Government of Cameroon

Resettlement Policy Framework:  
*Community Development Programme*

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Prepared by:

Environmental Resources Management  
1001 Connecticut Avenue, NW  
Suite 1115, Washington DC 20036  
Telephone +1 202 4669090  
Facsimile +1 202 4669191

in collaboration with

ERE DEVELOPPEMENT  
(Etude et Réalisations Economiques pour le Développement)  
Bureau d'Etudes et d'Ingénieurs Conseils  
S.A.R.L.
Government of Cameroon

Resettlement Policy Framework:
Community Development Programme

Reference 9533

Prepared by: Tania N. Mansour
Executive Summary

The following is a Resettlement Framework Policy (RPF) prepared for the Government of Cameroon (GoC) for the proposed Programme de Développement Participatif (PNDP), or Community Development Programme.

The framework has been prepared by international consultants, Environmental Resources Management (ERM), and local consultants, ERE Développement in compliance with the policies and principles of the World Bank, namely Operational Policy 4.12 for Involuntary Resettlement, and the land tenure policies and regulations in Cameroon.

Description of the Project

The PNDP, with the support of IDA financing from the World Bank, will provide programmatic lending over a period of about 10-15 years, in three four-year phases, to support poverty reduction and promote sustainable development in rural Cameroon through strengthened local governance and community empowerment, including marginalized groups. The Programme will more specifically (a) support implementation of demand-driven micro-projects, and (ii) conduct local capacity-building efforts. The programme will consists of four main components:

- Financial support for rural community development (FADCR);
- Strengthening of communes within the decentralization process;
- Capacity building at the local level; and,
- Project management and monitoring.

The first phase of the Programme will initiate this process and refine its mechanisms in four regions: Province du Nord (North), Province de l’Ouest (West), Province du Centre (Central) and Province du Sud (South).

Scope of Land Acquisition and Resettlement

Supported infrastructure micro-projects – primarily improvements to existing villages and commune such as roads, irrigation, and water control, wells and schools – are small in scale and generally expected to cause little or no significant adverse impacts. Nonetheless, past community driven development experience shows that such activities sometimes cause loss of land or loss of access to other resources, particularly in the case of new physical works or changes in the configuration of existing infrastructure. Moreover, lack of appropriate resettlement and compensation guidelines may lead to a cumulative displacement and resettlement over the lifespan of the Programme. Thus, adequate measures must be put in place in order to ensure that all micro-projects are screened for potential resettlement, and where resettlement is anticipated, that the appropriate steps are taken to compensate project affected persons.
Measures to Address Issues of Resettlement and Land Acquisition

The objective of the policy framework is to identify the guiding principles for resettlement planning for the Borrower and to identify the mechanisms that should be put in place in order to screen micro-projects and ensure that appropriate measures are in place to address any issues which arise from potential land acquisition under the PNDP. The structure of the framework is as follows:

Chapter 1 provides a background to the project, outlines the objectives of the framework and provides definitions for key terms used in the framework.

Chapter 2 outlines the policy principles and objectives governing resettlement, which will provide the basis for applying resettlement planning to the PNDP.

Chapter 3 describes the process that will be used to prepare and approve resettlement plans for micro-projects to be financed under the Programme.

Chapter 4 identifies the groups of individuals most likely to be affected by the activities under the PNDP and Chapter 5 provides the eligibility criteria that will be used to define project-affected persons, and to determine methods for compensation.

Chapter 6 outlines the legal and regulatory framework for resettlement planning in Cameroon, and discusses the land tenure policies in the country.

Chapter 7 discusses the legal basis for resettlement entitlement and identifies the entitlement categories.

Chapter 8 outlines the institutional mechanisms and organisational procedures for delivery of entitlements in line with the government's decentralized administration, and Chapter 9 provides the implementation schedule; process for consultation and information disclosure; mechanisms for grievance redress; source of funding; and measures for supervision and monitoring and evaluation.
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INTRODUCTION

1.1 BACKGROUND TO THE PROJECT

The Government of Cameroon (GoC) has requested IDA financing from the World Bank in support of its Programme National de Développement Participatif (PNDP), translated as the Community Development Program.

The PNDP will provide programmatic lending over a period of 10-15 years, in three four-year phases, to support poverty reduction and promote sustainable development in rural Cameroon through strengthened local governance and community empowerment, including marginalized groups.

The purpose of the PNDP is to reduce poverty and promote sustainable development in rural areas of Cameroon. The Program will more specifically (a) support implementation of demand-driven micro-projects, and (b) conduct local capacity-building efforts. Beneficiaries of the PNDP consist of rural communities dispersed in the ten provinces of Cameroon, as well as other organizations including local (communes) and regional public administration and NGOs.

1.1.1 Project Implementation

The first phase of the Programme will initiate this process and refine its mechanisms in four regions: Province du Nord (North), Province de l'Ouest (West), Province du Centre (Center), and Province du Sud (South).

This program corresponds with the central features of the GoC's decentralization program, which was initiated under the Constitution of 1996. The PNDP will also support the ongoing participatory development process being carried out under the Approche Participative au Niveau de Village Program (APNV), and Cameroon's Poverty Reduction Strategy and Rural Development Strategy.(1)

The PNDP will be administered by the Project Coordination Unit at the Ministry of Economic Affairs and Programmes for Urban Planning (MINEPAT) and will be supported by the relevant government bureaus and departments at the provincial, department, and local levels. Table 1.1 illustrates the PNDP roles and responsibilities at the national, regional, provincial, and village levels.

<table>
<thead>
<tr>
<th>Unit</th>
<th>Responsibility</th>
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<tbody>
<tr>
<td><strong>National Level</strong></td>
<td></td>
</tr>
<tr>
<td>National Steering Committee</td>
<td>• Comprised of representatives of relevant Ministries and civil society&lt;br&gt;• Approves and supervises programs of activities</td>
</tr>
<tr>
<td>Project Coordination Unit</td>
<td>• Provides daily program management</td>
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<tr>
<td><strong>Provincial Level</strong></td>
<td></td>
</tr>
<tr>
<td>Provincial Decision Committees</td>
<td>• These committees will be comprised of representatives from public services and from local governments who are responsible for approving local governments micro-projects proposals or inter-community micro-projects.</td>
</tr>
<tr>
<td>Provincial Project Unit</td>
<td>• These units will be in charge of the day-to-day PNDP implementation in each province. &lt;br&gt;• Each unit will be a small team of specialists (regional coordinator, his assistant, a monitoring and evaluation specialist and an accounting specialist) as most of activities will be subcontracted to local service providers. &lt;br&gt;• The Provincial Project Units will be responsible for (i) channeling funds to beneficiaries, (ii) launching capacity building activities, (iii) coordinating activities within the province, and (iv) managing the monitoring and evaluation system.</td>
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<tr>
<td><strong>Commune or Inter-village Level</strong></td>
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<tr>
<td>Communal Decision Committee</td>
<td>• Each committee will hold an equal number of representatives from line ministries and elected representatives of beneficiaries (Local Dialogue Committees / local governments).&lt;br&gt;• Such committees will (i) approve micro-projects proposals making sure of their technical and financial quality, and their consistency with national standards, (ii) coordinate activities between different communities and (iii) supervise micro-projects implementation with regular missions in the field.</td>
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<tr>
<td><strong>Local Level</strong></td>
<td></td>
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<tr>
<td>Local Committees</td>
<td>• These committees are responsible for (i) verification of consistency between micro-projects and Community Development Action Plans, (ii) technical and financial appraisal of micro-projects submitted, (iii) contribution collect, (iv) implementation of micro-projects, (v) participatory monitoring, (vi) submission of requests to Communal Decision Committees, and (vii) election of representatives for Communal Decision Committees.</td>
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1.1.2 Scope of Land Acquisition and Resettlement under PNDP

The first component under Phase 1 of the PNDP aims to provide financial support to rural community development, by co-financing socio-economic micro-projects proposed by communities or communes themselves. Commune-level decision making processes will determine local priorities for investment, selecting from priority lists resulting from village-level participatory processes. After a participatory assessment of their needs, communities/communes will prepare Community Development Plans/Commune Development Plans prioritizing their needs.

The project will co-finance any socio-economic collective micro-projects such as social infrastructure (schools, rural roads, health posts, markets, etc.) and natural resource management activities (as long as they are not included in the negative list and meet the eligibility criteria set out in the Program Implementation Manual) in communes spread over four provinces in Cameroon (North, Centre, West, South). At present, the PNDP has not identified the ceiling on micro-project grants, although it is anticipated that grants will not exceed $US 50,000.

Supported infrastructure micro-projects – primarily improvements to existing villages and commune roads, irrigation, and water control, wells and schools – are small in scale and generally expected to cause little or no significant adverse impacts. Nonetheless, past community driven development experience shows that such activities sometimes cause loss of land or loss of access to other resources, particularly in the case of new physical works or changes in the siting of existing infrastructure. In practice, land is acquired on an ad-hoc basis, but as in many African societies, there exists a traditional communal system for land tenure in Cameroon, particularly in the rural areas. Moreover, participation and institutional consultation are well integrated into community development in Cameroon, particularly in villages, which have benefited from the consultative approaches used at the village level by programs such as the APNV. (1)

1.2 DEVELOPMENT OF A RESETTLEMENT POLICY FRAMEWORK

The following is a Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons (or RPF) developed to address the potential land acquisition, displacement and involuntary resettlement of individuals and communities which may be induced by possible community demand for construction and/or rehabilitation of micro-projects such as roads, bridges, buildings, structures, water supply and sanitation facilities, and other civil work under the PNDP.

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(1) The APNV or Approche Participatif au Niveau de Village is a program aimed at assisting communities in targeting their priorities and in preparing actions plans to meet their community development objectives.
The Resettlement Policy Framework was prepared by the consultants, Environmental Resources Management Ltd (ERM) and ERE Développement, with funding through a PHRD grant, working closely with the PNDP Task Team Leader and Task Team in Washington DC and with the PNDP Coordination team in Yaoundé.

The objective of the RPF is to identify the principles and procedures to be followed in order to compensate people who may be negatively affected by the Programme so as to ensure that they will be assisted to improve, or at least restore their living standards, income and/or production capacity levels to pre-project levels. This framework is being prepared in parallel with an Environmental and Social Management Framework (ESMF), which will provide the appropriate tools and mechanisms to screen micro-projects for potential social and environmental impacts. The ESMF also recommends a program under the PNDP for training and capacity building in environmental management.

It is expected that micro-project screening measures proposed under the RPF will ensure that no major land acquisition or resettlement related impacts occur.

As indicated in the OP 4.12 (par 29), "for each subproject included in a project that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing."

Thus, for any micro-projects requiring acquisition of land or other assets, mitigation measures under an abbreviated RAP will be provided in consistency with this framework.

1.3 **KEY DEFINITIONS**

The terms used in this document are defined as follows.

**Policy Framework** refers to the present document which is the overall Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons for the PNDP. The Policy Framework describes the process and methods for carrying out resettlement under the Project, including compensation, relocation and rehabilitation of Project affectees.

**PAP** means Project Affected Person, and includes any person or persons who, on account of the execution of the Project, or any of its components or micro-projects or parts thereof, would have their:
(i) right, title, or interest in any house, land (including residential, agricultural,
forest and grazing land) or any other fixed or moveable asset acquired or
possessed, in full or in part, permanently or temporarily; or
(ii) business, occupation, work, place of residence or habitat adversely affected; or
(iii) standard of living adversely affected.

**PAF** means Project Affected Family, and consists of all members of a household
residing under one roof and operating as a single economic unit, who are
adversely affected by the Project, or any of its components.

**Resettlement Action Plan (RAP)** means the resettlement action plans prepared
for specific micro-projects.

**Land Acquisition** means the process whereby a person is compelled by a public
agency to alienate all or part of the land he/she owns or possesses, to the
ownership and possession of that agency, for public purpose in return for a
consideration.

**Displacement** refers to the removal of people from their land, homes, farms, etc.
as a result of a project’s activities. Displacement occurs during the involuntary
taking of lands which results in:

(i) relocation or loss of shelter;
(ii) lost of assets or access to assets; or
(iii) loss of income sources or means of livelihood, whether or not the affected
persons must move to another location.

Displacement can also result from involuntary restriction or access to legally
designated parks and protected areas resulting in adverse impacts on the
livelihoods of PAPs.

**Resettlement** means all the measures taken to mitigate any and all adverse
impacts of the Project on PAF’s property and/or livelihoods, including
compensation, relocation (where relevant), and rehabilitation.

**Replacement cost** is the method of valuation of assets that helps determine the
amount sufficient to replace lost assets and cover transaction costs. In applying
this method of valuation, depreciation of structures and assets should not be
taken into account. For losses that cannot easily be valued or compensated for in
monetary terms (e.g., access to public services, customers, and suppliers; or to
fishing, grazing, or forest areas), attempts are made to establish access to
equivalent and culturally acceptable resources and earning opportunities. Where
domestic law does not meet the standard of compensation at full replacement
cost, compensation under domestic law is supplemented by additional measures
necessary to meet the replacement cost standard.
Replacement value means the value determined to be fair compensation for productive land based on its productive potential, the replacement cost of houses and structures (current fair market price of building materials and labor without depreciation), and the market value of residential land, crops, trees and other commodities.

Relocation means the physical relocation of PAPs/PAFs from their pre-Project place of residence.

Rehabilitation means the compensatory measures provided under the RPF other than payment of the replacement value of acquired property.

Dislocation Allowance is a form of compensation provided to eligible persons who are displaced from their dwelling, whether they are landowners or tenants, and who require a transition allowance, paid by the project. Dislocation allowances may be graduated to reflect differences in income levels, and are generally determined according to a schedule set at the national level by the implementing agency.

Disturbance allowance is a form of compensation provided to eligible persons (ie farmers, land users and/or businesses) who are losing income temporarily or permanently, by a disturbance to their land, crops or businesses during construction of a micro-project.

Compensation means payment in cash or in kind of the replacement value of the acquired property.

Micro-project means any micro-project to be financed under the PNDP, more specifically under Component 1 of the project.
2 POLICY PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PLANNING

2.1 PRINCIPLES OF RESETTLEMENT PLANNING

Land tenure and involuntary resettlement are a highly sensitive issue in community development and if not addressed adequately can easily become a source of conflict for individuals and communities and give rise to severe economic, social and environmental risks particularly in developing countries such as Cameroon.

Poor planning can result in: productive systems being impacted; impoverishment to communities due to loss of productive assets or income sources; increased competition for resources due to migration; and negative impacts on cultural identity, traditional authority and community empowerment.

Hence, development of resettlement framework is necessary to ensure that the appropriate mechanisms are in place to avoid such impacts.

2.1.1 Objectives of the Resettlement Policy Framework

The principles outlined in the World Bank’s Operational Policy (OP) 4.12 for Involuntary Resettlement, being generally consistent with the basic objectives of the Cameroonian law under the Constitution of 1996 and more specifically under Ordinance No. 74-1 of 6 July 1974, to establish rules governing land tenure, have been adopted in preparing this policy framework.

The principles and resettlement measures under the policy will apply to all micro-projects funded under the PNDP, whether or not the scale and complexity of the resettlement issues requires preparation of a Resettlement Action Plan (RAP).

A Resettlement Policy Framework, as defined under the OP 4.12, is developed in lieu of a RAP when it is highly unlikely that impacts can be identified prior to micro-project appraisal. This is usually the case with social development funds and community driven development programs, in which micro-projects have not been identified at the early stages of project preparation.

The goal of the resettlement policy is to: "improve, or at least, restore, incomes and standards of living for project affected persons." (1)

(1) World Bank 2002 Resettlement and Rehabilitation Guidebook Washington DC
The resettlement policy will apply to all displaced persons regardless of the total number affected, the severity of the impact and whether or not they have legal title to the land. As guided by the World Bank’s Operational Policy 4.20 for Indigenous People, the resettlement policy should pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous groups (such as Pygmies) \(^{(1)}\) and ethnic minorities or other displaced persons who may not be adequately protected through Cameroon’s land compensation legislation.

\[ \text{2.1.2 General Principles} \]

The general principles for the framework can be summarized as follows:

a) Resettlement and land acquisition will be minimized as much as possible. Where land acquisition is unavoidable, the project will be designed to minimize adverse impacts on the poorest segments of the population (e.g. those holding less than 1 ha).

b) PAPs will be compensated, relocated and rehabilitated, if required, so as to improve their standard of living, income earning capacity and production capacity, or at least to restore them to pre-Project levels.

c) All PAPs residing in, or cultivating land, or having rights over resources within the Project area as of the date of the census survey are entitled to compensation for their losses and/or income rehabilitation. Lack of legal rights or title to the asset(s) taken for the Project will not bar the PAP from receiving compensation, rehabilitation and relocation measures to achieve the objectives set forth under (b) listed above.

d) Compensatory mechanisms to accomplish resettlement include: compensation at full replacement cost for houses and other structures, agricultural land of equal productive capacity, replacement of residential land at least of equal size and not less than 200 sq. m., dislocation allowance and transition subsidies, full compensation for crops, trees and other similar agricultural products at market value, and other assets, and appropriate rehabilitation measures to compensate for loss of livelihood.

e) PAPs forced to relocate due to their house being acquired will be provided full assistance for transportation and re-establishment of their home and will be provided a Dislocation Allowance, in addition to provision of residential land and the replacement cost of their home.

\( ^{(1)} \) An Indigenous People Development Plan (IPDP) is also being prepared for the PNDP to address the potential impacts of the program on indigenous people and groups, namely the Pygmy population in the southern province.
f) Replacement residential and agricultural land will be as close in nature as possible to the land that was lost, and acceptable to the PAP.

g) Where the total amount of agricultural land acquired is less than 20% of the PAP’s farm land for those with holdings more than 1 ha, and 10% of land for those with holdings less than 1 ha, cash compensation may be paid in lieu of land-for-land compensation provided that:

i. the PAP receives full replacement value for the land and all assets on it, without any deductions for depreciation;

ii. the PAP stands to benefit directly from the Project through an increase in income which will off-set the loss of land, such that net production after Project completion is equal to, or greater than, the pre-Project production; and

iii. prior agreement has been reached on acquisition of land through a negotiated settlement at a rate acceptable to the PAP, at replacement value.

h) Above the thresholds provided in (g) above, land-for-land is the preferred option. Land-for-land may be substituted by cash above the threshold provided that land is not available in the proximity of the Project area; thus,

i. PAPs willingly accept cash compensation for land, there is agreement from all adult members of the PAP’s immediate family that cash is the best option for the family, and the cash is paid as in Section (g) above and

ii. cash compensation is accompanied by appropriate rehabilitation measures which together with project benefits results in restoration of SPAF incomes to at least pre-Project levels.

i) The resettlement transition period will be minimized, land-for-land and/or cash compensation provided to the PAPs, and rehabilitation measures completed prior to the expected start-up date of works in the respective sub-project.

j) Resettlement plans will be implemented following consultations with the PAPs, and will have the endorsement of the PAPs.

k) The previous level of community services and access to resources will maintained or improved after resettlement.

l) Any acquisition of, or restriction on access to resources owned or managed by PAPs as common property will be mitigated by arrangements ensuring access of those PAPs to equivalent resources on a continuing basis.

m) Financial and physical resources for resettlement and rehabilitation will be made available as and when required.
n) · Resettlement programs will include adequate institutional arrangements to ensure effective and timely design, planning and implementation of resettlement and rehabilitation measures.

o) Adequate arrangements for effective and timely internal and external monitoring will be made on implementation of all resettlement measures.
3 DESCRIPTION OF THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS

3.1 INTRODUCTION

Resettlement planning shall be mainstreamed into the PNDP design so as to ensure that all development activities are appropriately screened for potential impacts. The steps for resettlement planning are illustrated in Figure 3.1.

As indicated in the OP 4.12, for all subprojects included in a project, the Bank requires that a satisfactory RAP or abbreviated RAP that is consistent with the RPF be submitted to the Bank for approval prior to Bank financing. However, the OP 4.12 (par 30) also suggests that:

"For certain projects, subproject abbreviated RAPs may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. In all cases, implementation of the resettlement plans is subject to ex post review by the Bank."

The steps for resettlement planning are illustrated in Figure 3.1.

Figure 3.1 Resettlement Planning Process for Micro-Projects
3.2 **IDENTIFICATION AND SCREENING OF MICRO-PROJECTS**

Micro-project screening is used to identify the types and nature of potential impacts related to the activities proposed under the Project and to provide adequate measures to address the impacts. Screening for resettlement issues shall be part of the environmental and social screening, as is detailed in the Environmental and Social Management Framework (ESMF), in Chapter 8. Measures to address resettlement shall ensure that PAPs are:

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

3.2.1 **Screening for Involuntary Resettlement**

Micro-project screening will be incorporated into the micro-project application form that Local Committees (LCs) must submit as part of their local development plan to the Commune Decision Committees (CDCs). The goal is to identify and consider resettlement issues as early as possible. The general guidelines to determine whether a resettlement plan is required are as follows:

- For micro-projects that are determined to result in minor impacts, defined under the OP 4.12, when "the affected people are not physically displaced and less than 10% of their productive assets are lost", then an abbreviated RAP is required.
- For projects that may result in more significant impacts, i.e., physical displacement of people, and more than 10% of their productive assets are lost, then a RAP will be prepared. (1)
- For projects not anticipated to result in displacement, and where loss of assets are anticipated to be negligible, then this information shall also be indicated in the micro-project application form along with a request to waive the requirement for an abbreviated RAP. The CDCs shall determine in these cases whether an abbreviated RAP is required for project approval.

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(1) Under the OP 4.12, an abbreviated RAP is required for projects where impacts on the entire displaced population are minor, or fewer than 200 people are displaced. However, under the PNDP activities, it is highly unlikely that resettlement will occur. Hence, in most cases, it is anticipated that an abbreviated RAP rather than a RAP will be required under the program.
3.2.2 **Baseline and Socio-economic Data**

An important aspect of preparing a RAP is to collect baseline data within the project targeted areas to better assess potentially affected communities. The micro-project application form will require an identification of PAPs on the individual and household levels, with particular attention to vulnerable groups (women, children, the elderly, female headed households, ethnic minorities, etc.).

Baseline data for micro-project RAPs will include: number of persons; number, type, and area of the houses to be affected; number, category and area of residential plots and agricultural land to be affected; and productive assets to be affected as a percentage of total productive assets. The CDCs will decide based on a review of this data, whether or not an abbreviated RAP or RAP is required.

3.2.3 **Preparation of a Resettlement Action Plan**

A RAP or abbreviated RAP (as required) shall be prepared by communities, preferably with the support of technical service providers, for micro-projects that have been determined to result in negative impacts. When a RAP or an abbreviated RAP is required, communities shall submit completed studies along with their RAPs micro-project application to the LCs for appraisal, and subsequently to the CDCs for approval.

Detailed guidelines for preparing a RAP and an abbreviated RAP are available on the World Bank’s website and in the World Bank’s Resettlement and Rehabilitation Guidebook. As has been discussed, it is anticipated that the impacts of the PNDP will be minimal, and an abbreviated RAP is more likely to be used.

The basic elements of an abbreviated RAP, as outlined in the OP 4.12 – Annex A, are provided in **Box 3.1**. (1)

**Box 3.1 Minimum Requirements of an abbreviated RAP**

- A census survey of displaced persons and valuation of assets
- A description of compensation and other resettlement assistance to be provided
- Consultations with displaced people about acceptable alternatives
- Institutional responsibility for implementation and procedures for grievance redress
- Arrangements for monitoring and implementation
- Timetable and budget

3.3 REVIEW OF RESETTLEMENT ACTION PLANS

As outlined in the Project Implementation Manual, local villages/communities and communes will identify their priority actions for funding under the PNDP.

Micro-projects to be proposed by communities will be approved by the Communal Decision Committees (CDC) and micro-projects proposed by communes will be submitted to Provincial Decision Committees (PDC). These Committees will review eligibility for micro-projects based on field appraisals, which includes results of the environmental and social screening used. For those micro-projects which require an abbreviated RAP, communities/communes will be assisted through service providers in preparing the required studies and plans.

The studies and plans will be submitted once complete to the decentralized decision committees for screening and approval in compliance with the project institutional administrative arrangements.

It is anticipated that local communities and communes will not have the institutional capacity to prepare these studies and plans during the start of the program and thus will be assisted and supported by local service providers/NGOs. MINEPAT will also have representatives at the CDCs/PDCs to provide the necessary technical support required at this level. Table 3.1 outlines the proposed support team.

Table 3.1 Proposed Technical Support for Resettlement Planning

<table>
<thead>
<tr>
<th>Level of Administration</th>
<th>Required Personnel</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial</td>
<td>4 Environmental and Social Mitigation Officers (one for each pilot province)</td>
<td>These officers will be knowledgeable in application of the ESMF and this RPF, and will be familiar with community laws as provided under the Loi Communale and have thorough knowledge of the land tenure policies in Cameroon. They will work with the PDCs and the Project Units in reviewing and approving RAPs/abbreviated RAPs produced for micro-projects under the PNDP.</td>
</tr>
<tr>
<td>Commune and Village/local</td>
<td>Service pool of consultants/civil servants</td>
<td>A pool of qualified consultants and/or civil servants will be made available through MINEPAT, primarily during the first year, to support the CDCs in reviewing the appraising RAPs submitted by communities. These individuals will be familiar with land tenure policies and compensation procedures in Cameroon. This pool of individuals will also provide technical support to LCs in reviewing RAPs and will be available to visit villages and assist in training communities in the preparation of RAPs.</td>
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</tbody>
</table>
This technical support will be required mainly for the first year phase of the PNDP and will be budgeted as part of the Capacity Building at the Local Level Component.

Safeguard Compliance and Quality Assurance

For quality assurance, it is recommended that RAPs prepared for micro-project during the first year be furnished to the World Bank, as well as the PCU, for review to ensure that the RAPs produced initially are in line with the OP 4.12. Gaps in quality shall be addressed through training at the CDC level for relevant service providers and reviewers, funded by the project as part of the technical support budget. Subsequent RAPs prepared throughout the rest of the project can then be reviewed by the CDCs and PDCs, with an annual independent review process led by the PCU. At this point, World Bank clearance will not be necessary.

3.3.2 Approval of Resettlement Action Plans

After clearance from the PCU, the compensation, resettlement and rehabilitation activities of the RAP will be satisfactorily completed and verified by the communities before funds can be disbursed for civil works under the micro-project.

Moreover, micro-projects that are approved by the CDCs/PDCs will be subject to final approval by the Local Management Units. The EAs and RAPs developed for micro-projects will also be reviewed to ensure compliance with the Bank’s safeguard policies. The criteria for micro-project approval are described in Box 3.2.

Box 3.2 Safeguard Criteria for Micro-Project Approval

- The micro-project has undergone an environmental and social screening in compliance with the World Bank safeguard policies (OP 4.01, OP4.12 and other applicable safeguard policies).
- An Environmental and Social Assessment has been carried out for projects with potential environmental and social impacts
- The need for land acquisition and legal title to land should be determined, and the necessary measures to address these should be implemented
- An abbreviated Resettlement Action Plan (RAP) has been prepared for micro-projects with potential displacement or land acquisition.
- The micro-project in question should ensure that land acquired/required is not (a) in disputed areas, (b) cultural property, (c) negatively affecting indigenous peoples, and (d) is not in natural habitats or protected areas.
3.3.3 Capacity Building

Capacity building shall be integrated into micro-project preparation at the community level through technical assistance (e.g., training) that will allow communities to conduct an initial screening of their own micro-project proposals for environmental and social issues. This will be managed by the proposed Environmental and Social Mitigation Officers with assistance from technical service providers, when necessary (refer to Box 3.1). This training will be incorporated into the PNDP's Capacity Building at the Local Level Component. Under this component, provisions will be made for training of: (a) technicians and communities on community participation methodologies, (b) community organizations on project management and implementation, (c) local administrative, elected, and traditional leaders on their role and functions, and (d) technicians, communities, local administrative leaders on World Bank safeguard issues.

Training will also be provided to community members on financial management, procedures for transparency and accountability, and project management. Special attention will be given to gender balance and representation of vulnerable groups (in particular women and pygmies) as participants in the training programs.

All training will include capacity to develop mitigation measures to address environmental and social impacts and to monitor performance. Capacity building will be targeted at decentralized levels (village, province, region, national), in line with Cameroon's Rural Development Strategy, to ensure that resettlement planning is mainstreamed throughout public administration, specifically as it relates to the Project, providing a linkage with the development of rural municipalities as a key project goal. This is described in detail in Chapter 8 of the Environmental and Social Management Framework.
4. LIKELY CATEGORIES OF PROJECT AFFECTED PERSONS

4.1 IDENTIFICATION OF PROJECT AFFECTED PERSONS

Project affected persons (PAPs) are defined as “persons affected by land acquisition, relocation, or loss of incomes associated with (a) acquisition of land or other assets, and (b) restriction of access to legally designated parks and protected areas.” (1)

At this stage of preparation, it is not possible to quantify the estimated likely number of PAPs since the micro-projects and pilot villages under the program have not yet been identified. (2)

However, the likely displaced persons can be categorized into three groups, namely:

i. **Affected Individual** – an individual who suffers loss of assets of investments, land and property and/or access to natural and/or economic resources as a result of the micro-projects and to whom compensation is due. For example, an individual is a person who farms a land, or who has built a structure that has been demarcated for agricultural use and is now required by micro-project.

ii. **Affected Household** - a household is affected if one or more of its members is affected by project activities, either by loss of property, land, loss of access or otherwise affected in any way by project activities. This provides for:
   
   a) any members in the households, men, women, children, dependant relatives and friends, tenants;
   b) vulnerable individuals who may be too old or ill to farm along with the others;
   c) opposite-sex relatives who cannot reside together because of cultural rules, but who depend on one another for their daily existence; and
   d) other vulnerable people who cannot participate for physical or cultural reasons in production, consumption, or co-residence.

iii. **Vulnerable Households** - vulnerable households may have different land needs from most households or needs unrelated to the amount of land available to them. This provides for:

   a) **Unmarried women** – may be dependent on sons, brothers, or others for support.

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(1) World Bank 2002 Resettlement and Rehabilitation Guidebook Washington DC
(2) The types of micro-projects to be financed under the PNDP have been provided under an indicative list in the Document du Programme (July, 2002) Environmental Resources Management and ERÉ Développement Government of Cameroon
b) *Non-farming females* - these individuals earn income from other sources and/or depend on relatives for "exchanges" of staple foods. If a building of theirs lies on land needed by a micro-project, they will receive replacement cost compensation. An example of a non-farming female is presented in Figure 4.1.

c) *Elderly* – elderly people work and farm as long as they are able. Their economic viability does not depend on how much land they farm or how much they produce because, by producing even small amounts of food to "exchange" with others, they can subsist on the cooked food and generous return gifts of cereal from people such as their kin and neighbors.

d) *Small-scale female farmers* – are vulnerable because they may not have men available within the household to carry out male specific land preparation tasks such as ringing trees. Either male relatives in other households help them voluntarily, or they hire male labor.

*Figure 4.1*  
Non-farming female in the Nyong district, central province of Cameroon
ELIGIBILITY CRITERIA FOR DEFINING VARIOUS CATEGORIES OF PAPS

5.1 CRITERIA FOR PAP ELIGIBILITY

Project affected persons will be entitled to compensation based on the status on their occupation of the affected areas. Under the World Bank's OP 4.12 and the laws of Cameroon, PAPs are defined as:

a) Those who have formal legal rights to land (including customary and traditional rights.

b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized through a process identified in the resettlement plan.

c) Those who have no recognizable legal right or claim to the land they are occupying.

The policy specifies that those individuals covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with the policy. Individuals covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the Government of Cameroon and acceptable to the World Bank.

Individuals who encroach upon the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b), or (c) above are to be provided with compensation for loss of assets other than land.

Owners or occupants of the few houses falling within the area to be acquired under a proposed micro-project or SPAPs will be considered eligible for resettlement. Should any of the resources being adversely affected be owned or managed as common property, all those with an interest in those resources will be entitle to resettlement.
6 LEGAL AND REGULATORY FRAMEWORK FOR RESETTLEMENT

6.1 INTRODUCTION

The land resource and tenure system in Cameroon has evolved over time, due to the influences of colonial regimes, such as the German and the French. Under the German colonial administration, all lands, except those occupied by the "natives" for farms and residence, were expropriated without compensation and said to belong to the Crown. The succeeding French administration adopted a similar tenure regime. Under the French, a land registration and certification system was introduced.

Three successive laws, each reinforcing the nationalisation of all land and natural resources have been enacted in Cameroon since independence. The 1974 and 1976 Land Tenure legislation abolished traditional land tenure systems and prescribed formal land and resource tenure procedures. The 1994 Forestry, Wildlife and Fisheries Law nationalised all natural resources, including all plants and trees and even those planted on privately owned forests.\(^{(1)}\)

Today, land in Cameroon is divided between State owned property and privately owned property. Land belonging to the State is commonly referred to as the national domain and is divided into public property of the State and private property of the State.

It is anticipated that the majority of land to be used for micro-projects under the PNDP are located in community centers and are either owned by communities at large or by individual families or lineages.

6.2 LAND TENURE AND OWNERSHIP

There are a number of laws and decrees related to land tenure, property rights, and expropriation in Cameroon. These are highlighted in Table 6.1 and discussed in more detail below.

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### Table 6.1 Laws and Decrees relating to Land Tenure and Property Rights

<table>
<thead>
<tr>
<th>Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinance No. 74-1 of 6 July 1974 to establish rules governing land tenure</td>
</tr>
<tr>
<td>Ordinance No. 74-2 of 6 July 1974 to establish rules governing State lands</td>
</tr>
<tr>
<td>Ordinance No. 74-3 of 6 July 1974 concerning the procedure governing expropriation for a public purpose and the terms and conditions of compensation</td>
</tr>
<tr>
<td>Decree No. 76-165 of 27 April 1976 to establish the conditions for obtaining land certificates</td>
</tr>
<tr>
<td>Decree No. 76-166 of 27 April 1976 to establish the terms and conditions of management of national lands</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>This legislation reinforces the State's right to be the guardian of all lands and provides the State with the authority to intervene in state development to ensure rational use of land and to defend priorities in line with economic policies of the nation.</td>
</tr>
<tr>
<td>This legislation governs the public and private property of the State and other public bodies</td>
</tr>
<tr>
<td>This legislation outlines the procedures for expropriation of land for public purposes and the necessary measures for compensation in line with the Constitution and the laws regarding land tenure.</td>
</tr>
<tr>
<td>This decree outlines the general provisions for obtaining land certification and certificates for property rights</td>
</tr>
<tr>
<td>This decree outlines the general provisions for management of national lands, including allocation of temporary grants, absolute grant or long lease. The decree also provides guidance on incorporation of national lands in the private property of the State and other public bodies</td>
</tr>
</tbody>
</table>

### 6.2.1 Public Property

Under *Ordinance No. 74-1 (6 July 1974)*, public property shall comprise of all personal and real property which, by nature or intended purposes, is set apart either for the direct use of the public or for public services. Public property is divided into the natural and artificial public property.

**Natural Public Property**

Natural public property comprises coastlands, waterways, and sub-soil and air space.
Artificial Public Property

Artificial public property entails land uses for various public utilities such as:

- transport routes (motorways; national and provincial highways; divisional roads);
- local tracks passable for vehicles and land extending on either side of the center line of the track and non-passable tracks;
- railways and land extending 35 meters on either side of the center line of the track;
- commercial sea or river ports and military sea or river ports;
- telegraph and telephone lines and their connected installations;
- alluvium deposited downstream or upstream of works constructed for general use;
- public monuments and buildings set up and maintained by the State or other public bodies; and
- the concession of traditional chiefdoms and property where the concession of chiefdoms is considered as the joint property of the community.

6.2.2 Private Property

Private property, as defined under the Ordinance No. 74-1 (6 July 1974), includes personal and real property acquired by the State, and lands which support buildings, structures and installations established and maintained by the State.

This can be further divided into the following categories:

- registered lands;
- freehold lands;
- lands acquired under the transcription system; and
- lands covered by a final concession.

6.2.3 National Lands

National lands are not classified as lands in the public or private property of the State and are not covered by private property rights. However, these lands can be allocated by grant, lease or assignment on conditions to be prescribed by decree, and the State may classify portions of national lands under the public property of the State or in that of other public bodies for the purposes of public, economic and social utility.
National lands in Cameroon are defined as:

- Lands occupied with houses, farms and plantations, and grazing lands, manifesting human presence and development;
- Lands free of any effective occupation.

6.3 LAND TENURE UNDER CUSTOMARY RIGHTS

Despite several years of German, French and British administration unregistered, customary tenure not only persists, but is still by far the dominant form of tenure in Cameroon. In fact, customary tenure arrangements can be considered the *de facto* tenure system. Although land and resources, particularly within the conservation sites, have been nationalised, they are subjected to the traditional tenure regime in terms of day-to-day management.

6.3.1 Traditional tenure regime

Access and use rights to land and forest resources are negotiated through a tripartite judicial system consisting of the traditional Council, the clan/family and individual households. The legitimacy of each of these institutions is socially acknowledged and collectively they control tribal/ethnic territories and ensure access to land and forest-based resources for natives and non-natives. Private property is recognised in the form of a household's homestead and its surroundings. Villages having direct boundaries with the designated protected areas claim customary use rights extending into the protected areas.

This is a common feature in Cameroon, particularly where the boundaries of the protected areas are not clearly demarcated. Community members farm, gather, trap and hunt within what they perceive as their *village territories*; part of these territories is often found inside the protected areas.

In contrast, the codified tenure system defines access and use rights in terms of the principles of private ownership necessitates registration but takes no account of the principles underlying customary land and resource access tenure. Under this system, all land and resources belong to the State, except where a parcel of land has been registered.

6.3.2 Traditional Categories of Land

Local communities usually categorize land in three ways according to its use:
- Inhabited, cultivated, and fallow land,
- Exploited bush,
- Bush that is not frequently exploited, and
- Community forests and protected areas.
These uses are categorized by rights which range from individual to community rights.

Inhabited, Cultivated and Fallow Land

Inhabited and cultivated land is generally exploited by individuals. Clearing bush requires heavy labor and usually occurs from September to the start of the April - June season. Customary rights recognize the labor that an individual invests in clearing and maintaining land. The farmer has control over the land he cleared as long as he keeps it in cultivation. In the North province, for example, land must be cultivated continuously or farmers will lose the right of access. Among all ethnic groups, immediate blood kin also have residual rights to any land a recently deceased person was cultivating. If there are no close classified relatives, or once the individual ceases to use this land, it begins to revert back to the community. For this reason, an individual may not relinquish land he is using to an outsider without the general agreement of the village. An example of cultivated land is presented in Figure 6.1.

Figure 6.1 Land being cultivated in the village of Baigon in the West province
Exploited Bush

Exploited bush is considered community land. If a village moves, it retains residual rights to its exploited land. Others can use it but should check first with the village. When a village falls apart or dies out, its land returns to the district wide pool.

Bush Not Frequently Exploited

Bush that is not regularly exploited may be used by anyone. However, bush may contain trees that have been protected by individual farmers who once farmed this land. These farmers would have first claim to the fruits of these trees, even though the land has reverted to bush.

Community Forests and Protected Areas

Conservation sites are considered communal or open access land where exploitation of the natural resources is free to all members of the village community. Each village claims primary, though not exclusive, rights to its perceived village territories usually identified using natural features (trees, rivers or streams). These boundaries, it is believed, are determined by village founders and elders and knowledge of them is passed from generation to generation.

Community members normally live, farm, gather and hunt within their perceived territories. People from other communities are free to hunt in perceived territories of other villages if they are passing through or pursuing an animal, but would ask permission to make more than a casual hunting or gathering expedition. Within each perceived village territory, an individual looking for land to cultivate, after ensuring that no one else has a prior claim to the plot, approaches the village chief and/or village council for permission to cultivate it. Once he has obtained permission to clear the land for cultivation, his claim is established. People moving into tribal areas not owned by them and wanting land to farm may either rent or buy. Land over which there are no individual claims is communal, implying that all community members have equal rights to it and its resources.
6.3.3 Land Occupation for Micro-projects

Acquisition of land to be used by the local communities for development of micro-projects under the PNDF will be governed by the Laws of Cameroon and by the World Bank's OP 4.12. The GoC has identified and allocated agricultural lands for use of the farming community. In addition, MINEF has outlined the boundaries of the nature reserves and protected areas established by law in Cameroon. (i)

A Commune chief has administrative control of the commune lands and acts as a liaison between the government and the inhabitants of the commune. Within villages, the village chief heads the administration, but has no control over the lands. At present, local communities are operating on their own land.

(i) This is not entirely the case in the North province. Communities in this province were complaining that MINEF was reluctant to relinquish control. Seventy percent of Cameroon's protected areas/nature reserves are located in the North province.
7.1 LEGAL BASIS FOR RESETTLEMENT ENTITLEMENT

Compensation in Cameroon is guided by the Constitution of 1996 and under Ordinance No. 74-3 of 6 July 1974 concerning the procedure governing expropriation for a public purpose and the terms and conditions of compensation which states that: "compensation for expropriation shall be related to the direct, immediate and certain material damage caused by the eviction (Article 8)."

Under Article 9 of this Ordinance, compensation for expropriation in Cameroon entails the value of crops, buildings and other installations destroyed calculated in accordance with the valuation scale in force.

Resettlement for the PNDP will be governed by the principles of the World Bank for resettlement outlined in Section 2.1.2 of the RPF to meet Bank standards.

In particular, as stated in the OP 4.12, "compensatory mechanisms to accomplish resettlement should include: compensation at full undepreciated replacement value for houses and other structures, agricultural land of equal productive capacity, replacement of residential land at least of equal size and not less than 200 sq. m., dislocation allowance and transition subsidies, full compensation for crops, trees and other similar agricultural products at market value, and other assets, and appropriate rehabilitation measures to compensate for loss of livelihood."

7.2 ENTITLEMENTS RELATING TO VARIOUS CATEGORIES OF IMPACTS

Project Affected Persons and Families (PAPs/PAFs) shall be entitled to compensation either in cash payments, in-kind contributions, or in the form of assistance, as described in Table 7.1. However, as indicated in the Bank’s OP 4.12, land for land is the preferred compensation.

**Table 7.1 Forms of Compensation**

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Payments</td>
<td>Compensation will be calculated and paid in the national currency. Rates will be adjusted for inflation.</td>
</tr>
<tr>
<td>In-Kind Compensation</td>
<td>Compensation may include items such as land, houses, other structures, building materials, seedlings, agricultural inputs and financial credits for equipment.</td>
</tr>
<tr>
<td>Assistance</td>
<td>Assistance may include a dislocation allowance, transportation, and labor.</td>
</tr>
</tbody>
</table>
7.2.1 Methods of Valuing Affected Assets

Valuing methods for affected land and assets depend on the type of asset. The three land asset types identified under Cameroon’s Ordinance No. 74-3 of 6 July 1974 include:

- State-owned land;
- Privately owned land; and
- Assets held under customary rights.

State owned land would be allocated freely (perhaps except for processing and registration fees); however the CDCs would be expected to pay to acquire land in this category in cases where the state-owned land is being used by individual and/or household farmers. Privately owned property, as well as state owned land would have to be acquired at the market value. The guiding principle is that whoever was using the land to be acquired by the Project would be provided other land of equal size and quality.

However, according to the Ordinance, assets held under customary rights on state-owned land would have to be valued according to the following method for compensation:

- Micro-projects would compensate for assets and investments, including land labor, crops, buildings, and other improvements, according to the provisions of the resettlement plan.
- Compensation rates would be market rates as of the date and time that the replacement is to be provided. As such, current prices for cash crops would have to be determined.
- Compensation would not be made after the entitlement cut off date in compliance with the resettlement policy framework.
- Home sites located in communal property will only be compensated for the replacement value of the structure being acquired.

Because the World Bank policy on resettlement, (OP 4.12), makes no distinction between legal and customary rights, not only assets and investments will be compensated for, but also land. Thus, a customary landowner or land user on state owned land shall be compensated for land, assets, investments, loss of access etc. at market rates at the time of loss.

7.2.2 Compensation Payments and Related Considerations

Individual and household compensation will be made in cash, in kind, and/or through assistance. However, as mentioned earlier, the World Bank OP 4.12 encourages that if possible, compensation be made as land for land, if possible.
The type of compensation will be determined by the PAP/PAF, although every effort will be made to instill the importance of accepting in-kind compensation if the loss amounts to greater than 20% of the total loss of subsistence assets.

Making compensation payments raises some issues regarding inflation, security, and timing. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur, thus market prices shall be monitored within the time period that compensation is being made to allow for adjustments in compensation values. The question of security, especially for people who will be receiving cash compensation payment, needs to be addressed by the CDCs, with oversight from the PDCs. Local banks and micro-finance institutions should work closely with the government at this level to encourage the use of their facilities which will positively impact the growth of the local economies. The time and place for in-kind compensation payments shall be decided upon by each recipient in consultation with the CDCs/PDCs. Monetary payments should be paid at a time in relation to the seasonal calendar.
### 7.7.2 Compensation Matrix

<table>
<thead>
<tr>
<th>General Description</th>
<th>Definition</th>
<th>Compensation approach</th>
<th>Compensation Mechanism</th>
<th>Implementation</th>
<th>Monitoring &amp; Evaluation</th>
</tr>
</thead>
</table>
| **Loss of Agricultural Land**  
Greatest than 20% of the PAP/PAFs total landholding | Area in cultivation, being prepared for cultivation, or that was cultivated during the last agricultural season | Loss of land and labor, shall be compensated by the PDCs/CDCs with funds from the Project, through provision of land of equal productive capacity and which is satisfactory to the PAP/PAF | Use a single rate regardless of the crop, incorporating the combined highest value of all staple crops lost at market value, and the labor costs in preparing new land (the average costs of clearing, plowing, sowing, weeding twice, and harvesting the crop), which is to be updated to reflect values at the time compensation is paid | Land mapping shall be performed at the time of micro-screening by the CDCs or a contracted service provider | The PDCs shall review the compensation determination to ensure transparency and adherence to the policy |
| **Loss of Agricultural Land**  
Less than 20% of the PAP/PAFs total landholding | Same as above | Same as above, however, if the PAP/PAF so wishes and there is an agreement from all adults members of the PAPs immediate family that cash is the best option for the family, and the cash is paid as in section 211 (g) above, cash compensation equal to the full replacement cost of equivalent land at market value may be provided as an alternative | Same as above | For this, the entire PAF must be in agreement to accept cash in lieu of equivalent land. The PAF must also agree with the CDCs on a spending plan for using the money in a productive manner that will benefit all PAF members. This plan shall be submitted along with the abbreviated RAP and kept on file with the CDC | The PDC/CDC shall pay particular attention to the PAF/PAF, to ensure that the compensation is used productively and for the benefit of all family members. A monitoring plan shall be agreed in tangent with the spending plan |
| **Loss of Residential Buildings and Structures**  
Greater than 5% of total area/structure | Includes abandoned structures as a result of resettlement or relocation, or those which are directly damaged by construction | Based on drawings of PAP/PAFs home and its related structures/support services. Average replacement costs will vary based on the different types of buildings and structures, as well as the numbers and types of materials used in construction (e.g., bricks, rafters, straw, doors, etc.) | Prices for construction materials shall be based on the average prices in different local markets, costs for transportation and delivery of these items to the acquired replacement land or building site, and estimates of construction of new buildings, including labor costs. Cash and/or credits will be paid based on replacement costs. For tenants and owners, there is also disturbance allowance granted plus moving costs if any are incurred. The disturbance allowance should be set, so that it does not vary from place to place | Drawings and information on construction materials shall be performed at the time of the micro-screening. Average prices shall be determined at the time of compensation | The CDC shall provide an initial review of compensation measures at the time of application for a micro-project |

Note: The compensation matrix provides a detailed framework for calculating compensation for various losses incurred due to agricultural and residential impacts. It outlines the methods of compensation, the mechanisms for determining compensation, implementation strategies, and monitoring and evaluation processes. The matrix is designed to ensure transparency and adherence to policy standards.
<table>
<thead>
<tr>
<th>General Description</th>
<th>Definition</th>
<th>Compensation approach</th>
<th>Compensation Mechanism</th>
<th>Implementation</th>
<th>Monitoring &amp; Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of Residential</td>
<td>Same as above</td>
<td>Cash compensation for the loss shall be provided at full replacement cost acceptable to the PAP/PAF</td>
<td>Same as above</td>
<td>If the impact on the land/structure is such that the remaining residential land is insufficient to rebuild the lost structure, then the entire land and structure may be ceded to the Project by the PAP/PAF in exchange for equivalent land.</td>
<td></td>
</tr>
<tr>
<td>Buildings and Structures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 5% of total area/structure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Loss of Residential | Non-owners who lease a building or structure for residential purposes | Tenants shall receive assistance for rent and moving expenses, but shall not be relocated | Tenants shall be provided with a cash grant from the Project equal to 3 months' rental fees at the prevailing market rate, shall be assisted in identifying alternative accommodation, and shall be provided with a disturbance allowance, as deemed by the Project, to account for loss of income and additional expenses incurred by moving. The disturbance allowance should be set, so that it does not vary from place to place. | | Tenants shall be identified when site selection is discussed within the LCs/CDCs for specific micro-projects. Tenants shall be provided with adequate notice of their relocation. |

| Temporary Loss of Land | Land that will be acquired for a set period of time as a result of the project | PAP/PAF shall be compensated for their (temporary) loss of income, standing crops, and for the cost of soil restoration and damaged infrastructure based on prevailing market rates | All damages to private land or property including crops shall be compensated at prevailing market rates including compensation for tenants, if any, that includes rental fees and dislocation allowances for when the land/structure is inaccessible. The disturbance allowance should be set, so that it does not vary from place to place. | | |

<p>| Loss of Business buildings and structures | Buildings and structures for income-generating activities | Prevailing average market value for building and materials, in addition to cash compensation for lost business | Compensation shall include (i) provision of an alternative business site(s) in an equivalent business area, (ii) cash compensation for lost business structure reflecting full replacement cost of the structures (without depreciation), and (iii) cash compensation for lost income during transition | Buildings and structures shall be valued at the average prevailing market rate given the nature of their structure and the prices of materials used in construction. Lost income shall be calculated based on the business' past income records, or based on the average incomes of similar stores in the area. | |</p>
<table>
<thead>
<tr>
<th>General Description</th>
<th>Definition</th>
<th>Compensation approach</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Loss of Other Assets</td>
<td>Fixed assets other than land (e.g., fencing)</td>
<td>Replacement shall be negotiated with the owner and shall form part of the construction contract for the micro-project.</td>
<td>When possible, replacement shall be of an equivalent value and in-kind. Replacement costs shall be determined prior to construction and included as part of the bid price.</td>
<td>The CDCs and the PAP/PAF shall negotiate prices based on prevailing market rates.</td>
<td>The CDCs shall be responsible for inspecting the replacement asset to ensure it is acceptable with the PAP/PAF within two weeks of reinstatement.</td>
</tr>
<tr>
<td>Loss of non-productive fruit and shade trees</td>
<td>Trees/vegetation that does not provide income-generating activities, but are used for other purposes.</td>
<td>These trees often have recognized local market values, depending on species and age. Younger trees may be replaced with trees of the same species, in addition to supplies to support the trees' growth (e.g., a water bucket, fencing, and a shovel).</td>
<td>No compensation for minor pruning of trees.</td>
<td>The CDCs and the PAP/PAF shall negotiate prices based on prevailing market rates. No compensation for minor pruning of trees.</td>
<td>Any issues with regards to access to resources shall be addressed in the Annual Audit, in collaboration with the CDCs and the Bureaus of Agriculture, as part of MINAGRI and the Bureaus of Forestry as part of MINEF.</td>
</tr>
<tr>
<td>Loss of economic trees/vegetation</td>
<td>Trees/vegetation that provides income-generating activities.</td>
<td>These trees/vegetation have local market values, depending on size and age and shall be compensated for based on market value. For crops, replacement value is the market value of the crop at midpoint between harvests. Trees should be compensated with the total value of lost production until a new tree reaches the same age and productive status as the one lost. Three to six seedlings should be given to ensure a sturdy replacement.</td>
<td>The replacement should not be a tree for tree, as trees notoriously fail to thrive.</td>
<td>The CDCs and the PAP/PAF shall negotiate prices based on prevailing market rates. No compensation for minor pruning of trees.</td>
<td>Any issues with regards to access to resources shall be addressed in the Annual Audit, in collaboration with the CDCs and the Bureaus of Agriculture, as part of MINAGRI and the Bureaus of Forestry as part of MINEF.</td>
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<tr>
<td>Loss of access to resources grazing land</td>
<td></td>
<td>Compensation shall be provided in the form of access to other, equivalent grazing whenever possible. In-kind compensation may also be offered, if agreed to between the Project and the PAP.</td>
<td>Compensation shall be determined based on negotiation between the CDCs and the PAP for the current year only, and only for the duration of time when lands are inaccessible, in other words, if the project restricts access at a mid-point of the dry season, then the PAP may be compensated for the remainder of the time the PAP anticipated to graze.</td>
<td>Any issues with regards to access to resources shall be addressed in the Annual Audit, in collaboration with the CDCs and the Bureaus of Agriculture, as part of MINAGRI and the Bureaus of Forestry as part of MINEF.</td>
<td></td>
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<tr>
<td>General Description</td>
<td>Definition</td>
<td>Compensation approach</td>
<td>Compensation Mechanism</td>
<td>Implementation</td>
<td>Monitoring &amp; Evaluation</td>
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<tr>
<td>Loss of access to resources materials (e.g., fruit, wood, herbs, etc.)</td>
<td>Compensation shall be paid for those resources that provide the foundation for livelihoods – whether these are used for domestic or productive use</td>
<td>If land/sustainable resources of equivalent value are not available for compensation, cash or in-kind compensation shall be provided, based on prevailing local market rate for the specific materials, and the PDCs/CDCs shall make efforts to provide alternative sources of livelihoods for the PAPs</td>
<td>PAPs losing access to resources shall be identified and notified as part of the compensation process. The PDCs/CDCs shall take all possible measures to provide alternative sources of income-generating activities for PAPs, particularly those identified as vulnerable.</td>
<td>Any issues with regards to access to resources shall be addressed in the Annual Audit, in collaboration with the CDCs and the Bureaus of Agriculture, MINAGRI and the Bureaus of Forestry as part of MINEF.</td>
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8 INSTITUTIONAL MECHANISMS AND ORGANISATIONAL PROCEDURES FOR DELIVERY OF ENTITLEMENTS

8.1 PROJECT CO-ORDINATION AND MANAGEMENT

Compensation and relocation of displaced persons will be funded like any other activity eligible under the project’s administrative and financial procedures, described in more detail in the Project Implementation Manual.

8.1.1 National Level

The Project Co-ordination Unit (PCU) at MINEPAT has the overall responsibility for implementing the Resettlement Policy Framework and for ensuring that all compensation, resettlement and rehabilitation activities are satisfactorily completed before providing approval for disbursement of funds for micro-projects in the case of abbreviated RAPs.

Funding will be processed through this unit which will be set-up and staffed with several members including a Project Coordinator and a Financial Specialist, who will be appointed prior to project negotiations and credit effectiveness. The PCU will manage the day-to-day functions and project activities, *inter alia*, ensuring availability of funds and technical assistance at decentralized levels, i.e. departments and communes.

The key roles of the PCU in terms of resettlement planning are to:

- facilitate the discussion between the villages and the communes regarding compensation for land acquired for the micro-projects;
- monitor the Provincial Project Units’ work to ensure that the activities are carried out in a satisfactory manner;
- organize the necessary orientation and training for the provincial, departmental and commune officials so that they can carry out consultations with communities, support communities in carrying out RAPs and implement the payment of compensation and other measures (relocation and rehabilitation entitlement) to PAPs in a timely manner;
- ensure that progress reports are submitted to the World Bank office in Yaoundé on a regular basis.
8.1.2 Decentralized Administration

At the decentralized level, project administration and resettlement planning run in parallel, and are divided into three levels: (a) provincial, (b) commune, and (c) village. Figure 8.1 and 8.2 illustrates the process of administration and the paragraphs below describe each level of responsibility in more detail.

(a) Provincial level

The PCU will be supported at the provincial level by the establishment of Provincial Project Units (PPU). A PPU will be set-up in each department and staffed with an administrator and accountant among others. These members will be appointed under terms acceptable to the World Bank and prior to project credit effectiveness.

The PPUs will be responsible for channeling funds to beneficiaries; launching capacity building activities; coordinating activities within the province, and managing the monitoring and evaluation system.

(b) Commune level

At this level, a Communal Decision Committee (CDC) will be established with the responsibility to:

- ensure that potentially involved village residents are informed regarding investments and their rights and options relating to land or other assets that may be involved;
- review and approve micro-project proposals prior to appraisal for any investment activities requiring access to private owned or utilized land or other assets;
- coordinate activities between different communities,
- ensure timely provision of compensation in cash or in kind, as required;
- review Contractor performance to ensure that any temporarily utilized land is adequately restored,
- respond to any grievance submitted by PAPs; and
- supervise micro-projects implementation with regular missions in the field.

(c) Village level

At the village level, communities will be involved through participatory approaches in the development of micro-project proposals, in the environmental and social screening of each micro-project and in preparing the necessary safeguard requirements (Environmental and Social Assessments, RAPs) as required. This is explained in more detail in the Environmental and Social Management Framework.
Figure 8.1  Lines of Reporting and Advice on Resettlement Planning

Village

Pilot communities selected under pilot communes

Report format (d)

Commune/ Province

Communal Decision Committees/Provincial Project Units

Advice + support

Report format (e)

National

Project Coordination Unit

Advice + support

Report format (f)

World Bank and MINEF

Advice + support

Advisers + support

Environmental and Social Mitigation Officers

(d)

Environmental and Social Coordinator

(e)

Annual performance review

Mobile Extension Teams (technical service providers)

Advice + support
Table 8.1 Administrative Procedures for Resettlement Planning and Delivery of Entitlements

<table>
<thead>
<tr>
<th>Administrative Level</th>
<th>Process</th>
<th>Technical Support</th>
</tr>
</thead>
</table>
| Village/Community Local Committees | - Carries out screening and scoping of proposed micro-project using the environmental and social screening forms  
- Determines based on screening results whether the proposed micro-project requires a RAP/abbreviated RAP  
- If micro-project requires a RAP, then prepares the plan and submits the micro-project application form with a completed RAP/abbreviated RAP to the appropriate CDC  
- If micro-project does not require a RAP, then submits the micro-project application form for review to the appropriate CDC | Pool of qualified consultants and/or civil servants will be made available through MINEPAT, primarily during the first year, to support the CDCs in reviewing the appraisal RAPs submitted by communities. These individuals will be familiar with land tenure policies and compensation procedures in Cameroon. This pool of individuals will also provide technical support to LCs in reviewing RAPs and will be available to visit villages and assist in training communities in the preparation of RAPs |
| Commune/Inter-village Communal Decision Committee | - Reviews and approves micro-project applications (within 30 days) based on technical and financial feasibility (including the submitted EIAs/ESIAs, RAPs and mini-pest management and mini-waste management plans)  
- Submits approved applications to the PDCs for funding | |
| Province                      | - Reviews and approves applications (within 21 days)  
- Ensures that potentially involved village residents are informed regarding investments and their rights and options relating to land or other assets that may be involved  
- Coordinates activities between different communities and organizes permitting and licensing for proposed projects | Representatives from MINEF, MINAGRI, and MINEPAT will work directly with the PDCs and PPUs to assist with the review and approval of applications |
| Provincial Project Units      | - Responds to any grievance submitted by PAPs  
- Once PDCs approve the applications, PPUs will channel funds to beneficiaries and launching capacity building activities  
- Will also coordinate activities within the province, and manage the | Proposed Land acquisition and communal planning. Specialist will provide needed input and assistance |
<table>
<thead>
<tr>
<th>Administrative Level</th>
<th>Process</th>
<th>Technical Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Decision Committees</td>
<td>monitoring and evaluation system</td>
<td>* Responds to any grievance submitted by PAPs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>* Ensure that compensation has been carried out satisfactorily before construction is approved for micro-project</td>
</tr>
<tr>
<td>World Bank</td>
<td>Provides technical guidance and support particularly during 1st year of program implementation</td>
<td></td>
</tr>
</tbody>
</table>
More specifically, village representatives will assist the CDC in:

- scheduling open meetings to ensure that potentially involved village residents are informed regarding proposed investments, and their rights and options relating to land or other assets that may be involved;
- identification of impacts on land and assets, individuals potentially involved, and the amounts and types of lands and other assets sought from each individual;
- scheduling open meetings for public validation of field measurements and maps relating to siting of proposed activities, and public disclosure and validation of any land-related agreements;
- seeking voluntary contributions or negotiated land acquisition;
- preparing required reports on matters relating to land acquisition;
- facilitating compensation in kind and exemptions from local contributions in relation to land acquisition;
- conducting public meetings to review commune-level annual reviews of implementation performance, to solicit villagers' view on the adequacy of implementation, and to address any grievances, if possible.

8.2 COMPENSATION PROCESS

The compensation process for micro-projects will involve several steps to be carried out in accordance with the measures set out in the micro-project RAPs. These steps include the following:

(a) Public Participation

Public participation with local communities will be an ongoing process throughout resettlement planning. PAPs will be notified by the CDCs during the identification of micro-projects and consulted with as part of the screening process. The subsequent socio-economic survey will record all relevant information about the PAPs, and ensure that this is accurately reflected in the RAP in order to allocate the appropriate compensation. Periodic monitoring will ensure that PAPs have been consulted and that compensation and relocation has been carried out satisfactorily.

(b) Notification

Landowners will be notified by the CDCs that their property is required for development of the micro-project. The user will be informed through both a formal notification, both written and verbal, to be delivered in the presence of the village chief and the village Coordination Committee. To ensure that any sensitive areas are accurately identified during this procedure, all necessary village chiefs, religious leaders, other elders and individuals who control fishing areas, wild trees and bee hives, for example will accompany the survey team to the site.
(c) Documentation of Holdings and Assets

Village officials and the local community will arrange meetings with PAPs/PAFs to discuss the compensation process. For each individual or household affected, the local community completes a compensation dossier containing necessary personal information on, the affected party and those individuals considered as household members, total land holdings, inventory of assets affected, and information for monitoring future arrangements. The dossier must be confirmed and witnessed by village officials and will be kept up-to-date. This is necessary as it is possible for an individual to surrender parcels of land over time and can eventually become eligible for resettlement. All claims and assets should be documented in writing.

(d) Agreement on Compensation and Preparation of Contracts

The types of compensation to be given to will be clearly explained to PAPs/PAFs. The local community will draw up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has an order form which is signed and then witnessed. This contract will then be read aloud in the presence of the affected party and the village chief and local leaders prior to signing.

(e) Compensation Payments

Any and all handling of property such as land and buildings and compensation payments will be made in the presence of the affected party and village chief and leaders.

8.2.2 Community Compensation Payments

In the context of the PNDP, community compensation will be in-kind only for a community as a whole in the form of reconstruction of the structure to at least the same standard or equivalent better standard to that being built by local NGOs in the area to serve the same function. Examples of community compensation include:

- school buildings (public or religious structures, i.e. catholic schools)
- well or hand pump
- market place
- road or bridge
- storage warehouse
DESCRIPTION OF THE IMPLEMENTATION PROCESS AND ARRANGEMENTS

9.1 IMPLEMENTATION SCHEDULE

For each micro-project, a detailed implementation schedule of the various activities to be undertaken will be included in each project's RAP. Likewise, for each micro-project, resettlement schedules will be coordinated with the civil works schedules. Payment of compensation and provision of other rehabilitation entitlements (in cash or in-kind), and relocation if that is the case, will be completed at least one month prior to the scheduled start-up date of works in the respective work site.

9.1.1 Preparation and Review of RAPs during Project Implementation

At this stage in project preparation, it is not possible to predict the number of RAPs which will be produced during the 1st year of project implementation. However, it is likely that there will be very few RAPs required for proposed micro-projects as the majority of land that is required is communal land and has been pre-determined for specific use by the community. As outlined in Figure 8.2, once the micro-project applications along with RAPs are submitted for review, the CDCs and the PDCs have a certain time frame set for review of the documents. This time frame will be agreed to by the GoC once the Resettlement Policy Framework has been accepted by the Government.

Annual Performance Audit

An annual performance audit will be carried out once a year, preferably by independent consultants hired by the PCU, in order to ensure that RAPs are being prepared in compliance with the Resettlement Policy Framework and the OP 4.12, and that compensation has been carried out satisfactorily. The audit report will be submitted to the PCU and to the World Bank for clearance.

9.2 CONSULTATIONS AND INFORMATION DISCLOSURE

Public consultation and participation are essential because they afford potential displaced persons with the opportunity to contribute both to the design and implementation of micro-projects. Public consultation will take place at the inception of the micro-project at the level of local communities assisted by local NGOs, leaders, elders and service providers.

Consultations will occur throughout the entire project cycle, (a) the socio-economic study, (b) the resettlement plan, (c) the environmental impact assessment, and (d) during the drafting and reading of the compensation contract. This is compliant with the primary objective of the PNDP which is to ensure a participatory approach towards community driven development.
Prior to any negotiations, and prior to any land acquisition proceedings, the Communal Decision Committee must provide information about key provisions of this Framework. Potentially affected individuals must be informed that they are not obligated to voluntarily contribute land for micro-project purposes, that involuntary acquisition of land without appropriate compensation is not permitted, and that lodging of a valid objection by an affected landowner will be sufficient cause for micro-project approval to be delayed or withheld.

Additional information to be disclosed will include:
- entitlement to replacement in kind or compensation at replacement cost;
- methods to be used in establishing compensation rates;
- procedures for pursuing grievances, including contact information.

Information should be presented in a language and medium accessible to those potentially involved or affected.

9.3 MECHANISMS FOR GRIEVANCE REDRESS

At the time the RAP is approved and individual compensation contracts are signed, PAPs will have been informed of the process for expressing dissatisfaction and to seek redress. Each village will have an opportunity to comment on annual commune review of micro-project implementation performance. Any grievances may be addressed as part of the review process.

If PAPs are not satisfied with proposed entitlements of implementation arrangements, or are dissatisfied with actual implementation, they can also seek satisfaction through the Communal Decision Committee or its designated officials. If this does not result in resolution of issues, PAPs can also make their grievance verbally or in written form to provincial level officials responsible for project facilitation and information dissemination. If this procedure is also inadequate, PAPs can proceed to make their grievance verbally or in written form to the PCU.

At each level, specified authorities should record receipt of grievances and reply to the PAPs within ten days after receiving the grievances. PAPs will be exempt from any administrative or legal charges associated with pursuing grievances.

9.4 BUDGET AND SOURCE OF FUNDING

Each abbreviated RAP will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how the funds will flow as well as the compensation schedule. The RAP will also clearly state where the sources of land and fund will come from.

As the borrower, the Government of Cameroon carries official responsibility for meeting the terms of this framework, including financial obligations associated with land acquisition. In practice, government funds will not be
regularly available for Commune Decision Councils for this purpose. Therefore, where a micro-project is proposed which requires land acquisition, and where no sufficient sources of necessary compensation funds can be identified, the proposal will be disqualified.

In the case of the PNDP, intermediate sources of support for land acquisition will include the following:

- For every minor land acquisition, where the value of the land taken from an individual is approximately equal to the share of the cash contribution for which the person is responsible, exemption of individuals contributing cash for necessary village Commune Fund contributions may be sufficient compensation; and/or
- With the approval of the relevant commune officials, village cash contributions (at least 3% of estimated micro-project costs) collected from unaffected villagers may be used for payment of compensation to PAPs.

9.5 **SUPERVISION MONITORING AND EVALUATION**

Supervision and monitoring of resettlement issues will be carried out systematically with the supervision and monitoring of the environmental and social issues as identified in the ESMF. The monitoring of these issues will be incorporated into the performance evaluation of the overall project.

**Arrangements for monitoring by implementing agency**

Arrangements for monitoring should fit with the overall monitoring plan of the PNDP, which includes PCU monitoring at the national level and decentralized monitoring through the PDCs and CDCs. These units are expected to have monitoring and evaluation guides established and functional by the end of the first year in the project cycle.

As part of the resettlement plan goals, the monitoring shall evaluate the following:

- whether affected individuals, households and communities were able to maintain their pre-project standard of living, and even improve on it, and
- whether local communities remain supportive of the project.

To facilitate the monitoring procedure, the following indicators in Table 9.1 will be used to evaluate the implementation of RAPs:
Table 9.1  **Indicators for Monitoring and Evaluating RAPs**

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

**World Bank supervision arrangements**

The World Bank will undertake periodic project supervision in the pilot provinces and communes to assess compliance with the Framework requirements, and to recommend any corrective measures that may be necessary to resolve implementation problems or inadequacies.

To facilitate Bank supervision, all approved RAPs will be available for Bank review at the Provincial Decision Committee office(s), and all village-level land use reports, including Statements of Voluntary Contribution and Statements of Negotiated Agreements, will also be available at the commune level.