye I.O.	Bureau of Land	Land Officer	08065136133		
12	Kumolalo Alaba	Youth Development Dept. Ministry of Youths & Sport	Director, Youth	08032065660	kumolaloalaba@yahoo.com	
13	Ogungbemi O.F.	Ministry of Budget and Econ. Planning	Director representative	07062340607		
14	Kolawole M.O.	Job Creation Agency	Director Planning	08053598018		
15	Olaniyi Oladapo	Job Creation Agency	Technical Assistant (ICT/Admin)	07061020671	ooladipupo@ekitistate.gov.ng	
16	Folorunsho Aluko	Job Creation	DG	08053598002	faluko@ekitistate.gov.ng	
17	Biodun Borisade	Job Creation	Technical Assistant (Project)	08062740548	Elise.borisade@yahoo.co.uk aborisade@ekitistate.gov.ng	
18	Eugene O.Itua	World bank	Safeguard Consultant	08090753363	eugeneitua@yahoo.com	

DATE: 4TH September, 2012

STATE: OSUN STATE

S/n	NAME	ORGANIZATION	DESIGNATION	TELEPHONE	E-MAIL	SIG N
1	K.N. Akintolu	Ministry of LG & CA	Assistant Director	08032385923	Akintolu_kola@yahoo.com	
2	Engr. Abimbola Daniyan	Osun Tourism	Chairman O-tours	08130705285	Dantech19@yahoo.com	
3	Comr. Ibrahim Olayinka	NETNOS	President	08033860527	Yklen1@yahoo.com	
4	Babatunde Omole	NETNOS	Vice-President	08035699657	Babs4eva2000@yahoo.com	
5	Bamidele Timothy	Radio Nigeria	Journalist	08056544012	timdayle@gmail.com	
6	Olusola A. Duyilemi	Splash F.M.	State Correspondent	07069400728	olusolaaduyilemi@gmail.com	
7	Oladayo Olanipekun	OSBC Editor	Principal Correspondent	08034721743	Lovelypeters6@gmail.com	
8	Adeleke Tosin	Ministry of Information		08060212665		
9	Kazeem Mohammed	Osun Defender	Govt. House Correspondent	08062227984	Kazeemayofe26@yahoo.com	
10	Folakemi Alonge	OSBC	Govt. House Correspondence	08035910316	Folakemialonge@yahoo.com	

Annex 11.1: Details of Public Participation

Annex 11.1a: Those Consulted

11	Abass Okandaji	Unique FM	Reporter	08033986680	abswaris@yahoo.com
12	Adejare Taofeek	Media	Government house Photographer	08038594057	Akeyinje2011@yahoo.com
13	Olugbenga Odulaja	OYES	OYES Implementation Committee member	07056800869	oduzz@yahoo.co.uk
14	Amos Oludiran Fashesin	OYES	State Co-ordinator	08035716557	osunstatemdgs@yahoo.co.uk
15	Eugene Itua	World bank	Consultant	08023118449	eugeneitua@yahoo.com
16	Akhade Franklin	MDS Consultants	Logistics/Media	08037166226	akhadefranklin@yahoo.com
17	Ayoola Olufunmilola	MDS Consultants	Environmental Officer	08038019238	f.ayoola@multideviro.com
18	A.T. Okandaji	Ministry of Works & Transport	AD. Admin	08033669521	tjokan@yahoo.com
19	Alh. Tayo Hassan	Ministry of Lands, Physical Planning & Urban Development	Lands Officer	08034060573	tayohassan@ymail.com
20	Pastor H.O. Ogunsanya	Ministry of Lands, Physical Planning & Urban Development	Lands officer	08033848979	Niyi_ogunsanya@yahoo.com
21	Anjorin O.R.	NESREA	State Coordinator	08033210040	oranjorin@nesrea.org, osun@nesrea.org
22	J.O. Ashaolu	Ministry of Environment	Director	08032097398	mutualinter@yahoo.com
23	Segun Olatidoye	Ministry of Environment and Sanitation	CAO (FA)	08036127500	olusegunlaatidoye@gmail.com
24	Col. Eniibukun Oyewole	OYES	comate	08035927759	seoyewole@yahoo.com
25	Segun Okiki Ayodeji	Media Aides to the Governor	cameraman	08034225332	okikiayodeji@yahoo.com
26	Adeniyi Gbenga	Osun Defender	Photo journalist	08030661172	Oluwagbemiga06@yahoo.com
27	Adeoye Adesola	Media Aide to the Governor	Cameraman	08167823737	akpobowei@yahoo.com
28	Joseph Ogbobeni	AIT	Cameraman	08167823737	akpobowei@yahoo.com
29	Awe Olabode	Ministry of Information	Information Officer	08035708633	awebode@gmail.com
30	Femi Ifaturoti	Bureau of Social Services	Director General	08030443306	fmediator@gmail.com
31	Ayodeji Wale	Media Aides to the Governor	Photographer	07065547392	waleokiki@gmail.com
32	Kamal Jamui	MITV	Cameraman	08034107634	
33	Oluwayemisi Oladele	Office of Rural and Community Development	DD (CD)	08035890620	oluwayemisioladele@hotmail.com
34	Fasooto J.A	Ministry of Finance	CAO (DM)	08068545741	fasooto@yahoo.com
35	Fasanya A.A	Ministry of Regional Integration and Special Duties	Secretary, Housing Board	08033442983	Ayokunlesanya10@yahoo.com
36	Mosadomi H.O	Ministry of Women Affairs and Social Welfare	DD (SIO)	08060732306	Hannahmosadomi@yahoo.com
37	Kolawole B.O.	State Planning Commission	Executive Officer	08033547213	Oluwakemijp@gmail.com
38	T.A. Oladunjoye	Ministry of Youth, Sports & SN	Deputy Director	08055768346	damolaoladunjoye@yahoo.com
39	Omidiora Bukola	Deyoung (NGO)	P.R.O	08025548779	omidiorabukola@yahoo.com
40	Fatogun Olalekan	Deyoung (NGO)	Secretary	07033848773	
41	Olanrewaju Abiola	Deyoung (NGO)	President	08030682626	
42	Engr. Kamarudeen Babalola	Ministry of Works & Transport	Deputy Director (Civil)	08135666473 08053885193	veintqamar@hotmail.com
43	Alabi Ropo (JP)	Railway line CDA	Chairman	08034974362	
44	Abidemi M. A.	Ayanlowo CDA	Chairman	08034611853	

DATE: 6TH September, 2012

STATE: OYO STATE

S/n	NAME	ORGANIZATION	DESIGNATION	TELEPHONE	E-MAIL
1	Eugene O. Itua	World bank	Safeguard Consultant	08090753363	eugeneitua@yahoo.com
2	Akhade Franklin	MDS	Logistics / Media	08037166226	akhadefranklin@yahoo.com
3	Onifade B. C.	Dream Alive Concept	Orphan/Fatherless & widows empowerment	08058146807	dreamaliveconcept@yahoo.com
4	Balepo O. O.	Women Alive Africa	President	08099207874	obalepo@yahoo.com
5	Ayoade S. O.	Ministry of Information & Orientation	Director	08055642037	
6	Mrs Lydia Opasina	Mass widow Association	Secretary	07043308320	

Annex 11.1: Details of Public Participation

Annex 11.1a: Those Consulted

7	Mrs Ejdiran Sola	The Widows Care Centre	Coordinator	07037275361 08079497252	
8	Mrs Muibat T. Adegoke	Association of Community birth attendants and voluntary health workers	Oyo State Chair person	07058829570 08130697011	
9	Mr Jide Lawal	Ministry of Environment & habitat	Assistant Director	08034297626	Lawal4u@yahoo.com
10	Raji A.	Muslim Women Association of Nigeria	Amir	08058651605	rajestkano@yahoo.com
11	Chief (Mrs) O. O. Osifade	Menopause Care Foundation	Ibadan	08023516664	menopausecarefoundation@yahoo.co.uk
12	Pastor Dr. H.A.A. Okediji	Ministry of Education	Deputy Director	08062447407	Ronkeokediji2002@yahoo.co.uk
13	Alh. G. B. Salawu	CDC	Member	08035793215	
14	Mr J. A. Atiba	CDC	Chairman CDC	08137550336	
15	Alh. R. A. Bolarinwa	CDC	Member	08026553774	
16	Olatunji Oluwabukola	National Youth Council of Nigeria, Oyo State Chapter	State Chairman	08030665730	Aramide005@yahoo.com
17	Tijani S. A.	Ministry of Women Affairs Poverty Alleviation Department	Deputy Director	08052779828	Detijan2006@yahoo.com
18	Oyekale John Olusola	Ministry of Women Affairs	AD (WD)	08102610894	
19	Alh. Abdulfatah Oloyede	Community Development Council Ibadan	Chairman	08023461279	
20	N.B. Olayinka Muraina	Agency for Youth Development	Youth Director, Guidance & Counselling department	08055374907	
21	Popoola Yinka A.	Association of Boys and Girls Club	Chairman	08030760865	
22	Adegbola Aerat O.	Agency for Youth	Director	08023610985	aeratolaode@yahoo.com
23	Ojo Oluwabemi	M/C		08189488038	Ayolu2@yahoo.com
24	Isesanwo Adesola	Agency		07032623714	solatemitope@yahoo.com
25	Olufemi Ibikunle	R.R	Commandant	08055061538	femibikunle@yahoo.com
26	Sanda T. A.	NYCN	PRO	08054820274	Teslim4move@gmail
27	Christian E. N.	NYCN	Training Commander	07031369128	christianwaozumi@yahoo.co.uk
28	Ibrahim Rauf	NYCN	Deputy Chairman	08025310449	Rofart37@yahoo.com
29	Adegbola B.	Information		08065623587	
30	Akande O. M. (Mrs)	Agency for youth development	Zonal Officer	08033661734	ololadetreasure@yahoo.com
31	Mrs Ayoyinka Babatunde	Women & Children AID Programme	President	08030469782	Ayoyinka2002@yahoo.com
32	Alh. Oseni S. A.	Oyo State Agency for Youth Development	D(C&L)	08053258309	
33	Adeyanju k.		YG&C department	08052080132	
34	Odeyale F. F.	Oyo State Agency for Youth Development	YM&V Department	08062423070	odeyalefelicia@yahoo.com
35	Uanzekin E. Mathew	TUC, Oyo State Chapter	Secretary	08024916161	mathewuanzkin@yahoo.com
36	Gbadamosi Esther	NYSC		08078200938	Mostpretty2010@yahoo.com
37	Adekunle Hammed	Civil Servant		07032766217	hossenhammed@yahoo.com
38	O. T. Kehinde	Community Development department MWACP Secretariat	ACCDI	07035666700	
39	M. A. Bello	Social Welfare	CASWNO	08035745737	
40	Dauda Babalola			08037196981	
41	Busari Olalekan Jelili	Oyo State Community and Social Development Agency (DUCSAA)	GM	08034108313	Lekan_busari@yahoo.com
42	Fadeyi Rotimi	Oyo State Agency for Youth Development	Youth development Officer	08038571880	fadeyirotimi@yahoo.com
43	Salaudeen M. Olaitan	Oyo State Agency for Youth Development	Youth Development Officer	07052361394	mamaoba@yahoo.com
44	Adeyemo Abiola	Ministry of Estab.	S. A. Labour	08039271541	Abiolarukayat01@yahoo.com
45	Fashade Ayodeji	Good workers Movement	NGO	08062182082	goodworkermovement@yahoo.com
46	Badmus Modinat Adenike	Oyo State Agency for Youth Development	Youth Development Officer	08099119815	
47	Ogundiwin Olusegun	Oyo State Agency for Youth Development	Youth Development Officer	08176161813	segelundrew@yahoo.com
48	Gbeye Adeniyi	Oyo State Agency for Youth Development	Youth Development Officer	08023364501	adegbeyeadeniji@yahoo.com

Annex 11.1: Details of Public Participation

Annex 11.1a: Those Consulted

49	F. L. Opatunmbi	Oyo State Agency for Youth Development	D(F&A)	08022710000	Pastorapril18@yahoo.com
50	Fadeyi O.	Oyo State Agency for Youth Development	P.Y.D.A.I	08098250911	fadeyioluyinka@yahoo.com
51	Ayoola Olufunmilola	MDS	Environmental Officer	08038019238	f.ayoola@multidevrons.com
52	Adeoye Ayoade	Man O War Nigeria, Oyo	State Commander	08033884547	ayolayofavour@yahoo.co.uk
53	Babalola Akeem	Man O War Nigeria	State Welfare	08055168908	Joy4joy1986@yahoo.com
54	Emmanuel Tega	Man O War Nigeria	ADC Commander	08033603680	Emman42ng@yahoo.com
55	Ojeniyi (Mrs) Fehintola	Women Farmers Development Association	Programme Coordinator	08033337706	fojeniyi@yahoo.co.uk, wofad@yahoo.co.uk
56	Grace Olawatoye	Life builders	CEO	08033745604	goluwafoye@gmail.com, lifebuildersng@yahoo.com
57	Adepeju Oyegbami	Life Builders	Resource	08032466511	pejuomoyemi@yahoo.co.uk
58	Chief Kemi Adeleke (Mrs)	NCWS	Vice President	08063075654	
59	Awokunle Busayo	RUPEOIN	Member	08029485185	
60	Akinpelu A. I. (Mrs)	Agency for Youth	Director	08032450500	Kenkem2002ng@yahoo.com
61	Niyi Ajao	OYSG	SSA ICT	08030986193	
62	Olufunke Adedeji	Agency for Youth Development	Executive Secretary	08033884797	
63	Adekola Adeoye	ARSOYOC	Chairman	08029201970	
64	Ajibola T. A	Ministry of Local Government	Director	08067343134	

CROSS RIVER STATE

NO	NAME	MDAs	DESIGNATION	PHONE NO.	E-MAIL	SIGN
1	Dr. Kelly A. Ekuri		Consultant	08089881377	kellyekuri@yahoo.com	All signe
2	Ofuka C.E.	Education	Director	08033559488	Enigbe08@yahoo.com	
3	Joey Egbe Irek	Napep	Information officer	07069450092	Joey.irek@gmail.com	
4	Prince S.J. Okpa	Supreme coalition	Director police affairs	08032241579	princeokpa@yahoo.com	
5	Elder antigha A Ita	The Boys Brigade	State sec. org.	08034036735	Antigha3@yahoo.com	
6	Out O. Out	CSO & NGOs	HOD (Admin)	07034197623		
7	Victoria Egoutla	Dept.	Rep (SA) DEP. Director	07033747905	Ontavi4@yahoo.com	
8	John Aerar	SPC	CMP(IP)	08100751007	Meetjohn@yahoo.com	
9	Ugbe Joseph U.	MOF	DPRS	08033574754	Joseph.ugbe@yahoo.com	
10	Ntufam Simon E. Akor	CARES	ADM	08068429021		
11	Itim Emmanuel E.	Supreme coalition	P.R.O	08037984249	Tym_m@yahoo.com	
12	Chris A Ogar	Dept of mineral resource	Assistant Director	08063266262	Kris_ogar@yahoo.com	
13	Abogi Ogbeche	NDE	ACUSDO	08027175684	abolehi@yahoo.com	
14	Joe-mary ita	CUDA	Director	08037208605	joemaryelkey@yahoo.com	
15	Raymond inyang	Ministry of social welfare and development	Desk officer	070311125920	Inyangray@yahoo.com	
16	Chris Mownang	Youth and sports	Director	08057260191	Chris_mownang@yahoo.com	
17	Terence Samuel	MEDA	MGR	08057260191	terency77@yahoo.co.uk	
18	Asanye Eno	CTDD	Centre manager	08037135781	easanye@crossriverstate.gov.ng	
19	Elo Aegar	DIDC	22A	08036708356	Cedcorzar@yahoo.com	
20	Bass Patricia Andeley	MOSWCD	COMM	070362812228	patonzion@yahoo.co.uk	
21	John A Nandi	Min. lands	PAO	08034107030		
22	Dr. Asikong Bassey E.	University of Calabar	Lecturer	08038815464	beasikong@yahoo.com	
23	Otu E. N.	DIDC	Accounts	08033927296	Eyune23@yahoo.com	
24	Ekuri E. O.	DIDC	HFA	08068415449	Emmanuelekuri65@yahoo.com	
25	Pascal King	Power NGO	Programme conductor	08134140848	pascalking@yahoo.com	
26	Roy Ndoma-Egba	DIDC	Special adviser	08033380626	Royrone1966@gmail.com	
27	E.E. Eke	SSG	Director	08023465306		
28	R.A Akwajobe	Tourism Dev	Special assis.	08059915628	kpankus@gmail.com	
29	Festus O. Ofulet	Didc	DO(YESSO)	08068707035	Ofulet70@yahoo.com	
30	Justina Okey	DIDS	S. environmental officer	08032620167	justikey@yahoo.com	

Annex 11.1: Details of Public Participation



Annex 11.1a: Those Consulted

KANO STATE

S\N	NAME	ORGANISATION	DESIGNATION	TELEPHONE	MAIL	SIGN
1	Ahmadu Sidi Ali	Dir. Of youth Dev. Kano state	Deputy Director youth Dev.	08031328778	Azanci22@gmail.com	
2	Ali Muhammad Tania	Dir. Youth Dev. Kano state	Director General youth	08065526896		
3	Sanua Abubakar	Director of youth Dev.	Director of youth Dev.	08030678897	s.abubakar@yahoo.com	
4	Abdullahi A. kk	Dir. Of youth Dev. Kano state	Asst. Director Youth	07056176744		
5	Bilikisu Sulaiman	Chairlady youth council Kano	Chairlady NYCN, Kano	08063350733		
6	Rilwanu Baita	KNUPDA	Director urban Centre	08023573253		
7	Amune Pius			0803954451515	piusamune@yahoo.com	
8	Ibrahim A Salali	Mins. Of finance	D\AGS	08065418862	Ibrahim_sayayi@yahoo.com	
9	Ashiru D. zage	Min. of Planning & budget, Kano	Perm. Secretary	08054438251	ashiruzage@gmail.com	
10	Muhd Yaro	MOPB	DDDBC	08034533626	Myaro125@yahoo.com	
11	Shehu s . Imam	MDGs Min. of Planning & Budget	D.D . Aid	08034506757	shehuimam@yahoo.com	

Niger State

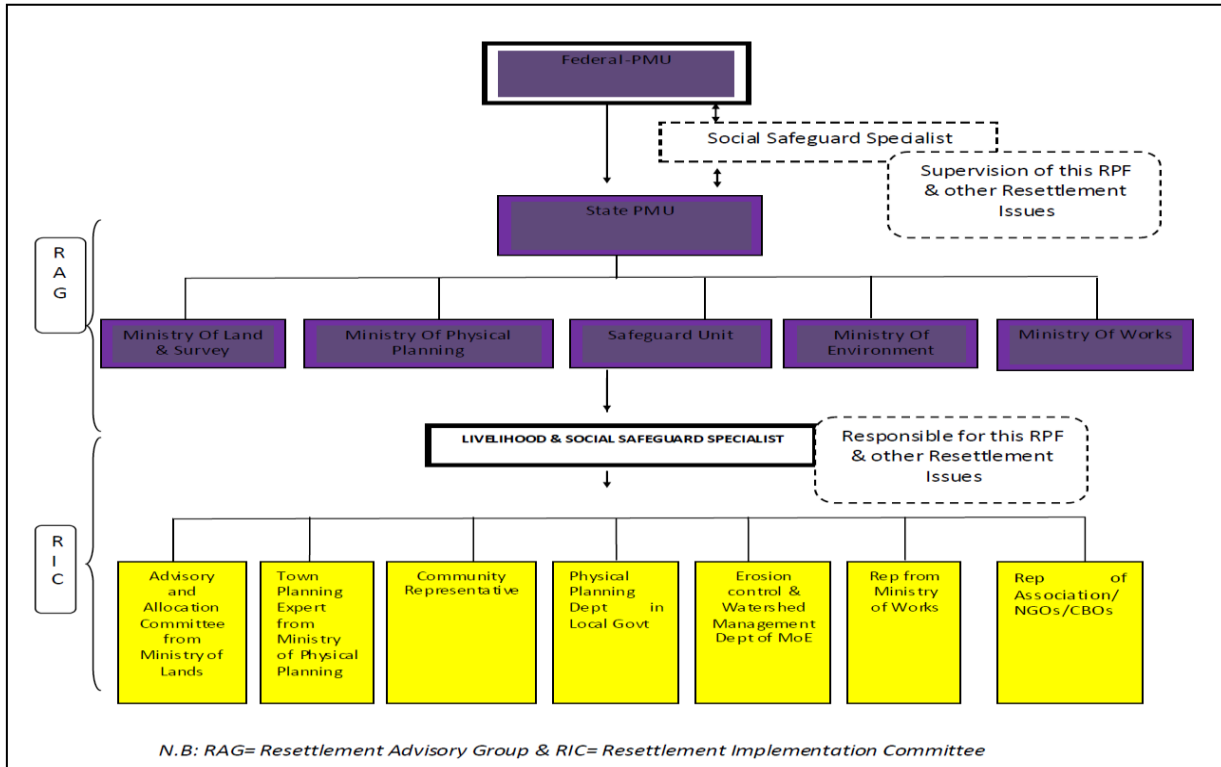
S\N	NAME	ORGANISATION	DESIGNATION	TELEPHONE	MAIL	SIGN
1.	Abubakar M.Kwatachi	YESSO Office Mining	Head of M&E	08032839385,08051678234,08170969632	abukwat@yahoo.com	In the hard document
2.	Hadiza Muhammad Shiru	YESSO mining	Head of planning	08032318178	hadizamohou@gmail.com mohamudabdulhaba@yahoo.com	
3.	Mahmud Shaba	YESSO	s\ assistant youth Affairs	08033653103		
4.	Mohammed Yahaya	YESSO	S S.A YESSO	08035404322	Mdyahaya73@gmail.com	
5.	Gomna Aliyu	Ministry of youth Dev. Minna	Director youth Dev. & Education	07033063364		
6.	Adimu Baba Kutiyu	N \ State plan. Com	Pin. Ex. Officer	07034488029		
7.	Danladi Phitman	YESSO office	Head of Admin.	07032468660		
8.	Ladan M. Dayinna	Women Affair	Deputy Director	08035928773		
9.	Hauwa kulesan	NISEPA	H.O.U Solid water			
10	Theresa Idibia	Life Rehab Foundation	Project Officer	08031554591	tessy_idibia@yahoo.com	
11.	Aminu .S. huwa	Poverty Director	D.G	08038376099	aminugwada@yahoo.com	
12	Yusuf Haruna	Min. of RAPE	Director	08032586973		
13	Muh'd Sani Dogara	Min. of Works	Ag DMEES	07039417479	muhammadsanidogara@yahoo.com	
14	Tahiru .U. Sana	Land & Housing	D \ Land	08034511736	tahirusana@yahoo.com	
15	Ahmed N. Mustayo	Min. of youth	DPRS	08065350192	Ahmedtayo38@gmail.com	
16	Sulaimon J.G Muhammad		Network MYDM	08036523838	Sulaimanmohammad35@yahoo.com	
17	Engr. Adamu Danladi.	Min. of L.G & C.A	Ag Dir. PRS.	08037305849	engradamu@yahoo.com	
18	Princess Rachel Yisa	MGASD	P\S	08035860121	Hfprincess2001@yahoo.com	
19	Tsado Philip S.	NAMDA	Planning Officer	08033741069	Philiodedon@yahoo.com	
20	Dalhatu Abdulazeez	Console	Environmental	08036789973	Dalhatu_abdulazeez@yahoo.com	
21	Abubakar Chika Adams	YESSO	Special Adviser	08035909090	chikaabubakar@yahoo.com	

Annex 11.1: Details of Public Participation		
Annex 11.1b: Summary of Issues/Comments from Stakeholder Engagements for YESSO RPF Preparation		
Focus of Stakeholders' Meetings:	Location	Date
<ul style="list-style-type: none"> Overview of YESSO and appreciation of preparatory stage of the project by WB Consultant The need for RPF and other related instruments - premature to determine what the real social and environmental impacts are since sub-projects, exact locations and magnitude of impacts, who will be impacted are not yet known. Familiarity of State MDAs in charge of resettlement issues with Bank Resettlement procedures Challenges that could impede the implementation of the project Support needed from all parties to ensure effective project preparation and successful implementation Defining Roles and Responsibilities of Relevant Parties in YESSO 	Ado-Ekiti	5 th Sept, 2012
	Calabar	20 th Sept, 2012
	Ibadan	6 th Sept, 2012
	Kano	4 October 2012
	Minna	19 th Sept, 2012
	Oshogbo	4 th Sept, 2012
	Enugu	
	Ilorin	
Stakeholder Met	Issues/Comments Raised	Response/How Addressed
<p>MDAs (Ministry of Works and Transport, Ministry of Budget, Ministry of Integration and Intergovernmental affairs State Ministries of Environment, Ministry of Education, Ministry of Information, Ministry of Women Affairs Poverty and Alleviation Development MDAs, etc)</p>  	<ul style="list-style-type: none"> We recognize the fact that this programme has potentials as the youths involved still have much energy and age on their side. On our own part, we shall involve youths in forestry activities in such a way that degraded land will be best managed. Our Ministry shall participate in this programme by training the youths on best harvesting procedures. It is essential for WB to study critically the inputs that will be passed across through the checklist. For this programme to stand, WB will have to take cognizance of the four determinants of growth of any nation (quality of Human Resource in any Nation, availability of Natural Resources, Capital Formation of any Nation, and Technology) Commendable effort and we are eagerly waiting to see the project implementation since it tends to strengthen the resolve of our State governments and MDAs to create employment for our youths, especially and engage them in meaningful works. All supports shall be given by the line MDAs to ensure the success of the project. However, there is need for all MDAs to ensure each knows its boundary of activities so that there are no conflicting roles. Also, MDAs lack the logistics in terms of manpower and capacity for project management generally. If the project fails, the stakeholder present here will be the cause and if it should succeed, vice versa. There is necessity to go down the grassroots to get correct information and not the manipulated information. We have already accepted the programme; it is just a matter of changing the nomenclature to YESSO. What is the probability that the State will be among the beneficiaries of this project and what percentage; has the project seen the light of the day? Will all the 18 States be engaged at a go. My heart beats when I see contractors excavating the earth and never fill it up opening it to erosion problem. I feel we should carry the Ministry of Local Governments and the cabinet where contractors go to defend any project along from the onset. The press should also be carried along as our people need to be oriented and since the media will be the one to blow this up so that development association, landlord association can also contribute to this. How can the issue of politics be cut off so that the purpose of this project can be achieved so that the real people the project is meant for are captured It is not likely the vulnerable ones will not be captured because random selection will be done and the committee for selection of people will be a 7 member team committee consisting of Chiefs, Kabiyesi, Political ones among others, and if a rich man's daughter is selected, the committee will protest. As policy formulators, the core beneficiaries should be identified such as; <ol style="list-style-type: none"> The educated and illiterate youths, 	<ul style="list-style-type: none"> We recognize good governance structure and laws in place and would work with you supporting them with World Bank Policies for effectiveness and efficiency. RPF & ESMF is designed to ensure every needed element that would expedite action for the YESSO is taken and social issues as well as environmental issues are well taken care of from the state without impacting any particular person or group of persons. YESSO provides avenue for scale-up of other State initiatives in youth employment and would be community driven projects. Institutional capacity strengthening mechanism is built into the entire YESSO project and specifically for managing social and environmental issues. Appropriate roles and responsibilities are duly spelt out in the management of the project in RPF and ESMF RPF and ESMF ensure that social and environmental issues are given prominence even in government-executed projects supported by the World Bank This is well spoken. In most stakeholders meetings, it is always important the NGO's are present as the serve for the voice for the voiceless. The criteria/guideline for this project shall be followed. It is good we identify these people and your state will help in doing this. It is a State project, you will manage the resources and the WB will only fund it. If Resettlement Actions Plan and EIA are done as the need may be, the people will be carried along and they will therefore ensure the sustainability

Annex 11.1: Details of Public Participation		
Annex 11.1b: Summary of Issues/Comments from Stakeholder Engagements for YESSO RPF Preparation		
	<p>2.) Disabled youths e.t.c.</p> <ul style="list-style-type: none"> ➤ Re-orientation of the youths is very imperative. Sensitization and capacity building should also be considered. ➤ A good EIA should be carried out which would affirm that the project will stand ➤ There is a lack of interest in Agriculture and environment, so we implore the WB to put her interest in improving of Agriculture and Environment. ➤ WB should complement the effort of the State Government in building of classrooms in the rural areas. ➤ The project is highly commendable ➤ Who are the beneficiaries/target audience for this project ➤ The awareness and sensitization should not be limited to this hall. ➤ What plan does WB have for the Government and the Governed? ➤ Is this project a serious one or one of the jamboree we have had in the past ➤ What are the specific roles of the stakeholders here present ➤ We have noticed a lot of project of this nature in the past faced out the exact beneficiaries ➤ How do we ensure that the beneficiaries equipped make use of the equipment and not sell it off ➤ We should put into consideration the skilled and unskilled youth's ➤ Implementation strategy should be planned alongside Resettlement Action Plan ➤ NGO and youth associations be involved in the selection of the beneficiaries ➤ How sure are we that those that will be sent to the grassroots will not be biased in their selection ➤ How do we overcome the problem of conflicting roles among stakeholders 	<ul style="list-style-type: none"> ➤ of the projects. ➤ All youths qualify for this project but the project is designed for the enhancement of human capital development among the poor ➤ You are here present to help in identifying the beneficiaries ➤ The State Government will follow the rule of the project, to benefit from the project ➤ WB projects is most often targeted at the poor, how they can come out of poverty ➤ Various interest groups in each community should come together in the selection process ➤ All stakeholders will be trained on their roles
	<ul style="list-style-type: none"> ➤ Is this project an exclusive preserve of the WB as a social amelioration for the poor or is it a joint project between the WB and the State Government. ➤ Is the project at the stage of policy formulation or a policy is already in place that we want stakeholders to fit in ➤ There is a kind of jetlag in Governments formulation that the government will only raise their hope and not executing the project in the end. ➤ Why have projects executed before by WB been failing such as FADAMA? What can we do to ensure this doesn't fail? ➤ We should avoid the clash of interest between some institutions and the local government officials. ➤ The empowerment should be in full and not in part. ➤ The WB should engage the youths adequately and not allow the elders make decisions on their behalf ➤ There should be awareness/sensitization programme for the youths before empowering them ➤ The WB should ensure check balancing/evaluation of the youths after empowerment ➤ The emphasis of this project should be on Human Capital Development ➤ There is land available to carry out this project ➤ We implore the WB to empower the "Agbebi's" and build a maternity centre for us which will help in the eradication of death of the mother and her new baby ➤ Past major initiatives on youth employment, and skills acquisition and training especially by State failed because of the inequities and disenfranchisement of the people for whom the project were designed. ➤ Lack of social inclusiveness and elite capture is paramount in a number of projects by the Government ➤ At times no provision of employment/funds after training of youth in the targeted states, ➤ Normal government business activities hardly compensate displaced people. 	<ul style="list-style-type: none"> ➤ The WB will route the fund through the Federal Ministry of Finance and then to the State. ➤ Policies are statement of commitment. It is not a policy that the Government will make pronouncement and not achieve. It is a framework that will guide displacement. ➤ The project will be monitored to ensure it move the way it was proposed. ➤ Resettlement Action Plan spells out the roles of all concerned so as to avoid clash of roles ➤ Training is key to this project ➤ YESSO is for skill acquisition ➤ The design of YESSO emphasizes equity, justice and transparency in the implementation through social inclusiveness, avoidance of elite capture, working with trade groups, ensuring first-come, first serve with priority given to the vulnerable. ➤ The design would allow youths trained in preferred skills with assurance of continual engagement after training either by self or other forms of engagement. ➤ Entrepreneurship is highly amplified by the
<p>CBOs/NGOs</p>		

Annex 11.1: Details of Public Participation		
Annex 11.1b: Summary of Issues/Comments from Stakeholder Engagements for YESSO RPF Preparation		
	<ul style="list-style-type: none"> ➤ Whatsoever we want to build into empowerment should be a significant skill that makes the youth stand out in the background they already have ➤ The World Bank should look around for people who are ready to work and look critically at what they do and where they fail. ➤ Most youths are used to the fact that the people in power own everything while pretending that they don't have anything, hence, youths feel they only want to be used and paid little money while the rich people begin to enjoy their sweat. We therefore advice that the WB make this programme a clear one. ➤ We encourage that this programme gets to the grass root in order to capture the vulnerable people. 	<ul style="list-style-type: none"> ➤ project. ➤ YESSO provides avenue for scale-up of other community driven projects. ➤ For any World Bank project, structures must be put in place to push the project forward.

Annex 12.1: Indicative organogram of Roles and Responsibilities for Resettlement Plans



Annex 12.2: Resettlement Activities and Responsible Party

NO	ACTIVITY	RESPONSIBLE
1	Liaising with World Bank/Project Supporters	PIU
2	Coordination of Activities	PIU
3	Preparation and Disclosure of RPF	PIU/World Bank
4	Selection of Sub-Projects	PIU, communities, NGOs/CBOs, World Bank
5	Selection of sub-project sites	PIU/Relevant MDAs/World Bank
6	Vetting of request for compulsory acquisition of land, Oversight of land expropriation and land issuance of titles to resettled PAPs.	Ministry of Lands, Ministry of Physical Planning and Development and Ministry of Environment
7	Social Impact studies (conduct social impact assessment and property impact studies)	PIU through Resettlement Consultant
8	Identify vulnerable people when developing RAPs and ARPs	PIU through Resettlement Consultant
9	- Marking of affected properties, Inventory of affected properties, Notifications, Request for proof of eligibility, - Consultations	PIU and Local Government Authority
10	Valuation of Affected Properties	Ministry of Physical Planning and Urban Development, PIU through Resettlement Consultant
11	Organise and implement census of affected people and census and valuation of affected assets in the framework of the development of a RAP	PIU through Resettlement Consultant
12	Consultations, planning and Preparation of RAP	PIU/Consultants
13	Review of RAPs	PIU and World Bank
14	Disclosure of RAP	PIU/World Bank
15	Internal Monitoring	PIU
16	External Monitoring and Approval	FMEEnv, SMOE, NGOs/CBOs, Communities, World Bank
17	Preparation of Monitoring and Evaluation Report of RAP and Disclosure	PIU
18	Establishing of Resettlement & Rehabilitation Committees - Utilities Committee to conduct an inventory of properties with utility services - Grievance Committee establish procedures for dispute resolutions - Payment Committee establish payment modalities	PIU, Ministries of Lands and Survey, Physical Planning and Urban Development/Land and Allocation Committee, Ministry of Women Affairs and Poverty Alleviation, Ministry of Agriculture
19	Disclosure of values. Making of offers Processing for payments	PIU/ Resettlement & Rehabilitation Committees /Ministry of Finance
20	Release of funds for payment	Ministry of Finance, PIU
21	Compensation Payments	Payment Committee (PIU/Resettlement Committees, Ministry of Women Affairs and Poverty Alleviation)
22	Grievance and dispute resolutions	Grievance Committee (PIU/Ministry of Justice/Ministry of Lands/Resettlement & Rehabilitation Committee)
23	Taking possession of site	PIU
24	Representing government for any law court redress cases	PIU, State Attorney General's Office

Annex 12.3: Typical Training Programme on Capacity Building of Relevant Stakeholders

S/n	Duration	Subject	Resources
1	60Mins	Official opening Introduction of Participants Introduction to programme, Sessions and trainers	List of participants Agenda for training Session
2	15Mins	Tea Break	
3	90 Minus	General Introduction Involuntary vs. Voluntary Resettlement World Bank Safeguard policies Policy, legal and other statutory requirements as per Government of Nigeria and World Bank Main issues associated with Involuntary Resettlement	PowerPoint presentation Associated handouts
4	60mins	Lunch	
5	60mins	Introduction to Social and Resettlement Issues Basic Concepts	
6	90mins	World Bank OP 4.12 Involuntary Resettlement Principles of RAP Planning Requirements Implementation Requirements Grievance and Conflict Management and Resolution Documentation and Disclosure Requirements Monitoring and Evaluation of RAPs and ARPs	Full text of OP 4.12 for each participant (included in the RPF)
7		Tea Break	
8	60mins	Overview & Objective of the RPF Gaps between OP 4.12 & Nigerian Land Use Act and how to bridge them Eligibility and Entitlements Resettlement and Compensations packages	Full copy of the RPF for each participant PowerPoint Presentation
9	30minus	Review of Day	
DAY 2			
1	60mins	Assessment process (i.e. introduction to RAPs as proposed in the RPF) Census & Socio-economic Methodology Content of a RAP Grievance and conflict Management Vulnerable people Monitoring and Evaluation tools	Full copy of the RPF for each participant PowerPoint Presentation
2	15mins	Tea Break	
3	90mins	YESSO Resettlement Action Plan Background Resettlement packages Consultations and negotiations with affected people Development of Resettlement sites Potential strong point and weak points	PowerPoint presentation Associated Handouts
4	60mins	Lunch	
5	90mins	Social & Resettlement Considerations in Urban and Rural Development Projects: Social and Resettlement aspects arising during construction and operation stages Social and Resettlement Good Practices in Urban public works and rural agricultural practices	
6	30Mins	Review & Closing	

Annex 14.1: Indicative Parameters to Monitor Routinely in the Course of Implementation.					
Subject	Indicator	Variable			
Land	Acquisition of land	➤ Area of cultivation land acquired for YESSO developments			
		➤ Area of communal land acquired for YESSO developments			
		➤ Area of private land acquired?			
Buildings/ Structures	Acquisition of buildings	➤ Area of government land acquired?			
		➤ Number, type and size of private buildings acquired			
		➤ Number, type and size of community buildings acquired			
Trees and Crops	Acquisition of other structures	➤ Number, type and size of government buildings acquired			
		➤ Number, type and size of other private structures acquired			
		➤ Number, type and size of other community structures acquired			
Compensation, Re-establishment and Rehabilitation	Acquisition of trees	➤ Number and type of trees cut			
		Destruction of crops	➤ Crops destroyed by area, type and ownership		
			Compensation, Re-establishment and Rehabilitation	Compensation and reestablishment of affected owners/individuals	➤ Timeliness of measures taken
➤ Number of homesteads affected (buildings, land, trees, crops)					
➤ Number of owners compensated by type of loss					
➤ Amount compensated by type and owner					
➤ Number of replacement houses constructed					
➤ Size, construction, durability and environmental suitability of replacement houses					
➤ Possession of latrines					
➤ Water supply access					
➤ - Number of replacement businesses constructed					
Hazards and Disturbances	Reestablishment of community resources	➤ Timeliness of measures taken			
		➤ Number of community buildings replaced			
		➤ Number, type of plants lost			
		➤ Number of seedlings supplied by type			
		➤ Number of trees planted			
		Hazards and Disturbances	Introduction of nuisance factors	➤ Number of homesteads affected by hazards and disturbances from construction (noise levels, blasting, increased traffic levels)	
				Population migration	➤ Residential status of homestead members
					➤ Movement in and out of the homestead (place and residence of homestead members)
				Changes to health status	➤ Distance/travel time to nearest school, health centre, church, shop, village
					➤ Nutritional status of resettled homestead members
Changes to educational status	Changes to health status			➤ Number of people with disease, by type (STDs, diarrhea, malaria, ARI, immunizable disease)	
				➤ Mortality rates	
				➤ Access to health care services (distance to nearest facility, cost of services, quality of services)	
				➤ Utilization of health care services	
				➤ Disease prevention strategies	
		➤ Extent of educational programmes			
		➤ Latrine provision at schools (school child population per VIP on site)			
		Changes to status of women	Changes to educational status	➤ Literacy and educational attainment of homestead members	
➤ School attendance rates (age, gender)					
➤ Number, type of educational establishments					
➤ Participation in training programmes					
Changes to status of women	Changes to status of women	➤ Use of credit facilities			
		➤ Landholding status			
		➤ Participation in YESSO-related activities and enterprises			

Annex 14.1: Indicative Parameters to Monitor Routinely in the Course of Implementation.		
Consultation	Homestead earning capacity	<ul style="list-style-type: none"> ➤ Ownership of capital assets ➤ Ownership of equipment and machinery ➤ Landholding size, area cultivated and production volume/value, by crop (cash and subsistence crops) ➤ Landholding status (tenure) ➤ Redistribution of cultivation land ➤ Changes to livestock ownership: pre- and post disturbance ➤ Value of livestock sales, and imputed value of barter transactions ➤ Consumption of own livestock production ➤ Employment status of economically active members ➤ Skills of homestead members ➤ Earnings/income by source, separating compensation payments ➤ Changes to income-earning activities (agriculture) – pre and post disturbance ➤ Changes to income-earning activities (off-farm) – pre and post disturbance ➤ Amount and balance of income and expenditure ➤ Possession of consumer durables ➤ Realization of homestead income restoration plans (components implemented, net income achieved) ➤ Possession of bank and savings accounts ➤ Access to income-generating natural resource base (wood, grass, sand, stones)
	Changes in social organization	<ul style="list-style-type: none"> ➤ Organizational membership of homestead members ➤ Leadership positions held by homestead members
	Population influx	<ul style="list-style-type: none"> ➤ Growth in number and size of settlements, formal and informal ➤ Growth in market areas
	Consultation programme operation	<ul style="list-style-type: none"> ➤ Number of local committees established ➤ Number and dates of local committee meetings ➤ Type of issues raised at local committees meetings ➤ Involvement of local committees in YESSO development planning ➤ Number of participating NGOs
	dissemination	<ul style="list-style-type: none"> ➤ Number, position, staffing of Information Centres ➤ Staffing, equipment, documentation of Information Centres ➤ Activities of Information Centres ➤ Number of people accessing Information Centres ➤ Information requests, issues raised at Information Centres
	Grievances resolved	<ul style="list-style-type: none"> ➤ Timeliness of measures taken ➤ Number of grievances registered, by type ➤ Number of grievances resolved ➤ Number of cases referred to court
	Training	<ul style="list-style-type: none"> ➤ Number of local committee members trained ➤ Number of affected population trained in Project-related
	Management	<p>programme Training courses</p>
	Staffing	<ul style="list-style-type: none"> ➤ Number of implementing agencies by function ➤ Number of ministry officials available by function ➤ Number of office and field equipment, by type
	Procedures in operation	<ul style="list-style-type: none"> ➤ Census and asset verification/quantification procedures in place ➤ Effectiveness of compensation delivery system ➤ Number of land transfers effected ➤ Co-ordination between local community structures, YESSO and officials

Annex 14.2: Resettlement and Compensation Performance Measurements Indicators	
<i>Monitoring Indicators</i>	<i>Evaluation Indicators</i>
1. Outstanding Compensation or Resettlement Contracts not completed before next agricultural season	1. Timeliness of individual compensation or resettlement contracts;
2. Communities unable to set village-level compensation after two years	2. Outstanding village compensation contracts
3. Grievances recognized as legitimate out of all complaints lodged.	3. Grievances resolved in a timely manner;
4. Pre- project production and income (year before land used) versus present production and income of resettlers, off- farm-income trainees, and users of improved mining or agricultural techniques.	4. Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.
5. Pre-project production versus present production (crop for crop, land for land)	5. Equal or improved production opportunities
6. Pre-project income of vulnerable individuals identified versus present income of vulnerable groups.	6. Timely assistance to vulnerable individuals