



**Ministry of Food & Agriculture**  
**West Africa Agricultural Transformation Project**  
**(WAATP)**

**West Africa Agricultural**  
**Transformation Project (WAATP) in**  
**Ghana**  
**(CORAF/WAAPP-2A/IC/2018 /03)**

**Resettlement Policy Framework**  
**(RPF)**

**FINAL REPORT**

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## **Ministry of Food & Agriculture**

### **West Africa Agricultural Transformation Project (WAATP)**

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## **West Africa Agricultural Transformation Project (WAATP) in Ghana (CORAF/WAAPP-2A/IC/2018 /03)**

### **Resettlement Policy Framework (RPF)**

# **FINAL REPORT**

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**LIST OF ABBREVIATIONS/ACRONYMS**

ACMV	African Cassava Mosaic Virus
AFSTA	African Seed Trade Association
AKIS	Agricultural Knowledge Information System
ADR	Alternative Dispute Resolution
CAADP	Comprehensive Africa Agricultural Development Program
CAAS	China Academy of Agricultural Science
CARGS	Competitive Agricultural Research Grants Scheme
CCMC	Chemical Control and Management Centre
CER	Contingent Emergency Response
CD	Compact Disc
CGIAR	Consultative Group on International Agricultural Research
CILSS	Permanent Interstate Committee for Drought Control in the Sahel ( <i>English Version</i> )
CSIR	Council for Scientific and Industrial Research
ECOWAS	Economic Community of West African States
EACMV	East African Cassava Mosaic Virus
EPA	Environmental Protection Agency
ESIA	Environmental and Social Impact Assessment
ECCNRM	Environment Climate Change and Natural Resource Management
ESMF	Environmental and Social Management Framework
FASDEP	Food and Agricultural Sector Development Policy
FBOs	Farmer Based Organizations
GAMA	Greater Accra Metropolitan Area
GCAP	Ghana Commercial Agriculture Programme
GIDA	Ghana Irrigation Development Authority
GSID	Ghana Seed Inspectorate Division
HRD	Human Resource Development
I-2	Strain of the Newcastle disease virus designated I-2
ICD	International Competitive Bidding
IDA	International Development Assistance
IFC	International Finance Corporation
IFPRI	International Food Policy Research Institute

ICB	International Competitive Bidding
ICT	Information Communication Technology
IWCM	Integrated Weed and Crop Management
ISM	Implementation Support Mission
ICRISAT	International Crops Research Institute for the Semi-Arid Tropics
IITA	International Institute of Tropical Agriculture
ISPs	Internet Service Providers
KMA	Kumasi Metropolitan Assembly
KNUST	Kwame Nkrumah University of Science and Technology
LAP	Land Administration Project
LCS	Least Cost Selection
LHGD	Low/Medium Head Gravity Drip
MAP	Months after Planting
MDGs	Millennium Development Goals
M & E	Monitoring and Evaluation
MoFA	Ministry of Food and Agriculture
MOU	Memorandum of Understanding
NARS	National Agricultural Research System
NCB	National Competitive
NCOS	National Centre of Specialization
ND	Newcastle disease
NDI-2	Newcastle disease virus designated I-2
NLSP	National Livestock Services Project
NEPAD	New Partnership for Africa's Development
NLSP	National Livestock Services Project
NPC	National Program Coordinator
NPSC	National Project Steering Committee
OFSP	Orange Fleshed Sweetpotato
OPV	Open Pollinated Variety
PAH	Poly-Aromatic Hydrocarbons
PBB	Plant Breeders Bill
PBDU	The Participatory Business Development Unit
PCR	Polymerase Chain Reaction
PD	Projects Division
PPD	Postharvest physiological deterioration



PPMED	Policy Planning Monitoring and Evaluation Directorate
PPRSD	Plant Protection and Regulatory Services Directorate
PPP	Public Private Partnership
PIM	Project Implementation Manual
PFRD	Pesticides and Fertilizer Regulatory Division
QCBS	Quality Cost Based Selection
QC	Quality Control
QCBS	<i>Quality and Cost-Based Selection method</i>
RADs	Regional Agricultural Departments
RAP	Resettlement Action Plan
R & D	Research and Development
RELCs	Research Extension Linkages Committees
RCoE	Regional Centre of Excellence
ROPPA	Network of Farmers' and Agricultural Producers' ( <i>English version</i> )
RSC	Regional Steering Committee
SAKSS	Strategic Analysis and Knowledge Support Systems
SCG	Semi- California Gravity System
STI	Spray Tube Irrigation
ToR	Terms of Reference
UDS	University for Development Studies
USAID	United States Agency for International Development
UG	University of Ghana
VACNADA	Vaccine for the Control of Neglected Animal Diseases
VCU	Value for Cultivation and Use
VSD	Veterinary Services Directorate
WAAPP	West Africa Agricultural Productivity Program
WASP	West Africa Agricultural Seed Program
WAATP	West Africa Agricultural Transformation Program
WB	World Bank
WECARD/CORAF	West and Central African Council for Agricultural Development
WIAD	Women in Agricultural Development

## EXECUTIVE SUMMARY

The Government of Ghana, in collaboration with the West and Central African Council for Agricultural Research and Development (CORAF/WECARD) and the World Bank, is undertaking the West Africa Agricultural Transformation Program (WAATP) under the World Bank funding following from the West Africa Agricultural Productivity Programme (WAAPP). The West African Agricultural Productivity Program (WAAPP) has completed the second of two five- year phases and it has been assessed as successful and tagged as a flagship of the World Bank and the ECOWAS Regional Integration Program. The development objective of the program was to contribute to agricultural productivity increase in the participating countries' top commodity sub- sectors that are aligned with regional priorities.

The development of a Resettlement Policy Framework (RPF) is compliance with World Bank's policy on Involuntary Resettlement policy (OP/BP 4.12), which sets out requirement for projects that may entail involuntary resettlement, acquisition of land, impact on livelihood, or restricted access to natural resources under World Bank funded projects. The RPF outlines the procedures to address compensation and resettlement related issues as related to affected properties/ livelihoods including land and income generated activities during project implementation.

### **Brief Description of Project and Scope**

The overall objective of WAATP is to strengthen regional agricultural innovations system to facilitate mass adoption of climate smart technologies by producers, enhance job creation for the youth and value chain actors' access to regional markets for targeted agricultural products. The WAATP which is a five year programme beginning 2018, will be implemented by the Ministry of Food and Agriculture (MOFA) through the existing WAAPP Project Coordinating Unit (PCU). The programme has a nation-wide coverage, with the following five key components:

- Component 1: Strengthening the new model of innovation delivery in West Africa;
- Component 2: Accelerating mass adoption of technologies and enhancing job creation in the agricultural sector;
- Component 3: Policies, markets and institutional strengthening;
- Component 4: Contingent emergency response; and
- Component 5: Project management, learning, monitoring and evaluation.

The WAATP will involve the following:

- Renovation of two existing agricultural stations at Mampong and Asuansi in the Ashanti and Central Regions respectively;
- Renovation of two existing veterinary quarantine stations at Bawku and Ho in the Upper East and Volta Regions respectively;
- Rehabilitation of two seed centres at Bolgatanga and Wa in the Upper East and Upper West Regions respectively; and
- Rehabilitation of some government and privately owned warehouses in the country (locations of these warehouses are still undecided).

There were about 50 encroached properties identified within the property boundary of the Mampong Agricultural Research Station during the field visit in March 2018, and therefore an ARAP

will be required for the rehabilitation works to be carried out for Mampong Agricultural Research Station.

WAATP will also establish community demonstration plots on proven Climate Smart Agriculture (CSA) technologies for vegetables, cereals, legumes and root and tubers crops to farmers; and establish farmers field schools of CSA practices on identified commodities. WAATP may construct new seed conditioning (including processing and branding) centers. The sites for the demonstration plots and farmer field schools are yet to be determined.

Service Centers will also be developed to be point of provision of technologies for mass adoption. The projects will establish incubation centers for private sector participation in fish, fisheries and aquaculture systems and vegetable production (i.e. will provide support for some existing aquaculture/fish ponds and test plots for crops), and it will be mainly under a PPP arrangement. The Project will also seek to promote the use of greenhouse technology for the production of vegetables as business to the youth.

### **Relevant Legal, Regulatory and Administrative Framework**

The legal and institutional framework in Ghana over land administration, land tenure, and land expropriation and resettlement and compensation related issues for WAATP include:

- The 1992 Constitution of the Republic of Ghana;
- Lands Commission Act, 2008 (Act 767);
- The State Lands Act 1962, Act 125;
- Administration of Lands Act of 1962 (Act 123);
- Office of the Administrator of Stool Lands Act 1994, Act 481;
- Environmental Protection Agency (EPA) Act 1994 (Act490); and
- Alternative Dispute Resolutions, Act 2010 (Act 798).

The key institutions responsible for administration of lands in line with this RPF include:

- MOFA;
- Lands Commission;
- Environmental Protection Agency;
- The Metropolitan, Municipal and District Assemblies; and
- Traditional Authorities e.g., Chiefs.

### **Overview of Potential Adverse Impacts on Assets and Livelihoods**

It is expected that the WAATP may have overall limited adverse impacts on assets and livelihoods. The expected impacts of the WAATP include:

- Land take for the likely construction of new seed processing centers, new agribusiness/incubation centers and new warehouses (private sector entities to be involved will provide land under a PPP arrangement);
- The removal of structures or crops if they so occur on the lands to be acquired for new projects;
- Impacts on livelihoods of PAPs if lands required for new construction projects have assets used as businesses including farming;
- Impacts on livelihoods of farmers if farmlands required for demonstration purposes are used by the farmer for commercial purposes; and

- Impacts on structures and crops on encroached sections of agricultural stations fields if such encroached sections are required for or will be used by any WAATP activity or subproject.

Land take will not be required under the rehabilitation/renovation of existing agricultural and veterinary quarantine stations, existing seed centers and existing warehouses. Permanent land take will not occur for land required for community demonstration plots and farmers' field schools as these lands will be provided by the community or beneficiary/participating farmers for temporary use. The District MOFA officer will develop a Memorandum of Understanding (MoU) between the farmer/community and MOFA to govern the use of all lands provided by the community or farmer as demonstration or test plots including compensation arrangements.

Provisions are made under this RPF to minimize impacts. Specifically, any WAATP subproject or activity entailing impacts on inhabited dwellings shall be redesigned to eliminate such impacts wherever practical.

### **Proposed WAATP Resettlement Policy**

Driving principles of the WAATP resettlement policy are as follows:

- Existing MOFA facilities on government lands will be selected for rehabilitation under the WAATP;
- Wherever inhabited dwellings may potentially be affected by a subproject, an alternative site or land will be sought or the activity/sub-project shall be redesigned to avoid any impact on such dwellings;
- Wherever the impact to the participating farmer with regard to land take for demonstration or test plots is significant, an alternative land or site will be sought;
- Minimization of land impact will be factored into site/demonstration farms and technology selection. Demonstration farms and or project facilities will be located on lands with no structures;
- Infrastructure required by the project will be sited on government lands which has not been encroached or private lands which the owner is willing to use to participate under the programme without compulsion.
- For each sub-project, a cut-off date will be determined, taking into account the likely date of PAPs enumeration.
- People occupying Project-affected land at the cut-off date are eligible to Project resettlement policy, which includes both those who have legal rights to land, including customarily recognized rights, and occupants who have no legal right to the land they are occupying. In practice, this means that people usually considered in Ghana as "squatters" will be entitled to Project assistance as long as they are present on site at the cut-off date.
- Compensation will be determined at full replacement cost, plus any other supplementary assistance where necessary (e.g. disturbance allowance, livelihood assistance, transportation allowance etc).
- Compensation will be paid either in cash or in-kind.
- Any cash compensation payment will be made prior to displacement, destruction or removal of affected property or PAP. In-kind compensation payment will be agreed upon and signed off before development of the land or removal of the affected property.

- A grievance redress mechanism through amicable mediation and settlement will be adopted for the WAATP at the district and national levels to minimise time and cost of dispute/complaint resolution and to prevent resort to court of law by PAPs.
- Vulnerable persons among the project affected persons (PAP) will be identified and special assistance offered during the compensation implementation process. Criteria include age-from 70 years and above, physical/mental disability, women & children, widows, female heads of household, unemployed youth, migrant/settler farmers without proper land documents and bedridden or seriously sick persons.

### **Overview of the resettlement planning process**

The resettlement preparation process will begin with screening of WAATP subprojects/ activities to determine if there is need for the preparation of any resettlement instrument (ARAP or RAP) using a screening checklist. The number of affected people will determine whether the process is to include the preparation of a full RAP or an ARAP. The RAP will be prepared where more than 200 or more individuals are displaced and ARAP will be prepared where less than 200 individuals are displaced. All RAPs and ARAPs will need World Bank approval prior to commencing resettlement activities and resettlement activities must be completed before commencing civil works.

In all events, a census will be carried out to inventories affected persons/assets. The completion of the census will mark the cut off-date for eligibility for compensation. Consultations with stakeholders including PAPs will be an integral part in the ARAP or RAP preparation, implementation and monitoring processes at all stages and stakeholders should have access to the ARAP/ RAP. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc.

### **Implementation Responsibilities and Budget for RPF Implementation**

The implementation of the RPF is the responsibility of the PCU of WAATP-MOFA. The MOFA will employ environmental and social safeguard officers for WAATP to oversee all safeguard issues under the program. The regional and district MOFAs will provide direct support under WAATP-MOFA PCU. Other key supporting organisations include the EPA, Lands Commission, and MMDAs.

The estimated budget for the RPF implementation is US\$188,000. The cost include training of key personnel responsible for implementing the RPF as well as awareness creation/workshops, public consultations and disclosure of the approved RPF. The budget for the RAPs/ARAPs will be developed following specific social assessment studies, if need arises, and mitigation/livelihood restoration measures to be developed.

The budget for the RAP/ARAPs will cover resettlement activities including compensation cost for affected assets. The cost will be derived from expenditures relating to (1) the preparation of the resettlement/compensation plan, (2) relocation and transfer, (3) income and means of livelihood restoration plan, and (4) administrative costs. This cost will be borne by the Government of Ghana.

### **Monitoring and Evaluation Plan**

To ensure that the implementation of the resettlement is carried out in accordance with the relevant requirements of this resettlement policy framework, the actions will be monitored and

evaluated internally by a Monitoring and Evaluation team (MET) to be constituted by WAATP-MOFA. An external monitoring officer from the EPA will be engaged to periodically monitor progress of implementation of the RPF or any other resettlement instrument to be prepared.

### **Disclosure and Consultation on the RPF**

As provided under World Bank policy OP 4.12, disclosure and consultation on the WAATP Resettlement Policy Framework will be organized as follows:

- Circulation of the draft RPF for comments to all relevant institutions (e.g. WAAPP-MOFA, relevant MOFA directorates involved with the WAATP, Land Valuation Division/Lands Commission, EPA, Ministry of Local Government & Rural Development), and the World Bank;
- Communication of comments to the Consultant for incorporation into a final RPF, together with World Bank comments; and
- Public Disclosure of final RPF (after reviewed and cleared by both GoG & World Bank) both in-country (e.g. relevant district assemblies, district/regional MOFA offices, regional EPA offices) and at the World Bank and MOFA websites.

### **Risks**

Ghanaian practices of dealing with compensation issues are different from the World Bank standards. It is not easy to combine the requirements of both Ghanaian regulations (including their notification and disclosure requirements) and the World Bank safeguard policies, particularly in terms of articulating schedules. There could be significant risks of delays if priority tasks are not identified early.

It is recommended that as soon as WAATP sub-projects or activities and locations are known, preliminary screening of resettlement/ compensation related issues should be carried out to confirm (i) if land acquisition is involved, (ii) if implementation of subproject activities will impact on livelihoods and assets (structures, crops/economic plants and cultural heritage resources) of people and (iii) if implementation of subproject activities will also cause physical or economic displacement of people. If any of these is triggered, then the number of affected people should be estimated to confirm which category of resettlement instrument (ARAP/RAP) to be prepared for implementation as quickly as possible.

## **1 INTRODUCTION**

### **1.1 Background**

The two five-year phases of the West African Agricultural Productivity Program (WAAPP) has been completed. The Project has been assessed as successful and tagged as a flagship of the World Bank and the ECOWAS Regional Integration Program. Among the achievements of the project, which was ran in 13 ECOWAS states over the period between 2007 and 2017 were the generation and dissemination of over 200 technologies, reaching 875,920 direct beneficiaries of which 41.5% were women, and accelerating agricultural productivity.

The Government of Ghana, in collaboration with the West and Central African Council for Agricultural Research and Development (CORAF/WECARD) and the World Bank, has undertaken the preparation of the West Africa Agricultural Transformation Program (WAATP) for implementation.

The proposed West Africa Agricultural Transformation Project (WAATP) is among the projects, which supports the IDA 18 Business Plan for West Africa. It is designed to take forward achievements of WAAPP and to help bridge identified gaps as well as champion a course that will transform agriculture in Ghana and ECOWAS. The overall objective of WAATP is to strengthen regional agricultural innovations system to facilitate mass adoption of climate smart technologies by producers, enhance job creation for the youth and value chain actors' access to regional markets for targeted agricultural products.

Due to the nature, the characteristics and the scope of WAATP proposed activities, the potential social and environmental risks and impacts are low in scale, minimal mostly site specific, easily manageable and typical characteristics of category B operations.

Consequently, Ghana is required to prepare a Resettlement Policy Framework (RPF) for the WAATP to comply with the Operational Policies and Procedures of World Bank, notably the OP/BP 4. 12 on Involuntary Resettlement, which has been triggered under the WAATP for Ghana as well as relevant national policies and laws. The RPF will be publicly disclosed both in-country and at the World Bank Website, prior to project appraisal by the World Bank Governing Board.

### **1.2 Purpose/Objectives of the RPF**

The objective of the RPF is to establish a comprehensive framework for implementing involuntary resettlement and/or compensation arising from the implementation of the WAATP. The development of an RPF is a requirement for projects that may entail involuntary resettlement, issues of compensation, acquisition of land, impact on livelihood, or restricted access to natural resources under the World Bank safeguard policy on involuntary resettlement (OP 4.12). The project does not envisage land transaction, destruction of the surroundings and environment of the populations, nor their expropriation a priori, although these situations could happen during the implementation of the WAATP.

### **1.3 Scope of works/Tasks for the Preparation of RPF**

The scope of work/Tasks as defined in the ToR includes:

- Determining impacts on people, property, livelihoods, including estimation of the population to compensate / move and categories of people and goods that will be affected;

- Identifying legal and institutional aspects of acquisition and ownership;
- Outlining and describe principles, objectives, and resettlement process, with reference to the OP/BP 4.12. Special attention should be given the timetable for the planning and implementation of resettlement in relation to the timing of the approval and implementation of micro projects;
- Defining eligibility criteria for various categories of people affected;
- Defining methods of property valuation and determination of rates of compensation;
- Defining a Grievances Redress Mechanism (GRM);
- Defining methods and procedures for consultation of those affected with their entities;
- Establishing framework for identification, support, and willingness to provide in the Resettlement Action Plan (RAP) for vulnerable groups including women and youth;
- Defining institutional arrangements for implementation of the RPF;
- ToR for the preparation of Resettlement Action Plans (RAP); and
- Identifying budget and funding sources.

#### **1.4 Approach and Methodology**

The RPF has been prepared in accordance with applicable World Bank safeguard policies and Ghanaian policies and laws relating to environmental/social assessment, land acquisition and compensation. The preparation of the RPF involved the following activities:

- Literature/Document Review;
- Field work/consultations and discussions with relevant sector institutions;
- Data collation, analysis; and Preparation of reports.

##### **1.4.1 Literature/Document Review**

The following relevant documents were reviewed:

- Ghana policies and regulations regarding environmental/social assessment, land take and compensation.
- World Bank Safeguard Policy, OP 4.12 on Involuntary Resettlement and how it compares with the Ghana laws and procedures
- RPFs prepared for other recent World Bank projects in Ghana (e.g. MOFA-GCAP, Greater Accra Metropolitan Area (GAMA) Water Supply and Sanitation Project, Ghana Forestry Commission REDD+ Mechanism, Ghana Small Town Water Supply and Sanitation Project).

##### **1.4.2 Field Work/Consultations**

The Consultant visited two agricultural research station sites between 28<sup>th</sup> February and 2<sup>nd</sup> March, 2018 to observe baseline conditions and engaged the station managers to discuss and appreciate the likely environmental/social issues that are likely to come up during the rehabilitation works. Consultations were carried out with the WAAPP-PCU, some key Directorates of MOFA, EPA, Town and Country Department of the Ashanti Mampong Municipal Assembly were engaged to learn lessons from the WAAP, discuss the WAATP and solicit concerns and suggestions for successful implementation of the WAATP in an environmentally sound and socially acceptable manner. Details of the stakeholder engagement and constraints of the consultant in this regard are provided in Section 9.



### 1.4.3 Data Collation, Analysis and Preparation of Report

Relevant data and information gathered which are in line with the requirements under the scope of works formed the content of the RPF. The RPF has the following major sections:

- Executive summary
- 1. Introduction
- 2. Description of Project
- 3. Potential Impacts on Assets and Livelihoods
- 4. Legal and Institutional Framework
- 5. Principles, Objectives, and Resettlement Process
- 6. Eligibility Criteria and Entitlements
- 7. Property Valuation and Compensation
- 8. Grievances Redress Mechanism
- 9. Consultations and Disclosure
- 10. Vulnerable Group Consideration
- 11. Monitoring and Evaluation
- 12. Institutional Arrangements for Implementation of the RPF
- 13. Budget and funding
- 14. Bibliography
- 15. Appendices

## 2 DESCRIPTION OF PROJECT

The proposed West Africa Agricultural Transformation Project (WAATP) is among the projects, which supports the IDA 18 Business Plan for West Africa. It is designed to take forward the unfinished business of WAAPP and to help bridge identified gaps as well as champion a course that will transform agriculture in Ghana and ECOWAS.

The WAATP is a five year programme beginning 2018, and it will be implemented by the Ministry of Food and Agriculture (MOFA) through the Project Coordinating Unit (PCU). The programme will have a nation-wide coverage.

### 2.1 Project Development Objective and Key Indicators

The main Project Development Objective (PDO) as provided in the draft Project Implementation Manual (PIM) is to accelerate adoption of improved technologies and youth job creation and strengthen enabling conditions for access to regional markets for the participating countries' priority agricultural commodity areas, and to enable the Governments to respond promptly and effectively to eligible emergencies.

The proposed PDO level performance indicators are:

- i) number of processors who have adopted improved technologies;
- ii) number of farmers adopting improved agricultural technology;
- iii) number of farmers/processors adopting an improved technology generated by other countries;
- iv) number of farmers/processors adopting nutrition-sensitive technologies;
- v) number of Jobs created for youth as a result of project interventions;
- vi) Participating countries with national legislation for priority commodity areas aligned to regional law; and
- vii) Percentage (%) share of targeted beneficiaries with rating 'Satisfied' or above on project interventions.

### 2.2 Project Components

The proposed WAATP will comprise the following key components:

- (i) Strengthening the new model of innovation delivery in West Africa;
- (ii) Accelerating mass adoption of technologies and enhancing job creation in the agricultural sector;
- (iii) Policies, markets and institutional strengthening;
- (iv) Contingent emergency response; and
- (v) Project management, learning, monitoring and evaluation.

#### 2.2.1 Component 1 - Strengthening the New Model of Innovation Delivery in West Africa (US\$ 12 million or 15 percent of Project costs)

- The component aims to strengthening the National Centers of Excellence supported under WAAPP and upgrade them to become ECOWAS Regional Centers of Excellence (RCE) for research focusing on priority lines of research to be addressed regionally. The RCE will play a key role on ensuring a solid link with CGIAR research system, the private sector and the networking of national agricultural

research and extension systems to deliver in a sustainable manner improved technologies and innovation -which will be screened to ensure that they are climate smart and gender sensitive- for scaling up. This component will also support the following:

- a. provide additional infrastructure, equipment and grants for research activities (climate smart technologies, nutrition including biofortification, soil health, etc.);
- b. capacity building of the Regional Centre of Excellence (RCE) network institutions in each; academic training for the next generation of scientists and for research technicians; MOUs with the CGIAR centers and other advance institutions for capacity building, technical backstopping, joint research activities and dissemination of CGIAR technologies;
- c. establishment of a Center of Excellence for Mechanization that would support a new model of mechanization strategy for West Africa including the promotion of zero tillage, private sector led mechanization, mechanization service centers;
- d. annual planning and result sharing workshops organized by each RCE; and
- e. Provision of small grants to research teams to develop and adapt technologies which respond to value chain actors' needs.

#### 2.2.2 Component 2 - Accelerating Technology Adoption and Job Creation using Demand-Driven Market-Based Approaches: (US\$40 million or 50% of Project costs)

Aims at scaling up adoption of innovations that will accelerate productivity increases, improve climate resilience, reduce post-harvest losses, promote value addition, and accelerate job creation for the teeming youth. This has two sub-components;

- **Sub component 1. Demand-driven market-based mass adoption and technologies and innovations.** The component will support:

- a. strengthening of private and public extension services and their networking at regional level;
- b. scaling up the use of ICT and innovations in outreach (E-extension and E-voucher schemes; electronic technology market etc.) including regional geo-spatial targeting of release technologies adoption and tracking of performance,
- c. promotion of multi stakeholder platforms (Innovation Platforms, productive alliances, etc.) with the private sector playing a key role including using processing and marketing activities as conduits for new technology adoption;
- d. upgrading of the national seed systems and the regional seed market;
- e. development of soil maps and fertilizer blending;
- f. promotion of south-south collaboration activities with other sub regions in Africa as well as with Asia, and Latin America;
- g. Organization of national and regional technology fairs;
- h. piloting and scaling up innovative ways to address rural finance in collaboration with IFC, T&C and commercial Banks; this would include leasing for mechanization and post-harvest equipment, inventory credit schemes (warrantage), risk sharing facility, etc.; and
- i. implementation of a regional communication for development action plan which will address informational needs of farmers and other value chain actor and facilitate behaviour change.

**Sub-component 2: Jobs for the youth.** The sub-component aims to scale up employment for youth using the regional pool of technologies and best practices in collaboration with the private sector. The sub component will support:

- a stocktaking of youth employment programs by typology of youth and the development of a regional strategy and national action plans to scale up best practices in job creation for the youth;
- establishment of public and private sector led incubation systems/ hubs/centres (such as the Ibadan University and IITA) including in each centre of excellence;
- regional and national matching grants to support job creation including training and start up kits for young entrepreneurs and SMEs;
- networking of the SMEs and development of a mentorship program at national and regional level to set up viable SMEs building from successful models; and
- preparation of business models and business plans to support job creation.

### 2.2.3 Component 3- Policies, Markets and Institutional Strengthening (US\$ 16 million or 20 percent of Project costs)

Aims at creating an enabling policy environment to accelerate agricultural transformation, connect production to market and strengthen regional integration. Component 3 has three sub-components as follows;

**Sub-component 1: Regional policies and regulations.** The sub component will support both activities launched under WAAPP as well as new areas of policy reforms necessary to accelerate agricultural transformation by supporting the under listed:

- stocktaking of the implementation of the regional regulations on seeds, pesticides, fertilizer and veterinarian products and implementation of the resulting action plan, building on existing regional initiatives and effective implementation at country level;
- studies and regulatory reforms to establish a sustainable agricultural development fund;
- a regional study on land tenure system in West Africa and sharing of lessons learned including best practices to facilitate women and youth access to land, as well as implementation of the resulted action plan; and
- update of the existing common strategies and action plans for gender, communication, climate change and nutrition.

***The component will also focus on other activities including:***

- regulatory reform and increased coordination to address non-tariff barriers to regional trade and integrating regional markets through, for example, adoption of simple and modern regulatory standards, conformity assessment that reduce duplication etc.;
- studies to identify best practice for implementing effective regulatory reforms;
- review of the regional trade policies and development of an action plan for their update and/or dissemination; and
- implementation of an action plan to promote a more enabling environment for the private sector engagement in regional trade in food crops including strengthening the CILLS road blocks observatory and support to the implementation of regional trade regulations.

**Sub-component 2: Regional Markets Development.** This sub component aims to promote regional trade of targeted marketed products in order to accelerate import substitution in coastal countries (supply meat, fruits and vegetables, rice, etc..) and accelerate food self-sufficiency in Sahelian countries (supply of roots and tuber, plantain, maize, fish etc. by supporting the under listed:

- regional market studies for priority commodities and resulted action plan based on a combination of analytic work and interviews with private investors and other stakeholders;
- integrated solutions for value chain development opportunities that involve cross-border flows of agricultural products ;
- establishment of regional multi-stakeholder initiatives - trade knowledge platforms, regional trade facilitation assessments, monitoring of trade facilitation and trade logistics reform, improved SPS procedures, improved information flows on regional food markets etc. – to help build institutions and address political economy constraints that expand markets and enable private investments in agriculture, agribusiness, and trade;
- set-up of a regional warehouse receipt system and a private sector-driven regional commodities exchange markets for priority food crops; and
- scaling up of the regional seed market and its use by Governments in the sub region.

**Sub-component 3: National Regional Institutional capacity building.** The sub-components aim to strengthen regional institutions capacity to develop policies related agricultural transformation in the sub region and ensure their dissemination to decision makers and relevant stakeholders. The sub component will support:

- ECOWAS Commission for Agriculture establish a policy analysis unit able to assess the implementation of regional policies, coordinate their implementation and design new policies, conduct regional benchmarking and impact studies to influence ECOWAS council of Ministers for Agriculture in taking informed policy decisions;
- strengthen CORAF policy analysis unit to conduct specific studies and develop regional policy briefs on key reforms identified during project implementation, disseminate the results of Enabling Business in Agriculture (EBA) at regional level and work with IFPRI to monitor agricultural growth increases in ECOWAS region
- strengthen participating countries capacity in common policy design and reforms to modernize extension services, improve efficiency of input subsidy schemes, and any other relevant reforms; and
- support activities of citizen engagement to facilitate civil society involvement in project activities.

#### 2.2.4 Component 4 - Contingent Emergency Response (CER), (US\$ 4 million or 5 percent of Project costs)

Will address contingent emergencies in participating countries, seeks to redirect some of the project resources to contribute to other projects in the Chad portfolio to respond to an eligible emergency or crisis should the need arise.

- This component, known as the Contingent Emergency Response Component (CERC), will be available should the need arise to redirect some of the project resources to contribute with other projects in the Chad portfolio to respond to an eligible emergency or crisis. The available resources would be made available to finance emergency response activities and to address crisis and emergency needs. A management procedure will be defined in an Immediate Response Mechanism Operational Manual (IRM/OM), to be prepared separately and approved by the World Bank, in line with guidance.

2.2.5 Component 5- Project Management, Learning, Monitoring and Evaluation (US\$ 8 million or 10 percent of Project costs).

Will ensure the project is efficiently managed and performance as well as impacts carefully tracked. This will build on the successful institutional arrangements mechanisms of WAAPP.

- It will be coordinated at the national levels by existing national Coordinating units, which successfully coordinated the implementation of WAAPP; and
- at the regional level by CORAF based on a well-defined mandate agreed by the Regional Steering Committee (RSC) in the Annual Work Plan and Budget (AWPB).
- This component aims to ensure that the project is efficiently managed and performance and impact are carefully tracked. The component would support annual foresight conferences, training of national counterparts to contribute to the analytical work, regular monitoring (by ASTI and national counterparts) of expenditure on R&D (to compare to allocation), measurement of productivity, monitoring of jobs created and project management, impact analysis etc.

**2.3 Identification of relevant components and activities/ services that are likely to generate social safeguard impacts**

Following the review of the project components, Component 2 is the most likely to generate potential environmental and social adverse impact issues. Consultations with officials of WAATP-MOFA informed the identification of relevant activities and services under Component 2 that are likely to generate social impacts and resettlement/compensation related issues, and these include:

- rehabilitate existing seed/planting materials production centers;
- construct new seed conditioning (including processing and branding) centers and rehabilitate and re-equip existing ones.
- establish community demonstration plots on proven CSA technologies for vegetables, cereals, legumes and root and tubers crops to farmers;
- establish farmers field schools of CSA practices on identified commodities
- establishment of public and private sector led incubation systems/ hubs/centres (such as the Ibadan University and IITA) including in each centre of excellence.

2.3.1 Rehabilitation/Renovation Works under component 2

The WAATP will involve the following:

- Renovation of two existing agricultural stations at Mampong and Asuansi in the Ashanti and Central Regions respectively;
- Renovation of two existing veterinary quarantine stations at Bawku and Ho in the Upper East and Volta Regions respectively;
- Rehabilitation of two seed centres at Bolgatanga and Wa in the Upper East and Upper West Regions respectively; and
- Rehabilitation of some government and privately owned warehouses in the country.

2.3.2 New Developments and Services under component 2

Demonstration Plots/Farmers Field Schools

WAATP will:

- I. establish community demonstration plots on proven Climate Smart Agriculture (CSA) technologies for vegetables, cereals, legumes and root and tubers crops to farmers; and
- II. establish farmers field schools of CSA practices on identified commodities.

The Department of Agricultural Extension Services (DAES) would work with the decentralized departments to establish Community Demonstration Plots and Farmer Field Schools (FFS). The project will use demonstration plots managed by private and successful aggregators as points for dissemination of improved varieties to out-growers. The aggregators will be supported by the project with seed varieties and planting materials, fertilizers and extension support.

#### New Seed Centres and Support to Agricultural stations

WAATP may construct new seed conditioning (including processing and branding) centers. DAES through the various MMDA and regional Agricultural directorates would facilitate the cultivation of roots and tubers, cereals and legumes in the MMDAs to be adopted by the project over the 5 year period. The service would facilitate at least 4 visits to fields on yearly basis to monitor and render further technical backstopping to planting materials developers.

#### Service points

Service Centers will be developed around registered and successful aggregators to be point of provision of technologies for mass adoption. The technologies will include improved varieties of prioritized commodities (rice, maize, soya, sorghum, vegetables groundnut and cassava), hand-held mechanization equipment for land preparation, irrigation, harvesting and postharvest management, and transport of input and produce. The service points will be privately managed by selected successful aggregators and input dealers in partnership with selected financial institutions

#### Agri-businesses/Incubation Centers and Greenhouse Technology

The project will set up platforms where new and start-up agri-businesses will be mentored and supported. The projects will establish incubation centers for private sector participation in fish, fisheries and aquaculture systems and vegetable production (i.e. will provide support for some existing aquaculture/fish ponds and test plots for crops). The incubation centers to be established by the project will be mainly private sector led. Some will also be facilitated under PPP arrangement. The Project will also seek to promote the use of greenhouse technology for the production of vegetables as business to the youth.

### 3 POTENTIAL ADVERSE IMPACTS ON ASSETS AND LIVELIHOODS

#### 3.1 Overview

It is expected that the WAATP may have overall limited adverse impacts on assets and livelihoods. The expected impacts of the WAATP include:

- Land take for the construction of new seed processing centers, new agribusiness/incubation centers and new warehouses (private sector entities to be involved will provide land under a PPP arrangement);
- The removal of structures or crops if they so occur on the lands to be required for new projects;
- Impacts on livelihoods of PAPs if lands required for new construction projects have assets used as businesses including farming;
- Impacts on livelihoods of participating farmers, if farmlands required for demonstration purposes or test plots are used by the farmer for commercial farming purposes; and
- Impacts on structures and crops on encroached sections of agricultural stations fields if such encroached sections are required for or will be by any WAATP activity or subproject.

Land take will not be required under the rehabilitation/renovation of existing agricultural and veterinary quarantine stations, existing seed centers and existing warehouses, but squatters may have to be moved especially at Mampong Agricultural Research Station. Permanent land take may not occur with land required for community demonstration plots and farmers' field schools as these lands will be provided by the community or beneficiary/participating farmers for temporary use during the project period. The District MOFA officer will develop a Memorandum of Understanding (MoU) between the farmer/community and MOFA to govern the use of all lands provided by the community or farmer as demonstration or test plots including compensation arrangements.

Provisions are made under this RPF to minimize impacts: specifically any WAATP subproject or activity entailing impacts on inhabited dwellings or livelihoods shall be redesigned to eliminate such impacts wherever practical.

Provisions are also made in the RPF to accommodate all potential situations, including cases that may entail actual displacement/resettlement, and livelihood restoration assistance in concordance with the WB policy on Involuntary Resettlement.

This WB Involuntary Resettlement policy, OP 4.12, is triggered by the anticipation of some impacts on assets and livelihoods, however limited these impacts may eventually turn out to be. In situations where specific location of works/activities/services or sub-projects are not known at the time of appraisal, OP 4.12 requires the borrower to develop a RPF to guide the implementation of social safeguards relating to land acquisition, resettlement and compensation issues.

However, one or more Abbreviated Resettlement Action Plans (ARAP) or Resettlement Action Plans (RAP) will be prepared as appropriate for affected persons under any WAATP subprojects in consistency with the principles set forth in this RPF. The RPF will be approved and disclosed to pave the way for the implementation of the various social safeguards requirements of the WAATP project while each ARAP or RAP will be approved, disclosed and implemented before the civil works of the WAATP subprojects or activities creating the adverse impacts on assets/livelihoods are implemented.



### 3.2 Estimation of WAATP Adverse Impacts on Assets and Livelihoods

Currently, WAATP activities are not fully known especially for new developments. From the site visits to the two agricultural research stations at Mampong and Asuansi, there were about 50 encroached properties identified within the property boundary of the Mampong Agricultural Research Station. An ARAP will be required for the rehabilitation works to be carried out for Mampong Agricultural Research Station. Generally, about 30 demonstration plots, 11 farmer field schools, 50 solar powered incubation centres are anticipated under WAATP. The number of new warehouses to be constructed is not yet known and not likely to be many as attention is on rehabilitation of existing ones. The population to be affected under WAATP or PAPs may not exceed 200.

### 3.3 Generic Project Impacts on Assets and Livelihoods

#### 3.3.1 Categorization of impacts by type of sub-projects

**Table 3.1** shows in generic terms what impacts on assets (land, crops, structures, cultural heritage resource) and livelihoods can be expected given the types of project activities that are envisioned under the WAATP.

#### 3.3.2 Categorization of Project land needs

Land required for the Project may fall under the following three categories:

- Land permanently required (acquisition required under the Project) for construction and operation of new facilities (e.g. new seed processing centers, new government warehouses and agribusiness centers);
- Land temporarily required (temporary occupation required under the Project) for the duration of project activities (e.g. demonstration and farmers field school plots); and
- Land permanently required (no acquisition required under the Project) for the duration of project activities and support [e.g. existing acquired government lands to be used for the project (e.g. agricultural and veterinary stations, seed producing institutions) and private lands to benefit from up-scaling activities under the Project].

Table 3.1 Generic Project Impacts on Assets and Livelihoods

Type of WAATP Activities	Potential Impact on Assets, Livelihoods					Mitigation Guides
	Land	Crops	Structures	Livelihoods	Cultural heritage resources	
Rehabilitation/ renovation of existing agricultural, veterinary stations and seed centers and warehouses	No land take required.	No damage or destruction of crops anticipated.	Existing government structures on the land to be rehabilitated/ renovated. -Encroachers will be affected at Mampong agric. research station	No livelihoods impacted.	No cultural heritage resources (shrines, cemeteries and groves) to be affected.	An ARAP is required for the Mampong agricultural research station site or the site should be avoided under WAATP.
Construction and operation of new facilities (e.g. seed processing centers, agribusiness centers/ incubation centers, warehouses.	Land take required (but under a PPP arrangement).	Crops on land may be affected	Any structures on land may be demolished and therefore affected.	If land is for farming, farmer's livelihood will be affected. If land is for any other business, business owner's livelihoods may be affected	Any cultural heritage resource (e.g. cemetery, shrine or grove) on or near land will be avoided.	Private sector entity under PPP arrangement to take care of affected properties. If it is not so in the PPP arrangement, then identify affected persons and assets, and prepare ARAP/RAP as appropriate.
Demonstration Plots and Farmers Field Schools Activities	Temporary occupation required.	No damage or destruction of crops expected.	No demolition or removal of structures anticipated.	Livelihood impact on farmers who released land may be minimal.	Nil	Affected community/ farmers will be paid compensation in cash or in kind for release of land.
Field research/ scaling up activities on Agricultural station fields, seed centres	No land acquisition required.	Crops may be affected (due to encroachment)	Structures may be affected (due to encroachment)	Farmers/business owner's livelihoods	Nil	-Avoid encroached sections. Or identify affected persons/assets and prepare ARAP or RAP as appropriate.
Support for beneficiary farmers/youth under upscaling activities and job creation programs	Project will not acquire land for such purposes.	Nil	Nil	No adverse impacts. Farmers' livelihoods expected to improve	Nil	-

## 4 POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK

### 4.1 Relevant National Regulatory Framework on Land and Compensation

The relevant national environmental and other statutory laws and legislation particularly relevant to the project include the following:

- The 1992 Constitution of the Republic of Ghana;
- Lands Commission Act, 2008 (Act 767);
- The State Lands Act 1962, Act 125;
- Administration of Lands Act of 1962 (Act 123);
- Office of the Administrator of Stool Lands Act 1994, Act 481;
- Environmental Protection Agency (EPA) Act 1994 (Act 490);
- Alternative Dispute Resolutions, Act 2010 (Act 798);
- Environmental Assessment Regulation 1999, LI 1652; and
- Local Governance Act 2016, (Act 936).

#### ***The Constitution of Ghana and the Protection of Individual Property***

The Constitution of Ghana, adopted in 1992, makes provisions that protects the right to private property and sets principles under which citizens may be deprived of their property in the public interest. Article 18 provides that *“Every person has the right to own property either alone or in association with others.”*

Article 20 of the 1992 Constitution of Ghana describes the circumstances under which compulsory acquisition of immovable properties in the public interest can be done:

*“No property of any description, or interest in, or right over any property shall be compulsorily taken possession of or acquired by the State unless the following conditions are satisfied:*

- a) The taking of possession or acquisition is necessary in the interest of defence, public safety, public order, public morality, public health, town and country planning or the development or utilisation of property in such a manner as to promote the public benefit; and*
- b) The necessity for the acquisition is clearly stated and is such as to provide reasonable justification for causing any hardship that may result to any person who has an interest in or right over the property.”*

Clause 2 of Article 20 further provides that:

*“Compulsory acquisition of property by the State shall only be made under a law which makes provision for:*

- a) The prompt payment of fair and adequate compensation; and*
- b) A right of access to the High Court by any person who has an interest in or right over the property whether direct or on appeal from any other authority, for the determination of his interest or right and the amount of compensation to which he is entitled.”*

#### Displacement of people

Clause 3 of Article 20 adds that:

*“Where a compulsory acquisition or possession of land effected by the State in accordance with clause (1) of this article involves displacement of any inhabitants, the State shall resettle the displaced*

*inhabitants on suitable alternative land with due regard for their economic well-being and social and cultural values.”*

The Constitution restricts the grant of freehold interests in land to persons who are not citizens of Ghana. Any “*disposition or development*” of any stool land requires the approval of the Regional Lands Commission of the region in which the land is situated.

#### ***Lands Commission Act 2008, Act 767***

The Lands Commission Act 2008 re-establishes the Lands Commission to integrate the operations of public service land institutions in order to secure effective and efficient land administration to provide for related matters. The objectives of the Commission are to:

- Promote the judicious use of land by the society and ensure that land use is in accordance with sustainable management principles and the maintenance of a sound eco-system; and
- Ensure that land development is effected in conformity with the nation’s development goals.

The functions of the Commission include among other things to:

(a) on behalf of the Government, manage public lands and any other lands vested in the President by the Constitution or by any other law and any lands vested in the Commission; (b) advise the Government, local authorities and traditional authorities on the policy framework for the development of particular areas of the country to ensure that the development of individual pieces of land is coordinated with the relevant development plan for the area concerned; (c) formulate and submit to Government recommendations on national policy with respect to land use suitability or capability; (d) advise on, and assist in the execution of, a comprehensive program for the registration of title to land throughout the country; (e) register deeds and instrument that affect land throughout the country (f) facilitate the acquisition of land on behalf of Government; (g) establish standards for and regulate survey and mapping of the country; (h) provide surveying and mapping services where necessary; (i) license practitioners of cadastral survey; (j) provide land and related valuation services;

#### ***The State Lands Act 1962, Act 125***

The State Lands Act 1962, Act 125 and its amendments vests in the President of the Republic the authority to acquire land for the public interest via an executive instrument. It also gives responsibility for registering a claim on the affected person or group of persons, and provides details of the procedure to do this. In addition, the State Lands Act, 1962, details the different elements to be taken into consideration when calculating compensation and these include:

- “Cost of disturbance” means the reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land;
- “Market value” means the sum of money which the land might have been expected to attract if sold in the open market by a willing seller or to a willing buyer,
- “Replacement value” means the value of the land where there is no demand or market for the land by reason of the situation or of the purpose for which the land was devoted at the time of the declaration made under section 1 of this Act, and shall be the amount required for reasonable reinstatement equivalent to the condition of the land at the date of the said declaration; and
- “Other damage” means damage sustained by any person having a right or interest in the land or in adjoining land, by reason of severance from or injurious affection to any adjoining land.

### ***Administration of Lands Act of 1962 (Act 123)***

The Administration of Lands Act of 1962 (Act 123) gives the President power to acquire stool land that will be held in trust (in the public interest) and vests the management of all stool land revenue in the central government.

### ***Office of the Administrator of Stool Lands Act 1994, Act 481***

The OASL Act 1994, Act 481 establishes the Office of the Administrator of Stool Lands as enshrined in Article 267 (2) of the 1992 Constitution and it is responsible for establishment of stool land account for each stool, collection of rents and the disbursement of such revenues. The Administrator is charged with the management of stool lands and in accordance with the provisions in the 1992 Constitution, 10% of the gross revenue goes to the Administrator of Stool Lands for administrative expenses whilst the remainder is disbursed as follows:

- 25% to the stool through the traditional authority for the maintenance of the stool;
- 20% to the traditional authority; and
- 55% to the District Assembly, within the area of authority of which the stool lands are situated.

### ***Alternative Dispute Resolution Act 2010 (Act 798)***

The purpose of the Act is to “.....provide for the settlement of disputes by arbitration, mediation and customary arbitration, to establish an Alternative Dispute Resolution Centre and to provide for related matters.” The Act further defines Alternative Dispute Resolution “as the collective description of methods of resolving disputes otherwise than through the normal trial process” (Section 135). The ADR Act covers both domestic and international arbitration in Ghana and the enforcement of both domestic and foreign arbitral awards within the jurisdiction.

Under Section 1, Application, the Act states that *This Act applies to matters other than those that relate to*

- (a) the national or public interest;*
- (b) the environment;*
- (c) the enforcement and interpretation of the Constitution; or*
- (d) any other matter that by law cannot be settled by an alternative dispute resolution method.*

### ***Environmental Protection Agency Act, 1994, Act 490***

This Act establishes and mandates the EPA to seek and request information on any undertaking that in the opinion of the Agency can have adverse environmental effects and to instruct the proponent to take necessary measures to prevent the adverse impacts. This law aims at controlling the volumes, types, components, wastes effects or other sources of pollution elements or substances that are potentially dangerous for the quality of life, human health and the environment.

Part II of the Act 490 deals with pesticides control and management and this was formally an Act on its own (Pesticides Control and Management Act of 1996, Act 528). This section of Act 490 provides the rules for registration, pesticides classification, approval, clearance, using, disposing of and non-disclosure of confidential information, the granting of licence, labelling and pesticides inspections.

### ***Environmental Assessment Regulations 1999, LI 1652***

The Environmental Assessment Regulations 1999, LI 1652 list activities for which an environmental assessment is mandatory. The Regulations describe the procedures to be followed to obtain

environmental permits for both existing and proposed undertakings through the conduct of environmental/social impact assessments and preparation of environmental/social management plans.

### ***The Local Governance Act, 2016, Act 936***

The Local Governance Act, 2016, Act 936 replaces the Local Government Act, 1993 (Act 462) and also harmonizes other existing legislations on local governance and provides a one stop shop document on all local governance issues. The Act establishes and regulates the local government system and gives authority to the Regional Coordinating Council (RCC) and the Metropolitan/Municipal/District Assemblies to exercise political and administrative power in the Regions and Metropolis/Municipal/District, provide guidance, give direction to, and supervise all other administrative authorities in the regions and district respectively. The Assembly is mandated to initiate programmes for the development of basic infrastructure and provide municipal works and services as well as be responsible for the development, improvement and management of human settlements and the environment in the district.

## **4.2 Land Ownership and Tenure System**

### **4.2.1 Interest in Land**

Ghanaian law recognizes the main following four interests in land:

- I. Allodial interest is the highest interest recognized by customary law. It is equivalent to freehold. Allodial titles are normally vested in stools or skins, and also in families or individuals, depending on areas and ethnic groups.
- II. Customary law freehold is a perpetuity interest vested in members of the community that holds the allodial title. Customary law freehold implies that the holder can occupy the land and derive economic use of it.
- III. Common law freehold is an interest that results from sale or gift to a non-member of the community that holds the allodial title by the custodian of this title.
- IV. Leasehold is a right to occupy and develop the land granted for a certain period (up to 99 years for Ghanaian citizens and 50 for non-Ghanaian), usually against the payment of a rent.

### **4.2.2 Existing forms of land ownership**

Land ownership and tenure in Ghana is governed by a system of common law and customary land law, from which have emerged the following categories of landholdings:

- Customary owned;
- State owned; and
- Customary owned but State managed land (also known as vested land).

### **Customary Ownership**

Customary ownership occurs where the right to use or to dispose of use-rights over land is governed by the customary laws of the land owning community, based purely on recognition by the community of the legitimacy of the holding. Rules governing the acquisition and transmission of these rights, which vary from community to community depending on social structures and customary practices, are normally not documented but are generally understood by community members.

The Allodial title, equivalent to common law freehold rights, forms the basis of all land rights in Ghana. Allodial rights are vested either in a stool, a clan, a family, an earth priest or a private individual person. Lesser interests, such as tenancies, licenses and pledges, emanate from the Allodial title.

Customary lands are managed by a custodian (a chief-for stool/skin lands or a head of clan or family for family lands) together with a council of principal elders appointed in accordance with the customary law of the land owning community. They are accountable to the members of the land owning community for their stewardship. All grants of land rights by the custodian require the concurrence of at least two of the principal elders for the grant to be valid.

### **State Land**

State land includes tracts specifically acquired by government under an appropriate enactment using the state powers of eminent domain. Currently the principal acquiring legislation is the State Lands Act of 1962, Act 125, for public purposes or in the public interest. Under such ownership, Allodial rights become vested in government who can then dispose of the land by way of leases, certificate of allocations, and licenses to relevant beneficiary state institutions as well as private individuals and organizations. The boundaries of these land parcels are cadastral surveyed and are scattered throughout the country.

### **Vested Land**

Vested land is owned by a chief, but managed by the State on behalf of the land owning stool or skin. Under such ownership legal rights to sell, lease, manage, or collect rent is taken away from the customary landowners by application of specific laws on that land and vested in the State. Landowners retain equitable interest in the land (i.e., the right to enjoy the benefits from the land). This category of land is managed in the same way as State land. Unlike State land however, the boundaries are not cadastral surveyed and they are usually larger, covering wide areas.

#### **4.2.3 Land tenure rights and issues**

The customary owners (stools, clans, families, and Tendamba) who hold the allodial title, own about 78% of the total land area in Ghana. Of the remaining 22% the state is the principal owner of about 20%, while 2% is held in dual ownership (i.e. the legal estate in the Government and the beneficiary/equitable interest in the community). Customary owners hold land in custody for communities and various arrangements on land use for community members prevail. The situation has been further complicated by internal migration related primarily to expanding cocoa and in many areas more than 50% of the population are from other parts of Ghana engaged through various arrangements, (lease, share-cropping etc.) in cocoa and other farming activities. Even though the state has elaborate institutional and legal structures for the management of all these types of land, the management of this resource is characterized by incoherent, conflicting and sometimes out-dated legislations.

The separation of land from the resources on land, such as naturally growing trees, is complicating tenure and benefit sharing as well as reducing incentives for maintaining trees on off-reserve lands. Insufficient consultation and engagement of stakeholders in land management has contributed to increased encroachment of acquired lands (including forest reserves), unapproved and haphazard development schemes, uncertainties about titles to land and land litigation. The complexity is illustrated by the number of land litigation cases before the courts, estimated at about 60,000 in 2002. The effect

of this is continuous conflicts, overburdening of the judicial processes, over centralization of authority in urban capitals and rent seeking behaviour.

### **4.3 Institutional Framework for Land Administration in Ghana and Compensation Related Issues for the Project**

Key institutions involved in land administration in Ghana and resettlement related issues with regard to the Project include:

- Ministry of Finance;
- Ministry of Food and Agriculture (MOFA);
- Metropolitan/Municipal/District Assemblies (MMDAs);
- Lands Commission;
- Environmental Protection Agency; and
- Traditional Authorities.

#### **4.3.1 Ministry of Finance**

The Ministry is responsible for:

- Mobilization of external and internal resources;
- Allocation of resources to all sectors of the economy;
- Ensuring sustainability of public debt;
- Preparation and implementation of the annual budget and economic and financial statement of Government;
- Management of public expenditure; and
- Development and implementation of financial sector policies.

The Ministry's main responsibility of budgeting and releasing funds for government/public sector spending and will be responsible for providing funds for compensation payments to Project Affected Person (PAPs) on behalf of the Government of Ghana.

#### **4.3.2 Ministry of Food and Agriculture (MOFA)**

The Ministry of Food and Agriculture is the ministry responsible for the development and growth of agriculture in the country. The primary roles of this ministry are the formulation of appropriate agricultural policies, planning and coordination, monitoring and evaluation within the overall economic development. The Ministry of Food and Agriculture (MOFA) has the overall responsibility for implementing the RPF with World Bank approval. It has to ensure that all compensation and resettlement related activities are carried out satisfactorily before the disbursement of funds for the project and construction work to commence. MOFA is a decentralised body and has offices in all the administrative regions and districts of Ghana. Currently, MOFA has the following technical directorates:

- Directorate of Crops Services (DCS);
- Directorate of Agricultural Extension Services (DAES);
- Plant Protection and Regulatory Services Directorate (PPRSD);
- Veterinary Services Directorate;
- Animal Production Directorate; and
- Women in Food and Agricultural Development.



#### 4.3.3 Metropolitan /Municipal/District Assemblies (MMDAs)

The current local government structure or the district assembly system is established by two main Acts, namely Act 963 and Act 480. Both Act 963 and Act 480 designate the District/Municipal/Metropolitan Assembly as the planning authority, charged with the overall development of the district. Both Acts provide that local people (communities) must participate in the formulation of the District Development Plan.

A key feature of this Assembly System is the involvement of communities or zones or whole villages who elect their representatives (Assemblymen) to the Assembly. The structure of the Assembly comprises Unit Committees which are usually formed at the community levels, and the Urban/Town/Area Councils.

The district assemblies have limited role in the process of land acquisition but may assist and support communities in the inventory of PAPs. The Town & Country Planning Department, established in 1945, is responsible for designing plans (planning schemes) and controlling settlements. It is no longer an independent department but currently forms part of the Assembly Structure. The Town and Country Planning Department have limited role in the process of land acquisition but responsible for designing plans and controlling settlements.

#### 4.3.4 Lands Commission

The Commission has the following divisions:

- Public and Vested Lands Management;
- Land Valuation;
- Land Registration; and
- Survey and Mapping.

##### Public and Vested Lands Management Division

The Public and Vested Lands Management Division of the Lands Commission (established by the Lands Commission Act, 2008, Act 767) is the principal land management organisation of the government. All public land is vested in the President of Ghana in trust for the people of Ghana. The Public and Vested Lands Management Division manages all public land on behalf of the President. In each of the ten regions of Ghana, a branch, known as the Regional Lands Commission, performs the functions of the Lands Commission. In addition to managing public lands on behalf of government, its other mandates includes among others:

- Advise the government and local authorities on policy matters, and to ensure that the development of individual parcels of land is consistent with area development plans; and
- Advise on, and assist in the execution of a comprehensive programme of land title registration.

The acquisition of any rights of exclusive possession over public lands would necessitate discussions with the relevant Regional Lands Commission for a lease over the selected site.

##### Land Valuation Division (LVD)

It was established in 1986 (PNDC Law 42) as Land Valuation Board (LVB), through a merger of valuation divisions operating within different ministries. However, the LVB was brought under the Lands Commission as the Lands Valuation Division with the promulgation of the new Lands Commission Act

2008, Act 767. The LVD is responsible for all valuation services for the government, including assessing compensation to be paid as a result of land acquisition or damage to an asset in view of a government project. The Division set rates for crops which are applicable nation-wide. The LVD has offices in all the ten (10no.) regions of Ghana and 44 district offices. The district offices are involved only in 'rating valuation' and that any valuation taking place has to be undertaken by the Regional offices which have certified valuers. The LVD also keep records of private sector certified valuers.

#### Land Registration Division

It was established in 1986 as the Title Registration Advisory Board under Section 10 of the Land Title Registration Act, 1986. However, it was brought under the Lands Commission as the Lands Registration Division with the promulgation of the Lands Commission Act 2008, Act 767. The Division ensures registration of title to land and other interests in land; maintains land registers that contains records of land and other interests in land; ensures registration of deeds and other instruments affecting land, among other functions.

#### Survey and Mapping Division

It was established in 1962 under the Survey Act 1962, Act 127 as the Survey Department. The Department was brought under the Lands Commission as the Survey and Mapping Division with the promulgation of the Lands Commission Act 2008, Act 767. The Division supervises, regulates and controls the surveys and demarcation of land for the purposes of land use and land registration. It also supervises, regulates, controls and certifies the production of maps. It is responsible for planning all national surveys and mapping among other functions.

#### 4.3.5 Environmental Protection Agency (EPA)

The EPA established under the EPA Act, 1994 (Act 490) is responsible for the protection of the environment and this include the human environment as well. Its functions include amongst others:

- ◆ Advise the Minister on the formulation of policies on all aspects of the environment and in particular make recommendations for the protection of the environment;
- ◆ Ensure compliance with any laid down environmental impact assessment procedures in the planning and execution of development projects, including compliance in respect of existing projects;
- ◆ Act in liaison and co-operation with government agencies, district assemblies and other bodies and institutions to generally protect the environment; and
- ◆ To promote effective planning in the management of the environment.

The EPA is the main government body for receiving and reviewing all Environmental and Social Impact Assessment reports. Currently, Resettlement Plan reports sent to the EPA for review are usually attached to the main stream Environmental/Social Impact Assessment (ESIA) Report. The Agency is yet to develop a general guideline or format for the preparation of a Resettlement Plan as it has done for the preparation of an ESIA. The EPA has offices in all the ten (10no.) regions of Ghana.

#### 4.3.6 Traditional Authorities

In the 1992 Constitution, chieftaincy together with its traditional councils is guaranteed and protected as an important institution in the country. Article 267 (1) of the 1992 Constitution avers that all stool

lands in the country shall vest in the appropriate stool on behalf of, and in trust of the subjects of the stool in accordance with customary law and usage.

In Ghana, people of common descent owe allegiance to a symbol of collective authority, such as the 'stool' for the Akans of southern Ghana or the 'skin' for the northern peoples. Traditional authorities play a role in the administration of the area and customary land control. At the village level, family and land disputes and development issues are also traditionally dealt with by the village chief and elders.

In addition to providing an important leadership role, especially in the more rural areas, chiefs act as custodians of stool/skin land, can mobilise their people for developmental efforts and arbitrate in the resolution of local disputes. Although chiefs have no direct political authority, some are appointed by the Government on District Assemblies.

#### **4.4 World Bank Safeguard Policy on Involuntary Resettlement**

The World Bank's safeguard policy on involuntary resettlement, OP 4.12, (December 2001) is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to access to natural resources, may take place as a result of the project. It includes requirements that:

- Involuntary resettlement should be avoided where feasible, or minimised, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons physically displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

According to OP 4.12, the resettlement plan should include measures to ensure that the displaced persons are:

- informed about their options and rights pertaining to resettlement;
- consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
- provided prompt and effective compensation at full replacement cost for losses of assets attributed directly to the project.

If the impacts include physical relocation, the resettlement plan should include measures to ensure that the displaced persons are:

- Provided assistance (such as moving allowances) during relocation; and
- Provided with residential housing, or housing sites, or as required, agricultural sites for which a combination of productive potential, location advantages, and other factors is at least equivalent to the advantages of the old site.

Where necessary to achieve the objectives of the policy, the resettlement plan also should include measures to ensure that displaced persons are:

- offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and
- provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training, or job opportunities.

#### 4.5 Comparison of Ghana Regulations and World Bank Policies

There are significant gaps between Ghanaian regulations and World Bank policies. These are summarized in **Table 4.1**.

Table 4.1 Comparison of Ghanaian Regulations with World Bank Policies

Topic	Ghana legislation requirement	WB policy requirement	Proposed Gaps Filling Procedures
Timing of compensation payment	Prompt	Prior to displacement	Compensation payments are to be done prior to displacement.
Calculation of compensation	Fair and adequate Equivalent replacement cost approach. Depreciation factored.	Full replacement cost	The Full Replacement Cost Approach will be adopted for the calculation of compensation. No depreciation will be considered.
Squatters	No provision for PAPs with no claim whatsoever to land. Are deemed not to be eligible and therefore not entitled to any compensation	Are to be provided resettlement assistance and compensation for lost or damaged structures, and trees or crops they planted (but no compensation for the land itself)	Squatters will be provided resettlement assistance and compensations for crops, trees and structures (but no compensation for land)
Resettlement	In the event where inhabitants have to be physically displaced, the State is to resettle them on <i>“suitable land with due regard for their economic well-being and social and cultural values”</i> .	Affected people who are physically displaced are to be provided with residential housing, or housing sites, or, as required, agricultural sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.	Physically displaced PAPs are to be provided with housing sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based (i.e. farmers, etc.). Alternatively, physically displaced PAPs can also be given equivalent cash compensation to be able to acquire similar land and put up a housing unit equivalent to the affected structure
Resettlement assistance	No specific provision with respect to additional assistance and monitoring.	Affected people are to be offered support after displacement, for a transition period	Affected people are to be offered resettlement support to cover a transition period
Vulnerable groups	No specific provision	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and the disabled.	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women especially widows and single parent and children, and the disabled.
Information and	The owner/occupier of the land must be formally	Displaced persons and their communities are	Displaced persons and their communities are provided timely and

Topic	Ghana legislation requirement	WB policy requirement	Proposed Gaps Filling Procedures
consultation	notified at least a week in advance of the intent to enter, and be given at least 24 hours' notice before actual entry	provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.	relevant information, meaningfully consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.
Grievance	Access to Court of Law and Alternative Dispute Resolution (ADR) options	Grievance Redress Mechanisms (GRMs) to be established. GRMs must be accessible, costless, transparent and functional	Appropriate and accessible grievance Redress mechanisms will be established via the informal ADR approach under the project

## 5 PRINCIPLES, OBJECTIVES AND RESETTLEMENT PROCESS

### 5.1 Principles

The principles are the basic fundamental requirements that underpin the preparation and implementation of the resettlement instrument. These principles are intended to minimize negative impacts. The principles include:

- Regulatory framework;
- Minimization of physical and economic displacement;
- Cut-off date;
- Income and livelihood restoration;
- Compensation payment prior to physical and economic displacement and at full replacement value; and
- Grievance mechanisms.

#### 5.1.1 Regulatory Framework

Any impact of the WAATP on land and/or people (land acquisition, resettlement, and livelihood restoration of affected people) will be addressed in compliance with the Constitution of Ghana, with other Ghanaian regulations, and with the World Bank safeguard policy on involuntary resettlement (OP 4.12). Where there are gaps or inconsistencies between Ghanaian laws and the World Bank policy, the World Bank policy OP 4.12 will apply in compliance with this RPF.

#### 5.1.2 Avoidance and or Minimization of Physical and Economic Displacement

In line with the World Bank safeguard policy OP 4.12, the WAATP will minimize displacement through the following design procedures:

- To the extent possible, existing MOFA facilities on government lands will be selected for rehabilitation under the WAATP;
- Wherever inhabited dwellings may potentially be affected by a component of a WAATP activity or sub-project, an alternative site or land will be sought or the activity/sub-project shall be redesigned to avoid any impact on such dwellings and to avoid displacement/relocation accordingly;
- Wherever the impact to the participating farmer with regard to land take for demonstration or test plots is significant, an alternative land or site will be sought;
- Minimization of land impact will be factored into site/demonstration farms and technology selection and design criteria;
- Costs associated with displacement and resettlement will be internalized into WAATP activity costs to allow for fair comparison of processes and sites;
- To the extent possible, demonstration farms and or project facilities will be located on lands with no structures;
- Land owners and farmers who have access to lands without encumbrances will be considered for use as demonstration farms; and
- Infrastructures required by the project will be sited on government lands which has not been encroached or private lands which the owner is willing to use to participate under the programme without compulsion.

### 5.1.3 Cut-off date

The objective of the cut-off date is to establish a deadline for which project affected persons qualify for entitlement to compensation. Persons entering the Project Area after the Cut-Off Date are not eligible for compensation and/or resettlement assistance.

In accordance with OP 4.12 and for each sub-project activities under the WAATP, a cut-off date will be determined, taking into account the likely implementation schedule of the sub-project. To ensure consistency between Ghanaian legal requirements and WB policies, this cut-off date will be the date of inventory of assets/properties.

In line with OP 4.12, the following three categories of affected people will be eligible to Project resettlement assistance:

- a) those who have formal legal rights to land (including customary and traditional rights [recognize ownership and use systems inherent in customary land tenure systems] recognized under the laws of the country);
- b) those who do not have formal legal rights to land at the time of the cut-off-date but have a claim to such land or assets-provided that such claims are recognized under the laws of Ghana or become recognized through a process identified in the resettlement plan; and
- c) those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) above are provided compensation for loss of land and assets and other assistance as needed. Persons covered under (c) above are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, if they occupy the project area prior to the cut-off date.

In practice this means that, people usually considered in Ghana as “squatters” will be entitled to Project assistance as long as they occupy the site prior to the cut-off date. However, persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons in the three categories above are provided compensation for loss of assets other than land (i.e. structures and crops).

### 5.1.4 Income and livelihood restoration

One paramount principle of World Bank safeguards is that where people are affected by land take, the aim of resettlement must be that they should be “no worse-off if not better off” after the resettlement has taken place. Where impact on land use is such that people may be affected in the sustainability of their livelihoods, preference will be given to land-for-land solutions rather than cash compensation, in consistency with the Constitution of Ghana and with OP 4.12.

This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their sustainability. Where necessary, affected people will be monitored in the rehabilitation of their livelihood during, and after the transition period. Livelihood restoration measures will be assessed in relevant Resettlement Action Plans (RAPs) and Abbreviated Resettlement Action Plans (ARAPs) depending upon the specific situation of the considered location.

### 5.1.5 Compensation payment

Compensation principles will be as follows:

- Compensation shall be paid prior to physical displacement / land entry; and

- Compensation will be at full replacement value using the current market value or above.

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

#### 5.1.6 Consultation – Grievance Mechanisms

The Ghanaian law requirements on consultation and information, as well as those related with grievance management, fall short of meeting World Bank requirements. The application of these will require:

- meaningful information and consultation to take place before the process leading to displacement is launched in each particular location concerned by a WAATP activity; and
- a specific grievance registration and processing mechanism to be put in place.

### 5.2 Objectives of the resettlement/compensation programme

The main objectives of the resettlement related/compensation programme are as follows:

- To minimize displacement and cash compensation as much as possible;
- To ensure that project affected people are consulted and their concerns included in the resettlement/compensation programme for implementation;
- To ensure that project affected people are adequately compensated for deprivation of use of land, loss of crops and structures (either farming/business, residential structure or communal property);
- To compensate the affected units and enterprises for their loss at full replacement cost;
- To identify vulnerable groups including the elderly, physically challenged, women heads etc among the project affected people and prescribe any special assistance they may require in terms of extra attention during the implementation of the programme; and
- To meet both national regulatory and WB requirements.

### 5.3 Resettlement Processes

#### 5.3.1 Categorization of project activities with respect to land needs

As far as land needs and resettlement requirements are concerned, two different situations may be encountered in the course of the implementation of the WAATP:

- a. the project component has no land need other than already acquired State land (e.g. the existing Agricultural/Veterinary/Seed Stations to be rehabilitated which occur on existing government lands). In such cases, documentation of resolution of previous disputes will be required before these are approved.
- b. the implementation of the project component (e.g. construction of new warehouses) may require land acquisition (e.g. involuntary land acquisition from individuals with freehold title and involuntary land acquisition from communities or encroached public lands).

In situation a) above, the fact that there is no land acquisition involved means that procedures required by the Ghanaian law do not need to be triggered. Proposed processes will therefore be consistent with WB requirements only. Situation b) is more complex because it implies that both Ghanaian procedures and WB requirements are to be followed.



### 5.3.2 Overview of the resettlement preparation process

According to the World Bank Operational Policies on involuntary resettlement, preparation of a resettlement instrument is a condition for appraising projects involving involuntary resettlement. In case of programs/projects with sub-projects, the Bank requires that a satisfactory resettlement action plan (RAP) or an abbreviated resettlement plan (ARAP) that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the sub-project is accepted for Bank financing (OP/BP 4.12)

The resettlement preparation process will begin with screening of WAATP subprojects/ activities to determine if there need for the preparation of any resettlement instrument (ARAP or RAP). A sample screening checklist for identify cases of involuntary resettlement is provided in **Appendix 1** (screening checklist to be kept on WAATP PCU file). The proposed process for project component without land acquisition is summarized in **Figure 5.1**, and that for project component with land acquisition in **Figure 5.2**. The number of affected people will determine whether the process is to include the preparation of a full RAP or of an ARAP. The WAATP-MOFA PCU will use the regional/district MOFA offices to determine the number of affected persons/assets under any WAATP activity that is likely to generate resettlement related or compensation issue.

#### Resettlement Action Plan (RAP)

The RAP will be prepared where more than 200 individuals are economically or physically displaced. The outline for the preparation of the RAP is given in **Appendix 2**. The RAP outline may have to be adjusted based on each specific case. All RAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing civil works.

#### Abbreviated Resettlement Action Plan (ARAP)

The ARAP will be prepared where less than 200 individuals are displaced. The general outline for the preparation of the ARAP is given in **Appendix 3**, and can be adjusted for each specific case. All ARAPs will need World Bank approval prior to commencing resettlement activities. Resettlement activities must be completed before commencing WAATP activities on the fields or civil works on the ground.

#### Census of Affected Persons & Assets/ Socio-economic baseline census

Upon identification of the need for involuntary resettlement in a sub-project, the project will carry out a census to identify the persons who will be affected by the sub-project. This will help the project to determine who will be eligible for assistance early enough in the project cycle. It will also help to prevent an inflow of ineligible people living outside the sub-project area of impact but who might want to take advantage and claim for assistance. The completion of the census will mark the cut off-date for eligibility for compensation. **Appendix 4** shows a framework to guide the selected consultant for RAP/ARAP preparation or WAATP PCU for the census of affected assets and people.

#### Consultations during resettlement action planning and implementation

Consultations with stakeholders including PAPs will be an integral part in the ARAP or RAP preparation, implementation and monitoring processes at all stages and stakeholders should have access to the ARAP/ RAP. Consultations should happen in local language where possible; women should be consulted separately if that is more appropriate. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc.

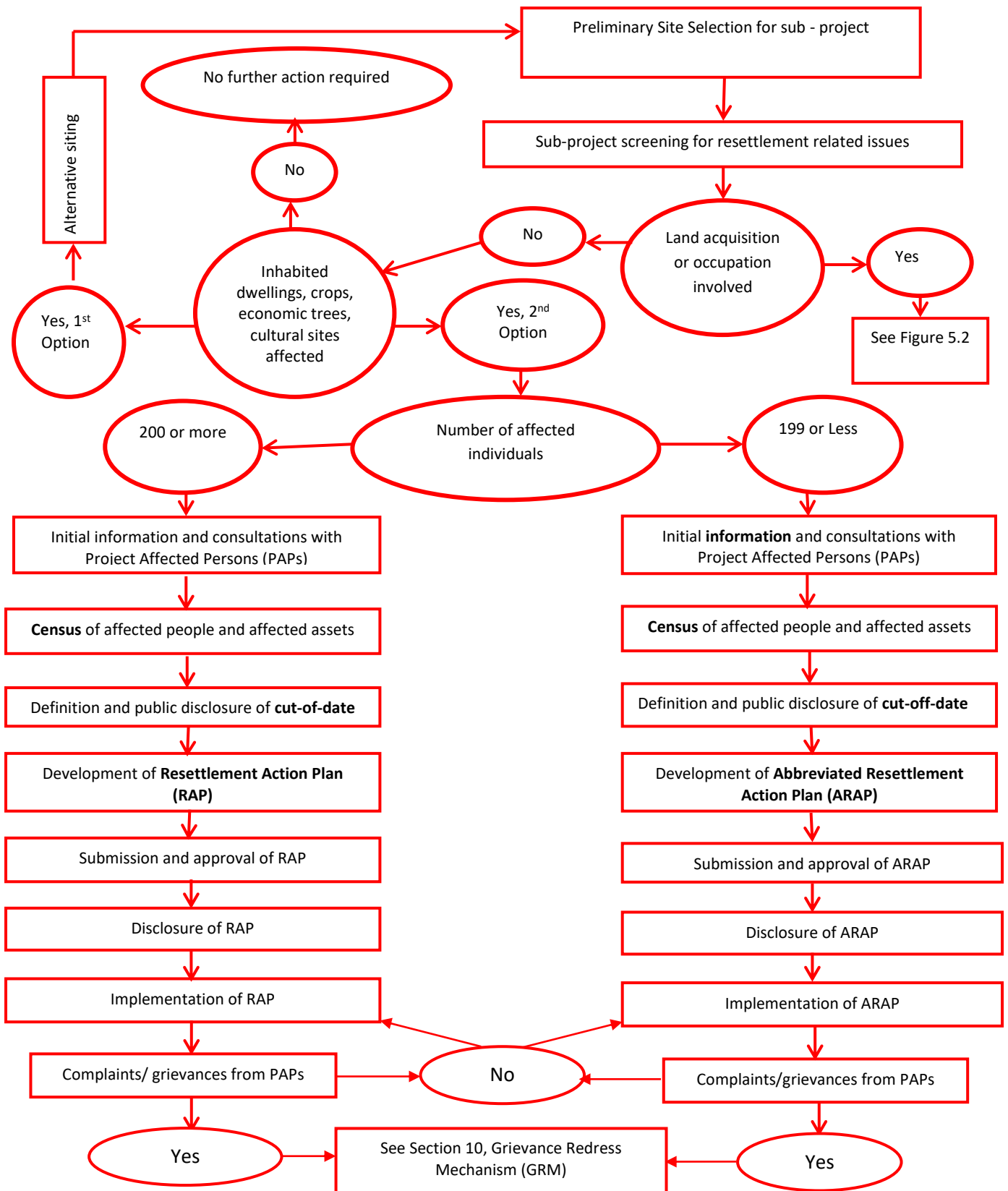


Figure 5.1 Proposed involuntary resettlement process for project/subproject without land acquisition

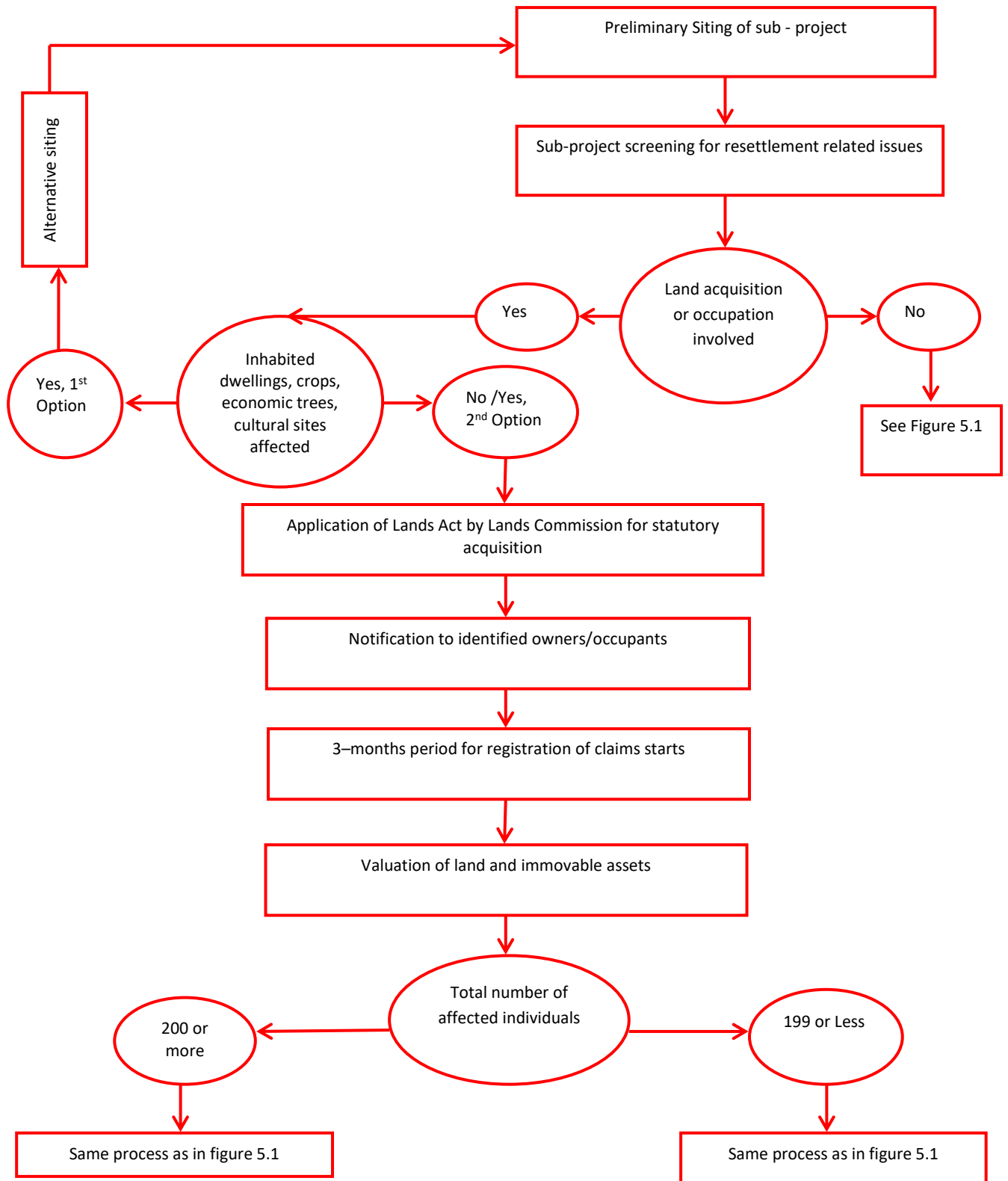


Figure 5.2 Proposed involuntary resettlement process for project/subproject with land acquisition

## 6 PROPERTY VALUATION AND COMPENSATION

### 6.1 Valuation of Properties

The purpose of the valuation will be to assess the overall Compensation Payable as part of the assessment of resettlement related issues under the WAATP. As the detailed WAATP activities are not too clear at this stage, the scope of the valuation covers land, structures and crops/economic trees on the project site to be affected and also unavailable to the owner for usage. Loss of income or disruptions to livelihoods are considered as far as it may be appropriate for payment of compensation for the period of disruption of farming /livelihood/business.

#### 6.1.1 Basis of Valuation

The basis of the valuation are derived from the World Bank's Involuntary Resettlement Policy, OP 4.12; the States Lands Act 1962; and the Constitution of Ghana.

#### 6.1.2 Valuation Methods and Compensation Rates

**Table 6.1** provides the general guideline for cost preparation and method for valuing affected assets/properties taking a cue from sampled RPFs prepared for the public sector especially MOFA-GCAP, GAMA and Ghana Water Company Limited Project Management Unit (GWCL/PMU). In this context, the compensation is the amount required, so far as money can do so, to put the owner or user of a land or building in the same position as if his/her use and enjoyment has not been disrupted. In other words, it is based on the principle of "Full Replacement Cost".

#### Land

The Market Comparison Approach (MCA), based upon fair market value plus transaction costs, will be adopted for the valuation of land if there is a vibrant and free land market. It involves the direct comparison of the property's value determining features with those of the immediate and surrounding vicinity that sold recently. In applying this method, values of plots of land from the neighbourhood of the sites will be collected, compared, adjusted to take account of minor differences and transaction costs, and applied to arrive at the reported values. This is to ensure that the values obtained would be adequate to secure in-kind alternative land or cash compensation for the affected owners. Alternatively, the negotiation approach will be adopted if there is no available vibrant and free land market, in which case the investor or interested individual will negotiate with the land owner and agree upon an amicable price for the leasing of the land based upon productive potential or agricultural or commercial land of equivalent size and location.

#### Structures

The full Replacement Cost Approach (RCA) will be adopted for the valuation of the structures. It involves finding the estimate of the gross replacement cost of a structure which is the estimated cost of constructing a substitute structure, having the same gross area as that existing, at prices current at the relevant date. For the purpose of this valuation, the affected assets/structures and development will not be depreciated in line with the World Bank requirements.

### Crops/Economic Plants

The Enumeration Approach will be adopted for affected crops/economic plants or trees under the project. The Enumeration Approach involves taking census of the affected crops (either by counting the number of affected crops/trees or using the area of the affected farm), and then applying a realistic crop/tree compensation rates. The District Forest Service Division will be required to harvest any identified timber tree, as timber is a state property under the law.

The existing approved Land Valuation Division crop/tree compensation rates available is of 2014. Methods used by the Land Valuation Division to calculate rates are not disclosed and are kept confidential. The realistic crop/tree compensation rates to be applied under the WAATP will be based upon fair market values plus transaction costs to ensure that the crop/tree rates compensate for the labour and equipment invested in the crop/tree cultivation as well as the replacement cost of crops/tree lost.

#### 6.1.3 Valuation Responsibility

The Regional Valuation officers from the Lands Valuation Division of the Lands Commission will be engaged to value affected assets/properties based on the full replacement cost principle (which include transaction cost such as labour and transport cost). Certified private valuers may also be engaged where necessary especially involving private persons or if required to assist the process. These professional valuers to be used will be required to provide evidence where necessary that the rates applied are consistent with the “full replacement value” requirement.

## **6.2 Other Considerations into the Compensation Package**

### Livelihood Assistance/Loss of Income

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

- estimated income of farmers or daily sales of produce from farms or the business units; and
- estimated period of construction or WAATP activity which will disrupt farming or business or commercial activity.

Losses of income for farmers/businesses will be estimated from net monthly/annual profit of the farm/business verified by an assessment of visible stocks and activities.

### Resettlement/Relocation Assistance

Where PAPs are to be physically displaced or relocated, resettlement assistance should be provided to take care of the transport cost of mobilising and moving the affected properties to a new location and an accommodation assistance where affected persons will have to rent accommodation at the initial stages.

### Disturbance Allowance

Cost of disturbance is one of the components to be considered when determining compensation for PAPs (especially for affected structures, crops and livelihoods) as provided in the State Lands Act 1962. The law does not provide specific reference to any percentage or formula for valuers to apply in determining the cost of disturbance. However in practice, LVD has accepted cost of disturbance to generally range between 5% and 15% of the assessed property value depending upon the level of impact and inconvenience to the PAP.

### 6.3 Types of Compensation

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

**Cash payment:** Cash payment compensation will be calculated and paid in Ghana Cedis (GHS). Rates will be based on market value of land when known or estimated or negotiated and full replacement value of structures/crops.

**b. In-kind compensation:** In-kind compensation may include items such as land, buildings, building materials, seedlings, agricultural inputs, agricultural produce and financial credit for equipment etc.

### 6.4 Compensation Payment/Claim

Compensation will be paid prior to the affected person vacating or releasing the land or property. The District MOFA officer will develop a Memorandum of Understanding (MoU) between the farmer/community and MOFA to govern the use of all lands provided by the community or farmer for temporary usage including compensation arrangements. Therefore, in special cases where compensation will have to be paid in-kind, the District MOFA officer and the PAPs will confirm in the MOU in what form such in-kind compensation will be and whether such in-kind compensation will be paid before or after release of the land. Example, if an in-kind compensation is to give out the farm produce resulting from the demonstration plot to the landowner or farmer/community, this compensation will come after release of the land.

For compensation payment prior to release of land or destruction of an affected property under any WAATP subproject activity, each eligible affected person will sign a compensation claim and commitment form (**see Appendix 5**) made available by MOFA WAATP PCU in the presence of a witness. The compensation claim and commitment form contains a summary information (i.e. biodata and entitlement) of the PAP and a commitment and signatory section. The WAATP PCU will issue out this form with relevant sections completed for each PAP at the time/day of compensation payment. Any PAP who receives compensation has to sign off this form.

The compensation claim and commitment form will clarify mutual commitments as follows:

- On the project side: commitment to pay the agreed compensation, including all its components (value of affected property- cash or in-kind, disturbance, assistance to farmers to continue with farming occupation and or relocation/transportation assistance if any); and
- On the affected person's side: commitment to vacate or release the land by the agreed date.

Table 6.1 General guidelines and methods for compensation costs preparation

Item	Types	Method
Land	Customary lands, private lands	Land for land is the first option. Alternatively, prevailing market value of the land to be acquired if there is a vibrant and free land market. Otherwise a negotiated price will be agreed.
Structures	Any type of structure, e.g. mud houses, wooden structures, sandcrete block houses, etc	Full Replacement Cost Approach. No depreciation will be applied.

Crops/Plants	Food and cash crops/economic plants (cassava, maize, oil palm tree, cocoyam, plantain etc)	Enumeration approach and applying updated LVD rates. Crop rates will take care of labour and equipment invested in the crop cultivation as well as the replacement cost of crops lost
Cultural heritage resources	Sacred groves, cemeteries, shrines	1. Option 1: Avoidance and an alternative site selected for project. 2. Option 2: Relocation of shrine if possible or performance of necessary rituals/pacifications in consultation with and acceptable to the traditional authorities or community leaders. 3. Option 3: Other options proposed by community/PAPs and agreed upon under the project.
Loss of income and livelihood	Farming, businesses etc.	Estimation of net monthly/annual profit for farm/business based on records if available or fair market values; application of net monthly/annual profit to the period when farm/business is not operating. Where RAP is required, livelihood restoration plan will be prepared and included in the RAP.
Disturbance allowance	-	As determined by the professional valuer as required under the State Lands Act 1962, and bearing in mind that in practice, LVD has generally accept cost of disturbance ranging between 5% and 15% of affected property value depending upon the level of impact and inconvenience to the PAP.

## 7 ELIGIBILITY CRITERIA AND ENTITLEMENT MATRIX

Project affected persons are described as persons affected by land acquisition, land occupation, relocation, or loss of income associated with the acquisition of land and/or other assets. Based on an understanding of the social structure of the rural and urban communities and the nature of the WAATP activities, it is possible to suggest that the most likely project affected persons (PAPs) will comprise individuals, farmers, traditional authorities, communities and companies/organisations as a whole. **Table 7.1** presents the eligibility criteria and entitlement matrix for the general categories of impacts that could occur under the WAATP.



Table 7.1 Eligibility Criteria and Entitlements

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
Land	Permanent acquisition of land via expropriation and or leasing of land	Landowner (individual, family, community/stool)	Owns the affected plot of land under Ghanaian laws including customary	1. Cash compensation for the lease or expropriation as agreed among the parties via negotiation or prevailing market rates.
	Temporary occupation of land	Landowner (individual, family, community/stool)	Owns the affected plot of land under Ghanaian laws including customary	1. Compensation (in cash or kind) for the period of occupation as agreed among the parties via negotiation.
Crops (food/cash crops and economic trees inclusive)	Destruction of/ damage to standing crops	Owner or Farmer	Have grown the affected crop (regardless of related plot ownership)	1. Cash compensation for standing crops counted at valuation date and based upon realistic or updated LVD rates, and 2. Disturbance allowance
Structures	Destruction of immovable structures	Owner	Owns affected structure	1. Compensation at full replacement cost of structure 2. Cost of moving (e.g. persons/ goods in the structure under or belonging to owner) 3. Disturbance allowance
		Occupant	Live in or use the affected structure on rental basis (Occupant different from owner)	1. Cost of renting similar structure (e.g. for 6 months duration) 2. Cost of moving out to new place 3. Disturbance allowance
	Relocation of movable structures	Owner	Owns the affected structure	1. Cost of moving affected structure to new site 2. Disturbance allowance
		Occupant	Use or occupies the affected structure	1. Cost of moving occupants to new site 2. Disturbance allowance [NB: if owner is same as occupant, he/she will not be entitled to this disturbance allowance].
Livelihoods	Agriculture - destruction of economic or cash crops	Farmer	Use affected land for farming as livelihood sources (emphasis on perennial crops. Annual crops can be harvested prior to land entry or destruction)	1. Cash compensation for any temporary loss of income or livelihood during the subproject activity period.
	Businesses	Business person (may	Operate a business on Project affected	1. Cash compensation for temporary loss of income or

Affected Assets	Type of impact	Entitled units	Eligibility criteria	Entitlement
		be distinct from owner of structure where business takes place)	land, regardless of the land ownership situation (includes squatters)	livelihood incurred because of the Project during the period required to re-establish the business to pre-Project conditions
	Use of communal resources, e.g. wild economic plants relied upon by families/communities such as shea nut trees,	User of such resources (can be individuals or communities)	Use communal resources as an element of livelihood	Cash compensation for temporary loss of income incurred during the subproject activity period
Cultural heritage resource (e.g. sacred site).	Relocation of or removal of cultural heritage resource located on project site	Owner (individual or community)	Use or pay homage to cultural heritage resource/ sacred site	Negotiate with owner or community with regard to rites to be performed to ensure successful relocation or removal of cultural resource/ sacred site, and also follow chance find procedures.

## **8 GRIEVANCE REDRESS MECHANISM**

A Grievance Redress Mechanism (GRM) is comprised of the institutions, instruments, methods, and processes by which a resolution to a grievance is sought and provided. The consultations of project affected persons and other key stakeholders at the very early stages of project implementation will ensure that their concerns are taken care of during implementation and would help minimize disputes or conflicts arising from implementation of any project activity.

### **8.1 Objective**

The objectives of the grievance redress process are to

- Provide affected people with avenues for making a complaint or resolving any dispute that may arise during the course of the implementation and determination of entitlements of compensation and implementation of the project;
- Ensure that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoid the need to resort to judicial proceedings.

Court cases are known to be cumbersome and time consuming. It is therefore proposed to make available a simple procedure for affected persons to be able to follow easily, and which will provide aggrieved people with an avenue for amicable settlement. Aggrieved people would however remain free to open a Court case without having registered their grievance as made possible by the Ghanaian law.

### **8.2 Potential sources of grievances/disputes**

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

- Siting of the project/subproject;
- Mistakes in inventorying or valuing properties;
- Disagreement on property boundaries, either between the affected person and the expropriation agency or between two neighbours;
- Disputed ownership of a given asset (two or more affected people claim that the affected asset is theirs);
- Disagreement on asset valuation methods and compensation amounts in cash or in-kind;
- Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members;
- Disagreement with the computation of the resettlement or livelihood assistance or transportation cost;
- Claims by people who relocated on their own after receiving notification from the respective Assemblies about the project and the likelihood of impact on their activities; and
- Delays in resolving complaints of PAPs.

### **8.3 The Grievance Redress Process**

The general steps of the grievance process comprise:

- Registration/receipt of Complaints;
- Determining and Implementing the Redress Action;

- Verifying the Redress Action;
- Monitoring and Evaluation; and
- Dissatisfaction and Alternative Actions.

#### 8.3.1 Registration/Receipts of complaints

MOFA WAATP-PCU will establish a register of resettlement/compensation related grievances and disputes. The receipt of complaints will include its logging and registration as this will help with monitoring the status of the grievances and ease reporting on them. The existence and conditions of access to this register (where, when, how) will be widely disseminated within the project community/town as part of the consultation undertaken for the project in general.

It is proposed that complaints be lodged verbally or in writing to the District MOFA representative at the District MOFA office designated to receive all complaints. The elected local Assemblyman/woman for the project area could also receive complaints from PAPs (because the Assemblyman/woman lives within the community and may be closer to the PAPs and some PAPs may prefer to route their complaints through the Assemblyman/woman and avoid undue transport and time cost to the District MOFA office). The Assemblyman/woman will ensure that such complaints reach the District MOFA representative designated to receive complaints within 24 hours via phone call or through any other means. The District MOFA representative shall receive all complaints and shall officially register these complaints using the first section of the proposed complaint registration and resolution form (*WAATP Form CRRF1*) provided in **Annex 6**. The District MOFA representative will inform the team leader for the Grievance Redress Team within 24 hours on any complaint lodged.

#### 8.3.2 Determining and implementing the redress action

When a grievance/dispute is recorded as per above-mentioned registration procedures, the Grievance Redress Team (GRT) will be called into action, and mediation meetings will be organized with interested parties. Minutes of meetings will be recorded.

The GRT will first investigate the foundation of the grievance and then determine the redress action in consultation with the complainant and concerned party if necessary. Otherwise, the grievance redress team will communicate to the complainant on the acknowledgement of the grievance, the redress action proposed and the timeframe for implementation.

The proposed redress action and the timeframe in which it is to be implemented will be discussed within 5 working days of receipt/registration of the grievance. The grievance issue should be resolved within 10 working days of receipt of complaints.

#### 8.3.3 Verifying the redress action

The grievance redress team will visit the affected property site or get in touch with the complainant to confirm that the redress action is carried out. If the complainant is dissatisfied with the outcome of the redress proposal or action, additional steps may be taken to resolve the issue or reach an amicable agreement. Verification should be completed within one week of execution of the redress action.

#### 8.3.4 Monitoring and Evaluation

The Monitoring and Evaluation Team will monitor the activities of the Grievance Redress Team to ensure that complaints and grievances lodged by PAPs are followed-up and resolved amicably as much as possible.

#### 8.3.5 Dissatisfaction and Additional Steps

##### 2<sup>nd</sup> Tier Amicable Mediation and Settlement

If the complainant is not satisfied with the decision of the grievance redress team, he/she can bring it to the attention of the District/Municipal/Metro Coordinating Director or the Safeguard Officer for WAATP-MOFA to draw the attention of WAATP-PCU about the unresolved grievance. Otherwise the GRT should forward the issue to MOFA WAATP-PCU for further action. The WAATP-PCU in consultation with the District/Municipal/Metro Coordinating Director will set up an appropriate mediation team to resolve the issue within 2 weeks from the date of receipt of such a decision by WAATP-PCU. If such a time line is not possible, the WAATP-PCU should inform the GRT and the complainant accordingly giving reasons and possible new date.

##### Appeal to Court

If the complainant remains dissatisfied with the mediation effort of WAATP PCU and the District/Municipal/Metro Coordinating Director, the complainant has the option to pursue appropriate recourse via judicial process in Ghana. The Constitution allows any aggrieved person the right of access to Court of law. Courts of law will be a “last resort” option, in view of the above mechanism.

### **8.4 Membership, Function and Financing of the GRT**

The Grievance Redress Team (GRT) will include the following:

- A representative from the District MOFA office;
- Representative of the MMDA;
- the elected local Assemblyman for the project area; and
- A member of the Project Affected Persons.

The district MOFA and the MMDAs should ensure that at least one of the GRT members is a woman. In addition to the main function of resolving grievances, disputes, complaints and conflicts, the GRT will also

- i. ensure smooth implementation of the resettlement instrument;
- ii. establish dialogue with the PAPs; and
- iii. ensure that their concerns and suggestions are incorporated and implemented during the project.

It is important that the grievance redress teams be made known or be set up as soon as land acquisition or resettlement plan preparation starts. Disputes can arise from census operations and preliminary siting of subprojects and it is therefore important that the mediation mechanisms be available to cater for claim, disputes and grievances at the early stage. The activities of the GRT will be financed by MOFA WAATP-PCU.

### **8.5 Schedule Template for Grievance Redress and Institutional Responsibilities.**

The table below presents a summary of the grievance redress procedure with institutional roles and responsibilities.

Table 8.1 Schedule template for Grievance Redress

Steps	Process	Description	Time frame
1.	Grievance receipt and registration/ logging	-Face to face; phone; letter, recorded during public/ community meetings; recorded from Assemblyman/woman, etc -Significance assessed and grievance recorded or logged using the model complaint form and filed.	1-2 Days
2.	Development and implementation of response	-GRT meets or takes a decision on the grievance -Grievance assigned to appropriate party for resolution if necessary -Response development with input from relevant stakeholders -Redress response/action approved by GRT and logged -Redress response/update of progress on resolution communicated to the complainant -Start implementing redress action	5- 10 Days
3	Verifying the implementation of redress action	-Redress action implemented and verified by GRT. -GRT satisfied with implementation of redress action	10-15 Days
4	Close grievance or refer grievance to 2 <sup>nd</sup> tier resolution	-Completion of redress action recorded or logged -Confirm with complainant that grievance can be closed or determine what follow up is necessary -Record final sign off of grievance If grievance cannot be closed, return to step 2 or recommend 2 <sup>nd</sup> level settlement	15-25 Days
5	Court of law	-if 2 <sup>nd</sup> level settlement does not address dispute, complainant can resort to court of law	Unknown
6	Monitoring and evaluation, and reporting	Grievance Redress Mechanism Process is documented and monitored	-

## 9 CONSULTATIONS AND DISCLOSURE

### 9.1 Stakeholder Consultations

The Consultant has carried out consultations with stakeholders for the preparation of this RPF. The stakeholder engagement was undertaken between 12<sup>th</sup> February and 2<sup>nd</sup> March, 2018. Stakeholders consulted so far include:

- WAAPP-MOFA
  - Project Coordinator
  - Monitoring and Evaluation Officer
  - The Technical Expert
- Directorate of Agricultural Extension Services (DAES), Accra;
  - Deputy Director
- Veterinary Services Directorate, Accra
  - Deputy Director & Head, Accra Vet. Lab
- Directorate of Crops Services (DCS) of MOFA, Accra
  - Deputy Director
  - Manager in Charge of the Environment, Land & Water Unit
- Environmental Protection Agency (EPA), Accra
  - Deputy Director at the Chemical Control and Management Centre (CCMC)
- Station Manager and Station Master, Asuansi Agricultural Research Station, Asuansi, Central Region
- Station Manager, Mampong Agricultural Research Station, Ashanti Mampong
- Town & Country Planning Officer, Town & Country Planning Department of the Mampong Municipal Assembly

Stakeholder consultation or engagement is a process and WAATP PCU will continue with the engagement throughout the project phase in collaboration with the district/regional MOFAs and other MOFA Directorates involved with the WAAPP [Directorate of Agricultural Extension Services (DAES), Directorate of Crops Services (DCS), Plant Protection and Regulatory Services Directorate (PPRS), Veterinary Services Directorate (VSD), Animal Production Directorate (APD), Ghana Irrigation Development Authority (GIDA), Women in Agricultural Development (WIAD) and the e-Agricultural Department (Resource Centre)] and research institutions which were also involved with the WAAPP.

The WAAPP PCU is collaborating with a number of institutions/Agencies in the design and execution of the WAATP. The Council for Scientific and Industrial Research (CSIR), has Crop Research Institute (CRI), Food Research Institute (FRI), Savanna Agricultural Research Institute (SARI), Soil Research Institute (SRI) involved with the WAATP. Other relevant organisations such as the Ghana Grains Council (GGC), National Seed Trade Associations of Ghana (NASTAG), National Buffer stock company and CSOs are in collaboration with the PCU to ensure a successful implementation of the WAATP.

The MMDAs, regional/district MOFAs, Assembly members, youth/farmers' associations and other stakeholders were very much involved with the WAAPP implementation. The PCU-WAATP through the district/regional MOFA will continue to inform, consult and involve these stakeholders on the WAATP as they are key actors during the WAATP implementation. Due to the limited time requirements for the

RPF delivery, the consultant is constrained with time and resources could not engage all these stakeholders.

The consultations carried out by the consultant served to learn lessons from the environmental and social issues which were associated with the WAAPP and also gather information on likely WAATP activities that are likely to generate social impacts and concerns, institutional mandates and permitting requirements for WAATP to inform the preparation of the RPF.

The list of persons consulted is presented in **Appendix 7**. Some key stakeholder issues/comments, concerns and suggestions raised include:

- Do not expect any major or significant resettlement related issues or land acquisition in respect of the rehabilitation works that will be undertaken at existing Agricultural/ Veterinary Stations and Seed Centres belonging to MoFA.
- Land acquisition may occur with seed processing units and warehouses to be constructed outside existing centres or existing publicly acquired lands.
- There are issues with encroachment at some Agricultural stations in the regions especially with regard to the farm fields where research activities are undertaken. The agric station lands are not properly secured or fenced.
- Serious encroachment of the research fields of the Ashanti Mampong Agricultural Research Station could affect the WAATP implementation at the site, if the government/MOFA does not take immediate and urgent steps to recover the encroached fields. The traditional authorities have almost given out all the research fields for private residential property development and the TAs have made known their intention to relocate the Agricultural station.
- Inability to trace the land documents for the Ashanti Mampong Agricultural Research Station land is also fuelling the encroachment of the land.
- An environmental and social safeguard officer may be recruited for the WAATP as recommended by the World Bank.
- The involvement of EPA in the WAAPP was very helpful in respect of handling environmental and social issues. The Agency assisted with screening of subprojects, training and capacity building and monitoring.
- Participating farmers sometimes do have their demonstration plots and farmlands taken over by Estate Developers. The land owners sell farmlands to estate developers at the blind side of farmers farming/cropping on the land especially in the Gt. Accra areas under the WAAPP.
- Some participating farmers under WAAPP in the Konongo and Agogo areas had issues with Fulani herdsman.
- It was recommended that participating farmers with >40 ha should be trained in pest/pesticide management.
- As a form of compensation, farmers who released farmland for demonstration purposes were compensated with some produce from the demonstration plot.
- It was suggested that there should be a written MOU or arrangement between participating farmers and the district MOFA with regard to the form of compensation for release of land for demonstration purposes.
- Need to identify all sub-projects under WAATP that will have environmental and social impacts.



- It was suggested that farmers who are vulnerable such as physically challenged, single mother's with children should be identified and encouraged to participate in the programme to help improve their socio-economic life.
- There should be a budget for compensation under WAATP.

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

The resettlement instrument will be disclosed in compliance with World Bank operational policy, OP 4.12, which states that:

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

Consultation and Disclosure of the WAATP Resettlement Policy Framework will be organized as follows:

### Consultations

- MOFA-WAATP to circulate the RPF to relevant WAATP PCU members, relevant MOFA directorates, for stakeholders to make meaningful inputs/contributions into the RPF before it is finalized; and
- MOFA-WAATP to circulate the RPF to key institutions (e.g. CORAF, World Bank) for comments before it is finalized.

### Disclosure

- Publication in the dailies, workshops, community forums/radio presentations
- Distribution of the cleared RPF to stakeholders (e.g. relevant district assemblies, district/regional MOFA offices, regional EPA offices)
- Publication of the cleared RPF at the World Bank, CORAF and MOFA websites

## **10 VULNERABLE GROUP CONSIDERATION**

### **10.1 Identification of vulnerable groups**

Vulnerable groups are those at risk due to the displacement, compensation, and resettlement process. Vulnerable persons need to be ascertained in the preparation of the Resettlement Action Plan (RAP) or Abbreviated Resettlement Plan (ARAP) when project scope and activities are properly identified and confirmed. Vulnerable people to be considered under the WAATP include:

- The elderly, usually from 70 years and above;
- Widows;
- Women and children;
- Physically challenged persons;
- Mentally challenged/highly depressed persons;
- Affected Persons who are too ill, bedridden, hospitalized or stricken with HIV/AIDS;
- Unemployed youth;
- Female heads of households; and
- Migrant/settler farmers without proper land documents.

### **10.2 Assistance to vulnerable people**

Assistance to vulnerable persons may take various forms and may also depend upon vulnerable persons' requests and needs. Assistance to vulnerable people may include but not limited to the following:

- Assistance in financial literacy training especially for women and assistance in compensation payment procedures (e.g. going to the bank with them to cash the compensation cheque);
- Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery;
- Assistance in moving: providing vehicle, driver and assistance at the moving stage;
- Where compensation is determined in-kind payment, vulnerable persons should be paid in cash if they so desire (e.g. if in-kind compensation payment is giving out farm produce or farm implements, vulnerable persons such as elderly or ill people could be given cash compensation if they so desire);
- Vulnerable farmers making available land as demonstration plots/farms should also be assisted with initial clearance of their other farmlands (farmers usually give out a portion of their farmlands or farmers with multiple farm plots usually give one of their farm plots for demonstration purposes) taking into consideration size of land released for demonstration purposes;
- Assistance to migrant/settler farmers without proper land documents in finding alternative sites for farming;
- Assistance in building: providing materials, workforce, or building houses; and
- Health care if required at critical periods: moving and transition period.

### **10.3 Provisions to be made in RAPs/ARAPs**

Vulnerable people will be identified at census stage. Each RAP or ARAP developed under the WAATP if any should make precise provisions with respect to assistance to vulnerable groups. Identification of vulnerable people and identification of the cause and impacts of their vulnerability, either through direct interviews by the RAP/ARAP consultant or the District MOFA officials/Agriculture Extension Officers at the project inception stage or RAP/ARAP stage is critical because often vulnerable people do not participate in community meetings, and their disability/vulnerability may remain unknown.

## 11 MONITORING AND EVALUATION

### 11.1 Objectives of monitoring and evaluation

Monitoring and Evaluation are key components of the RPF. The general objectives are:

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

Monitoring aims to correct implementation methods during the course of the project, as required, while evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer term perspective.

### 11.2 Internal Monitoring

#### 11.2.1 Scope and content

Monitoring of the RPF implementation will address the following aspects:

- Social and economic monitoring:
  - follow-up to validate if necessary information captured on the screening checklist form for subproject activity,
  - follow-up on concerns of farmers/individuals benefitting from the WAATP activities,
  - follow-up on subproject activity implementation to confirm if new persons have been impacted other than what was captured on the screening checklist form;
- Technical monitoring: supervision of subproject activity where relevant;
- Grievances and grievance management system;
- Livelihood restoration: follow-up to confirm if provisions in the RPF are adequate to address loss of income of PAPs or additional livelihood restoration measures are needed.

During the preparation and implementation of any ARAP/RAP for a subproject, monitoring will also address the following issues among other things:

- follow-up of the status of displaced or affected persons,
- follow-up of the status of farmers/individuals benefitting from the WAATP activities,
- re-establishment of livelihoods of affected farmers/persons;
- Complaints and grievance management system;
- Assistance in livelihood restoration: agriculture/farming and business re-establishment and assistance.

#### 11.2.2 Monitoring indicators for the RPF

The District and Regional MOFA and WAATP-PCU will keep the following statistics on an annual basis:

- Numbers of farmers/ households/individuals affected by the WAATP Project activities;
- Number of farmers/individuals physically or economically displaced;
- Number of ARAPs/RAPs prepared under the WAATP;
- Number of livelihood restoration plans prepared under the WAATP;
- Numbers of farmers/households/individuals benefitting from the WAATP activities;

- Number of women benefitting from the WAATP activities;
- Number of youth (between the ages of 15 and 35 years) benefitting from the WAATP activities;
- Number and sizes of individual, family or stool lands acquired for the WAATP activities; and
- Number of grievances/complaints registered and number resolved.

### Reporting

The internal monitoring unit ( comprising of the Environmental/Social Safeguard Officer and the project M&E Officer) will submit quarterly reports or as agreed to WAATP PCU. The report will at least cover status of compensation disbursement, nature of complaints, redress actions and follow-ups. An annual monitoring report will also be developed internally based on periodic reports.

## **11.3 Internal Evaluation**

### 11.3.1 Evaluation objectives

Reference documentation for the evaluation will be the following:

- This Resettlement Policy Framework;
- The Ghanaian laws and regulations as described in this RPF;
- The applicable World Bank Safeguard Policies, i.e. OP 4.12 “Involuntary Resettlement”; and
- Any ARAP or RAP prepared for the WAATP activities if any.

The evaluation has the following specific objectives:

- General assessment of the compliance of the implementation of resettlement activities with objectives and methods as set out in this RPF;
- Assessment of the compliance of the implementation of resettlement activities with laws, regulations and safeguard policies as stated above;
- Assessment of resettlement and compensation procedures as they have been implemented;
- Evaluation of the impact of the resettlement and compensation programs on incomes and standard of living, with focus on the “no worse-off if not better-off” requirement;
- Identification of actions to take as part of the on-going monitoring to improve the positive impacts of the programme and mitigate its possible negative impacts, if any.

Evaluation of resettlement and compensation activities will be part of general assessment and review activities undertaken for the WAATP activities as a whole by the MOFA WAATP-PCU. Internal evaluation arrangements will be carried out for the implementation of ARAPs/RAPs.

## **11.4 External Monitoring and Evaluation**

It is recommended that the MOFA WAATP-PCU engages either the EPA officer involved with the WAAPP or a local consultant to carry out external monitoring and evaluation of the RPF or any RAP/ARAP developed and implemented under the WAATP. The Independent External Evaluation (IEE) will be done soon after the completion of an ARAP or RAP implementation. The independent evaluation will determine:

- If compensation payments have been completed in a satisfactory manner;
- If there are improvements in livelihoods and well-being of PAPs; and
- If grievances or conflicts emanating from the WAATP have been successfully resolved.

Several indicators will be used to measure these impacts. These include, among others,

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

### **11.5 Completion Audit**

The World Bank Safeguard Policy, OP 4.12 states that upon completion of a project, the project proponent oversees an assessment to determine whether the objectives of the resettlement instrument have been achieved. Each resettlement instrument (be it ARAP or RAP) will require a completion audit, and therefore where multiple sub-projects require multiple ARAP/RAP, multiple completion audits may be needed. Evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer-term perspective. The completion audit will allow the MOFA WAATP-PCU, and other relevant stakeholders including the other divisions of MOFA (Crops Services, PPRSD, Agricultural Extension, Veterinary), EPA to verify that all resettlement/compensation related measures identified in the RPF and any RAP/ARAP developed for that purpose were implemented or otherwise, and that compensation programmes have been completed in compliance with OP 4.12.

The audit will also evaluate and ensure that the actions prescribed in the RPF and any RAP/ ARAP and implemented had the desired effect. The MOFA WAATP-PCU may engage a local consultant to carry out the completion audit. The completion audit is to be undertaken after implementation of the RAP/ARAP.

## 12 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF THE RPF

### 12.1 Institutional Responsibilities

The main institutions involved with the implementation of the compensation/resettlement related activities are:

- The MOFA-WAATP Project Coordinating Unit;
- Regional and District Offices of MOFA;
- Regional Land Valuation Offices;
- Environmental Protection Agency (EPA);
- MMDAs/Traditional Authorities/Community leadership; and
- Ministry of Finance.

The implementation activities will be under the overall guidance of the WAATP-MOFA PCU. The responsibilities of the various institutions are presented in the table below.

Table 12.1 Institutional framework

No.	Institution	Responsibility
1.0	Ministry of Food and Agriculture (MoFA)-WAATP PCU	<ul style="list-style-type: none"> <li>• Overall supervision of the RPF implementation.</li> <li>• Disclosure of the RPF cleared by the World Bank prior to its implementation.</li> <li>• Instruct the regional/district MOFA to carry out screening of subproject activities using screening checklist provided in Appendix 1 of the RPF</li> <li>• Review and take a decision on completed screening checklist forms submitted by the district/regional MOFA.</li> <li>• Determines that a RAP or ARAP is required for a subproject activity.</li> <li>• Hiring of consultants/NGO to prepare ARAP/RAP and responsible for subsequent implementation of ARAP/RAP.</li> </ul>
2.0	Regional and district offices of MOFA	<ul style="list-style-type: none"> <li>• Screening of subprojects and initial identification of PAPs</li> <li>• Submit completed screening checklist forms to MOFA-WAATP PCU to decide on whether an ARAP or RAP is needed.</li> <li>• Develop an MOU between PAPs and MOFA WAATP to govern all lands released by farmers/communities for demonstration/test plots.</li> <li>• Assist with compensation negotiations (in kind) where necessary</li> <li>• Assist in grievance redress matters</li> </ul>
3.0	Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> <li>• Review completed EPA Form EA 1 submitted to it by the MOFA-WAATP Environmental/Social Safeguard Officer on subprojects and advise on level of environmental</li> </ul>

		<p>assessment required</p> <ul style="list-style-type: none"> <li>• Assist with training and capacity building of other institutions</li> <li>• Assist with external monitoring and evaluation RPF implementation and social impacts</li> </ul>
4.0	Regional Land Valuation Offices/Lands Commission	<ul style="list-style-type: none"> <li>• Assist in the valuation of affected properties and compensation due PAPs.</li> </ul>
5.0	MMDAs, Traditional authorities, Community leadership	<ul style="list-style-type: none"> <li>• Assist with community awareness creation, notifications and support in the inventory of affected persons and compensation related issues.</li> <li>• Assist in grievance redress matters</li> </ul>
6.0	Consultants/NGO	<ul style="list-style-type: none"> <li>• Prepare ARAP/RAP if necessary and assist with implementation and capacity building.</li> </ul>
7.0	Ministry of Finance	<ul style="list-style-type: none"> <li>• To provide funds for compensation payment, livelihood restoration and assistance.</li> </ul>

The Ministry of Food and Agriculture (MOFA) –WAATP PCU has the overall responsibility for implementing the RPF. It will ensure that all compensation and resettlement related matters are carried out satisfactorily before the disbursement of funds for the project and rehabilitation/construction works commences.

The MMDAs will facilitate community orientation to fully understand and appreciate the processes and assist in implementation. Much of the work will be done at the district level, and the Assemblies being the local administrative authority with the support from MOFA will further ensure that:

- Communities are properly and adequately informed (timely) by the TAs of the Plans, and also their rights and options relating to their properties that may be affected by the project and the compensation issues if any.
- Activities between different communities implementing the resettlement or compensation related plans are properly coordinated.
- Any grievances submitted by the affected persons are attended to as appropriate.

## 12.2 Resources, Technical Support and Capacity Enhancement

### 12.2.1 Resources available to deal with resettlement issues

The WAATP-MOFA has limited human resources available to deal with WAATP issues in general and resettlement/compensation related issues in particular. An Environmental and Social Safeguard Officer (ESSO) will be engaged to be part of the Project Coordination Unit of WAATP-MOFA, with allocated resources to manage, monitor and report environmental and social risks and impacts. In addition, the WAATP Project Coordination Unit will involve the Regional and District MOFA offices where the projects will be undertaken as well as the Regional EPA to provide support to the ESSO towards the implementation of the RPF. The suggested organogram for the implementation of the RPF is provided in **Figure 12.1**.

### 12.2.2 Technical support and capacity building

Compliance with World Bank policies needs some capacity building at the levels of both Project management (WAATP Project Coordination Unit) and Project implementers at the national and regional/district level (regional/district MOFA offices). A training workshop is proposed as part of this RPF.

### 12.3 Priority Tasks

As soon as WAATP sub-projects or activities and locations are determined in sufficient detail, preliminary screening of resettlement/ compensation related issues should be carried out to confirm (i) if land acquisition is involved, (ii) if implementation of subproject activities will impact on livelihoods and assets (structures, crops/economic plants and cultural heritage resources) of people and (iii) if implementation of subproject activities will also cause physical or economic displacement of people. If any of these is triggered, then the number of affected people should be estimated to confirm which category of resettlement instrument (ARAP/RAP) to be prepared for implementation.



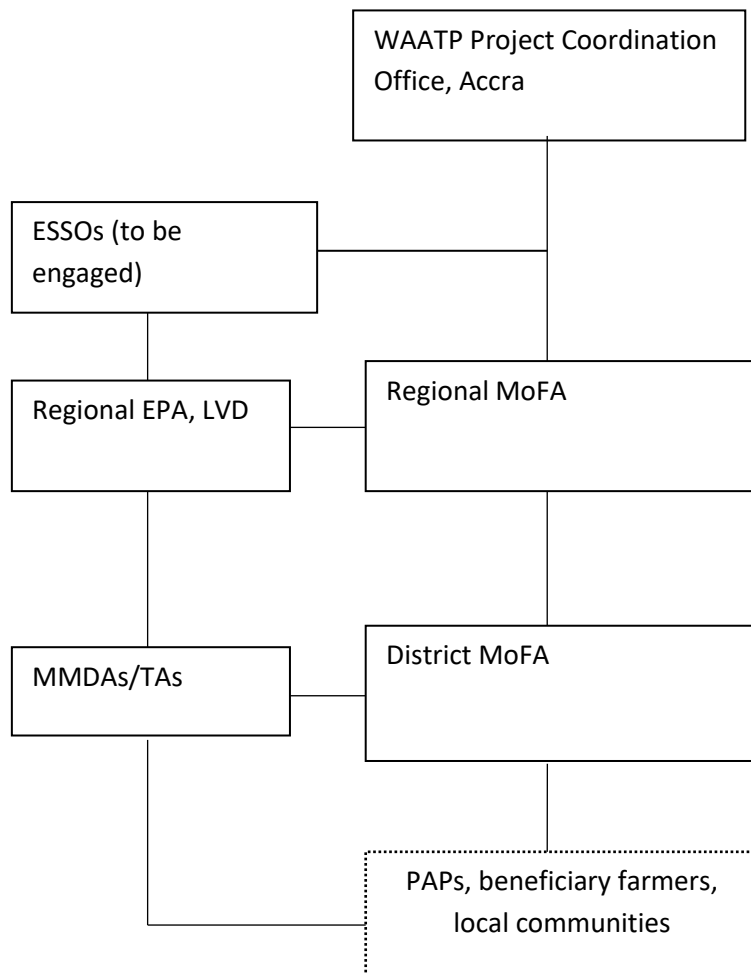


Figure 12.1 Proposed Organogram for RPF Implementation

#### **12.4 Preparation of ARAPs/RAPs and Setting up of Resettlement Management Teams**

Where an ARAP or RAP is prepared for any WAATP, subproject/activity, Resettlement Management Teams should be proposed and included in the documents. The resettlement management teams should consist of three smaller teams namely:

- Compensation Team;
- Grievance Redress Team; and
- Monitoring and Evaluation Team.

When the World Bank approves the ARAPs/RAPs for implementation, WAATP-MOFA in consultations with the regional/district MOFA offices will set up these resettlement management teams in line with the provisions in the ARAP/RAP. The Compensation Team will be responsible for organizing and ensuring that compensations due or payable to PAPs are made in line with the provisions and procedures of this RPF.

The Grievance Redress Team will be responsible for receiving and logging complaints and resolving disputes. The team will undertake follow-ups on all measures taken to resolve each grievance or dispute to ensure that redress actions are implemented by whoever is mandated to undertake such action. The Monitoring and Evaluation Team will be responsible for the monitoring of the resettlement instrument implementation to ensure that stated targets are met and project affected persons are duly compensated in line with the provisions in the resettlement instrument.

### 13 BUDGET AND FUNDING

#### 13.1 Estimated Budget to Implement RPF

The estimated budget for implementing the RPF is presented in **Table 13.1** below.

Table 13.1 Estimated Budget for RPF Implementation

	Activity	Description	Item	Unit cost, US\$	No	Total Estimated Cost, US\$
1.0	Training and Sensitization/ Awareness Creation	MOFA (relevant directorates and other national stakeholders)	Workshop	10,000.00	4	40,000.00
		Farmers, TA, Extension officers (district/regions), MMDAs	Regional Workshops	10,000.00	8	80,000.00
		FBOs, CSOs, NGOs and Contractors	4no. Regional Workshops	10,000.00	4	40,000.00
		Radio Discussions	Local FM stations	5,000.00	-	5,000.00
2.0	RPF Disclosures	Disclosure of RPF - Advertisements	National Dailies (at least 3 times each in 2no. publicly owned and 1no. privately owned dailies)	LS	-	3,000.00
		Disclosure of RPF – copies to stakeholders	All relevant stakeholders	LS	-	5,000.00
3.0	External Monitoring and Evaluation	EPA – Resource Person	Transport /Accommodation	7,500.00	2	15,000.00
4.0	<b>TOTAL</b>					<b>188,000.00</b>

#### 13.2 Budget for Preparation and Implementation of RAPs/ARPs

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

The cost will be derived from expenditures relating to (1) the preparation of the resettlement instrument, (2) relocation and transfer, (3) income losses and livelihood restoration plan, and (4) administrative costs. These bullet points give the cost centres:

Preparation of resettlement instrument (e.g. ARAP or RAP)

- Cost of survey of affected persons, valuation and inventory of assets
- Compensation payments for affected assets
- Fees of consultants/NGO to be engaged

Relocation Issues, if relevant

- Cost of moving and transporting items
- Cost of site and infrastructure development and services
- Subsistence allowance during transition
- Cost of replacement of businesses and downtime

Income and means of livelihood restoration plans

- Cost of estimating income losses and livelihood assistance

Administrative costs

- Operation and support staff
- Training and monitoring
- Technical assistance

**Table 13.2** is a template for the itemization of budgets to be prepared under the resettlement plans with mainly cash compensation in mind. No resettlement housing is included. The template could be modified to suit local situation.

Table 13.2 Itemization of budget

#	ITEM	GHS
<b>1.0</b>	<b>PREPARATORY PHASE COST</b>	
1.1	Inventory of affected persons, assets and livelihoods	
1.2	Valuation fees (LVD or private valuer)	
1.3	Preparation of resettlement plans or compensation reports	
<b>1.4</b>	<b><i>Subtotal 1 (Preparatory phase cost)</i></b>	
<b>2.0</b>	<b>COMPENSATION COST</b>	
2.1	Compensation for permanent acquisition of land	
2.2	Compensation for temporary occupation of land	
2.3	Compensation for destruction of standing crops	
2.4	Compensation for destruction of permanent immovable structures	
2.5	Compensation for temporary displacement of moveable structures	
<b>2.6</b>	<b><i>Subtotal 2 (Compensation cost)</i></b>	
<b>3.0</b>	<b>LIVELIHOOD RESTORATION /MITIGATION MEASURES COST</b>	
3.1	Compensation for PAPs loss of income	
3.2	Compensation for business persons loss of income	
3.3	Cost of special assistance to vulnerable persons	

<b>3.4</b>	<b>Subtotal 3 (Livelihood restoration/mitigation cost)</b>	
<b>4.0</b>	<b>CAPACITY BUILDING &amp; IMPLEMENTATION COST</b>	
4.1	Capacity building for key stakeholders	
4.2	Disclosure of resettlement instrument	
4.3	Logistical support and engagement of Safeguard Officers	
4.4	Cost for compensation disbursement/grievance redress/monitoring & evaluation activities	
4.5	Legal fees (in case of court dispute)	
<b>4.6</b>	<b>Subtotal 4 (Capacity building &amp; implementation cost)</b>	
<b>5.0</b>	<b>TOTAL COST (addition of all subtotals)</b>	
<b>6.0</b>	<b>CONTINGENCY (5%-10% OF TOTAL COST)</b>	
<b>7.0</b>	<b>GRAND TOTAL COST (Total Cost + Contingency)</b>	

### 13.3 Sources and Arrangements for funding

According to its Involuntary Resettlement policy (OP 4.12), *“the Bank does not disburse against cash compensation and other resettlement assistance paid in cash, or against the cost of land (including compensation for land acquisition). However, it may finance the cost of land improvement associated with resettlement activities.”*

Compensation, land acquisition and resettlement related issues will be funded by the Government of Ghana. The Ministry of Finance is expected to make funds available to the sector ministry i.e. the Ministry of Food and Agriculture (MOFA) for the payment of compensation.

## 14 BIBLIOGRAPHY

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## APPENDICES

Appendix 1	Screening checklist for identifying cases of involuntary resettlement
Appendix 2	Tasks/ToR for the preparation of RAP
Appendix 3	Tasks/ToR for the preparation of ARAP
Appendix 4	Framework for the Census of Affected Assets and Affected People
Appendix 5	Compensation Claim and Commitment Form
Appendix 6	Model Complaint Resolution Form
Appendix 7	List of Persons Consulted

**Appendix 1: Screening checklist for identifying cases of involuntary resettlement**

*(Screening checklist to be kept on WAATP PCU file)*

**A. DETAILS OF PERSON DESIGNATED TO FILL OUT THIS FORM**

Completed by (Name): .....

Contact details: .....

Job Title/ Designation: .....

Date: .....

Signature: .....

**B. PROJECT/SUBPROJECT DESCRIPTION**

Name of Project: .....

Name of Project Execution Entity/Organization: .....

Location of the Project: .....

Type of the Project: .....

Approximate size of the Project in land area: .....

**Location of the project:**

Region: ..... District: .....

Town/Community: .....



### C. THE CHECKLIST

Please fill in the checklist below by ticking applicable answer (Yes or No):

ia. Will the Project lead to permanent acquisition of the land? Yes ...../ No.....

ib. Are there squatters on the land? Yes ...../ No .....

ii. Will the project lead to temporary occupation of the land or use of the land for a limited time frame?  
Yes...../No.....

iii. Based on available sources, consultations with local community/ authorities, local knowledge and /  
or observations, could the project alter any cultural heritage site? Yes...../No.....

iv. Will the project result in the physical displacement of people? Yes...../No.....

v. Will the project result in the permanent removal or damage or demolition of structures or buildings?  
Yes...../No.....

vi. Will the project result in the temporary removal or relocation of structures? Yes...../No.....

vii. Will the project affect or block access to homes, businesses, organisations, farms, forest or any  
assets in general? Yes...../No.....

viii. Will the project result in the permanent or temporary loss or damage to standing crops, fruit or  
economic trees? Yes...../No.....

ix. Will the project result in the loss of income of affected farmer or business person?  
Yes...../No.....

x. Will the project affect farmlands that have been cleared but not cultivated? Yes...../No.....

### D. PROPOSED ACTION

If all the above answers are 'NO' except for the permanent land acquisition only or temporary land occupation only or both, please follow the requirements in the RPF to address any compensation issue.

If there is permanent land acquisition or temporary land occupation or no land acquisition and there is one or more of the above answers as YES, there is need for further action.

The number of affected persons need to be investigated further to determine which resettlement instrument to be prepared in line with the RPF to address the resettlement and compensation related issues.

**E. COMMENTS BY PERSON FILLING THIS FORM**

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

**F. COMMENTS BY THE WAATP ENVIRONMENTAL/SOCIAL SAFEGUARD OFFICER OR PCU/WAATP-MOFA (The ESSO/ PCU/WAATP should sign off this form and attach copy to the project proposal)**

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

Name:

Date:

Signature:

## **Appendix 2: Outline for the preparation of RAP**

(Outline may have to be adjusted based on each specific case)

Reference: OP 4.12, annex A.

1. Description of the sub-project and of its potential land impacts
  - 1.1 General description of the project and identification of the project area
  - 1.2 Potential impacts. Identification of
    - 1.2.1 Project component or activities that give rise to resettlement;
    - 1.2.2 Zone of impact of such component or activities;
    - 1.2.3 Alternatives considered to avoid or minimize resettlement; and
    - 1.2.4 Mechanisms established to minimize resettlement, to the extent possible, during project implementation.
2. Objectives. The main objectives of the resettlement program
3. Socio-economic studies and census of affected assets and affected livelihoods. The findings of socio-economic studies and census to be conducted with the involvement of potentially displaced people include:
  - 3.1 The results of a census survey covering current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
  - 3.2 Standard characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
  - 3.3 The magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic.
  - 3.4 Information on vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made;
  - 3.5 Provisions to update information on the displaced people’s livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
  - 3.6 Other studies describing the following
    - 3.6.1 Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
    - 3.6.2 The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
    - 3.6.3 Public infrastructure and social services that will be affected; and
    - 3.6.4 Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
4. Legal and Institutional Framework.
  - 4.1 Summary of the information included in this RPF
  - 4.2 Local legal specificities if any
  - 4.3 Local institutional specificities

- 4.3.1 Identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;
  - 4.3.2 Assessment of the institutional capacity of such agencies and NGOs; and
5. Eligibility and entitlements. Based on the definitions and categorization in this RPF (see entitlement matrix), definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
6. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
7. Resettlement measures:
  - 7.1 Description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see OP 4.12, para. 6).
  - 7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation of those selected.
  - 7.3 Legal arrangements for regularizing tenure and transferring titles to resettlers.
  - 7.4 Housing, infrastructure, and social services.
  - 7.5 Environmental protection and management.
  - 7.6 Community participation. Involvement of resettlers and host communities
  - 7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities
  - 7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in section 9 of the RPF
8. Grievance procedures. Based on the principle mechanisms described in this RPF, description of affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
9. Organizational responsibilities. The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.
10. Implementation schedule. Based on the template presented in the RPF, present an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. Costs and budget. Tables showing itemized cost estimates for all resettlement activities (see Section 13 of this RPF), including special assistance to vulnerable persons and other contingencies.
12. Monitoring and evaluation. Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the

monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

### **Appendix 3: Outline for the Preparation of the ARAP**

(Outline may have to be adjusted based upon each specific case)

1. Description of the Project and Sub-Projects
  - 1.1. Sub-Project Land Needs
  - 1.2. Land Needs Justification and Minimization
2. Census Survey of Displaced Persons and Valuation of Assets
  - 2.1. Methodology
  - 2.2. Results
3. Affected Assets
4. Socio-Economic Features and Affected People's Livelihoods
5. Description of Compensation and Other Resettlement Assistance
6. Consultation with Displaced People
7. Procedures for Grievance Redress
8. Monitoring and Evaluation
9. Institutional Responsibilities and Arrangements for Implementation
10. Timetable, Budget and Funding Arrangements

**Appendix 4: Framework for the Census of Affected Assets and Affected People**

(To guide the selected consultant or WAATP PCU for the census of affected assets and people)

**AFFECTED PLOT OR LAND SHEET**

Reference/GPS Coordinates:

Location: Region: District: Community/ Village:

Surface:

Description of soil:

Crops

Perennial Crops:	1	Owner:
	2	Owner:
Annual Crops:	1	Owner:
	2	Owner:
Trees:	1	Owner:
	2	Owner:

Structures: Owner

Channels: Owner:

Anti-erosive structures: Owner:

Buildings: Owner:

Users: User 1: Surface used: Regime of tenure:

User 2: Surface used: Regime of tenure:

User 3: Surface used: Regime of tenure:

User 4: Surface used: Regime of tenure:

Valuation proposal (details of calculation on attached sheet):

Crops:

Structures:

Proposed distribution of compensation:

User 1:

User 2:

User 3:

User 4:

Date: Prepared By:

**AFFECTED BUILDING SHEET**

Reference/ GPS Coordinates/Photograph number

Location: Region. District. Community/Village

Owner: Address:

Description:

Permanent                  Non permanent

Surface:                      Number of rooms:

Walls:                      Material                  Condition

Roof:                        Material                  Condition

Floor:                        Material                  Condition

Annexes outside: Latrine:                  Bathroom:                  Kitchen: Others:

Additional features:

Permanently Inhabited:    By:                                  Regime of occupation:

Periodically Inhabited:    By:                                  Regime of occupation:

Valuation proposal (details of calculation on attached sheet):

Proposed distribution of compensation:

User 1:

User 2:

User 3:

User 4:

Date:

Prepared By:

### AFFECTED HOUSEHOLD SHEET

Household Reference:

Location: Region: District: Village:

Photograph numbers for each household member

Reference of Affected Asset:

Type: Structure Plot Crop

Reference of Affected Asset Sheet:

Location: Zone: Region:

Household Information:

Head of Household: Name: Age: Sex:

Identity Document: Type: Number:

Number	Name	Relationship with Household Head	Sex	Age

Composition of Household:

Socio-Economic Information:

Occupations:

Head of Household:

Other members of Household:

Number: Occupation:

Number: Occupation:

Total Estimated Household Cash Income:

Education level of Household Members:

Project Impact:

Assessment of the Impact of the Loss of the Affected Asset on Household's Livelihood:

Proposed Compensation or Resettlement Package

Household's Wishes

Proposed Package

Proposed Livelihood Restoration or Assistance Package:

Household's Wishes

Proposed Package

Date:

Prepared By:



**Appendix 5: Compensation Claim and Commitment Form**

*(To be kept on WAATP PCU file)*

WAATP-MOFA Form C1

COMPENSATION CLAIM & COMMITMENT FORM

**WEST AFRICA AGRICULTURE TRANSFORMATION PRORAM**

**-COMPENSATION CLAIM FORM-**

**Affected Person Information:**

Name of claimant: ..... Sex: ..... Age: .....

Name of Representative/Contact Person: .....

Region: ..... Town: ..... Community/Suburb: .....

Affected property: .....

*Total Compensation Due:*

Affected property value (GHS)	Disturbance (GHS)	Livelihood assistance (GHS)	Other supplementary assistance as necessary (GHS)	Total compensation (GHS)

**Compensation Payment Commitment:**

I, ....., having received the above total compensation amount for the land required/structures/crop(s) at the project site in question on .....(i.e. date of compensation payment), have agreed in principle to vacate or release the said land(s), for which compensation has been paid for the crops/structures/land thereon, on .....(agreed date when PAP should vacate or release the land).

Signature or Thumb print of claimant /recipient: ..... Date: .....

Name of Administrator (MOFA/Project Representative): .....

Signature of Administrator: ..... Date: .....

Contact of Administrator: .....

Name of Witness: ..... Signature of Witness .....

Contact of Witness: .....



.....

.....

If agreement was not reached, specify the points of disagreement:.....

.....

.....

Signed (Conciliator): ..... Signed (Filer/Complainant): .....

Signed: .....

(Independent Observer eg. Assembly Member/Opinion Leader)

Date: .....

**Implementation of Agreement**

Date of implementation: .....

Feedback from Filer/Complainant:      Satisfied       Not Satisfied

If satisfied, sign off & date:.....

.....  
(Filer/Complainant)

.....  
(Conciliator)

If not satisfied, recommendation/way forward:.....

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

(Signature & date of Filer/Complainant)

(Signature & date of Conciliator)

**Appendix 7: List of Persons Consulted**

No.	Name	Designation/ Institution	Contact No.
1	Mrs Azara Ali-Mamshie	Project Coordinator –WAAPP, MOFA, Accra	0277403985
2	Dr. Alphonsus Belane	Technical Expert, WAAPP, MOFA, Accra	0203187606
3	Mr. Augustine Oppong Danquah	M&E Officer, WAAPP, MOFA Accra	0208190692
4	Don Callistus	Procurement Officer	0207592711
5	Mr. Emmanuel Agyei Odame	Deputy Director – Field Services, Directorate of Agricultural Extension Services (DAES), MOFA, Accra	0265330862
6	Mr. George Prah	Deputy Director, Directorate of Crops Services (DCS), MOFA, Accra	0244897314
7	Kingsley Kwaku Amoako	Env't, Land and Water Management Unit, DCS, MOFA, Accra	0244599596
8	Dr. Joseph Awuni	Deputy Director & Head, Accra Vet. Lab., Veterinary Services Directorate, MOFA, Accra	0208116397
9	Mr. Joseph Edmund	Deputy Director, EPA, Accra	0501301396
10	Mr. Ogbamey Tetteh	Station Master, Asuansi Agric Research Station	0540274836
11	Samuel Abubakar Bawa	Station Manager, Asuansi Agricultural Research Station	0244946406
12	Abass Mohammed	Station Manager, Ashanti Mampong Agricultural Research Station	0200513020
13	Mr. Isaac Owusu Mensah	Town & Country Planning Officer, Town & Country Planning Department of the Ashanti Mampong Municipal Assembly	0244036902
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