

Government of Ethiopia  
Ministry of Finance and Economic Development

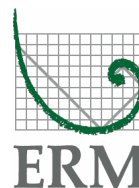
# Resettlement Policy Framework

Local Infrastructure Grant

## FINAL REPORT

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## 1 DEFINITION OF TERMS USED IN THE REPORT

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

1. *“Associated projects” means any activity which is directly dependent on a World Bank funded project, or any activity which a World Bank project is dependent upon, regardless of financing source.*
2. *“Census” means a field survey carried out to identify and determine the number of Project Affected Persons (PAP), their assets, and potential impacts; in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures, emanating from consultations with affected communities and the Local Leaders.*
3. *Environmental and Social Management Framework (ESMF) is a safeguard instrument (document) which establishes a mechanism to determine and assess future potential environmental and social impacts of the project funded activities in the LIG and other activities associated with this project regardless of funding agency. The framework sets out mitigation, monitoring and institutional measures to be taken during design, implementation and operation of the project activities to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. This instrument has been prepared as a separate and stand-alone document to be used in conjunction with this RPF.*
4. *“Compensation” means the payment in kind, cash or other assets given in exchange for the taking of land, or loss of other assets, including fixed assets thereon, in part or whole.*
5. *“Cut-off date” is the date of commencement of the census of PAPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation.*
6. *“Project affected persons” (PAPs) means persons who, for reasons of the involuntary taking or voluntary contribution of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not the said Project affected persons physically relocate. These people may have their:*
  - *standard of living adversely affected, whether or not the Project Affected Person must move to another location ;*
  - *right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed, temporarily or permanently, adversely affected;*
  - *access to productive assets adversely affected, temporarily or permanently; or*
  - *business, occupation, work or place of residence or habitat adversely affected.*
7. *“Involuntary Displacement” means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by:*

- a) *Loss of benefits from use of such land;*
  - b) *relocation or loss of shelter;*
  - c) *loss of assets or access to assets; or*
  - d) *loss of income sources or means of livelihood, whether or not the project affected person has moved to another location.*
8. *"Involuntary Land Acquisition" is the taking of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.*
  9. *"Land" refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.*
  10. *"Land acquisition" means the taking of or alienation of land, buildings or other assets thereon for purposes of the Project.*
  11. *"Rehabilitation Assistance" means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.*
  12. *"Resettlement and Compensation Plan", also known as a "Resettlement Action Plan (RAP)" or "Resettlement Plan" - is a resettlement instrument (document) to be prepared when subproject locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting on the people and their livelihoods. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.*
  13. *"Replacement cost" means replacement of assets with an amount sufficient to cover full replacement cost of lost assets and related transaction costs. In terms of land, this may be categorized as follows;*
  14. *"Replacement cost for agricultural land" means the pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of:*
    - o *preparing the land to levels similar to those of the affected land;*
    - o *any registration, transfer taxes and other associated fees;*
  15. *"Replacement cost for houses and other structures" means the prevailing cost of replacing affected structures of the quality similar to or better than that of the affected structures, in an area and. Such costs shall include:*
    - a) *Building materials*
    - b) *transporting building materials to the construction site;*
    - c) *any labour and contractors' fees; and*
    - d) *any registration costs.*

16. *“Resettlement Assistance” means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals which ever is feasible and as required, for ease of resettlement during relocation,*
17. *“The Resettlement Policy Framework (RPF)’ has been prepared as an instrument to be used throughout the LIG implementation. The RPF will be publicly disclosed in impacted areas to set out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the program. The Resettlement Action Plans (“RAPs”) for the LIG will be prepared consistent with the provisions of this RPF.*
18. *“Resettlement Action Plan”: see Resettlement and Compensation Plan above.*
19. *“Vulnerable Groups” refers to:*
- *Widows, the disabled, marginalized groups, low income households and informal sector operators;*
  - *Incapacitated households – those no one fit to work and;*
  - *Child-headed households and street children*

*This group is among other things, characterised by low nutrition levels, low or no education, lack of employment or revenues, old age, ethnic minority and/or gender bias.*

## 2 INTRODUCTION AND PROJECT DESCRIPTION

### 2.1 INTRODUCTION

This *Resettlement Policy Framework* (RPF) relates to the Local Investment Grant (LIG), an intergovernmental fiscal transfer system that will provide capital investment grants to local governments in Ethiopia to invest in priority public infrastructure and services.

The Local Investment Grant (LIG) is an intergovernmental fiscal transfer system that will provide capital investment grants to local governments in Ethiopia to invest in priority public infrastructure and services. LIG will be a "specific purpose grant" and will operate entirely through the Government of Ethiopia's (GOE) public finance system.

LIG will be made available to regions for distribution to local governments (Woredas and Urban Local Government Administrations (ULGAs) by transparent formulas, which allocate "drawing rights" to local governments.

External financing, primarily from IDA, will be made available to GOE through the Ministry of Finance and Economic Development (MOFED), the implementing agency for LIG. Funds will flow through the Bureaus of Finance and Economic Development (BOFED) to Woreda Finance and Economic Development (WOFED) Departments and Urban Local Government Administrations (ULGA).

Over a 3-5 year period LIG transfers will exceed US\$100 million. LIG transfers from MOFED to Ethiopia's 10 regions are likely to be made in semi-annual tranches. Regions will then release, liquidate and replenish funding to local governments based on performance in carrying out approved annual capital investment plans as evidenced through Statements of Expenditures. At least 500 local governments are expected to participate in LIG over the next 3-5 years.

### 2.2 ANTICIPATED SUBPROJECT TYPES

The list of eligible investments will include all sectors for which local government has constitutional responsibility for investment, comprising, but not limited to, water and sanitation, primary health, primary and secondary education, rural roads, rural development (infrastructure) and municipal services (construction of city roads, sewage and drainage, parks and recreations areas, waste disposal facilities, prevention and control of pollution). *Box 2.2* sets out a list of the types of subprojects that are likely to be undertaken as part of the LIG Programme, given the amount of funding that will be available for each subproject.



**Sector / subprojects****SANITATION****Rural**

- Washing facilities
- Community latrines
  - Dry pit
  - VIP
  - Ecosan
  - Composting

**Urban**

- Community soak away pit and septic tanks
- Collection and discharge
  - Wastewater treatment ponds
  - Wetland
- Drainage canals

**WASTE MANAGEMENT****Community waste mgmt**

- Open waste pit

**Urban waste mgmt**

- Collection bins (separation)
- Composting
- Small scale landfills
- Biogas plants

**EDUCATION**

- Classrooms
- Sanitation and Potable Water (latrines and washing stations)
- School gardens

**WATER SUPPLY****Rural**

- Hand dug well
- Drilled well with hand pump
- Drilled well with submersible pump and small distribution system M
- Spring well development
- Spring capture (collection tank) and distribution

**Urban**

- Spring catchment and gravity distribution system
- River intake (run of river/dam), treatment works and pressure distribution
- Wells with submersible pumps, treatment works and pressure distribution
- Rehabilitation or expansion of existing system
- Communal standpipes

**HEALTH****Rural**

- Health posts
- Health clinic

**Urban**

- Health centers

**AGRICULTURE & IRRIGATION**

- Community tree nurseries
- Afforestation
- Water diversion weirs
- Earth dam rehabilitation
- Community reservoirs
- Livestock watering points
- Irrigation canals

<b>Sector / subprojects</b>
<ul style="list-style-type: none"> <li>Vet clinics</li> <li>Run-off water harvesting</li> </ul>
<b>MARKETS</b>
<ul style="list-style-type: none"> <li>Market stall with drainage</li> <li>Slaughter houses</li> </ul>
<b>ROADS</b>
<ul style="list-style-type: none"> <li>New feeder roads</li> <li>Rehabilitation of feeder roads</li> <li>Bridges</li> <li>Fords and culverts</li> </ul>
<b>SOIL AND WATER CONSERVATION</b>
<ul style="list-style-type: none"> <li>Hillside terracing</li> <li>Check dams</li> <li>Stream and river bank protection</li> <li>Wetland development</li> <li>Aquifer recharge</li> <li>Area closure</li> </ul>

The World Bank Operational Policies set out subproject investments that are ineligible for investment, as these may conflict with World Bank safeguard policies and the Bank's operational mandate. An indicative list is provided in *Box 2.2*.

**Box 2.2**      *Activities and investments ineligible for investment*

- 
- Religious infrastructure;
  - Headquarters for cooperatives, groups, or executing organizations;
  - Acquisition of equipment for government services.
  - Administrative buildings (except accommodations for health workers, and primary school teachers);
  - Activities already covered by other sources of financing or are already included in other national, regional public development programs and where financing has been secured;
  - Growing or purchase of tobacco or drugs; and
  - Investment in bars, nightclubs or related trades.
- 

**2.2.1**      *Project target areas*

The LIG is intended to empower local governments in prioritizing and deciding on financial resources required for their development needs in line with the agreed development priorities. The grant will flow to local governments in all of Ethiopia's regions and city administrations, including:

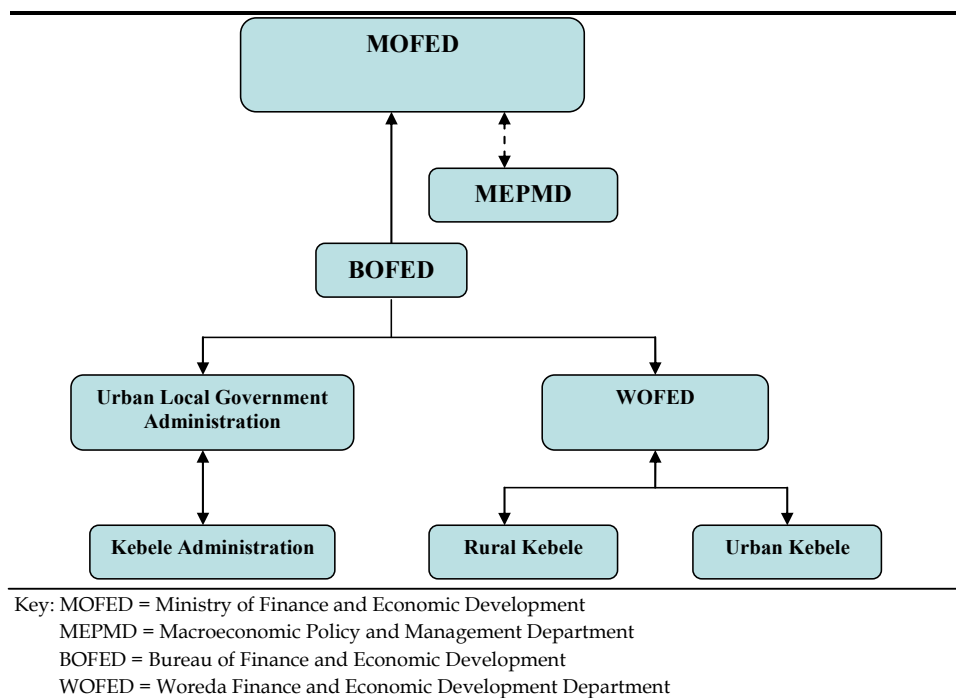
- Tigray;
- Afar;
- Amhara;
- Oromia;
- Somali;
- Benishangul-gumuz;
- SNNPR;

- Gambela;
- Harari;
- Dire Dawa.

### 2.3 IMPLEMENTING ARRANGEMENTS

The implementation of LIG will be as set out in *Figure 2.1*, using existing government structures with the *Ministry of Finance and Economic Development (MOFED)* having overall implementation responsibility in accordance with its federal mandate. MOFED's responsibilities in relation to LIG are set out in *Box 2.3*.

**Figure 2.1** *LIG Institutional Arrangements*



### **Box 2.3** *MOFED's Responsibilities for LIG*

- Managing the distribution of federal budget grants to local governments through regional states;
- Setting up policies, designing national strategies and ensuring their integration with sectoral strategies;
- Developing guidelines associated with the federal budget grant formula;
- Providing technical support to regional and local governments;
- Evaluating ongoing overall program implementation.
- Approving LIG medium term and annual plans and budget;
- Approving amendments to the operations and financial management manual;
- Providing co-ordination and linkages between various sector ministries and LIG to ensure consistency with sector policies and adherence to established norms and standards;
- Approving annual reports and endorsing audit reports and financial statements of LIG;
- Overseeing the process of recruiting key staff of LIG; and
- Promoting LIG and its activities nationwide.

The *Macroeconomic Policy and Management Department (MEPMD)* of MOFED will serve as the coordinating body across federal, regional and local agencies. Project coordination functions will be carried out by existing staff. If needed, additional staff may also be recruited to complement or strengthen existing capacity.

As the co-ordinating unit for LIG, MEPMD's responsibilities will be numerous, as set out in *Box 2.4*.

**Box 2.4**      ***MEPMD's Responsibilities for LIG***

- 
- follow up the day to day matters of the program and make easier the deliberations of the government with respect to LIG;
  - get timely reports, consolidate and present them to the Minister and when endorsed communicate them to the right users;
  - coordinate program implementation, facilitate information flow and keep consolidated documents on a country wide basis;
  - provide needed assistance to regional and local governments, other stakeholders, sub-committees, technical groups, monitoring, review and evaluation teams; and
  - organize, monitor, review and evaluate missions and other meetings as called for and as instructed by the Minister and report their outcome to stakeholders.
- 

In each of Ethiopia's regions, the *Bureaus of Finance and Economic Development (BOFEDs) Planning Unit* will be the coordinating body at the regional level using its existing structure. It will allocate the LIG funds on the basis of the agreed allocation formula and it will oversee, coordinate and facilitate the implementation process of LIG across local governments under its jurisdiction. The BOFEDs' responsibilities, amongst others, are set out in *Box 2.5*.

**Box 2.5**      ***BOFEDs' Responsibilities in Relation to LIG***

- 
- ensure that participatory planning processes are undertaken by the local governments;
  - review LIG annual plans for quality and completeness;
  - consolidate annual plans and see to it that the plans meet agreed eligibility, appraisal, and other criteria before sending these to MOFED;
  - support relevant local government offices in the development of the content of LIG programs;
  - provide assistance to beneficiaries in undertaking detailed follow-ups and quality assurance during implementation;
  - facilitate regional involvement in supervision and review missions;
  - collaborate with local governments in enforcing LIG operating guidelines and other government procedures;
  - provide procurement support to local governments during implementation;
  - consolidate quarterly, semi-annual, and annual progress reports received from local governments for submission to MOFED;
  - manage funds flows between the federal and local government;
  - ensure monthly consolidation of Statement of Expenses; and
  - ensure the accuracy and timeliness of agreed financial reporting
-

The operational framework for identification, planning and implementing interventions under LIG will be through a consultative process with the appropriate groups at the local government level (woredas, urban administrations, and kebeles). Within each local government, there will be three levels of decision making as follows:

- *Kebeles* to represent the view of the beneficiaries in the initial identification, planning and implementation of the proposed micro project.
- *Sector bureaus and offices* to harmonize sectoral initiatives across local governments; and
- *Woreda Finance and Economic Development (WOFED)/Urban Local Government Administration (ULGA)* to be primarily responsible for managing the proposed interventions that are consistent with development perspectives and national priorities of the federal government.

WOFEDs and ULGAs will be the highest body in each LG that will oversee, coordinate and implement LIG activities through its Council. WOFEDs/ ULGAs will help kebeles/communities to organize committees, consultative groups and technical bodies on matters related to LIG implementation.

#### **Box 2.6** *WOFED/ ULGAs' Responsibilities in Relation to LIG*

- 
- ensure that plans are sustainable and conform to agreed guidelines before endorsing it to the council;
  - mobilize needed local resources and monitor its use;
  - coordinate and harmonize projects across various communities;
  - monitor, endorse and submit work plans to the council;
  - consolidate and prepare progress reports;
  - organize joint reviews and evaluate the program;
  - assist communities in undertaking planning and implementation exercises; and
  - consult and report regularly to the council regarding the progress of LIG implementation.
- 

Respective local sector bureaus and offices will provide guidance to community members in ensuring that plans are harmonized with sectoral priorities. Local government bureaus and sector offices would be responsible for the public dissemination of service facility related information.

Local Government/ Sector Bureaus responsibilities in relation to LIG are set out in Box 2.7.

#### **Box 2.7** *Responsibilities of Local Government/ Sector Bureaus and Offices for LIG*

- 
- provide general technical advice on sectoral matters;
  - facilitate the flow of up-to-date sectoral information;
  - provide guidance to communities in prioritizing and harmonizing the proposed activities with agreed sector priorities; and
  - provide assistance in supervising the project during its implementation.
-

### 2.3.1 *Institutional Framework at the Local Level*

The institutional framework at the local level for identification, planning and putting into effect interventions to improve basic services will consist of a process of consultation with local community members. LGs will hold public meetings to sensitize community members on the LIG objectives. These public meetings will also serve as the forum for getting the views of the community and it will also be used to organize committees (ideally consisting of between 5 to 8 members from various socio economic groups with at least 40% of the members are women) that will represent the community members.

A community can be defined as a group of people living together in a specific area and sharing similar economic, political, cultural and social experiences. It includes all residents of an area regardless of sex, age, social and economic status, and profession. No community is a homogenous whole. All communities have a range of different interest groups (for example men and women, rich and poor) and internal conflicts.

Community participation is a development strategy in which the beneficiaries have strong influence on the direction and execution of development projects that will help improve their economic and social life. It requires wilful involvement of the community in matters that affect their economic and social well-being. Community participation can be exercised in the area of policy formation, project identification, project implementation and problem solving.

As per the requirements of LIG, an elected committee will be formed at the Woreda/ ULGA level. The role of this committee is set out in *Box 2.8*.

---

The roles and responsibilities of the Committee are as follows:

- Mobilize and sensitize community members of the potential for improvement of infrastructure services in their area;
  - Get opinions from households on perceived needs and set priorities;
  - Get the views of households and inform relevant planners of the community's preferences on the proper location, level of service and technology choice for infrastructure facilities;
  - Represent the community in the decision making process for LIG;
  - Confirm with the beneficiaries decisions made on their behalf and keep the beneficiaries informed on progress through regular community meetings;
  - Organize the participation of beneficiaries in the implementation of an intervention where feasible and agreed with all concerned;
  - Find out the mechanism and mobilize contributions to capital cost in cash or kind by the beneficiaries and ensure that these funds or resources are used for the purposes intended;
  - Prepare or arrange to have prepared plans for undertaking projects to improve infrastructure services in the area;
  - Represent the beneficiaries in agreements with contractors and suppliers and help certify claims for payment;
  - Monitor and supervise the work being undertaken by contractors on initiatives to improve services infrastructure in their areas;
  - Assume responsibility for agreed role of beneficiaries in the management of the improved services;
  - Recommend by-laws that would regulate infrastructure development or operation within its area of jurisdiction;
  - Solicit the support of sector bureaus and other local government entities regarding educating and training community members about cost recovery, sanitation and other issues related to the infrastructure development, operation and maintenance;
  - Recommend a proper collection mechanism and tariff to cover the community contribution to the operation and maintenance of the infrastructure in their area;
  - Hold monthly community meetings; and
  - Help ensure that the costs of operation and maintenance of improved services are met.
-

### 3 *OBJECTIVES AND BASIC PRINCIPLES OF RESETTLEMENT*

#### 3.1 *GENERAL PRINCIPLES OF RESETTLEMENT*

The impacts due to involuntary resettlement from development projects, may give rise to economic, social and environmental risks resulting in production systems being dismantled, people facing impoverishment when their productive assets or income sources are lost, people being relocated to environments where their productive skills may be less applicable and the competition of resources increases; community institutions and social networks being weakened; kin groups being dispersed; and cultural identity, traditional authority, and the potential for mutual help being diminished or lost.

The application of this Resettlement Policy Framework (RPF) may be triggered because the project activity causes land acquisition, namely: a physical piece of land is needed and people may be affected because they are cultivating on that land, they may have buildings on that land, they may use the land for water and grazing of animals or they may otherwise access the land economically, spiritually or any other way which may not be possible during and after the project is implemented.

#### 3.2 *OBJECTIVES OF THE RPF*

Based on the above considerations, the objectives of this Resettlement Policy Framework, and hence resettlement activities it covers, are the following;

1. Involuntary resettlement and land acquisition will be avoided where feasible, or minimized, by exploring all viable alternatives.
2. Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities will be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share project benefits. Displaced and compensated persons will be meaningfully consulted and will have opportunities to participate in planning and implementing resettlement and compensation programs.
3. Displaced and compensated persons will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of the project implementation, whichever is higher.

Here, Affected people, according to the Bank policy, refers to people who are directly affected socially and economically by Bank-assisted investment projects caused by:



- (a) the involuntary taking of land and other assets resulting in:
  - relocation or loss of shelter
  - loss of assets or access to assets
  - loss of income sources or means of livelihood, whether or not the affected persons must move to another location;
- or
- (b) the involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

The policy applies to all displaced persons regardless of the total number affected, the severity of the impact and whether or not they have legal title to the land. Particular attention will be paid to the needs of vulnerable groups among those displaced; especially those below the poverty line; the landless, the elderly, women and children, indigenous groups and the ethnic minorities or other displaced persons who may not be protected through Ethiopian land compensation legislation.

In particular for LIG, the policy also requires that the implementation of individual resettlement and compensation plans are a prerequisite for the implementation of subproject activities causing resettlement, such as land acquisition, to ensure that displacement or restriction to access does not occur before necessary measures for resettlement and compensation are in place. It is further required that these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, the taking of land and related assets or the denial of access to assets may take place only after compensation has been paid and where applicable, resettlement sites, new homes, related infrastructure, public services and moving allowances have been provided to displaced persons.

Furthermore, where relocation or loss of shelter occurs, the policy further requires that measures to assist the displaced persons be implemented in accordance with the resettlement and compensation plan of action.

Finally, the RPF seeks to ensure that affected communities are meaningfully consulted, have participated in the planning process and, are adequately compensated to the extent that their pre-displacement incomes have been restored and that the process is a fair and transparent one.

## 4 LEGAL AND REGULATORY FRAMEWORK

### 4.1 LEGISLATION RELATED TO RESETTLEMENT PLANNING

#### 4.1.1 Introduction

According to national legislation in Ethiopia, private land ownership is not recognized, and land ownership is vested in the State. Citizens have only usufruct rights and the right to ownership of their possessions on the land.

In 2005, *Proclamation No 455/2005 'Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation'* was promulgated, with associated regulations still in draft and not yet available to the public <sup>(1)</sup>. Prior to this, no specific legal framework existed relating to expropriation and compensation. As a result, there have been serious shortcomings in the processes associated with land expropriation, resettlement and associated compensation payments in Ethiopia. In general, resettlement processes have been characterized by:

- Policy inconsistencies and a lack of strategic framework for achieving a successful results for those affected;
- Insufficient funding for resettlement activities and compensation payments;
- A non-participatory process that was often coercion-driven; and
- Limited involvement and implementation by state functionaries.

As a result of these shortcomings, many of the resettlement processes resulted in impoverishment after displacement, family disintegration, cultural disarticulation, marginalization, amongst other negative impacts. *Proclamation No 455/2005* was developed by the Government of Ethiopia with the aim of addressing these problems.

#### 4.1.2 Relevant National Laws

This section explains the pertinent laws relating to land administration, ownership and expropriation in Ethiopia, including the new *Proclamation No 455/2005* and *456/2005* and those related to:

- *Public domain*
- *Entitlement*
- *Property laws*
- *Land asset classification and valuation*
- *Customary laws*
- *Procedures for expropriation*
- *Procedures for grievance redress*

All national laws discussed in this section are summarized in *Table 4.1*.

(1) The Proclamation has been promulgated, but the associated regulations have not been issued, thus any resettlement that takes place needs to do so within the broader principles of the Proclamation.

#### 4.1.3 *Public and Eminent Domain and Property Laws*

The 1975 Proclamations of the Public Ownership of Rural Land (*No 31/1975*) and Urban Land (*No 47/1975*) abolished the 1960 Constitutional decree that recognized private ownership of land. Ownership of land is now vested in the State and Ethiopian citizens have only a use right (usufruct) over the land. This gives the user ownership of his/her possessions with the right to benefit from the fruits of his/her labor. This includes crops, perennial crops, trees for timber etc found on the land or any other permanent fixtures such as residential houses, business installations, stores and fences, amongst others.

The abolishment of private ownership was again enshrined in the Constitution of Ethiopia (*No 1/1987, Article 13(2) and No 1/1995, Article 40(3)*). According to these constitutional decrees, land is public property and cannot be subject to sale or other means of transfer or exchange. According to these proclamations, land holders have open-ended usufruct rights over their possessions (ie there is no time limit on this usufruct), subject to a proof of permanent physical residence, ability to farm continuously and should meet administrative dues and obligations. In rural villages, farm households have a legal right to possess land through state mandated peasant associations.

Directly related to rural land administration and distribution, the Federal Government issued *Rural Land Administration and Land use Administration Proclamation*, (*No 456/2005 Article 17(1)*) that vested power in regional states to enact regional laws for rural land administrations. These regional laws are expected to be consistent with the principles and laws of the Federal Constitution. (*No 1/1995, Article 52(2) (d)*)

#### 4.1.4 *Property Laws*

The 1995 Constitution of Ethiopia, *Article 40(2), 40(4), 40(5) and 40(8)* includes legal frameworks that protect the Ethiopian citizen's rights to private property and set conditions for expropriation of such property for state or public interests.

Regarding immovable property built on land, the constitution states that *Every Ethiopian shall have the full right to the immovable property he builds on the land and to the improvements he brings about on the land by his labor or capital.*" Hence, although the State owns all land and citizens of the country have only a usage right <sup>(1)</sup> and full ownership over developments or improvements built on state land. This includes the right to alienate developments, to remove them, or claim compensation.

(1) This is especially true in rural areas as the constitution stressed on Article 40(4) "the right of Ethiopian peasants to free allotment of land and not to be evicted there from is guaranteed."

#### **4.1.5 Eligibility/ Entitlement**

Eligibility for compensation is discussed in *Article 44(2)* of the 1995 Constitution and *Proclamation No 455/2005*. These two legal documents give entitlement only to those who have formal legal rights over their holdings (properties).

*Proclamation No 455/2005, Article 2 (3)* stipulates that “Landholder” means an individual, government or private organization or any ...other ...organ which has legal personality and has lawful possession over the land to be expropriated and owns property situated thereon.” According to *Article 7(1) and (2)*, a landholder whose holding has been expropriated shall be entitled to payment of compensation for his property situated on the land and for permanent improvements he made to the land. The amount of compensation for property ... shall be determined on the basis of the replacement cost of the property. Thus *Proclamation No 455/2005* determines that only landowners with crops, perennial crops or other property thereon.

#### **4.1.6 Land Asset Classification, Valuation and Compensation**

Land assets are classified as movable and immovable. For movable assets, compensation will be paid for inconvenience and other transition costs. According to the Ethiopian Constitution, compensation will not be paid for land as it is a public / government property. Immovable properties could be classified as urban and rural. In urbane areas this category of properties includes, residential houses, business installations, institutional structures, stores, fences and public service providing installations. In the rural sections, this category of properties may include seasonal crops, perennial fruit trees, timber trees and other cash crops. On the basis of *Proclamation No 455/2005 Article 7(2)* for expropriation of land holdings for public purposes, compensation will be made at a replacement cost. In this method of valuation, depreciation of structures and assets will not be taken into consideration. Again for losses that cannot be easily valued or compensated in monetary terms, (e.g. access to public services, grazing areas, water points fishing ponds etc), an attempt will be made to establish an access to equivalent and culturally acceptable resources and earning opportunities.

Compensation rates and valuation of properties will be based on the information collected from the timely local market assessments. There is no a valuation formula at national level prepared for this particular purpose. In the absence of this mechanism, data collected at grass root level on cost of production, productivity valuation, transport costs, labor valuation market prices of agricultural and construction materials, disposition of savage materials will be taken into account for valuation of properties.

#### **4.1.7 Procedures for Expropriation**

So far, there is no resettlement rehabilitation policy framework at national and regional level and resettlement / rehabilitation issues are addressed on project by project basis. The basis for land acquisition and compensation payments are No 1/1995 of the constitution of the Federal Democratic Republic of Ethiopia, *Proclamation No 455 / 2005, Proclamation No 456 / 2005 and OP4.12 ( 2004)*. According

to *Proclamation No 456 / 2005 Article 17(1)*, which is a rural land administration proclamation, (consistent with the principles and laws of the federal constitution) regional states have the power to enact laws and administration related to rural lands. Woreda and kebele level administrations are immediate stakeholders in land acquisition matters. There is an open-ended tenure arrangement all over the country since the 1975 land reform proclamation. Subsequent laws on tenure rights over land, provide use of rights with no defined time bound. Since land is state owned, it can be reclaimed through declaration of eminent domain with out the consent of individual landholders. This is what involuntary resettlement is all about. However, in order to ensure the interest of project affected persons, mitigating the negative impacts of the projects, this resettlement policy frame work will base on the existing national and international laws on expropriation and compensation payments.

#### **4.1.8 Grievance Redress**

Misunderstandings and disputes may arise between the principal parties (eg local Government and affected parties) involved in the resettlement and compensation process. If misunderstandings and disputes arise; the preferred means of settling disputes according to National Law is through arbitration. This process is permissible under the Ethiopian Constitution (*Article 3325 – 3336 of the civil code*) and *Article 11(2) (3) of Proclamation No 455/ 2005*). The number and composition of the arbitral tribunal may be determined by the concerned parties.

Usufruct rights over land can be jeopardized when a particular land holding is needed for public purposes. This legal provision for compensation payment is further strengthened and elaborated by *Article 44.2 of No 1/1995*. As to this article, development interventions that may cause displacement or adversely affect livelihoods shall entail to the holders the right to commensurate monetary or other means of compensation including resettlement / rehabilitation options with adequate state assistance. The provisions in this constitution also upholds government obligations a land to land compensation through resettling affected households / communities by the state (government) program's with adequate assistances. But the practicality of this provision is questionable related to increment of population number and fragmentation of arable land specifically in central high land of the country.

According to *Article 40(8) of the Constitution*, the State may expropriate private holdings / usufruct right over land: “with out prejudice to the right to private property, the government may expropriate private property for public purpose” with prior payment of adequate compensation. Again, *Article 44(2) of the 1995 Constitution* stipulates that all people who have been displaced or whose livelihoods have been adversely affected as a result of State programs shall have the right to receive adequate monetary or other alternative compensation, including transfer with assistances to another locality.

## *Federal Proclamation 455/2005: Expropriation of Land Holdings for Public Purposes and Payment of Compensation*

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### PART ONE -GENERAL

- *Article 1*: Provides a **title** for the Proclamation
- *Article 2* Gives **definitions of the terms** used in the Proclamation, including “compensation”, “region”, “landholder”, “urban administration”, “public purpose”, and “utility line”

### PART TWO -EXPROPRIATION OF LAND HOLDINGS

- *Article 3* gives the **power to expropriate** landholdings to a woreda or urban administration for a development project
- *Article 4* describes the **requirements for the notification** of an expropriation order. This requires notification in writing, with details of timing and compensation, which cannot be less than 90 days from notification. It requires that land should be handed over within 90 days of payment of compensation should the leaseholder accept payment. If there is no crop or other property on the land, it must be handed over within 30 days of notice of expropriation. It further gives power to seize the land through police force should the landholder be unwilling to hand over the land
- *Article 5* sets out the **responsibilities of the implementing agency**, requiring them to gather data on the land needed and works, and to send this to the appropriate officials for permission. It also requires them to pay compensation to affected landholders.
- *Article 6* describes the **procedures for the removal of utility lines**. It requires the relevant government body to give a written request to the affected ‘owner’, and for this body to determine a fair compensation within 30 days, to the requesting body. Compensation must be paid within 30 days of the receipt of the valuation, and the owner must vacate the land within 60 days of receipt of compensation

### PART THREE - DETERMINATION OF COMPENSATION

- *Article 7* describes the **basis and amount for compensation**. This entitles the landholder to compensation for the property on the land on the basis of replacement cost; and permanent improvements to the land, equal to the value of capital and labour expended. Where property is on urban land, compensation may not be less than constructing a single room low cost house as per the region in which it is located. It also requires that the cost of removal, transportation and erection will be paid as compensation for a relocated property continuing its service as before. Valuation formulae are to be provided by regulations
- *Article 8* relates to **displacement compensation** relating to permanent and temporary displacement for rural and urban landholders. See Proclamation 455/2005 for more details.
- *Article 9* requires that the **valuation of property** is carried out by a certified private or public institution or private consultant as per the valuation formulae as mentioned above. Until these regulations are promulgated, valuation will be done by a committee.
- *Article 10* describes these **committees**. The committee must be made up of experts with relevant qualifications. This must be not more than 5 in rural areas and be designated by the woreda administration, and be designated by the urban administration in urban areas. A specialized committee of experts may also be set up separately if required. (Committee procedures will be determined by directives).
- *Article 11* sets out **procedures for complaints and appeals** in relation to compensation in rural and urban areas. See Article 11 in Proclamation 45/2005 for more details.

### PART FOUR - MISCELLANEOUS PROVISIONS

- *Article 12* gives **powers and duties to the Ministry of Federal Affairs** in relation to ensuring that there is compliance with the Proclamation at regional level, technical and capacity building support in implementation at regional level, and preparation of valuation formulae
  - *Article 13* gives **responsibilities to woreda and urban administrations** to ensure that compensation is paid and to give rehabilitation support to the extent possible, and maintain data regarding properties removed from expropriated landholdings.
  - *Article 14* gives the Council of Ministers the **power to issue Regulations**, and power to the Regions for issuing Directives.
  - *Article 15* states that **Proclamation 401/ 2004 is repealed** as a result of this proclamation, and that no other law, regulation, directive or practice will be applicable if it is not consistent with the Proclamation
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**Table 4.1**      *National Legal Documents Related to Involuntary Resettlement in Ethiopia*

Legal Document	Article	Summary of Article relating to Involuntary Resettlement
<b>Proclamation No 165 of 1960, Gazette Extraordinary: Civil Code of the Empire of Ethiopia</b>		
	Article 1478(3)	Where compensation is paid by way of land given to the owner in substitution for the expropriated land, such land shall be handled to the owner
	Article 3333	Where necessary, the party availing himself of the arbitral submission shall specify the dispute he wishes to raise and appoint an arbitrator.
	Article 1470	This Article deals with fixing an amount of compensation.
	Article 1445	--Properties belonging to the state or other administrative bodies shall be deemed to form part of the public domain.
<b>Proclamation No 31 of 1975 Public ownership of Rural Lands</b>		
	Article 2(3)	All rural lands shall be the collective property of the Ethiopian people.
<b>Proclamation No 47 of 1975 Government ownership of Urban Lands and extra Houses</b>		
	Article 2(3), Article 6(1) and Article 11(1)	(A) All Urban Lands shall be the property of the Government. (B) --- tenant shall be free from payment to the landowner. (C)---Any person or family own only a single dwelling---
<b>Proclamation No 1/1987 Constitution of the Peoples Democratic Republic of Ethiopia.</b>		
	Article 13(2)	Natural resources, in particular land, minerals---are state property.
<b>Proclamation No 1/1995 The Constitution of the Federal Democratic Republic of Ethiopia.</b>		
	Article 40(3)	Rural and Urban land, as well as natural resources, is exclusively vested in the state---and shall not be subject to sale or other means of exchange.
	Article 52(2)(d)	To administer land and other natural resources in accordance with federal laws.
	Article 44(2)	Compensation, including relocation with adequate state assistance.
	Article 40(3) and 40(8)	(A) Ethiopian peasants – pastoralists have the right to obtain land without payment---(B) Citizens, ---has empowered by law to own property---(C) ---Government may expropriate private property for public purposes---
	Article 26(1)	Everyone has the right to privacy
	Article 40(2) and 40(3)	(A) Private property---shall mean any tangible or intangible product which has value and is produced by the labor, creativity, enterprise, or capital--- (B) The right to ownership of rural and urban land---vested on the state.
	Article 40(4)	Ethiopian peasants, pastoralists--- to free allotment of land and not to be evicted---
	Article 44(2)	Monetary or alternative means of compensation, including relocation with adequate state assistance.
	Article 40(4) and 40(5)	These two articles stipulate the rights of possessions of agricultural and pasture lands.
	Article 40(7)	Every Ethiopian shall have the full right to the immoveable property he builds and to the permanent improvements he brings about on the land by his labour or capital. This right shall include the right to alienate, to bequeath, and, where the right to use expires, to remove from his property, transfers his title, or claim to compensation for it."
<b>Proclamation No 455/ 2005 Expropriation of Landholdings for public purposes and payment of compensation.</b>		
	Article 7 and 8	These Articles are about determination of compensation.
	Article 2(3)	"Landholder" means---has lawful possession over the land to be expropriated and owns property situated there on.
	Article 7(2)	The amount of compensation---for property--- on the basis of replacement cost of the property.

<b>Legal Document</b>	<b>Article</b>	<b>Summary of Article relating to Involuntary Resettlement</b>
	Article 11(2)(3)	These Articles are about complaints and appeals in relation to compensation.
	Article 7-11	Deals about basis and amount of compensations, displacement compensation, and valuation of property and establishment of property valuation committees.
	Article 8(4)	As to this sub- Article, an urban landholder will be provided a plot of urban land, displacement compensation and other transaction cost.
	Article 8(6)	A lease holder incase expropriated, in addition to compensations for the lost assets, he will be provided with a similar plot of land, or if did not want to take the land he can take the remaining rent payment.
	Article 9(1)	Deals about the valuation of properties situated on land. Valuation of properties shall be carried out by certified professionals.
<b>Proclamation No 456/ 2005 Federal Democratic Republic of Ethiopia. Rural Land Administration and Land use Administration.</b>		
	Article 17(11)	Each regional council shall enact rural land and administration and rural land use law.
	Article 17(1)	Each regional council enacts rural land administration and land use law.



## 4.2 PROCEDURES FOR RESETTLEMENT ACCORDING TO THE WORLD BANK OP 4.12

The World Bank's Safeguard Policy OP 4.12 applies to all components of the programme and to all economically and /or physically affected persons, regardless of the number of people affected, the severity of impact and the legality of land holding. The OP 4.12 further requires particular attention to be given to the needs of vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, indigenous groups, ethnic minorities and other disadvantaged persons.

The Policy requires that a resettlement action plan shall be prepared and cleared by the Bank prior to implementing resettlement activities. The Bank also requires that the provision of compensation and other assistance to Project Affected Persons, to restore livelihoods when these are affected appreciably, shall be done prior to the displacement of people. In particular, the policy requires that possession of land for project activities may take place only after compensation has been paid. Resettlement sites, new homes and related infrastructure, public services and moving allowances must be provided to the affected persons in accordance with the provisions of the RAP.

## 4.3 COMPARISON BETWEEN ETHIOPIAN LEGISLATION AND OP 4.12

Prior to 2005, no specific legal framework existed relating to expropriation and compensation. In 2005, however, *Proclamation No 455/2005 'Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation'* was promulgated and provides the guiding principles for resettlement in Ethiopia. This introduced a legal framework within which resettlement activities must be conducted, and brought Ethiopian legislation more in line with international best practice requirements. Despite this, there are still some differences between the national Ethiopian legislation and the World Bank Policy OP4.12. These relate to the general principles for resettlement, eligibility criteria, the notification period for expropriation and resettlement, and the procedures required throughout the resettlement process.

The first main difference is that according to OP4.12, resettlement should be avoided whenever possible, while national legislation states that 'expropriation of land will be done when deemed necessary for public purposes'. The second difference relates to eligibility, that OP4.12 entitles those who have formal rights, claims to land and no recognizable legal right, to compensation, while national legislation entitles only those who are 'landholders' with legal possession of the land and who own property thereon. Another key difference is the notification period required. National legislation requires that property must be handed over 90 days after compensation has been paid, while OP4.12 requires that displacement must not occur before necessary measures for resettlement are in place. There is currently no valuation formula given at National level, although this is in draft format and will be promulgated with the new regulations. *Table 4.2* sets out the differences between Ethiopian legislation and the World Bank OP4.12.

**Table 4.2**      *Comparison between Ethiopian Legislation and OP 4.12*

Theme	World Bank OP4.12	Ethiopian Legislation	Comparison	Recommendations to Address Gaps
<b>Policy Objectives</b>	<p><i>World bank OP4.12</i> has overall policy objectives, requiring that:</p> <ul style="list-style-type: none"> <li>• Involuntary resettlement should be avoided wherever possible, or minimised, exploring all alternatives</li> <li>• Resettlement programs should be sustainable, include meaningful consultation with affected parties, and provide benefits to the affected parties</li> <li>• Displaced persons should be assisted in improving livelihoods etc, or at least restoring them to previous levels</li> </ul>	<p><i>Proclamation No 455/2005 (Article 3(1))</i> gives power to woreda or urban administrations to “expropriate rural or urban landholdings for public purpose where it believes that it should be used for a better development...” This is supported by <i>Article 51(5)</i> and <i>Article 40(8)</i> of the <i>1995 Constitution</i>.</p> <p><i>Proclamation No 455/2005 (Article 7(5))</i> states that “ the cost of removal, transportation and erection shall be paid as compensation for a property that could be relocated and continue it service as before.”</p>	<p>The World Bank requirement for avoidance or minimisation of involuntary resettlement is not written into Ethiopian legislation. However, this is expected to be made clear in the Regulations and Guidelines to be developed in association with <i>Proclamation No 455/2005</i>. <i>Proclamation No 455/2005</i> does not require consultation with displaced persons throughout the resettlement process, rather only allows for a complaints and grievance process. Also, although <i>Proclamation No 455/2005</i> allows for some form of support to the displaced persons, it does not explicitly state that livelihoods should be restored to previous levels or improved.</p>	<p><i>World bank OP4.12's</i> overall policy objectives should be applied in terms of avoiding and minimising involuntary resettlement, ensuring that resettlement programs are sustainable and include meaningful consultation.</p>
<b>Notification period/ timing of displacement</b>	<p><i>Article 10</i> of <i>World Bank OP4.12</i> requires that the resettlement activities associated with a subproject are linked to the implementation of the LIG programme to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. In particular, taking of land and related assets may take place only after compensation has been paid, and, where applicable, resettlement sites and moving allowances have been provided to displaced persons.</p>	<p><i>Article 4</i> of <i>Proclamation No 455/2005</i> requires notification in writing, with details of timing and compensation, which cannot be less than 90 days from notification. It requires that land should be handed over within 90 days of payment of compensation should the leaseholder accept payment. If there is no crop or other property on the land, it must be handed over within 30 days of notice of expropriation. It further gives power to seize the land through police force should the landholder be unwilling to hand over the land.</p>	<p>The requirements for <i>Proclamation No 455/2005</i> allow land to be expropriated before necessary measures for resettlement have taken place, particularly before the displaced person has been paid. This can have serious consequences for those affected, as they may be displaced without shelter or livelihood.</p>	<p>Displaced person should always be paid compensation and support before the land is handed over, as per <i>World Bank OP4.12</i>.</p>

<b>Eligibility for Compensation</b>	<p><i>World bank OP4.12</i> gives eligibility to:</p> <ul style="list-style-type: none"> <li>• Those who have formal legal rights to the land;</li> <li>• Those who do not have formal legal rights to land, but have a claim to such land; and</li> <li>• Those who do not have recognizable legal right or claim to the land</li> </ul>	<p><i>Proclamation No 455/2005, Article 7(1)</i> allows ‘landholders’ to be eligible for compensation, where the term “landholder” (<i>Article 2(3)</i>) means “an individual, government or private organization or any other organ which has legal personality and has lawful possession over the land to be expropriated and owns property situated thereon”.</p> <p><i>Proclamation No 456 / 2005; Article 6(1)</i> accepts the existence of communal lands.</p>	<p>According to <i>World Bank OP4.12</i>, eligibility for compensation is granted to all affected parties. Ethiopian Legislation only grants compensation to those with lawful possession of the land, and, as per <i>Proclamation No 456</i>, those with traditional possession ie. on communal lands. It therefore does not recognize those without a legal right or claim as eligible for compensation.</p>	<p>The requirements of <i>World Bank OP4.12</i>, as described in <i>Column 2</i> of this Table, should apply,</p>
<b>Compensation</b>	<p><i>World Bank OP4.12 Article 6(a)</i> requires that displaced persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an impact, displaced persons must be provided with assistance during relocation and residential housing, housing sites and/or agricultural sites to at least equivalent standards as the previous site. Replacement cost does not take depreciation into account. In terms of valuing assets. If the residual of the asset being taken is not economically viable, compensation and assistance must be provided as if the entire asset had been taken.</p>	<p><i>Article 7 of Proclamation No 455/2005</i> entitles the landholder to compensation for the property on the land on the basis of replacement cost; and permanent improvements to the land, equal to the value of capital and labour expended.</p> <p>Where property is on urban land, compensation may not be less than constructing a single room low cost house as per the region in which it is located. It also requires that the cost of removal, transportation and erection will be paid as compensation for a relocated property continuing its service as before. Valuation formulae are to be provided by regulations.</p>	<p>The World Bank requirement for compensation and valuation of assets is that compensation and relocation must result in the affected person must have property and a livelihood returned to them to at least equivalent standards as before. This is not required in Ethiopian law. Rural landholders are not compensated for rental housing during relocation, and in fact there is no need to compensate urban dwellers for the market value of the property that has been expropriated, thus they may receive smaller, less valuable plots. It also does not compensate urban dwellers for lost income. It is hoped and expected that the regulations and directives will provide more clarity and clearer guidance in this regard.</p>	<p>The World Bank requirements for compensation must be followed, as per <i>OP4.12 Footnote 1</i>, which states, “Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard”</p>

<b>Valuation and Amount of displacement Compensation</b>	<p>With regard to land and structures, “replacement cost” is defined as follows: For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of 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.</p>	<p><i>Article 8 of Proclamation No 455/2005</i> allows for rural landholders whose landholdings have been permanently expropriated, to be paid compensation according to Article 7 (above), as well as displacement compensation equivalent to ten times the annual average secured during the five years preceding the expropriation of land. Where the landholding has been provisionally expropriated, the annual average income shall also be applied, but only until possession of the land, but not exceeding 10 years. If equivalent substitute land is available, this shall equal the average annual income.</p> <p>For urban landholders, they shall be provided with a plot of land suitable for a dwelling house, and be paid equivalent to the estimated annual rent or be allowed to dwell in a house owned by the urban administration for one year.</p> <p><b>Article 9 requires that the valuation of property is carried out by a certified private or public institution or private consultant as per the valuation formulae as mentioned above. Until these regulations are promulgated, valuation will be done by a Property Valuation Committee.</b> The committee must be made up of experts with relevant qualifications. This must be not more than 5 in rural areas and be designated by the woreda administration, and be designated by the urban administration in urban areas. A specialized committee of experts may also be set up separately if required. (Committee procedures will be determined by directives).</p>	<p>Compensation according to the World Bank is broader and ensures that all property and inputs to livelihoods are taken into account, including the costs associated with developing new livelihoods to the same standards or better. Ethiopian legislation relating to rural landholders is relatively fair, and will be expanded upon by the regulations to be promulgated. For urban landholders, this is insufficient. This will also be clarified with the issuance of the new regulations. Until the regulations are promulgated, the legislation requires valuation to be carried out a committee with the relevant qualifications, and ideally this should include an independent expert, as suggested for when the valuation formulae have been released.</p>	<p>As above, The World Bank requirements for compensation must be followed, as per <i>OP4.12 Footnote 1</i>, which states, “Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard”</p>
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<b>Responsibilities of the project proponent</b>	<p>According to <i>OP4.12</i> (incl <i>Article 14 and 18</i>), the borrower is responsible for conducting a census and preparing, implementing, and monitoring the appropriate resettlement instrument. <i>Article 24</i> states that the borrower is also responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. In addition, upon completion of the project, the borrower must undertake an assessment to determine whether the objectives of the resettlement instrument have been achieved. This must all be done according to the requirements of <i>OP4.12</i>. <i>Article 19</i> requires that the borrower informs potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.</p>	<p><i>Article 5</i> of <i>Proclamation No 455/2005</i> sets out the <b>responsibilities of the implementing agency</b>, requiring them to gather data on the land needed and works, and to send this to the appropriate officials for permission. It also requires them to pay compensation to affected landholders.</p>	<p>The process required for the project proponent/ implementing agency is very much less according to Ethiopian Legislation. This does not require the implementing agency to undergo a planning process (eg. Resettlement Action Plan (RAP) or certain process for implementation, monitoring and evaluating whether the resettlement has been successful.</p>	<p>The LIG programme must ensure that where resettlement is required, a specific process must be followed as per the World Bank requirements. This must include screening, a census, the development of a plan, management of compensation payments and monitoring and evaluation of success. It must also include proper consultation with the affected parties throughout the process.</p>
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The implementation of the RPF will take place in line with the implementation arrangements for the overall LIG programme, including agencies at the Federal, Regional and Local levels. These institutional arrangements are based on the institutional structure at the time of writing the RPF. Should these institutional structures change, this will need to be taken into account.

## **5.1 FEDERAL LEVEL IMPLEMENTING AGENCIES**

The two main agencies involved in implementation of the RPF will be the Macroeconomic Policy and Management Department (MEPMD) of the Ministry of Finance and Economic Development (MOFED), and the Ministry of Works and Urban Development.

### **5.1.1 The Macroeconomic Policy and Management Department (MEPMD) of MOFED**

This department, as the central agency responsible for holding information relevant to the project, will hold all information relevant to the RPF. They will liaise with the Ministry of Works and Urban Development to ensure the project's compliance with the RPF and all resettlement aspects of the project. As described in the ESMF, an Environmental and Social Specialist is to be hired within the MEPMD, to supervise overall implementation of the ESMF and collation of information. This Environmental and Social Specialist will also be responsible for collating information related to the RPF and resettlement.

### **5.1.2 The Ministry of Works and Urban Development (MWUD)**

The MWUD is responsible for resettlement planning across Ethiopia. This responsibility was transferred from the Ministry of Federal Affairs (MFA) according to the Proclamation on the revitalization of Federal Bodies as issued in September 2006.

The MWUD will follow up and ensure that the Resettlement Policy Framework is being implemented, particularly in relation to the provisions of National Law (in particular *Proclamation No 455/2005*). The Ministry will give technical and capacity building support to the regions to enable them to implement the RPF and individual RAPs. The MWUD will monitor the review of RAPs by regional agencies to ensure that they comply with national requirements and the requirements of the RPF. Where there are any policy changes at a national level, the MWUD will ensure that the RPF has taken this into consideration. The MWUD will issue regulations associated with *Proclamation 455/2005*.

### **5.1.3 Ministry of Agriculture**

Unit costs for use in valuation formulae and compensation will be provided by the Departments of Agriculture at the local level, supported by the regional Agriculture Bureau. The Ministry of Agriculture will monitor unit costs and follow up with Cabinet in terms of issues raised.

### **5.1.4 Ministry of Capacity Building**

Section 11 of the LIG ESMF sets out the training and capacity building requirements and recommendations for the ESMF, which the Ministry of Capacity Building will be responsible for. Part of this capacity building will include considerations of resettlement planning and implementation, as part of the broader environmental and social training.

## **5.2 REGIONAL LEVEL IMPLEMENTING AGENCIES**

As described in Section 2.3, the Bureaus of Finance and Economic Development (BOFEDs) Planning Unit will be the coordinating body for the LIG at the regional level using its existing structure and will allocate the LIG funds. It will oversee, coordinate and facilitate the implementation process of LIG across local governments under its jurisdiction.

The Bureaus of Finance and Economic Development (BOFED) will therefore be responsible for ensuring that compensation payments are included in the requests for funds, and that they are allocated accordingly.

The BOFEDs will work with the regional Departments responsible for resettlement (eg the Department of Land and Agriculture) to ensure that the RPF is properly applied across all relevant subprojects. This department will review RAPs for all subprojects in their region to ensure that they comply with national requirements and the requirements of the RPF. It will work closely with the BOFED to ensure that funds are allocated as committed to in the approved RAP.

The regional level departments will provide a review and monitoring role, and provide political and administrative support for the implementation of the RAPs.

## **5.3 LOCAL IMPLEMENTING AGENCIES**

In keeping with Ethiopia's decentralization policy, the responsibility for the development and implementation of the RAPs will be at Woreda/ Municipality and Kebele level. Where LIG subprojects with potential resettlement take place, each Woreda, Municipality and Kebele will form a committee to plan for, coordinate and monitor resettlement, compensation and relocation activities. A large part of their responsibility will be consultation with the potentially project affected parties (PAPs).



### 5.3.1 *Woreda, Urban and Municipal Implementing Authorities*

WOFEDs and ULGAs will be responsible for undertaking screening and assessment of potential subprojects to determine whether resettlement and/or compensation will be required. The development and implementation of RAPs will also be done at this level, including impact assessment, asset valuation and the determination of compensation requirements. These offices will be the main actors in the selection, identification, distribution and rehabilitation of sites. They will also facilitate the provision of support in terms of restoration of livelihoods and giving special attention to vulnerable members of the community.

#### *Woreda/ Municipal Committees*

As part of the LIG institutional framework, a committee will be set up to represent community members and their views and concerns on potential LIG projects. This committee will be responsible for screening of subprojects for their environmental and social (including resettlement) impacts and will monitor and supervise payments for LIG work, as well as compensation payments to the recipient PAPs.

In addition, Woreda and Municipal/ ULGA Level Compensation and Resettlement committee would be set up, to link in to the LIG committees, but who would will play a major role during RAP implementation by:

- establishing kebele level implementation committees;
- clarifying policies and operational guidelines of kebele compensation committees;
- establish standards for unit rates of affected assets and compensation estimates according to the guidelines in the RPF
- coordinating and supervising implementation by kebele compensation committees as stipulated in the RPF and federal and regional guidelines;
- ensuring that appropriate compensation procedures are followed; and
- overseeing the project's requirements related to social impacts including issues related to resettlement and compensation.

A local Kebele Committee would also be set up, with the main aim of representing the interests of the affected communities and directly affected people. This will comprise representatives from kebele administration offices, PAPs, and sector offices who have the following responsibilities:

- validate inventories of PAPs and affected assets;
- allocate land, where required, to permanently affected households;
- monitor the disbursement of funds;
- guide and monitor the implementation of relocation;
- coordinate activities between the various organizations involved in relocation;
- facilitate conflict resolution and addressing grievances; and
- provide support and assistance to vulnerable groups

The organizational framework for these committees is provided in *Section 8.2* of this RPF.

**6.1** *ESTIMATED POPULATION DISPLACEMENT*

Due to the nature of the LIG and the anticipated scale of potential subprojects, each individual subproject is not expected to lead to major resettlement activity.

However, it is expected that over the next 3-5 years, at least 500 local governments in Ethiopia are expected to participate in LIG, thus it is possible that a number of small-scale resettlement activities may need to take place.

The number or likelihood of people that will be impacted or require resettlement as a result of the LIG project will be determined as a result of the specific projected and localities, and based on land availability and population pressures.

**6.2** *LAND ACQUISITION AND LIKELY CATEGORIES OF IMPACT*

Despite the anticipated small-scale nature of projects, land acquisition, compensation and resettlement of people may be necessary for some subprojects. The severity of impact determines what the resettlement measures will be. *Table 6.1* is designed to assist in the process of determining the likely severity of impacts associated with LIG subprojects. This is based on the anticipated LIG subprojects as described in *Section 2.2*.

**6.3** *ELIGIBILITY CRITERIA*

**6.3.1** *Affected Parties*

Although it is not possible to estimate the number of people that will be resettled or displaced as a result of the subprojects of the LIG programme, those that will be affected will be categorised into three groups, namely:

- (i) *Affected Individual* – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economic resources as a result of the sub-project activities and to whom compensation is due. For example, an affected individual is a person who farms a land, or who has built a structure on land that is now required by a sub project for purposes other than farming or residence by the initial individuals.

**Table 6.1**      *Severity of Impact Related to Anticipated Subprojects*

Activity	Type of Impact	Severity of Impact	Resettlement Measure
<b>SANITATION</b>			
<b>Rural</b>			
Washing facilities	Small plot	Low	Replace land and/or pay compensation
Community latrines	Small plot	Low	Replace land and/or pay compensation
Solid waste composting	Small to Medium Plot	Low	Replace land and/or pay compensation
<b>Urban</b>			
Community soak away pit and septic tanks	Medium Plot	Low - Medium	
Collection and discharge	Small to Medium Plot	???	
Drainage canals	Limited linear impact	Low	Pay compensation if not in public right of way
<b>WASTE MANAGEMENT</b>			
<b>Community waste management</b>			
Open pit waste	Small to Medium plot	Low to Medium	Replace land and/or pay compensation Compensate for other assets
<b>Urban waste management</b>			
Collection bins (separation)	Small plot	Low	Replace land and/or pay compensation
Composting	Small plot	Low	Replace land and/or pay compensation Compensate for other assets
- Small scale landfills	Medium plot	Low to medium	Replace land and/or pay compensation
- Biogas plants	Small to medium plot	Low to medium	Replace land and/or pay compensation
<b>EDUCATION</b>			
Construction of classrooms	Plot for building and school grounds	Low to medium	Replace land and/or pay compensation Compensate for other assets
Sanitation and Potable Water (latrines and washing stations)	Small to medium plot	Low to medium	Replace land and/or pay compensation Compensate for other assets
School gardens	Small to medium plot	Low to medium	Replace land and/or pay compensation
<b>WATER SUPPLY</b>			
<b>Rural</b>			
Hand dug well	Small plot (20m x 20m)	Low	Replace land and/or pay compensation
Drilled well with hand pump	Small plot	Low	Replace land and/or pay compensation
Drilled well with submersible pump and small distribution system	Small plot	Low	Replace land and/or pay compensation
Spring well development	Small plot	Negligible	Pay compensation if not on communal land
Spring capture (collection tank) and distribution	Small plot	Negligible to Low	Pay compensation if not on communal land
<b>Urban</b>			
Spring catchment and gravity distribution system	??	Negligible to Low	

Activity	Type of Impact	Severity of Impact	Resettlement Measure
River intake (run off river/ dam), treatment works & pressure distribution	Small plot and linear impact	Low/ Medium/ High	Replace land and/or pay compensation Compensate for other assets
Wells with submersible pumps, treatment works & pressure distribution	Small plot and linear impact	Low/ Medium/ High	Replace land and/or pay compensation Compensate for other assets
Rehabilitation or expansion of existing system	Small plot (expansion)	Negligible to Low	
<b>HEALTH</b>			
<b>Rural</b>			
Health facilities	Medium plot	Low to Medium	Replace land and/or pay compensation Compensate for other assets
<b>Urban</b>			
Health Centres	Medium plot	Low/ medium/ high	Replace land and/or pay compensation Compensate for other assets
<b>AGRICULTURE &amp; IRRIGATION</b>			
Community tree nurseries	Medium to large plot	Low to medium	Replace land and/or pay compensation
Afforestation			
Water diversion weirs	Small scale linear impact	Negligible to low	Replace land and/or pay compensation
Earth dam rehabilitation			
Community reservoirs	Medium plot	Low/ Medium/ High	Replace land and/or pay compensation Compensate for other assets
Livestock watering points	Small to medium plot	Negligible to Low	Replace land and/or pay compensation
Irrigation canals	Limited linear impact	Negligible to Low	Replace land and/or pay compensation
Vet clinics	Medium plot	Low/ Medium/ High	Replace land and/or pay compensation Compensate for other assets
Run-off water harvesting	Small plot	Negligible to Low	Replace land and/or pay compensation
<b>MARKETS</b>			
Market stall with drainage	Small to medium plot	Low to medium	Replace land and/or pay compensation Compensate for other assets
Slaughter houses	Medium to large plot	Medium to High	Replace land and/or pay compensation Compensate for other assets
<b>ROADS</b>			
New feeder roads	Linear land take	Low/ Medium/ High	Replace land and/or pay compensation Compensate for other assets
- Rehabilitation of feeder roads	Limited linear impact	Negligible to Low	
- Bridges	Limited impact, along existing roads	Negligible to Low	Replace land and/or pay compensation Compensate for other assets
- Fords and culverts	Limited linear impact, along existing roads	Negligible to Low	Replace land and/or pay compensation Compensate for other assets
<b>SOIL AND WATER CONSERVATION</b>			

Activity	Type of Impact	Severity of Impact	Resettlement Measure
Hillside terracing	Small plot	Low to Medium	Replace land and/or pay compensation Compensate for other assets
Check dams	Small plot	Low to Medium	Replace land and/or pay compensation
Stream and river bank protection	Limited linear impact	Negligible to Low	Pay compensation
Wetland development	Small/ Medium/ Large plot	Low/ Medium/ High	Replace land and/or pay compensation Compensate for other assets
Aquifer recharge			
Area closure	Small/ Medium/ Large	Low/ Medium/ High	Replace land and/or pay compensation Compensate for other assets



- (ii) *Affected Household* – A household is affected if one or more of its members is affected by sub-project activities, either by loss of property, land, loss of access, or otherwise affected in any way by project activities. This provides for:
  - any members in the households, men, women, children, dependent relatives and friends, tenants;
  - vulnerable individuals who may be too old or ill to farm along with the others;
  - relatives who depend on one another for their daily existence;
  - relatives who may not eat together but provide housekeeping and other domestic chores, and
  - other vulnerable people who cannot participate for physical or cultural reasons in production, consumption, or co-residence.
- (iii) *Affected local community* – A community is affected if project activities affect their socio-economic and/or social-cultural relationships or cohesion. For example project activities could lead into such improvement of socio-economic welfare that class-consciousness arises coupled with cultural erosion etc. This is not likely given the anticipated scale of the LIG subprojects, but must be taken into account.
- (iv) *Vulnerable Households* – Vulnerable households may have different land needs from most households or needs unrelated to the amount of land available to them, eg:
  - unmarried women;
  - non-farming residents;
  - the elderly;
  - the infirm or ill;
  - ethnic minorities;
  - indigenous peoples; and
  - orphans

#### *Identification of Affected People*

Identification of project affected persons (PAPs) will be done by an external consultant who will be again in charge of preparation of the Resettlement Action Plan (RAP) or an abbreviated Resettlement Plan. In the process of identification, kebele, municipal and Woreda level officials' participation will be very important. The number and categories of project affected people may vary and depends on the nature and magnitude of the project or sub-project.

### **6.3.2 Eligibility for Compensation**

Fixing eligibility criteria for entitlement purpose is essential for the resettlement/rehabilitation process and compensation payments. For this reason property inventories with other relevant socio-economic surveys, and fixing a cut-off-date after proper consultation and announcement, is instrumental to avoid unnecessary and sometimes fraudulent claims for compensation.

With the application of the World Bank OP 4.12 procedures, the following project affected citizens will be eligible for compensation:

- a) Those who have formal rights to land (including customary and traditional rights of occupancy recognized under the Laws of Ethiopia)
- b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under Ethiopian laws, or become recognized through a process identified in the resettlement and compensation plan; and
- c) Those who have no claim to land they are occupying or using.

Those covered under a) and b) above are to be provided compensation for land they lose, and other assistance in accordance with the policy. Persons covered under c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy or use, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy or use the project area prior to a cut-off date established by the local Government Technical Planning Teams and Compensation committees and that are acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in a), b) or c) above are to be provided with compensation for loss of assets other than land.

Therefore, it is clear that all affected persons irrespective of their status or whether they have formal titles, legal rights or not, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date. The entitlement cut-off date refers to the time when the assessment of persons and their property in the area is carried out, i.e. the time when the project area has been identified and when the socio-economic study is taking place. Thereafter, no new cases of affected people will be considered. Persons who encroach on the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance.

#### *Eligibility According to National Law*

In determining eligibility, the national legislation differs to the World Bank Policy as described above. The World Bank OP4.12 allows a broader range of eligibility than the national policy, as described in *Section 4.3* <sup>(1)</sup>. Thus this will provide the framework for resettlement for the LIG project.

#### *Method to Determine Cut-Off Dates*

Once the relevant local authority has approved the sub-project, the Technical Planning Teams and Compensation Committee will meet to discuss and agree on a programme of implementation. They will also choose tentative cut-off dates. The

(1) Proclamation 455/2005, a landholder' is eligible for compensation, and a landholder is defined as "an individual, government or private organization or any other organ which has legal personality and has lawful possession over the land to be expropriated owns property thereon"



dates would then be communicated to the community through their respective representative in the Woreda and Kebele Compensation Committees.

The entitlement cut-off date refers to the time when the assessment of persons and their property in the sub-project area is carried out, i.e. the time when the sub-project area has been identified and when the site-specific socio-economic study is taking place. Thereafter, no new cases of affected people will be considered. The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land areas thereby posing a major risk to the sub-project. Therefore, establishment of a cut-off date is of critical importance. The Project Planning Team and Compensation Committees will play a crucial role in identifying users of land.

Where there are clearly no identified owners or users of land or assets, the respective Regional Land Administration and Woreda Land Use and Administration will notify the community leaders and representatives to help to identify and locate the land users. These leaders and representatives will also be charged with the responsibility to notify their members about the established cut-off date and its significance. The user(s) will be informed through both formal notification in writing and by verbal notification delivered in the in the presence of the community leaders or their representatives.

## 7.1 TYPES OF COMPENSATION PAYMENTS

Individual and household compensation will be made in kind and/or in cash (as described in *Table 7.1*). Although the type of compensation may be an individual's choice, compensation in kind will be preferred, particularly if the loss amounts to more than 20% of the total assets. In the Ethiopian context however, it is likely that compensation may have to be paid instead of compensation in kind due to the limited land availability in many parts of the country.

**Table 7.1** *Forms of compensation*

Type of Compensation	Description
Cash Payments	Compensation will be calculated and paid in Birr. Rates will be adjusted for inflation.
In – Kind Compensation	Compensation may include items such as land, houses other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment.
Assistance	Assistance may include moving allowance, transportation and labour

For cash payments, compensation will be calculated in Ethiopian Birr and adjusted for inflation. It is advised that this cash is paid out over time, to equate to an estimate of monthly income, rather than in a once-off lump sum. For compensation in kind, items such as land, houses, other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment may be included. Assistance may include moving allowance, transportation and labour.

Making cash payments raises issues regarding inflation and security that have to be considered. Cash payments must allow for inflationary adjustments of compensation values. Security, for people who will be receiving cash compensation payments will need to be addressed by the local administration. These are some of the reasons why compensation in-kind will be preferred. For payment of compensation in-kind, the time and new location will have to be decided and agreed upon by each recipient, in consultation with the Kebele and Woreda/ Municipal Compensation and Resettlement Committees.

### 7.1.1 Valuation of Assets and National Law

At the time of writing this RPF, the Government were in the process of writing regulations associated with *Proclamation No 455/2005*. According to *Proclamation No 455/2005, Article 7(6)*, 'Valuation formulae for determining compensation for various properties and detailed prescriptions applicable there to shall be provided for by regulations'. In the absence of these regulations, this RPF provides formulae and cost units that are currently applicable internationally and are equivalent to market value. Upon promulgation of the regulations, these compensation

payments can be used as long as they equal to, or more than, those provided for by the new regulations.

According to *Proclamation No 455/2005*, the valuation of property situated on land to be expropriated shall be carried out by certified private or public institutions or individual consultants.

## **7.2            *COMPENSATION CALCULATIONS FOR ASSETS AND ASPECTS***

Compensation for all land use and assets must be made, including for:

- cultivated land and crops;
- residential buildings, structures and fixtures;
- sacred sites;
- vegetable gardens and beehives;
- horticultural, floricultural and fruit trees;
- other domestic cash crops and fruit trees; and
- loss of businesses or employment

In addition, relocation and assistance allowances will be given to those who are required to move off their land.

### **7.2.1        *Rules for Compensation***

The compensation for land will be in accordance with the National *Proclamation No 455/2005*:

- The amount of compensation for property situated on the expropriated land and for permanent improvements to the land;
- Compensation for permanent improvement to land shall be equal to the value of capital and labour expended on the land;
- The cost of removal, transportation and erection shall be paid as compensation for a property that could be relocated and continue its service as before.

### **7.2.2        *Compensation for Cultivated Land and Crops***

Compensation for land is aimed at providing for loss of crop *and* the labour used to cultivate the crop. The term "Land" refers to an area or homestead in cultivation, being prepared for cultivation, or cultivated during the last agricultural season. This definition recognizes that the biggest investment a farmer makes in producing a crop is his or her labour. As a result, compensation relating to land will cover the rates for labour invested, as well as the replacement cost of the crop lost.

The first premise of land compensation, depending on the availability of land, will be on a land-for-land basis, provided that the land available is of equal, or better quality in terms of plough ability and yield. If receiving land as compensation, the affected party will then be compensated for the labour required to replant the crops.

### *Land measurement*

The unit of measurement for land will be that which is used and understood by the affected persons. Therefore if a traditional unit of measurement exists in the rural areas, that unit shall be used. If a traditional unit of measurement does not exist, it is recommended that land should be measured in meters or any other internationally accepted unit of measurement. In such cases, the unit that is-being used must be explained to the affected farmers/users.

The unit of measurement must be easily related to recognizable land features that the communities are familiar with, such as relative location of trees, stumps and other fixed features on the sites. Understanding the unit of measurement ensures that the affected person is able to verify his/her own size of land that is being lost. This maintains transparency in the process and avoids subsequent accusations for wrong measurements or miscalculation of land areas.

### *Determination of Crop Compensation Rates*

The price for cash crops will be determined as the average market price over the previous year, corrected for inflation. The price for subsistence crops will be determined as the highest value of the previous year, corrected for inflation.

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 would lose food crop rather than a cash crop income.
- the value of staple crops to be taken as the highest market price 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 staple foods yields a high per hectare value that reimburses for the vegetables and other foods that are commonly inter-cropped with staples, but are almost impossible to measure for compensation.

Prevailing prices for cash crops will have to be determined with the assistance from the Ministry of Agriculture. The Ministry of Agriculture rate schedules must be verified for currency, and should be updated annually. Each type of crop is to be compensated for, using the same rate. Calculating compensation using one rate guarantees uniformity and allows anyone to measure the area of land for which compensation is due and to multiply the area by the one rate known to all.

Table 7.2 provides example rates based on compensation provided through a Resettlement Action Plan conducted to World Bank standards in 2006<sup>(1)</sup>. These rates must be considered as indicative and prevailing market rates must be used for calculating compensation.

**Table 7.2** *Examples of Compensation Rates for Crops Based on 2006 Market Values*

	Birr/kg*	Average yield per Hectare (kg)
Barley		
Maize	1.86 (\$0.202)	1,800
Teff	2.68 (\$0.29)	800
Sesame	4.8 (\$0.52)	1,000
Sorghum	2.12 (\$0.23)	1,000

\*NB: These rates are based on 2006 market values. It is essential that current market values are applied

### 7.2.3 *Compensation for Fruit Trees and Other Economically Valuable Trees*

Compensation for fruit trees and other economically valuable trees will be compensated for in the same way as for crops, as described in Section 7.2.2 and in accordance with the national law. Table 7.4 provides example rates for trees at 2006 rates.

**Table 7.3** *Examples of Compensation Rates for Trees Based on 2006 Market Values*

	Birr/kg*	Average yield per Hectare (kg)
Avocado	1.66 (0.18)	25,000
Banana	1.29 (\$0.14)	32,000 – 35,000
Coffee	16.14 (\$1.75)	400
Enset		19,390
Guava	1.66 (0.18)	
Hops	1.29 (\$0.14)	
Mango		
Papaya	1.66 (0.18)	19,800

\*NB: These rates are based on 2006 market values. It is essential that current market values are applied

Source: Eastern Nile Technical Regional Office (ENTRO), 2006 Ethiopia-Sudan Power System Interconnection ESIA, Resettlement Action Plan Ethiopia, Final Report 2006. SMEC in Association with Associated Consultants and Partners Ltd, Sudan.

### 7.2.4 *Compensation for Residential Buildings, Structures and Fixtures;*

Compensation will be paid by replacing structures such as huts, houses (eg tukuls), farm outbuildings, latrines and fences wherever possible. Any homes lost will be rebuilt on acquired replacement land, however cash compensation would be available as a preferred option for structures (i.e. extra buildings) lost that are not the main house or house in which someone is living. The going market prices for construction materials will be determined. Alternatively, compensation will be

(1) Eastern Nile Technical Regional Office (ENTRO), 2006 Ethiopia-Sudan Power System Interconnection ESIA, Resettlement Action Plan Ethiopia, Final Report 2006. SMEC in Association with Associated Consultants and Partners Ltd, Sudan.

paid in-kind for the replacement cost without depreciation of the structure. The project will survey these prices for administrative purposes on an ongoing basis.

Compensation will be made for structures that are:

- Abandoned because of relocation or resettlement of an individual or household; or
- Directly damaged by construction activities.

Replacement values will be based on:

- Drawings of individual's household and all its related structures and support services;
- Average replacement costs of different types of household buildings and structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets (CIS), doors etc.);
- Prices of these items collected in different local markets;
- Costs for transportation and delivery of these items to acquired/ replacement land or building site;
- Estimates of construction of new buildings including labour required.

Table 7.4 provides examples of the types of buildings and structures would need to be taken into consideration, and the rates on compensation considered as indicative, and prevailing market rates must be used for calculating compensation.

**Table 7.4** *Example Table for Compensation for Buildings and Structures*

Structure/ Fixture	Type (Example)	Unit Cost (Birr) (m <sup>2</sup> )
House	- Tukul with thatched roof	250 - 350
	- House of wood and mud with CIS	300 - 400
Kitchen		
Animal outhouses	- Stable	
	- Shed	
	- Pen	
	- Coop	
Fence	- Stone	155 - 165
	- Wooden (bamboo)	45 - 55
	- CIS	80 - 85
	- Barbed Wire	69 - 75
Latrine	-	
Open well	-	
Borehole	-	
Storage building	-	
*NB: These rates are based on 2006 market values. It is essential that current market values are applied		

According to *Proclamation No 455/2005, Article 8(4)*) an urban land holder whose land holding has been expropriated shall be provided, apart from the estimated payment for lost structures, with a plot of urban land to construct a house and to be paid a displacement compensation equivalent to the annual rent the demolished house or to be allowed live with out rent payment for one year.

### 7.2.5 *Compensation for Sacred Sites*

To avoid any possible conflicts between individuals and/or communities, the use of sacred sites for any sub-project activity is not permitted under the LIG project.

Sacred sites include but are not restricted only to churches, mosques, initiation centers, ritual sites, tombs, and cemeteries. They include other such sites, places or features that are accepted by practice, tradition and culture as sacred.

### 7.2.6 *Compensation for Vegetable Gardens and Beehives*

These are planted with vegetables and ingredients for daily use. Until a replacement garden starts to bear, the family displaced as a result of the project land will need to purchase these items in the market. The replacement costs, therefore, will be calculated based on the average amount that an average town dweller spends on buying these items for one year per adult from the local market.

Beehives are placed in various locations in the bush by some individuals that specialize in honey gathering. If such hives would be disturbed by the project activities, or access to hives is denied, beekeepers can move them, and the bees will adapt to the new locations. Beekeepers would be compensated by the value of one season's production costs of honey for each hive that is moved and any reasonable costs associated with moving the hive.

### 7.2.7 *Compensation for Eucalyptus and other Economically Valuable Trees <sup>(1)</sup>*

The Eucalyptus tree is ubiquitous in Ethiopia and often grown in plantations and woodlots. Eucalyptus yield and process will be based on age, height and diameter of trees, and their functions (eg. House construction, electricity poles, fuel wood etc). Trees are classified into three categories: small (saplings); medium (mature trees) and large (for poles). Calculation should be based on the size of the tree, eg.:

- Small (sapling)
- Medium (mature tree)
- Large (Pole Tree)

Transportation costs must be factored into the compensation payments. Other types of trees (eg indigenous trees) will also be compensated for at market prices, and determined as per the calculations for Eucalyptus.

Wild, productive trees that grow in communal areas belong to the community when they appear in the bush as opposed to fallow land. These trees will be compensated for under the umbrella of the village or community compensation.

(1) Valuation Methods are based on Appendix 4 of the Eastern Nile Technical Regional Office (ENTRO), 2006 Ethiopia-Sudan Power System Interconnection ESIA, Resettlement Action Plan Ethiopia, Final Report 2006. SMEC in Association with Associated Consultants and Partners Ltd, Sudan. The compensation method was developed by the Environmental Monitoring Unit of the Ethiopian Electric and Power Corporation (EPPCO).

### 7.2.8 *Compensation for Loss of Businesses or Employment*

Compensation for businesses (eg grinding or flour mills, kiosks, coffee houses, shops, vending places and local eating and drinking places) will be estimated based on the daily or monthly income of the affected parties.

## 7.3 *SUMMARY - METHODS OF VALUATION*

The valuation of assets will be carried out by certified private or public institutions or individual consultants on the basis of valuation formulae adopted at the national level. This will be based on the replacement cost of the asset at market rates. Compensation will be in the form of cash payments, in-kind compensation and assistance such as a moving allowance, transportation and labor. Affected people will be consulted as to what types of compensation they choose, although this will be accompanied by encouraging people to choose in-kind compensation, particularly if the affected people are not used to dealing with relatively large sums of money.

Compensation will be determined by taking all assets into account. This will include compensation for rural and urban assets, including land, crops, trees, buildings and structures, sacred sites, vegetable gardens and beehives, horticultural, floricultural and fruit trees, and other domestic cash crops and fruit trees. This will be determined according to the unit costs as provided in the national regulations, and until then, on unit costs according to current market prices. A detailed entitlement matrix relating to the types of impacts of land and assets will be provided as an annex to the RPF.

### *Entitlement Matrix*

The entitlement matrix will follow eligibility criteria for compensation and / or resettlement / rehabilitation assistances for losses of different types of assets for different categories of project affected persons

A summary of all the assets that the PAP is entitled to shall be prepared for easy reference. *Annex A* provides an example of an entitlement matrix. The LIG Environmental and Social Specialists within the MWUD and/ or MEPMD should be involved in preparing a country specific entitlement matrix under the LIG.



This RPF provides a framework for resettlement associated with the LIG project. Once subprojects have been identified, each will need to go through a process to identify whether resettlement is required, and if so, the development of a plan for resettlement. At this stage, OP4.12 calls for the preparation of individual Resettlement Action Plans (RAPs) that must be consistent with this RPF.

### 8.1 **OVERALL PROCESS**

The steps to be undertaken for each individual RAP include a screening process, a socio-economic census and land asset inventory of the area and identification of Project Affected Parties (PAPs). This will be followed by the development of a Resettlement Action Plan (RAP), RAP review and approval, implementation of the RAP and monitoring of RAP implementation and success. This process is shown in *Figure 8.1*. These steps will be the responsibility of the woreda (rural) and municipality (urban) administration through an elected resettlement and compensation committee, in association with each Kebele's compensation and implementation committee.

Throughout this process, consultation and public disclosure will take place with PAPs, ensuring that the affected persons are informed about the intentions to use the site for the LIG subproject. Consultation must ensure that affected persons are made aware of their options and rights related to resettlement and compensation, alternatives for resettlement sites, the RAP process and proposed dates for resettlement and compensation, compensation rates at full replacement cost and proposed measures to maintain or improve standards of living. They must also be aware of, and have access to a grievance mechanism for dissatisfactory resettlement and compensation processes.

### 8.2 **RAP IMPLEMENTING AGENCIES**

As described in *Section 5*, a number of Government institutions will play a role in the implementation of the RPF and individual RAPs, in line with the general LIG institutional arrangements as described in *Section 2.3* and in accordance with National Legislation.

Importantly, and in keeping with Ethiopia's decentralization policy, the development and implementation of the RAPs will be the responsibility of the local government, ie Woreda/ Municipality and Kebele level. The regional level departments will provide a review role, and provide political and administrative support for the implementation of the RAPs, while the Federal level will ensure that there is compliance against the RPF and national legislation, and that information is gathered in one place for overall LIG project monitoring. It is recommended that the committees set up are as set out in *Table 8.1*.

Figure 8.1 Individual RAP Preparation, Review and Approval Process

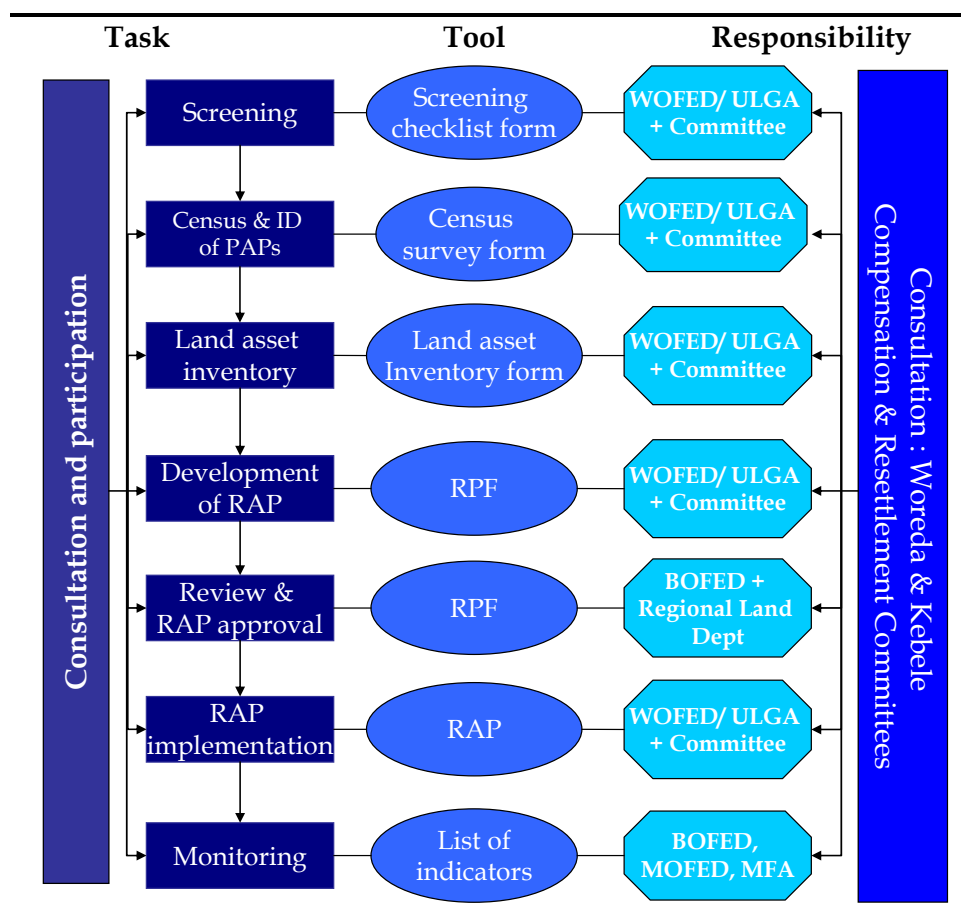


Table 8.1 Organisational Framework for Local Committees

Committee	Representatives
Woreda Compensation and Resettlement Committee	Woreda Administrator Woreda Office of Finance and Economic Development Woreda Rural Development Agency Woreda Capacity Building Department Woreda Kebele Committee Representative Representative from local NGO or CBO Representative of PAPs
Municipality Compensation and Resettlement Committee	Mayor or Town Administrator (Chairperson) Town Engineer/ surveyor Mobilization officer; Capacity Building Department Representative from local NGO or CBO
Kebele Compensation and Implementing Committee (Rural)	Kebele Administrator (Chairperson); Kebele Development Agent (extension worker); Representative of PAPs; Elders from affected localities; Representative from local NGO or CBO
Kebele Compensation Committee (Urban)	Kebele Administrator (Chairperson); Municipality Engineer; Representative of PAPs; Representative from local NGO or CBO

### 8.3 *PUBLIC CONSULTATION AND PARTICIPATION*

Consultation and participation by the affected communities and individuals is an essential element of the land acquisition, compensation and resettlement process. Throughout the process, and particularly during screening, there must be adequate consultation and involvement of the local communities and the affected persons. Specifically, the affected persons must be informed about the intentions to use the earmarked sites for the LIG activities, facilities and structures and their options associated with this.

It is essential that the affected persons are made aware of, and understand:

- their options and rights pertaining to resettlement and compensation;
- specific technically and economically feasible options and alternatives for resettlement sites;
- process of and proposed dates for resettlement and compensation;
- effective compensation rates at full replacement cost for loss of assets and services; and
- proposed measures and costs to maintain or improve their living standards.

The aim of public consultations at the screening stage will be to:

- disseminate concepts for proposed project activities with a view to provoking project interest amongst the communities;
- promote a sense of ownership for the project and resettlement activities;
- invite contributions and participation on the selection of project sites;
- determine communities' willingness to contribute in kind towards the implementation of the project; and
- determine community willingness to contribute towards long term maintenance of the project facilities.

During public consultation, there is the need to negotiate compensation and resolve conflicts. Grievance redress is very important to the success of implementation of resettlement action plans. Grievance redress is covered in more detail in *Section 10* of this RPF.

### 8.4 *SUBPROJECT SCREENING*

The first step in the process of preparing individual resettlement and compensation plans is the screening process to identify the land/ areas that may result in environmental and social impacts, including resettlement. Subproject screening is used to identify the types and nature of potential impacts related to the activities proposed under LIG, and provide adequate measures to address the impacts. It also ensures that the proponent, in consultation with the local community members, chooses a site with the least environmental and social impacts, and lowest chance of resettlement.

The screening process presented below will ensure that subprojects presented for LIG funding comply with the requirements of OP 4.12 and Ethiopian Law according to *Proclamation No 455/2005*.

Screening will be undertaken by the relevant Woreda and Kebele that is proposing the LIG subproject, with the use of the screening tool as attached to the RPF (*Annex B*) and ESMF <sup>(1)</sup>. This will be part of the environmental and social screening process for each subproject as detailed in the ESMF. It will take place as early in the subproject process as possible and will identify land-take that will require resettlement. This will be in consultation with the potentially affected parties (PAPs) to ensure that it takes all considerations into account and all potential impacts are identified.

This will then be submitted to WOFED for review. Should the screening process show that no resettlement is required, the development of a RAP is not necessary. Should the screening process show that resettlement will be required, the next step will be to conduct a socio-economic survey and land asset inventory to determine the extent of resettlement required. This will be followed by the preparation of a Resettlement Action Plan (RAP) or abbreviated RAP for the subproject.

## 8.5 SOCIO-ECONOMIC SURVEY AND ASSET INVENTORY

An important step in the process of preparing a RAP/ abbreviated RAP is to establish appropriate data to identify the persons who will be displaced by the individual subproject, people eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits.

In essence, the census will achieve the following:

- provide initial information on the scale of resettlement to be undertaken;
- identifies gaps in information and gives an indication of further socio-economic research needed to quantify losses to be compensation and, if required, to design appropriate development interventions; and
- establishes indicators that can be measured at a later date during monitoring and evaluation.

The socio-economic survey will preferably be undertaken by a private consultant, NGO or CBO. When this is not possible, and where the necessary resettlement is minimal eg. a very small percentage of a person's land and livelihood is affected, the relevant Woreda that is proposing the LIG subproject, with the use of the sample socio-economic survey in *Annex C* of this RPF. It will be accompanied by a land asset inventory to determine what assets will need to be compensated for during the resettlement process. A sample inventory form can be found in *Annex C*.

(1) This is the same form as in the ESMF to enable a simple screening process for initial identification of social and economic impacts.

## 8.6 DEVELOPMENT OF THE RAP OR ABBREVIATED RAP

Following the socio-economic survey and identification of affected parties, a RAP or abbreviated RAP will be developed according to the structure as set out in *Box 8.1* and *Box 8.2*. This will be done by a private consultant or NGO/CBO commissioned for this particular task, in association with the resettlement/compensation committees.

### 8.6.1 Preparation of RAP

The preparation of a RAP will be in consultation with the 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.

The basic elements of a RAP, as outlined in OP4.12 are provided in *Box 8.1*. Each element of a RAP is described in this RPF, as shown in *Box 8.1*, but more detailed guidelines for preparing a RAP are available on the World Bank's website ([www.worldbank.org](http://www.worldbank.org)) or in the *World Bank's Resettlement and Rehabilitation Guidebook*. In order that this is not an overwhelmingly burdensome process, the level of detail and extent of the RAP must be related to the extent of the resettlement impact. Should the resettlement activities be minor (eg a very small percentage of a person's land and livelihood is being required), a relatively simple RAP, or abbreviated RAP (as described in *Section 8.6.2*) will be required. Where the resettlement impact is more major (eg. The physical displacement of 5 or more households, or the acquisition of a person's whole plot of land), a more extensive and detailed RAP will be required.

The crucial aspect of a RAP process is that a specific, auditable process has been followed, that is appropriate to the impacts and that allows for consultation throughout the process. It must also ensure that those affected by resettlement, whether economic or physical, are no worse off, and preferably better off, than before.

#### *Box 8.1* Contents of a RAP

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**Structure of a Resettlement Action Plan**

Identification of project impacts and affected populations;  
Legal framework for land acquisition and compensation; .  
Compensation framework;  
Description of resettlement assistance and restoration of-livelihood activities;  
Detailed budget;  
Implementation schedule;  
Description of organizational responsibilities;  
Framework for public consultation, participation, and development planning;  
Description of provisions for redress of grievances; and  
Framework for monitoring, evaluation, and reporting

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## 8.6.2 *Preparation of an Abbreviated RAP*

An abbreviated RAP may be developed if the loss is only a very small percentage of the affected party's livelihood, such as the loss of two or three trees of a plantation of one hundred. As per the *World Bank's OP4.12*, this needs to include at a minimum those aspects as set out in *Box 8.2* :

### **Box 8.2** *Required Elements of an Abbreviated RAP*

- 
- a census survey of displaced persons and valuation of assets;
  - description of compensation and other resettlement assistance to be provided;
  - consultations with displaced people about acceptable alternatives;
  - institutional responsibility for implementation and procedures for grievance redress;
  - arrangements for monitoring and implementation; and
  - a timetable and budget
- 

It is likely that the LIG project will require only an abbreviated RAP in most instances, ensuring that it is not overburdensome, but at the same time ensuring a process has been followed. A full RAP may result in a large and detailed report, while an abbreviated RAP may be a few pages documenting all steps in the process, as set out in *Box 8.2*.

## 8.7 *REVIEW AND SUBMISSION TO PROJECT AUTHORITIES*

Following completion of the RAP for a subproject, the project proponent must submit the RAP to the Regional Authorities for approval and ensuring compliance with the RPF. The RAP is also to be submitted to MOFED and MWUD to ensure compliance with the RPF. At the discretion of the World Bank, it may be requested that certain RAPs are also reviewed by World Bank officials to ensure compliance to Bank standards, however, once capacity is built at the local level, this last step will not be considered necessary.

Capacity for RAP review and approval will be built at Woreda and Municipal level through the regional government, the Ministry of Capacity Building (see *Section 5*), and MOFED. This will be through training and technical assistance to ensure that all stakeholders involved discharge their different responsibilities effectively.

Following approval of the subproject RAP, the process of implementation must take place. This will involve: (a) consultation (a continuation of the process entered into during the site selection, screening and RAP development process); (b) notification to affected parties; (c) documentation of assets; (d) agreement on compensation; and (e) preparation of contracts, compensation payments and provision of assistance in resettlement. Once again, the detail and extent of these steps will depend on the nature and extent of resettlement required.

### 9.1.1 *Consultation*

An essential element in the RAP implementation process is consultation and public participation. This would be a continuation of the process entered into during the site selection, screening, census and RAP development process, and will depend on the extent of the resettlement impact. The community and landholder would be informed of the approval of the RAP and implications for all PAPs, as well as the likely implications in terms of resettlement, expropriation and compensation. Importantly, this would need to be part of an ongoing process, to ensure that no affected individual/household is simply “notified” one day that they are affected in this way. Instead, this process seeks their involvement and wishes to inform communities in a participatory approach with the project, from the beginning.

### 9.1.2 *Notification*

At the earliest possible opportunity, the project proponent and Woreda LIG committee would provide notification regarding land acquisition to land holders and users. The users will be informed through both a formal notification in writing and, as many people are illiterate, by verbal notification delivered in the presence of the Village Head or his representative. In addition, the Compensation Committees and affected landholders and users will accompany a survey teams to identify sensitive areas where necessary.

### 9.1.3 *Documentation*

The relevant Compensation Committees will arrange meetings with affected individuals and/or households to discuss the compensation process. For each individual or household affected, the Woreda official will complete a compensation dossier containing necessary personal information on the affected party and those that he/ she claims as household members, total landholdings, inventory of assets affected, and information for monitoring their future situation. This information is confirmed and witnessed by the Kebele Compensation and Resettlement Committee. Dossiers will be kept current and will include documentation of lands surrendered. Each individual will be provided a copy of the dossier at the time of negotiations. This is necessary so that the resettlement process pertaining to each individual PAP can be monitored over time. All claims and assets will be documented in writing.

#### **9.1.4 *Agreement on Compensation and Preparation of Contracts***

All compensation options and types must be clearly explained to the affected individual or household. The Woreda Compensation and Resettlement Committee, in association with the LIG Technical Planning Team, draws up a contract, listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation will have an order form, which is signed and witnessed. The compensation contract is read aloud in the presence of the affected party and the respective Technical Planning Team, Woreda and Kebele Compensation Committees and other relevant village leaders prior to signing.

#### **9.1.5 *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 and the Kebele Compensation Committee.

### **9.2 *RAP IMPLEMENTATION SCHEDULE***

It is essential that the timeframes and action plans associated with the RAPs are linked to the LIG project implementation schedule. Provisions must be made for compensation and assistance prior to displacement. The assistance includes provision and preparation of resettlement sites with adequate facilities. In particular, land and related assets may be taken away only after compensation has been paid and resettlement sites and moving allowances have been provided to affected people. For project activities requiring relocation or resulting in loss of shelter, this RPF further requires that measures to assist the project affected persons are implemented in accordance with the individual RAPs.

In the Implementation Schedule of each RAP, details on resettlement and compensation must be provided. The schedule for the implementation of activities, as agreed between the Woreda Compensation Committee, Project Planning teams and PAPs must include:

- target dates for start and completion of civil works;
- timetables for transfers of completed civil works to PAPs;
- dates of possession of land that PAPs are using (this date must be after transfer date for completed civil works to PAPs and for payments of all compensation);
- the link between RAP activities to the implementation of the overall sub project.

When approving recommendations for resettlement during screening, PAPs must confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works, in compliance with this policy. Proper timing and coordination of the civil works shall ensure that no affected persons will be displaced (economically or physically) due to civil works activity, before compensation is paid and before any project activity can begin.



Consultation and public participation are essential because they afford potentially displaced persons the opportunity to contribute to both the design and implementation of the project activities. The level and type of consultation will depend on the extent and type of resettlement activities taking place, but ensuring that all PAPs are involved in the consultation. In designing the consultation process, it is important to consider that it is the local communities who are to claim ownership of this project for it to be successful and their wealth of knowledge of local conditions are invaluable assets to the project. In recognition of this, particular attention would be paid to public consultation with potentially affected individuals/households when resettlement and compensation concerns are involved.

Public consultation will take place at the inception of the planning stages when the development plans are being prepared. The participation strategy would evolve around the provision of a full opportunity for involvement, to the level and extent appropriate to the nature of the resettlement impact. As a matter of strategy, public consultation must be an on-going activity taking place through out the entire project cycle. For example, consultation and public participation would also occur during the:

- project inception and planning;
- alternatives and screening process;
- feasibility study;
- preparation of project designs;
- resettlement and compensation planning;
- drafting and reading/signing of the compensation contracts;
- payment of compensations;
- resettlement activities and
- implementation of after-project community support activities

Public participation and consultation shall take place through meetings, radio and television programmes, request for written proposals/comments, completion of questionnaires/application forms, public readings and explanations of the project ideas and requirements. This shall be handled by the LIG implementation committee and the Woreda and Kebele Compensation and Resettlement Committees, and implemented according to the nature and scale of the resettlement impact.

Public documents shall be made available in appropriate languages at the national, local and homestead levels and at suitable locations including the official residences/offices of Kebele leaders and village elders. Public consultation measures shall take into account the low literacy levels prevalent in the rural communities, by allowing enough time for discussions, consultations, questions, and feedback.

## **11 GRIEVANCE REDRESS MECHANISM**

### **11.1 OBJECTIVES OF GRIEVANCE REDRESS MECHANISMS**

At the time that the individual RAPs are approved and individual compensation contracts are signed, affected individuals and households will have been informed of the process for expressing dissatisfaction and to seek redress.

In order to address grievances, an ad hoc grievance committee will be formed, ie a committee will be formed when and if a grievance arises. This will include a representative of the Woreda Administration, the Woreda Sector bureau and a representative of the PAPs. The grievance procedure will be simple and will be administered as far as possible, at the kebele and Woreda level by the ad hoc grievance Committee.

All grievances concerning non-fulfilment of contracts, levels of compensation, or seizure of assets without compensation shall be addressed to the Kebele Leader, and will then, if necessary, be taken to the ad hoc grievance committee.

All attempts shall be made to settle grievances amicably. Those seeking redress and wishing to state grievances will do so by notifying their ad hoc grievance committee and Kebele Leader. The Kebele Leader will inform and consult with the Woreda Administration to determine validity of claims. If valid, the Kebele Leader will notify the complainant and he/ she will be assisted. If the complainant's claim is rejected, the matter shall be brought before the local court. The decision of the local court will be final and all such decisions must be reached within a full growing season after the complaint is lodged.

It has to be noted that in the local communities, people take time to decide to complain when aggrieved. Therefore, the grievance procedures will ensure that the PAPs are adequately informed of the procedure, before their assets are taken. 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, it implicitly discourages referring such matters to the Regional or National level government authorities or National/ Regional level courts for resolution.

Compensation and resettlement plans (contracts) will be binding under statute. All objections to land acquisition shall be made in writing, in the language that the PAPs understands and are familiar with, to the Village Leader. Copies of the complaint shall be sent to the Woreda Compensation and Resettlement Committee and Project Planning Team and the relevant Minister for administration of land matters, within 20 days after the public notice. Channelling complaints through the Village Leader is aimed at addressing the problem of distance and cost the PAP may have to face.

The Kebele Leaders shall maintain records where grievances and complaints, including minutes of discussions, recommendations and resolutions made, will be recorded.

The procedure for handling grievances should be as follows:

- 1) The affected person should file his grievance in writing, to the Kebele Leader. The grievance note should be signed and dated by the aggrieved person. Where the affected person is unable to write, he should obtain assistance to write the note and emboss the letter with his thumbprint. A sample grievance form is provided in *Annex D*.
- 2) The Kebele Leader should respond within 14 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates to valuation of assets, experts may need to be requested to revalue the assets, and this may necessitate a longer period of time. In this case, the aggrieved person must be notified by the Kebele Leader that his/her complaint is being considered.
- 3) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time, s/he may lodge his/her grievance to the Woreda Administration or the relevant Municipal Administration.
- 4) The ad hoc grievance committee will then attempt to resolve the problem (through dialogue and negotiation) within 14 days of the complaint being lodged. If no agreement is reached at this stage, then the complaint is taken to the local court.

In order to assess whether the goals of the resettlement and compensation plan are being met, a monitoring plan will be required. This monitoring plan will indicate parameters to be monitored, institute monitoring milestones and provide resources including responsible persons or institutions to carry out the monitoring activities. Once again, the detail and complexity of this plan will depend on the nature and extent of the resettlement that takes place.

The arrangements for monitoring the resettlement and compensation activities will fit the overall monitoring programme of the entire LIG programme, which will fall under the overall responsibility of the different executing agencies. The executing agencies, with support from the Woreda committee/ NGO and/or consultant, will institute an administrative reporting system that:

- a) alerts project authorities on the necessity and procedures for land acquisition for the project activities and the need to incorporate land acquisition, resettlement, loss of assets and impact on livelihood provisions in the design technical specifications and budgets;
- b) provides timely information about the asset valuation and negotiation process,
- c) maintains records of any grievances that require resolution, and
- d) documents timely completion of project resettlement obligations (i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary losses, as well as unanticipated, additional construction damage.
- e) updates the database with respect to changes that occur on the ground as resettlement and compensation activities are being implemented

Periodic evaluations will be made in order to determine whether the PAPs have been paid in full and before implementation of the sub project activities; and whether the PAPs enjoy the same or higher standard of living than before.

This framework is suggesting that where appropriate and where it is determined to be cost effective, the regional level administration shall be structured to host the monitoring and evaluation component of the project/program. This will take the form of giving the regions the mandate to carry out independent monitoring of the implementation of the resettlement and compensation plans at periodic intervals of quarterly or half yearly (as circumstances dictate) during the program life.

The objective will be to make a final evaluation in order to determine:

- a) if affected people have been paid in full and before implementation of the subproject , and
- b) if the people who were affected by the subproject have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are they are actually poorer than before.

A number of objectively verifiable indicators (OVI's) 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 wellbeing. Therefore, monitoring indicators to be used for the RAP will have to be developed to respond to specific site conditions. As a general guide, *Table 12.1* provides a set of indicators which can be used.

**Table 12.1** *Types of verifiable indicators*

Monitoring	Evaluation
Outstanding compensation or resettlement contracts not completed before next agricultural season.	Outstanding individual compensation or resettlement contracts.
Communities unable to set village-level compensation after two years.	Outstanding village compensation contracts.
Grievances recognized as legitimate out of all complaints lodged.	All legitimate grievances rectified
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.	Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.
Pre- project production versus present production (crop for crop, land for land).	Equal or improved production per household.

*(a) Indicators to determine status of affected people*

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, standard of house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc). Therefore, the resettlement and compensation plans will set two major socio-economic goals by which to evaluate its success:

- Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it; and
- The local communities remain supportive of the project.

*(b) Indicators to measure RAP performances*

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

For example the following parameters and verifiable indicators will be used to measure the resettlement and compensation plans performance:

- questionnaire data will be entered into a database for comparative analysis at all levels of local government;
- each individual will have a compensation dossier recording his or her initial situation, all subsequent project use of assets/improvements, and compensation agreed upon and received;
- the Woreda authorities will maintain a complete database on every individual impacted by the sub-project land use requirements including relocation/resettlement and compensation, land impacts or damages;
- percentage of individuals selecting cash or a combination of cash and in-kind compensation;
- proposed use of payments;
- the number of contentious cases as a percentage of the total cases;
- the number of grievances and time and quality of resolution;
- the ability of individuals and families to re-establish their pre-displacement activities, land and crops or other alternative incomes;
- agricultural productivity of new lands;
- number of impacted locals employed by the civil works contractors;
- seasonal or inter-annual fluctuation on key foodstuffs; and
- general relations between the project and the local communities.

*(c) Indicators to monitor and evaluate implementation of RAPs*

Financial records will be maintained by the Woreda authorities and the executing agencies to permit calculation of the final cost of resettlement and compensation per individual or household. Each individual receiving compensation will have a dossier containing:

- individual bio-data information;
- number of people s/he claims as household dependents;
- amount of land available to the individual or household when the dossier is opened.

Additional information will be acquired for individuals eligible for resettlement/compensation:

- level of income and of production;
- inventory of material assets and improvements in land; and
- outstanding debts.

As described in *Section 6*, due to the nature of the LIG and the anticipated scale of potential subprojects, it is very hard to determine the budget required for resettlement activities and compensation. However, it is expected that over the next 3-5 years, at least 500 local governments in Ethiopia are expected to participate in LIG, thus it is possible that a number of small-scale resettlement activities may need to take place and it is essential that sufficient budget is provided for.

This can be done by assuming that approximately 1% of the budget for the LIG program will go towards Resettlement planning, assistance and compensation. This is equal to around US\$1,000,000. This is equivalent to compensation for around 20 resettlement projects at around US\$50,000 per RAP. This must be considered as a broad estimate, as there may be many very small and relatively inexpensive resettlement activities requiring small amounts of compensation, and only a few large scale RAPs of US\$50,000 and above.

## ANNEX A: ENTITLEMENT AND COMPENSATION MATRIX

Type of Impact	Entitled Person	Compensation Entitlement
<b>AGRICULTURAL LAND (RURAL)</b>		
<b>No displacement:</b> Cash compensation for affected land equivalent to market value. If less than 20% of land holding affected, the remaining land remains economically viable	Farmer/ title holder	Cash compensation for affected property equivalent to market value
	Tenant/ lease holder	Cash compensation for the harvest of the affected land equivalent to average market value of last 5 years, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater.
<b>Displacement:</b> More than 20% of land holding lost OR Less than 20% of land holding lost but remaining land not economically viable	Farmer/ title holder	Land for land replacement where feasible, or compensation in cash for the entire landholding according to PAP's choice. Land for land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to the PAP. Transfer of the land to the PAP shall be free of taxes, registration & other costs.  Relocation assistance (costs of shifting + assistance in reestablishing economic trees + allowance up to a maximum of 12 months while short-term crops mature ) Relocation assistance (costs of shifting + assistance in reestablishing economic trees + allowance up to a maximum of 12 months while short-term crops mature )
	Tenant/ lease holder	Cash compensation equivalent to average of last 5 years' market value for the mature and arvested crop, or market value of the crop for the remaining period of tenancy/lease agreement, whichever is greater.  Relocation assistance (costs of shifting + allowance).
		Cash compensation equivalent to local average of 6 months salary Relocation assistance (costs of shifting + allowance) Assistance in getting alternative employment.
<b>RESIDENTIAL LAND (URBAN)</b>		
<b>No displacement:</b> Land used for residence partially affected, limited loss, and the remaining land remains viable for present use	Title holder	Cash compensation for affected land
	Rental/lease holder	Cash compensation equivalent to 10% of lease/rental fee for the remaining period of rental/lease agreement (written or verbal)



Type of Impact	Entitled Person	Compensation Entitlement
<b>Displacement:</b> Premise used for residence severely affected, remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning law/s	Rental/lease holder	Cash compensation equivalent to 3 months of lease/rental fee Assistance in rental/lease of alternative land/property Relocation assistance (costs of shifting + allowance)
<b>COMMERCIAL LAND (URBAN &amp; RURAL)</b>		
<b>No displacement:</b> Land used for business partially affected, limited loss	Title holder/business owner	Cash compensation for affected land Opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year (or tax records) from comparable business, or estimates where such records do not exist).
	Business owner is lease holder	Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist)
<b>Displacement:</b> Premise used for business severely affected, remaining area insufficient for continued use	Title holder/business owner	Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP. Transfer of the land to the PAP shall be free of taxes, registration & other costs. Relocation assistance (costs of shifting + allowance) Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates).
	Business owner is lease holder	Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher. Relocation assistance (costs of shifting) Assistance in rental/lease of alternative land/property (for a maximum of 6 months) to re-establish the business
<b>BUILDINGS &amp; STRUCTURES</b>		
<b>No displacement:</b> Structure partially affected but the remaining structure remains viable for continued use	Owner	Cash compensation for affected building and other fixed assets Cash assistance to cover costs of restoration of the remaining structure
	Rental/lease holder	Cash compensation for affected assets (verifiable improvements to the property by the tenant – e.g. a fence) Disturbance compensation equivalent to two months rental costs

Type of Impact	Entitled Person	Compensation Entitlement
<b>Displacement:</b> Entire structure affected OR structure partially affected but the remaining structure is not suitable for continued use	Owner	Cash compensation for entire structure and other fixed assets without depreciation, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP. Right to salvage materials without deduction from compensation Relocation assistance (costs of shifting + allowance) Rehabilitation assistance if required (assistance with job placement, skills training)
	Rental/lease holder	Cash compensation for affected assets (verifiable improvements to the property by the tenant – e.g. a fence) Relocation assistance (costs of shifting + allowance equivalent to four months rental costs) Assistance to help find alternative rental arrangements Rehabilitation assistance if required (assistance with job placement, skills training)
	Squatter/ Informal dwellers	Cash compensation for affected structure without depreciation Right to salvage materials without deduction from compensation Relocation assistance (costs of shifting + assistance to find alternative secure accommodation preferably in the community of residence through involvement of the project CBO. Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available) Rehabilitation assistance if required (assistance with job placement, skills training)
	Street vendor (informal without title or lease to the stall or shop)	Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher. Relocation assistance (costs of shifting) Assistance to obtain alternative site to re-establish the business
<b>STANDING CROPS</b>		
Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant, or squatter)	Cash compensation equivalent to average of last 3 years market value for the mature and harvested crop
<b>TREES</b>		
Trees lost	Title holder	Cash compensation based on type, age and productive value of affected trees PLUS 10% premium
<b>TEMPORARY ACQUISITION</b>		
Temporary acquisition	PAP (whether owner, tenant, or squatter)	Cash compensation for any assets affected (e.g. boundary wall demolished, trees removed)

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**Sub-project name:**

**Subproject Location** (e.g. province, district, etc).

**(include map/sketch):**

**Type of activity :** (e.g. new construction, rehabilitation, periodic maintenance)

Estimated Cost:

**(Birr)**

Proposed Date of

Commencement of Work:

Technical (circle answer): Yes No

Drawing/Specifications

Reviewed :

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*This report is to be kept short and concise.*

### 1. Site Selection:

<b>Physical data:</b>	Yes/No answers and bullet lists preferred except where descriptive detail is essential.
Site area in ha	
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.*

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### 2. Impact identification and classification:

*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 environmental and social effects, and that more substantial environmental and/or social planning may be required to adequately avoid, mitigate or manage potential effects. The following table should be used as a reference.*

Issues	Site Sensitivity		
	Low	Medium	High
Natural habitats	No natural habitats present of any kind	No critical natural habitats; other natural habitats occur	Critical natural habitats present
Water quality and water resource availability and use	Water flows exceed any existing demand; low intensity of water use; potential water use conflicts expected to be low; no potential water quality issues	Medium intensity of water use; multiple water users; water quality issues are important	Intensive water use; multiple water users; potential for conflicts is high; water quality issues are important
Natural hazards vulnerability, floods, soil stability/ erosion	Flat terrain; no potential stability/erosion problems; no known volcanic/seismic/ flood risks	Medium slopes; some erosion potential; medium risks from volcanic/seismic/ flood/ hurricanes	Mountainous terrain; steep slopes; unstable soils; high erosion potential; volcanic, seismic or flood risks
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
Involuntary resettlement	Low population density; dispersed population; legal tenure is well-defined; well-defined water rights	Medium population density; mixed ownership and land tenure; well-defined water rights	High population density; major towns and villages; low-income families and/or illegal ownership of land; communal properties; unclear water rights
Indigenous peoples	No indigenous population	Dispersed and mixed indigenous populations; highly acculturated indigenous populations	Indigenous territories, reserves and/or lands; vulnerable indigenous populations

### 3. Checklist of impacts

Roads and Footpaths	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
Soil erosion or flooding concerns (eg, due to highly erodable soils or steep gradients)					
Number of stream crossings or disturbances					
Wet season excavation					
Creation of quarry sites or borrow pits					
Significant vegetation removal					
Wildlife habitats or populations disturbed					
Environmentally sensitive areas disturbed					
Cultural or religious sites disturbed					
Economic or physical resettlement required					
New settlement pressures created					
Other (specify):					

Drinking Water Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
New access (road) construction					
Existing water sources supply/yield depletion					
Existing water users disrupted					
Downstream water users disrupted					
Increased numbers of water users due to improvements					
Increased social tensions/conflict over water allocation					
Sensitive ecosystems downstream disrupted					
Economic or physical resettlement required					
Local incapacity/inexperience to manage facilities					
Other (specify):					

Irrigation Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
Existing water sources supply/yield depletion					
Existing water users disrupted					
Downstream water users disrupted					
Water storage requirement and viability (soil permeability)					
Vulnerability to water logging (poor drainage)					
Vulnerability to soil and water salinization					
Sensitive downstream habitats and waterbodies					
Environmentally sensitive areas disturbed					
Cultural or religious sites disturbed					
Increased agric. chemicals (pesticides, etc) loading					
Increased social tensions over water allocation					
Local incapacity/inexperience to manage facilities					
Local incapacity/inexperience with irrigated agriculture					
Other (specify):					

Catchment, Forestry, Grasslands Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
New access (road) construction					
Wet season soil disturbance					
Potential for debris flows or landslides					
Sensitive downstream ecosystems					
Removal of native plant/tree species					
Introduced plant/tree species					
Invasion of native species					
Wildlife habitats or populations disturbed					
Environmentally sensitive areas disturbed					
Insufficient capacity to manage catchment ponds					
Insufficient capacity to prohibit or control open					

Catchment, Forestry, Grasslands Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
grazing					
Insufficient capacity to manage new plantations/pastures					
Economic or physical resettlement required					
Other (specify):					

Infrastructure such as School and Health Facilities	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
New access (road) construction					
Alteration of existing drainage conditions					
Vegetation removal					
Wet season soil disturbance					
Construction materials impact on adjacent forests/lands					
Quarries and borrow pits created					
Cultural or religious sites disturbed					
Water supply development effects in available supply					
Effect of sanitation development on existing disposal sites					
Effects of medical waste on existing disposal system					
Economic or physical resettlement required					
In-migration/settlement induced by facilities development					
Local incapacity/inexperience to manage facilities					
Other (specify):					

### 3. Detailed questions:

<b>Preliminary Environmental Information:</b>	<i>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</i>
State the source of information available at this stage (proponents report, EIA or other environmental study).	
Has there been litigation or complaints of any environmental nature directed against the proponent or sub-project	

*Refer to application and/or relevant environmental authority for this information.*

<b>Identify type of activities and likely environmental impacts:</b>	<i>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</i>
What are the likely environmental impacts, opportunities, risks and liabilities associated with the sub-project?	

Refer to ESMF– Impact, Mitigation and Monitoring Guidelines

<b>Determine environmental screening category:</b>	Yes/No answers and bullet lists preferred except where descriptive detail is essential.
After compiling the above, determine which category the subproject falls under based on the environmental categories A, B and C.	

Refer to ESMF– Screening and Review Process

<b>Mitigation of Potential Pollution:</b>	Yes/No answers and bullet lists preferred except where descriptive detail is essential.
Does the sub-project have the potential to pollute the environment, or contravene any environmental laws and regulations?	
Will the subproject require pesticide use?	
If so, then the proposal must detail the methodology and equipment incorporated in the design to constrain pollution within the laws and regulations and to address pesticide use, storage and handling.	
Does the design adequately detail mitigating measures?	

Refer to ESMF– Impact, Mitigation and Monitoring Guidelines

<b>Environmental Assessment Report or environmental studies required:</b>	Yes/No answers and bullet lists preferred except where descriptive detail is essential.
If Screening identifies environmental issues that require an EIA or a study, does the proposal include the EIA or study?	
Indicate the scope and time frame of any outstanding environmental study.	
<b>Required Environmental Monitoring Plan:</b>	
If the screening identifies environmental issues that require long term or intermittent monitoring (effluent, gaseous discharges, water quality, soil quality, air quality, noise etc), does the proposal detail adequate monitoring requirements?	

Refer to ESMF– Impact, Mitigation and Monitoring Guidelines

<b>Public participation/information requirements:</b>	Yes/No answers and bullet lists preferred except where descriptive detail is essential.
Does the proposal require, under national or local laws, the public to be informed, consulted or involved?	
Has consultation been completed?	

Indicate the time frame of any outstanding consultation process.	
<i>Refer to relevant legislative acts in Ethiopia.</i>	
<b>Land and resettlement:</b>	<i>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</i>
What is the likelihood of land purchase for the sub-project?	
How will the proponent go about land purchase?	
Will people's livelihoods be affected in any way, therefore requiring some form of compensation?	
Will people need to be displaced, and therefore require compensation and resettlement assistance?	
Are the relevant authorities aware of the need for a Resettlement Process, involving a census, valuation, consultation, compensation, evaluation and monitoring?	
What level or type of compensation is planned?	
Who will monitor actual payments?	

*Refer to the Resettlement Policy Framework.*

<b>Actions:</b>	
List outstanding actions to be cleared before sub-project appraisal.	
<b>Approval/rejection</b>	<i>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</i>
If proposal is rejected for environmental reasons, should the sub-project be reconsidered, and what additional data would be required for re-consideration?	

**Recommendations:**

- ☐ Requires an EIA to be submitted on date: \_\_\_\_\_
- ☐ Requires a RAP to be submitted on date: \_\_\_\_\_
- ☐ Requires a RAP to be submitted on date: \_\_\_\_\_
- ☐ Requires EMP to be submitted on date: \_\_\_\_\_
- ☐ Does not require further environmental or social studies

*Reviewer :*

*Name:* \_\_\_\_\_

*Signature:* \_\_\_\_\_

*Date:* \_\_\_\_\_



Name of Interviewer ID Code		Signature
Name of Supervisor ID Code		(after verification of interview)

Village Name	
ID Code	
Number of Concession in Village (GPS Coordinates)	

Date: ..... Day / Month / Year

Name of Head of Extended Family :	
Number of Nuclear Families in Extended Residential Group (including household of head of extended family)	

## 2. Household Interview

[illegible]

6.														
7.														

Relation to Head of Family : 1 HoH; 2 Spouse of HoH ; 3 Child of HoH; 4 Spouse of child of HoH ; 5 Grandchild of HoH; 6 Parent of HoH; 7: Other (specify) ; 0 No Answer.

Marital Status : 1 Married ; 2 Widowed ; 3 Divorced ; 4 Unmarried; 0 No Answer.

Residential Status: 1 PRP (Permanent Resident) ; 2 RA (Resident absent) ; 3 Member of non-resident HH; 4 Visitor; 9 Other (specify) ; 0 No Answer.

Occupations : -

Principle Occupation: 1. Farmer ; 2 Shepard; 3 Household ; 4 Merchant; 5 Religious leader, teacher ; 6 Artisan ; 7 Transport ; 8 Unemployed; 9 Other (specify) ; 0 No Answer

Secondary Occupations: idem.

Educational Level : 1 Illiterate ; 2 Three years or less; 3 Primary School ; 4 Secondary School ; 5 Technical School ; 6 Religious School ( literate in Arabic) ; 0 No Answer

Religion : 1 Muslim ; 2 Christian (specify denomination); 3 Animist. 9 Other (specify) ; 0 No Answer

### 3. Land asset inventory for Project Affected People

Kebele: \_\_\_\_\_

Date: \_\_\_\_\_

Village: \_\_\_\_\_

Survey no.	Name of Head of Household	No. of Persons in household	Total land holding of Hhold (m <sup>2</sup> )	Land to be acquired (m <sup>2</sup> )	Land Use Type *	Loss of % total	Loss of assets			Loss of crops			Loss of other assests	Other losses		
							Structures Permanent (m <sup>2</sup> )	Structures temporary (m <sup>2</sup> )	Area of residential land lost (m <sup>2</sup> )	Fruit trees lost type and number	Agricultural land lost (m <sup>2</sup> )	Other (specify)	e.g. graveyards, wells, etc. (type and no.)	Residence (rented)	Business lost	Income loss

<b>Survey no.</b>	<b>Name of Head of Household</b>	<b>No. of Persons in household</b>	<b>Total land holding of Hhold (m<sup>2</sup>)</b>	<b>Land to be acquired (m<sup>2</sup>)</b>	<b>Land Use Type *</b>	<b>Loss of % total</b>	<b>Loss of assets</b>	<b>Loss of crops</b>	<b>Loss of other assests</b>	<b>Other losses</b>
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\* Land types are as follows (please fill in the types of land for Ethiopia)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

#### 4. Entitlements of Project Affected People

Kebele: \_\_\_\_\_

Date: \_\_\_\_\_

Village: \_\_\_\_\_

<b>Survey no.</b>	<b>Name of Head of Household</b>	<b>Compensation for Land</b>			<b>Compensation for structures</b>			<b>Compensation for crops and trees</b>			<b>Compensation for other assets and losses (e.g, graveyards, wells, businesses, etc)</b>			<b>Total (Birr)</b>
		<i>Quantity (m<sup>2</sup>)</i>	<i>Unit price (Birr) per m<sup>2</sup></i>	<i>Entitlement (Birr)</i>	<i>Quantity (m<sup>2</sup>)</i>	<i>Unit price (Birr) per m<sup>2</sup></i>	<i>Entitlement (Birr)</i>	<i>Quantity Unit</i>	<i>Unit price (Birr)</i>	<i>Entitlement (Birr)</i>	<i>Quantity Unit</i>	<i>Unit price (Birr)</i>	<i>Entitlement (Birr)</i>	



<b>Grievance Form</b>				
Grievance Number		Copies to forward to:		
Name of the Recorder		(Original)-Receiver Party		
Region/Woreda/Kebele		(Copy)-Responsible Party		
Date				
<b>INFORMATION ABOUT GRIEVANCE</b>				
Define The Grievance:				
<b>INFORMATION ABOUT THE COMPLAINANT</b>			<b>Forms of Receive</b>	
Name-Surname			<input type="checkbox"/> Phone Line <input type="checkbox"/> Community/ Information Meetings <input type="checkbox"/> Mail <input type="checkbox"/> Informal <input type="checkbox"/> Other	
Telephone Number				
Address				
Kebele/Community				
Region/Woreda				
Signature of Complainant				
<b>DETAILS OF GRIEVANCE</b>				
<b>1. Access to Land and Resources</b>  a) Fishing grounds b) Lands c) Pasturelands d) House e) Commercial site f) Other	<b>2. Damage to</b>  a) House b) Land c) Livestock d) Means of livelihood e) Other	<b>3. Damage to Infrastructure or Community Assets</b>  a) Road/Railway 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	<b>4. Decrease or Loss of Livelihood</b>  a) Agriculture b) Animal husbandry c) Beekeeping d) Small scale trade e) Other	<b>5. Traffic Accident</b>  a) Injury b) Damage to property c) Damage to livestock d) Other
<b>6. Incidents Regarding Expropriation and Compensation (Specify)</b>	<b>7. Resettlement Process (Specify)</b>	<b>8. Employment and Recruitment (Specify)</b>	<b>9. Construction Camp and Community Relations</b>  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	<b>10. Other (Specify)</b>