

REPUBLIC OF THE GAMBIA



**THE GAMBIA INCLUSIVE RESILIENT AGRICULTURE VALUE CHAIN DEVELOPMENT
(GIRAV) PROJECT**

RESETTLEMENT POLICY FRAMEWORK (RPF)

Draft Report

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Abbreviations and Acronyms

AIDS	Acquired Immune Deficiency Syndrome
BP	Bank Policy (World Bank)
CBG	Central Bank Gambia
CERC	Contingency Emergency Response Component
CORAF	West and Central African Council for Agricultural Research and Development
COVID-19	Coronavirus Disease 2019
CPCU	Central Project Coordinating Unit
CRR	Central River Region
DLS	Department of Lands and Surveys
DPPH	Department of Physical Planning and Housing
DOA	Department of Agriculture
DOF	Department of Forestry
EIA	Environmental Impact Assessment
ESMF	Environmental and Social Management Framework
ESF	Environmental and Social Framework
ESS	Environmental and Social Standards
FAO	Food Agriculture Organization
FGD	Focus Group Discussion
GBA	Greater Banjul Area
GCCI	Gambia Chamber of Commerce and Industry
GIRAV	Gambia Inclusive Resilient Agricultural Value Chain Development Project
GIEPA	Gambia Investment and Export Promotion Agency
GEAP	Gambia Environment Action Plan
GM	Grievance Mechanism
GRC	Grievance Redress Committee
HIV	Human Immunodeficiency Virus
LACA	Land Acquisition and Compensation Act
IP	Innovative Platform

KII	Key Informant Interview
LGA	Local Government Authorities
LRR	Lower River Region
MDFT	Multi-Disciplinary Facilitation Team
MG	Matching Grant
MOA	Ministry of Agriculture
MOLRG	Ministry of Lands and Regional Governments
NARI	National Agricultural Research Institute
NBR	North Bank Region
NEA	National Environment Agency
NGO	Non- Government Agency
PAI	Project Area of Influence
PAP	Project Affected Person
PDO	Project Development Objective
PFI	Partner Financial Institutions
PIS	Productive Investment Subproject
PIM	Project Implementation Manual
PSU	Planning Services Unit (Ministry of Agriculture)
RF	Resettlement Framework
RP	Resettlement Plan
RPF	Resettlement Framework
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
URR	Upper River Region
VAC	Violence Against Children
VC	Value Chain
WB	World Bank
WCR	West Coast Region
WHO	World Health Organization

Definitions of Terms Used in the Report

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

“Alkalo” pl. alkalolu: The administrative head of the village usually from the founding family /clan of the village.

“An Environmental Impact Assessment (EIA)”: An environmental assessment instrument to identify and assess major potential environmental impact of proposed sub projects, evaluate alternatives and design appropriate mitigation, management and monitoring measure.

“Bantaba” means an open space in the village where people meet to discuss village matters

“Census” means a field survey carried out to identify and determine the number of Project Affected Persons (PAP) or Displaced Persons (DPs). The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures emanating from consultations with affected communities and the local seyfolu and *alkalolu*.

“Compensation” means the payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets thereon.

“Cut-off date” is the date of commencement of the census of PAPs or DPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation.

“Displaced Persons” mean persons who, for reasons due to involuntary acquisition or voluntary contribution of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not the said Displaced Persons are physically relocated. These people will have their: standard of living adversely affected, whether or not the Displaced Person must move to another location ; lose right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.

“District” means an area demarcated under the Local Government Act 2002 and it is the administrative unit immediately below the Region

“District Authority” means the district authority established under section 132 of the Local Government Act 2002. The District Authority is responsible for managing the affairs of the district

“District Tribunal” means subordinate court at district level that handles customary matters such as land under customary tenure.

“Involuntary Land Acquisition” is defined as the repossession of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested legal rights including customary

“Kabilo”: A collection of families that constitute a village

“Land” includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

“Land acquisition” refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land

that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.

“Local Authority” includes the council and the District Authority

“Local Government Authority” means a council established under the Local Government Act 2002

“Market Value” means the most probable selling price or the value most often sought by buyers and sellers.

“Project Affected Person(s) (PAPs)” are persons affected by land use or acquisition needs of the GIRAV PROJECT. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets, lose shelter, income sources, or means of livelihood. These persons are affected whether they must move to another location.

“Rehabilitation Assistance” means the provision of development assistance in addition to Compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-Project levels.

“Replacement cost” is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

“Replacement cost for houses and other structures” means the prevailing cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs shall include: (a) transporting building materials to the construction site; (b) any labor and contractors’ fees; and (c) any registration costs.

“Resettlement Assistance” means the measures to ensure that Displaced Persons who may require to be physically relocated are provided with assistance during relocation, such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement.

“The Resettlement Policy Framework (RPF)” has been prepared as an instrument to be used throughout the GIRAV project implementation. The RPF will set out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the program. The **Resettlement Action Plans (“RAPs”)** for the NAWEC Project will be prepared in conformity with the provisions of this RPF.

“Restrictions on land use” refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, and restrictions on land use within utility easements or safety zones.

“Seyfo” pl. seyfolu - the administrative head of a district sometimes referred to as District Chief.

Executive Summary

To support agricultural value chain development and to move from subsistence to a more market-oriented agriculture, the World Bank (WB) is financing the preparation of The Gambia Inclusive and Resilient Agricultural Value Chain Development Project (GIRAV) for an amount of US\$ 30 million over a period of five years.

This Resettlement Framework defines the principles that govern involuntary resettlement resulting in the loss of land, access to goods and other sources of income on which project affected people's livelihood depend. It also defines the institutional arrangements, mechanisms for managing the grievances or conflicts, monitoring and evaluation system for resettlement activities.

The Project Development Objective (PDO) is to support the development of inclusive and competitive agriculture value chains¹, focusing on smallholder farmers and agribusiness-entrepreneurs in project-targeted areas. The project comprises the following 5 components:

Component 1: Improving the business environment for commercial agriculture development

The objective of this component is to support establishing an enabling environment that can foster competitive and sustainable development of a commercial agriculture/agribusiness sector in the Gambia. This will be achieved by strengthening the capacity of the key organizations engaged in agri-food value chains and improving producers' market access by providing key market infrastructure and critical Sanitary and phytosanitary (SPS) services.

Component 2: Building a productive and resilient agri-food system

The objective of this component is to increase agricultural productivity through climate-smart intensification of selected production systems focusing on enhancing water management and fostering access to improved technologies and innovations. More specifically, the project will support the following main interventions: (i) Improving water management and expanding irrigated areas; and (ii) Increasing access to technology, innovation, and advisory services.

Component 3: Mobilizing productive private investments along the value chains

This component will provide co-financing and implementation support for competitively selected productive micro-projects in agricultural production, marketing, processing or service provision presented by small private investors, individuals or in groups and SMEs – in the targeted regions and selected value chains. The project will also provide co-financing, on a case-by-case basis, for promising sub-projects in any region of the country based on the investment's prospective impact on the local economy and its contribution to the PDO.

Component 4: Project coordination, monitoring and knowledge management

This component will facilitate: (i) administrative, technical, and financial management of the project; (ii) coordination among all institutional partners to ensure efficient flow of information and support to all value chain actors; (iii) effective contractual arrangements with key implementing partners (GIEPA, NARI, CORAF, etc.) and other private sector operators; (iv) monitoring and evaluation of the performance and

¹ Competitive value chains are defined as those being able to compete in terms of product quality and price on specific market segments. Consequently, they are expected to provide project beneficiaries with better access to markets, and jobs.

the financial, environmental, and social impact of the project; and (v) development of communication activities to publicize and disseminate the project results, best practices and success stories.

Component 5: Contingency Emergency Response (CERC)

This component is included to create a financing mechanism within the project for emergency demands arising from natural disasters, disease and other shocks. It is particularly critical in the context of COVID-19 pandemic as even if the situation is currently manageable, the trend cannot be predicted.

Regulatory and Policy frameworks for land acquisition

The Constitution of the Republic of The Gambia (1997), and the Land Acquisition and Compensation Act (LACA) 1991 provide the legal basis for the acquisition of property by the state for public/ planning purposes. The World Bank Environmental and Social Standards (ESS) 5 on Land Acquisition, Restriction on Land use and involuntary resettlement stipulates the processes and procedures to be followed in cases of involuntary resettlement resulting from the implementation of a Bank financed project. Although the national laws have many points in common with the World Bank'ESS5, there are significant differences, which include the rights of squatters, special assistance to vulnerable and disadvantaged groups, establishment of a grievance mechanism and the inclusion of monitoring and evaluation of the resettlement program.

Valuation and Compensation

Compensation can be in kind, in cash or both and the method of valuation is based on replacement cost for assets (land and properties) affected by the project without considering depreciation, and where the remaining part of a demolished asset is not economically viable, compensation is estimated based on the entire asset. Compensation for land acquired, shall preferably be in kind while buildings and other structures are to be compensated in cash using replacement cost. The report also includes other valuation methods for other assets such as trees and crops. The Table below presents the matrix of compensation packages by type of asset lost and ownership right.

Matrix of compensation packages by type of asset lost and ownership right

Compensation Category	Types	Compensation Method
Land acquisition and compensation (Permanent acquisition) <i>Note: If remaining parcel is not viable, owner has right to require purchase of entire parcel.</i>	Customary lands, private lands	Prevailing market value of the land to be acquired; otherwise, replacement value Owner has the opportunity of being allocated a new plot if one is available and it is suitable to owner's needs
	Agricultural land Less than 20% of land holding affected	Compensation for affected land equivalent to replacement value, taking into account market values for land. Farmer/ title holder Cash
		Cash compensation for affected land equivalent to replacement value

Compensation Category	Types	Compensation Method
	Land remains economically viable.	<p>taking into account market value- Community land</p> <hr/> <p>Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater- Tenant/ lease holder</p>
<p>Compensation for houses/infrastructure irrespective of legality of occupation rights of structure</p> <p><i>This category will include squatters occupying line corridors</i></p>	<p>All immovable structures and physical assets including buildings, concrete floors, perimeter walls, wells, outbuildings, etc.</p>	<p>Replacement value equivalent to the cost of constructing a new structure of similar construction standard and size at prevailing prices without depreciation. Costs for replacement of walls and fences will be calculated by unit length, whilst costs for wells will take account their depth and lining</p> <p>PAPs will be allowed to remove salvageable construction materials, and this will not affect compensation. Transportation costs will be based on truck hire costs commensurate with volume of salvageable materials and possessions</p>
	<p>Temporary structures including kiosks, shacks, converted shipping containers</p>	<p>Full costs of removal and transfer to a location selected by the owner</p>
	<p>For tenants only: compensation for cost of any improvements made</p>	<p>Replacement value</p>
<p>Temporary loss of revenues during construction</p>	<p>Include residential tenants, business operators (whether owners or renters of their premises) and squatters</p>	<p>Full reinstatement or replacement value or a combination of the two</p>

Compensation Category	Types	Compensation Method
Compensation for crops	Standing crops (include <i>groundnuts, maize, millet, etc.</i>)	Valuation based on unit area cultivated (preferably in ha) multiplied by the yield potential (kg/ha) and prevailing market price (price/kg)
Trees (includes timber, fruit trees)	Timber	Valuation based on prevailing market price or the consumer price index
	Banana	Market value of the trees harvested in that year plus one additional year
	Other fruit trees (mangoes, oranges, coconut, guava, papaya)	Number of trees affected x by the average annual yield potential/tree x the number of productive years at time of felling x the prevailing market price

Resettlement and compensation shall be the responsibility of the Gambia Government.

Consultations with Stakeholders

During the preparation of the report and in line with ESS 10, Stakeholder Engagement and Information Disclosure, there were extensive consultations with project stakeholders through focused group discussions (FGD), key informant interviews (KII) and one-on-one meetings. The consultations took place in the Greater Banjul Area (GBA) as well as the five targeted priority regions: West Coast Region, North Bank Region, Lower River Region, Central River Region and Upper River Region. They were attended by farmers and representatives of farmer organizations, women, youth and the elderly. Separate meetings were held with the women facilitated by a female member of the consulting team to enable them to express freely their views especially on issues such as inclusiveness, gender-based violence (GBV), sexual exploitation and abuse (SEA) a female member of the consulting team had separate consultations with them. These consultations help to ensure that potential project beneficiaries are informed about the project and have the opportunity to make suggestions for the improvement of project planning and implementation. Some of the concerns expressed by the local communities during these consultations included:

- Fear that people may lose their land and not be compensated;
- Possibility for youth employment;
- Women's access to land, credit, and farming inputs;
- In some cases, land developed by the projects is under-utilized for various reasons including limited manpower capacity, inappropriate infrastructure for water distribution etc.
- Difficulties in marketing of farm produce;
- Access to training in new farming techniques especially for women; and
- Land degradation.

- The consultations in each of the community visited were documented and an attendance register was opened to record all persons who attended the meeting. Copies of the lists are attached as gives a breakdown of the attendees of the consultations at the various beneficiary communities as follows: thirty consultative meetings (FGD) were held at 15 communities (6 FGD per region) and were attended by a total of 513 persons (381 women and 12 men).

Grievance Mechanism

Grievances resulting from resettlement and compensations will be resolved using a grievance mechanism (GM). The GM consists of a three-tier system: (i) local/community level; (ii) project level grievance mechanism; and (iii) national judicial level. The procedure is that a PAP should first raise a grievance at the local level with the head of the project team in the area that will address it and where necessary use the traditional dispute resolution system involving community leaders. If the grievance is not resolved at this level, it is referred to the Grievance Redress Committee (GRC) at project level. If this proves unsuccessful, the complainant can proceed to the judicial system as provided for in the laws of The Gambia.

Monitoring and evaluation

Monitoring and evaluation will be carried out throughout the project cycle for feedback and the institution of corrective measures where necessary. The Social Development Specialist within the PIU shall be responsible for the internal monitoring and he/she shall be assisted by staff of the Regional Directorates in the project implementing areas. The NEA will have overall supervisory role for monitoring the safeguards compliance of the project at national level. The reports of the monitoring shall be sent to the PIU and the World Bank.

There will be a midterm and final evaluation of the implementation of the RPF/RAP. The final evaluation should preferably take place after all RAP activities are completed including development initiatives, but before the financial commitments to the program are finished. This will allow the flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

Capacity Building

Capacity building is an important aspect in the management of the social and environmental risks of the projects especially in the management of resettlement and the outcome of the stakeholder consultations showed the need for it, particularly since the World Bank's ESF is new. The training will be organized for the CPCU and the project implementing agencies and partner institutions at national and regional levels.

Budget and Implementation of RF

The actual cost of resettlement will be determined after the socioeconomic studies to be conducted during the preparation of the RPF. The Resettlement Plan will include a detailed budget for compensation and other rehabilitation entitlements and cost and an indicative cost of some of these proposed activities is provided in the table below.

Table: Indicative budget for the Implementation of the RPF

S/No.	Activity	Cost in USD	Financing	
			Gambia Govt.	IDA
1	Preparation of RAP	50,000		x
2	Implementation of the RAP- compensation of loss of assets and revenue, relocation of PAP, assistance to vulnerable groups and contingencies	TBD	x	
3	Training of CPCU and regional focal points on the implementation of the safeguard's instruments, notably the screening and GRM.	5,000		
4	External Supervision and monitoring by NEA	5,000		
5	Training/ sensitization of staff of MOA, CPCU, and implementing partner agencies on ESF, particularly ESS1,5 &10 and the GM	10,000		x
6	Community sensitization and information sharing	10,000		x
7	Monitoring and evaluation	15,000		x
8	Total	85,000		x

The total estimated cost for the implementation of the RPF is USD 85,000.00 (Eighty-Five Thousand US Dollars). The Gambia Government will finance the compensation of PAPs. The funds for resettlement compensation will be disbursed in the same manner as the funds for the other components of the project and will comply with the regulations of The Gambia Government on the disbursement of funds by government and quasi-government agencies (i.e., direct transfer to bank accounts of the respective beneficiaries). Where the PAP does not have an account, cash payments shall be made against presentation of a national identification card or some other form of identification acceptable to The Gambian authorities.

The IDA credit will finance the preparation of the RAP, communication and sensitization, capacity building, monitoring and evaluation (mid-term and final evaluation) estimated at USD 85,000.00 (Fifty Thousand US Dollars).

When completed, copies of the RPF/RAP will be widely distributed to various institutions and communities for comments and suggestions for improvement. The document will also be distributed to individuals and community leaders including Members of the National Assembly (NAMs), Regional Governors; Area Councilors among others. It shall also be displayed at "Bantabas" and other important meeting points where it could be easily accessible. For international disclosure, the Government will authorize the World Bank to disclose it on its web site also.

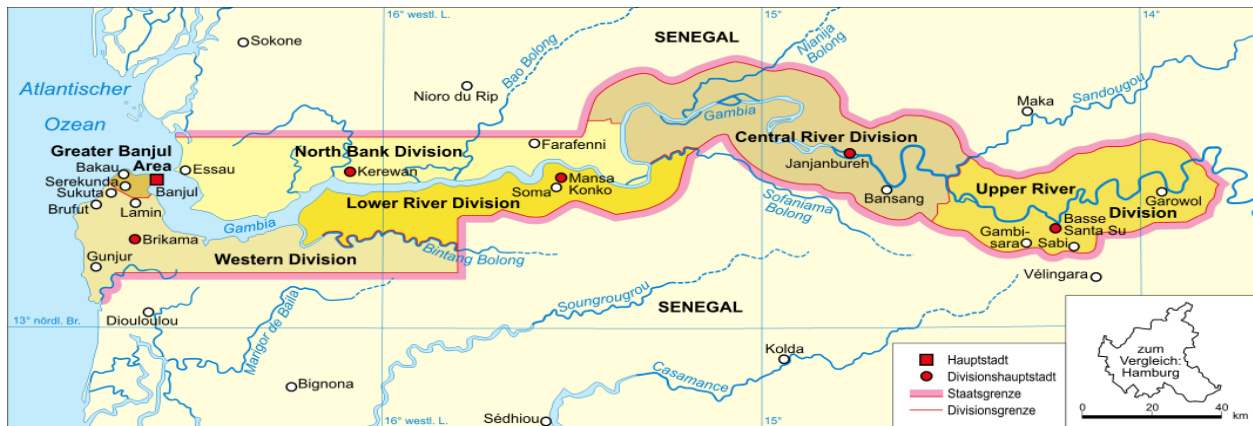
I. INTRODUCTION

To support agricultural value chain development and to move from subsistence to a more market-oriented agriculture, the World Bank (WB) is assisting the Government of The Gambia in the preparation and implementation of The Gambia Inclusive and Resilient Agricultural Value Chain Development Project (GIRAV) for an amount of US\$ 30 million and for five years.

1.1. Project Objective

The Project Development Objective (PDO) is to support the development of inclusive and competitive agriculture value chains², focusing on smallholder farmers and agri-entrepreneurs in project-targeted areas. To achieve this objective, the project will consist of three interlinked technical components, as well as the implementation and coordination component, organized to address the key binding constraints for the development of the agriculture and agribusiness sector. The project will be implemented countrywide, and Figure 1 below shows the map of The Gambia showing the administrative regions.

Figure 1: Map of the Gambia showing the administrative regions



1.2. Project Components

As currently designed, the project comprises five components:

Component 1. Improving the business environment for commercial agriculture development

The objective of Component 1 is to establish an enabling environment that can foster private investment and build a competitive and sustainable commercial agriculture/agribusiness sector in The Gambia. This aim will be achieved by: (i) strengthening the capacity of the key organizations engaged in agri-food value chains and improving value chain coordination and partnership between actors; (ii) developing critical marketing infrastructure; (iii) improving rural connectivity; and (iv) strengthening quality and sanitary and phytosanitary control systems.

Subcomponent 1.1: Strengthening the capacity of the key organizations and improving value chains coordination and partnership- this will includes: (a) Strengthening of producer and professional

² Competitive value chains are defined as those being able to compete in terms of product quality and price on specific market segments. Consequently, they are expected to provide project beneficiaries with better access to markets, and jobs.

organizations; (b) Establishment of well-coordinated/integrated value chains cooperation mechanism among the various players of the targeted value chains to respond to market demand/opportunities;(c) Strengthening the capacity of the Gambia Investment & Export Promotion Agency (GIEPA) and Gambia Chamber of Commerce and Industry (GCCl) for mobilizing, facilitating, and monitoring private investments in agriculture and agribusinesses;(d) Supporting public-private dialogue on specific issues and reforms required for the development of commercial agriculture to ensure sustainability.

Sub-Component 1.2: Developing critical marketing infrastructures- The sub-component will support the establishment/improvement of aggregation/logistics platforms (bulking, storage, conditioning/processing) at critical locations in the project areas. These aggregation/logistics platforms will also offer an efficient access to the main utilities and services to smallholders and SMEs.

Sub-Component 1.3: Strengthening quality and sanitary and phytosanitary control systems will contribute to establishing a coherent food safety and quality control system which is critical for Gambian agricultural products to access exports markets and improving the management of food safety risks for the domestic consumers.

Subcomponent 1.4: Improving rural connectivity by developing and rehabilitating feeder roads along with a maintenance program to ensure sustainability. This program will follow the National Rural Road Development and Maintenance Strategy,

Component 2: Building a productive and climate-resilient agri-food system

The objective of this component is to increase agricultural productivity through climate-smart intensification of selected production systems focusing on enhancing water management and fostering access to improved technologies and innovations.

Subcomponent 2.1: Promoting modern irrigation in women and youth-led agribusiness firms this sub-component aims at promoting the development of new agribusiness firms led by women and youth (18-35 years of age) equipped with modern irrigation technologies.

Subcomponent 2.2: Increasing access to technology, innovation, and advisory services

This component's objective is to increase the access to and wide-scale adoption of improved technologies, innovations and advisory services adapted to the needs and scale of farmers and SMEs, to increase productivity, competitiveness and resilience at farm-level but also downstream of the value chains.

Component 3: Mobilizing productive private investments along the value chains

This Component will support private investments in productive activities and related services by addressing the major market failures that constrain the financing of investments in agricultural value chains. It will (i) develop the capacity of financial institutions (PFIs) to scale up their financing of agri-food value chain actors; (ii) establish a matching grant (MG) instrument to co-finance competitively selected private productive investments; and (iii) provide technical assistance and capacity building to strengthen technical, entrepreneurial, and management skills of smallholders and SMEs.

Subcomponent 3.1: Building the operating capacities of partner financial institutions

This subcomponent will enhance access to commercial credit for agri-food value chain actors. The project will identify PFIs interested in growing this segment of their portfolio and help them and finance the costs of the specialized service providers that will be recruited to deliver these capacity-building activities on the basis of the specific needs expressed by PFIs.

Subcomponent 3.2: Co-funding productive investments to leverage private capital mobilization

This subcomponent will co-finance competitively selected private productive investments sub-project in the targeted VCs in irrigation, agricultural production, marketing, processing or service provision presented by small private investors, individuals or in groups, and SMEs – in the targeted regions and selected value chains or, on a case-by-case basis, promising sub-projects in any region of the country based on the investment's prospective impact on the local economy and its contribution to the PDO.

Subcomponent 3.3: Technical Assistance to smallholders and SMEs promoters of productive investment subprojects

The MG mechanism will be sustained with a technical assistance and capacity building (i) to strengthen technical, entrepreneurial, and management skills of PIS promoters, (ii) to prepare, improve or finalize their business plans; and (iii) to successfully implement their investments.

Component 4: Project coordination, monitoring and knowledge management

This component will facilitate: (i) administrative, technical, and financial management of the project; (ii) coordination among all institutional partners to ensure efficient flow of information and support to all value chain actors; (iii) effective contractual arrangements with key implementing partners (GIEPA, NARI, CORAF, etc.) and other private sector operators; (iv) monitoring and evaluation of the performance and the financial, environmental, and social impact of the project; and (v) development of communication activities to publicize and disseminate the project results, best practices and success stories.

Component 5: Contingency Emergency Response (CERC)

This component is included to create a financing mechanism within the project for emergency demands arising from natural disasters, disease and other shocks. This CERC is particularly critical in this context of COVID19 pandemic as even if the situation is currently manageable, the trend cannot be predicted. Added to it is the locus evasion, which is threatening West Africa region. If such a crisis develops, the government may request the World Bank to reallocate project funds to cover some costs of emergency response and recovery.

The main infrastructural activities of the project are:

- a) Establishment/improvement of critical marketing infrastructures such as aggregation/logistics platforms (bulking, storage, conditioning/processing) at critical locations in the project areas under Sub-Component 1.2
- b) Developing / rehabilitating feeder roads under Subcomponent 1.4
- c) Expanding irrigated areas and providing support to women-vegetables community gardens, youth groups and SMEs under Subcomponent 2.2.

To ensure that the potential social risks and impacts of the proposed project activities are adequately managed during implementation, the Government of The Gambia, as the Borrower, is required to prepare and implement a Resettlement Policy Framework (RPF). The RPF will be based on national legislation and the World Bank's Environmental and Social Framework (ESF) notably Environmental and Social Standard (ESS) 5, Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

1.3. Principles and objectives governing resettlement preparation and implementation

The RPF shall be guided by the following principles and objectives:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- To avoid forced eviction.
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

1.4. Scope

The project is expected to directly benefit 50,000 farmers and other actors of selected agricultural value chains and at least 40 percent of the direct beneficiaries will be women, and 30 percent will be youth. In addition, at least 10 SMEs are expected to benefit directly from the project through capacity building and matching grants. Twenty women-led agribusiness firms for a total of 100 hectares and 5 hectares each, and 100 hectares and 5 hectares each for youth-led horticultural firms will be fully equipped by the project. Other project activities include the development and rehabilitation of 200 kilometers of feeder roads.

However, because the specific locations and number of sub-projects have not been fully defined and the magnitude of the social risks and impacts are unknown at this stage of project preparation, an RPF is prepared. The framework defines the principles that govern involuntary resettlement resulting in the loss of land and other assets and restriction of access to sources of livelihood. It also defines the institutional arrangements, mechanisms for managing grievances or conflicts, the monitoring and evaluation system for the involuntary resettlement activities. The RPF includes an indicative implementation budget and a systematic process of engaging stakeholders at the different implementation stages in conformity with national laws and the requirements of ESS 5, ESS1 and ESS 10 of the World Bank's ESF.

1.5. Methodology

The following methodology was adopted for the study:

a) Desktop Review

This consisted of reviewing relevant documentation (both print and electronic) made available and they include:

- The Project Appraisal Document;
- National legal and policy documents on land administration including compulsory land acquisition; and
- World Bank’s Environmental and Social Framework (ESF) including the Environmental and Social Standards (ESS), particularly ESS 5, Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement, ESS10, Stakeholder Engagement and Information Disclosure and ESS1, Assessment and Management of Environmental and Social Risks and Impacts.

Annex 9 provides the list of documents consulted.

b) Consultations with Key stakeholders

These consultations took the form of key informant interviews with representatives of relevant government agencies and community leaders and focused group discussions with potential project beneficiaries at the community level. The consultations took place in conformity with the national and WHO Guidelines for the reduction of the spread of COVID-19 and the World Bank technical guidance note on consultations in times of COVID-19.

i. Field visits and consultations with communities in the potential project areas

These visits and consultations are necessary to:

- See some of the potential project intervention sites and to discuss with the local communities about the project and its potential social risks and impacts (both positive and negative);
- Provide an opportunity for the potential beneficiaries to express their views and concerns with respect to the potential risks that may arise during project implementation and suggest how these can be addressed by the project;
- Based on the discussions, identify specific interests and discuss potential roles and responsibilities of stakeholders that would facilitate their participation, ownership and sustainability of the project.

The visits included the Greater Banjul Area (GBA) as well as the five targeted priority regions: West Coast Region, North Bank Region, Lower River Region, Central River Region and Upper River Region.

The consultations took into account the needs of vulnerable groups such as women, people with disabilities, elderly and among others. To enable women to express their views freely especially on issues such as inclusiveness, gender-based violence (GBV), sexual exploitation and abuse (SEA) a female member of the consulting team had separate consultations with them.

ii. Key informant interviews

This activity comprises interviews with the members of the Country Team established to guide project formulation and implementation as well as other Government agencies at the regional level. The list of the persons met is in **Annex 6b** and a summary of the key issues discussed is attached as **Annex6a**. The summary of the community consultations is attached as **Annex 7a** and the lists of community members who took part in the discussions are attached as **Annex 7b**.

II. ELIGIBILITY CRITERIA FOR AFFECTED GROUPS/INDIVIDUALS

2.1. Eligibility Criteria for Compensation

Once the screening of a particular project activity establishes that ESS 5 will be triggered the necessary steps should be taken to prepare a Resettlement plan (RP) to identify the persons who will be adversely affected by the project. Affected persons may be classified as persons:

- (i) Who have formal legal rights to land or assets;
- (ii) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; such claims could be derived from adverse possession or from customary or traditional tenure arrangements; or
- (iii) Who have no recognizable legal right or claim to the land or assets they occupy or use.

Persons covered under categories i) and ii) are provided compensation for the land and other assets they lose, as well as assistance in accordance with ESS5. Persons covered under iii) are provided resettlement assistance as well as any assets they may lose but not compensation for the land they occupy if they occupy the project area prior to the established cut-off date. Other assistance, as necessary, may be provided to achieve the objectives set out in ESS 5. Project Affected Persons under categories ii) and iii) above include residential and business tenants, tenant farmers, squatters, petty traders, and businesses operated out of make-shift structures (such as shipping containers and other informal structures).

An important requirement for eligibility is that PAPs are enumerated at their place of work or residence during the RAP census. Where PAPs are not, for one reason or the other, enumerated during the census, or in cases of disputed eligibility, PAPs will be expected to provide proof of their presence in the project area during the census period in order to be eligible for compensation. Proof can include registered land titles, certificates of occupancy, proof of customary ownership, tenancy agreements, rent receipts or development permits. Where PAPs have none of the above, testimony from neighbors, employers, village Alkalos, or District Seyfos will be allowed.

Eligibility may be claimed collectively e.g., as a community or religious group and does not necessarily have to be individuals or families. Communities (on communal lands) that permanently lose land and/or access to assets and or resources under statutory or customary rights will be eligible for compensation. Example of community compensation could be marketplaces, taxi parks, schools and health posts. The rationale for this is to ensure that the pre-project socio-economic status of communities where adversely impacted, is also restored.

2.2. Cut-off Date

For each investment, the cut-off date for eligibility will be set as the date when the CPCU completes the census of people occupying the land to be acquired and the inventory of their assets (land, farm harvests, built structures, and other infrastructure such as wells and fences) and the affected groups have been duly informed of their dues. The same information should be made public in a meeting attended by the persons affected by the proposed sub project. The CPCU will also display the cut-off date at the offices of the Regional Governors, and the Area Councils and publicized in the media.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

2.3. Categorisation of persons likely to be affected

To facilitate the process of determining compensations, PAPs will be categorized according to their level and manner of losses. Thus, persons likely to be displaced (economically or physically) will be categorized into the following groups:

- a) Project affected persons (PAPs) are individuals whose assets may be lost and/or affected, including land, property, other assets, livelihoods, and/or access to natural and/or economic resources as a result of activities of this Project.
- b) Project affected households are groups of PAPs in one household and where one or more of its members are directly affected by the Project. These include members of the household, dependent relatives and tenants.
- c) Vulnerable groups who could be members of affected households. They include vulnerable members, such as those who are too old or too ill; children; those stricken with HIV/AIDS or other severe health conditions; women; unemployed youth, and orphans; persons with disabilities, households headed by women that depend on others for support and are therefore particularly vulnerable. This category runs the risk of seeing their vulnerability increase because of the resettlement unless they are provided with supplementary assistance.
- d) Affected local communities whose socio-economic and/or social-cultural relationships or cohesion are affected by project activities such as the community assets including environmental commons, or cultural cohesion etc.

The socio-economic studies to be undertaken in the preparation of the RAP will clearly define for each project component the specific category of people likely to be affected and during these studies and special attention will be paid to these groups by identifying their needs so that:

- (i) They are individually consulted and given the opportunity to actively participate in the project activities;
- (ii) Their resettlement and compensation are designed to improve their pre-project livelihood;
- (iii) Special attention is paid to monitor them to ensure that their pre-project livelihood is indeed improved upon;
- (iv) They are given technical and financial assistance if they wish to make use of the grievance mechanisms of the project; and
- (v) Decisions concerning them are made in the shortest possible time.

2.4. Assistance to vulnerable and disadvantaged persons

Involuntary resettlement affects poor and vulnerable segments of populations more severely than those that are better off. As a result, this resettlement process will extend recognition and support to all vulnerable and disadvantaged groups including orphans, female-headed households, small scale female farmers, elderly persons, people living with disabilities and people living with HIV/AIDS and other severe illnesses. Such assistance shall ensure that women working on fields they do not own get compensation for the loss of livelihood and that women and youth have a fair share of the compensation of family lands affected by the project.

III. POLICY AND REGULATORY FRAMEWORK FOR LAND ACQUISITION AND INVOLUNTARY RESETTLEMENT IN THE GAMBIA

3.1. Land Administration in The Gambia

The Ministry for Lands, Regional Governments and Religious Affairs is the main government agency responsible for the land administration in The Gambia with its two key technical departments: the Department of Lands and Surveys and the Department of Physical Planning and Housing. The former is responsible for the survey, mapping and demarcation of national and international boundaries and government layouts, whereas the latter is responsible for ensuring the rational and equitable utilization of the available land resources.

The main acts relating to land administration are the Lands (Regions) Act 1991, which covers land in the provinces and the State Lands Act 1991, which covers Banjul, the entire Kombo St. Mary as well the Districts of Kombo North, South and Central in the West Coast Region. There are also the Physical Planning and Control Act 1991 and the Surveys Act 1991; Local Government Act, 2002; The Survey Act, 1991, Land Use Regulations, 1995; Lands Commission Act, 2007; State Lands Regulations, 1995; Development Control Regulations, 1995

3.2. Land Tenure in The Gambia

Land tenure in both the provinces and the state land areas fall under four main categories:

- i. Customary;
- ii. State Ownership;
- iii. Leasehold;
- iv. Free hold.

Customary or traditional tenure is an interest or title, which a member of the larger community acquires in the communal land. It is an interest, which is held as of right by virtue of being a member of the community. The member who holds such interest has the right of beneficial occupation, unfettered use (subject to the laws of the country). Upon death, the interest devolves on his/her successors in title ad infinitum. This form of tenure is mostly prevalent in the provinces.

State owned lands are public lands, specifically acquired by the government under an appropriate enactment using the state powers of eminent domain. Currently the relevant legal instrument is the State Lands Act of 1991, which provides for the compulsory acquisition for public purposes or in the public interest. Under such ownership, the rights become vested in the government, which can then proceed to dispose of the lands by way of leases, certificate of allocations etc. to the relevant beneficiary state institutions as well as private individuals and organizations.

Leasehold tenure involves the execution of a lease between individual(s) and the Government/ District Authority for a period of 21 years for Provincial lands and 99 years in the state lands area. The grantor may impose various terms and conditions including the payment of rent as consideration for the grant.

Free hold tenure is the highest form of ownership with no term limits, and it is only created by express grant from the Government. It is a rare form of tenure that confers absolute ownership of the land and it exist mainly in Banjul and the immediate suburbs.

3.3. Women and Land ownership

Generally, cultural norms and custom have marginalized women in decision-making and limited their access to land ownership. For GIRAV Project, women's access to project benefits could be undermined by land use and tenure rights, which favor men since important decisions relating to land including inheritance and ownership are made by the men,. Even though women farmers engage in cash crop production, just as men, production inputs and assistance during this Project's implementation could be in favor of the men, given the male-dominated environment within these localities. The women could be disproportionately excluded from these benefits.

3.4. The Laws on Compulsory Acquisition

In addition to The Lands (Provinces) Act 1991 and the State Lands Act 1991, the other relevant national laws with respect to compulsory land acquisition, compensation and resettlement are:

- The Constitution of the Republic of the Gambia 1997,
- The Land Acquisition and Compensation Act 1991.

3.4.1. The Constitution of the Republic of the Gambia 1997

The Constitution of the Republic of Gambia (1997) recognizes and upholds the principle of private ownership of lands. Although the State has the inherent right of compulsory acquisition, the Constitution clearly states that this can only be done in public interest. Article 22 of the Constitution states that, "*No property of any description, shall be taken possession of compulsorily, no right over or interest in any such property shall be acquired compulsorily in any part of The Gambia, except:*

Section 1(a)" The taking of possession or acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such a manner as to promote public benefit;" and

Section 1(b)" the necessity therefore is such as to afford reasonable justification of the causing of any hardship that may result to any person having any interest in or right over the property;"

Section 1(c) provides for the prompt payment of fair and adequate compensation and aggrieved persons have a right of access to a court or other impartial and independent authority for redress. Section (4) expressly stipulates that where the compulsorily acquisition involves the displacement of any inhabitant who occupy the land under customary law; the Government shall resettle them on suitable alternative land with due regard to their economic wellbeing and social and cultural values.

An important provision in the Constitution (Section 6) provides for returning the lands to the original owners when such lands are not used for the purpose for which they were compulsorily acquired.

3.4.2. The Land Acquisition and Compensation Act (LACA) 1991

This Act provides the legal basis for the acquisition of property by the state for public/ planning purpose. Section 3 of the Act provides that all land acquired under the provisions of the Act shall be designated as state land and shall be administered under the provisions of the State Lands Act 1991. Section 4 empowers the Minister to acquire any property for public/planning purpose paying such consideration or compensation as may be agreed upon or determined in accordance with the Act.

Section 11 of the Act provides for compensation for land acquired under LACA. In computerizing the compensation, the market value of the property is taken. The open market value means the best price at which an interest in property might reasonably be expected to be sold at the time of valuation. The method often used to determine the open market value is the cost of replacement method. This method is based on the current cost of construction of the structures and improvements, including design, supervision, financing costs depreciated to reflect the remaining useful life and the state of repairs of the structure.

In its practical implementation, whenever land is required for public purpose, the Land Administration Board may enter upon and survey such land to ascertain whether the land is suitable for the purpose for which it is required as well as to determine and mark out its boundaries.

When the Minister of Lands directs on the acquisition of any such land under this Act, notices are given to all persons having interest or claiming to be entitled to the land following a reasonable period of enquiry for the purpose. By such notice, which must be published in the gazette at least once, such persons shall be asked to yield up possession of the land specified in the notice after the expiration of a specified period of time, which shall not be less than six weeks from the date of the notice. It is only after the expiration of the period specified in the notice that Government can be entitled to enter into and take possession of the land.

3.4.3. Dispute Resolution

The Land Acquisition and Compensation Act provide that all disputes and disagreements on compensation or title can be settled by arbitration or by the Supreme Court. These claims have to be lodged within 21 days from the date of the notice and they may relate to unsatisfactory evidence to support claims or any disagreement between a landowner/occupier and the Board.

All cases of disputed interest or title, except those held under customary occupation, may be referred to arbitration with the consent of the landowner. For land under customary tenure, disputes are referred to the relevant District Tribunal.

All cases of disputes that are not settled by either arbitration or a District Tribunal shall be determined by the Supreme Court through a summons taken out by either the Attorney General or by any person holding or claiming any interest in the land to be acquired. The Supreme Court shall also have jurisdiction to hear all other cases of disputes arising from compulsory acquisitions.

3.5. World Bank Environmental and Social Standard (ESS) 5

3.5.1 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement-ESS5

The Environmental and Social Standard (ESS)5 recognizes that project-related land acquisition, restrictions on land use and involuntary resettlement may cause physical displacement (relocation, loss of residential land or loss of shelter, etc.), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood) or both. The displacements can be either permanent or temporary and ESS5 seeks to mitigate the unavoidable adverse social and economic impacts from land involuntary resettlement.

The specific objectives of ESS5 are:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- To avoid forced eviction.
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

When the sites of the subproject activities are not known, ESS 5 provides for the preparation of a Resettlement Policy Framework (RPF). Once the subproject or individual project components are defined and the necessary information becomes available, the framework is expanded into a specific plan proportionate to potential risks and impacts. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been finalized and approved by the Bank and the affected project persons fully compensated for their losses.

3.6. Gap Analysis between Gambian Laws and World Bank Policies

This section gives a comparison of the requirements of the Land Acquisition and Compensation Act, 1991 of The Gambia and those of ESS5 of the World Bank. The principal findings of the gap analysis are summarized as follows:

Gambian law addresses some of the requirements of ESS5 but some gaps also exist. The similarities include:

- i) Generally, both accept that those losing land or property should be properly compensated and that compensation should be assessed using replacement cost method;
- ii) Notification of compulsory purchase is required, and redress is provided through arbitration or the judicial system;

Some of the important gaps include:

- i) Whilst ESS5 aims at minimizing severe long-term hardship, impoverishment, and environmental damage caused by involuntary resettlement, current national laws focus more on the compulsory acquisition and subsequent payment of appropriate compensation. There is no provision to minimize hardships beyond compensation payment. Thus, additional measures such as allowances for 'disturbance' and assistance to resettle PAPs are not provided for by Gambian law;
- ii) Unlike ESS5 which covers economic and social impacts resulting from physical and economic displacements, Gambian law does not provide for additional measures to aid livelihood restoration or to provide special assistance to vulnerable groups;

- iii) The LACA, 1991 provides no legal requirement to prepare RAPs, or to undertake monitoring of the resettlement process unlike ESS 5
- iv) The Land Acquisition and Compensation Act, 1991, provide for limited consultation procedures. Apart from a disclosure notice informing the landowners of Government’s intention of acquiring their property compulsorily for public purposes, the Act has no provision for public consultation and involvement in the acquisition process;
- v) The Land Acquisition and Compensation Act recognize only those who have legal title to the land to be acquired. Consequently, those who do not have a legal right to land such as squatters whether residential or business and renters, are not entitled to any compensation for lost property, assets or earnings.
- vi) The Land Acquisition and Compensation Act provide no legal requirement to prepare Resettlement Action Plans (RAPs) or to undertake monitoring of the resettlement process.

Table 1 below is a summary of the gap analysis between ESS 5 and The Gambia’s laws and regulations on land acquisition and in cases where there are significant differences whichever policy is of a comparatively higher standard will apply.

Table 1: Gap Analysis of the Land Acquisition and Compensation Act (1991) and the World Bank ESS5

Provision	Land Acquisition & Compensation Act	ESS 5	Recommended action
Compensation	-Compensation required -Compensation to be assessed as replacement value	1.Compensation required 2. Compensation to be assessed as replacement value	Non
Notification	Required	Required	Non
Addressing Grievance	Addressed through the legal system	Addressed first through the project grievance mechanism and where this does not succeed through the legal system	Provisions of ESS 5 apply
Consultation	Provides for limited consultation procedures	Meaningful consultation with appropriate disclosure of information, and the informed participation of those affected	The provisions of ESS 5 apply
Approach to Resettlement	Merely provides for compulsory acquisition of land for public purpose and subsequent payment of compensation	Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment	The provisions of ESS 5 apply

Provision	Land Acquisition & Compensation Act	ESS 5	Recommended action
		resources to enable displaced persons to benefit directly from the project	
Entitlement Coverage	Only provides for compensation of assets impacted.	In addition to compensation, PAPs are provided additional support for livelihood recovery and vulnerable groups are provided special assistance.	The provisions of ESS 5 apply
Minimizing Resettlement	No explicit requirement to minimize involuntary resettlement	Involuntary resettlement should be avoided or, when unavoidable, minimized by exploring project design alternatives	The provisions of ESS 5 apply
Eligibility	Recognizes only those who have legal title	In addition to those with legal title, ESS 5 also recognizes squatters	The provisions of ESS 5 apply
Cut-off Date	The date that the MORGL notifies landowner of the approval to proceed with the acquisition of the land for public purposes	The date when the census of the people and the inventory of their assets is completed	The provisions of ESS 5 apply
Preparation of RAP	No legal requirement to prepare RAP	RAP required	The provisions of ESS 5 apply
Monitoring of Resettlement Process	Monitoring of resettlement process not provided	Monitoring of resettlement process required	The provisions of ESS 5 apply

3.7. Institutional Framework for Resettlement

For the purpose of this RPF, the main institutions involved and their responsibilities at national, regional, local and / community levels are presented below.

i) National Level

At the national level, the following agencies will be involved:

a) Ministry of Lands, Regional Governments and Religious Affairs

As explained above, the Ministry of Lands, Regional Governments and Religious Affairs is the apex institution responsible for land administration in the country and it is the custodian of all land-related legislation (including the Land Acquisition and Compensation Act, 1991).

b) Technical Departments of the Ministry

The technical departments of the Ministry namely: Department of Lands and Surveys and the Department of Physical Planning and Housing will be consulted by project for technical advice and guidance on land related issues.

c) National Environment Agency (NEA)

The NEA is responsible for environmental management in The Gambia, and it prescribes standards and guidelines relating to environmental protection and/or pollution. It may, by notice in writing, direct any developer carrying on any project to submit an Environmental Impact Assessment covering the project.

In this project, the NEA will be responsible for monitoring the potential environmental risks and impacts of resettlement.

d) Attorney General's Department

The Attorney General's Department has redress mechanisms in place for aggrieved persons. Affected persons who are not satisfied with their compensation are empowered by the constitution to seek redress in a court of law. When this happens, the Attorney General's Department represents the government in the court proceedings. The Attorney General's Department is also responsible for drafting the Executive Instrument for compulsory land acquisition for projects.

ii) Regional Level

a) Local Government Authorities

The Local Government Authorities are responsible for maintaining the register of all properties in their jurisdiction for rating purposes and in this way, they have register of ownership albeit not always very accurate. In this project, they will be required to register all voluntary land donations.

b) Governor's Office

The Governor's office processes and prepares all applications for leases within their jurisdiction. The Governor is the chairperson of the Regional Physical Planning Authority. Disputes among communities over land are referred to the office of the Governor if they cannot be solved at the district level. Leases for land in the provinces for agri-business enterprises also have to be processed through the Governor's Office.

iii) Community level

i) District Authorities/Tribunals

According to the Lands (Regions) Act 1991, customary land is vested in the District Authority, which is chaired by the District Chief. The District Authority approves all applications for conversion of customary tenure to leasehold and also considers and approves all applications for transfer of ownership of land within its jurisdiction. The District Authority is also the second tier of the dispute resolution mechanism for land ownership disputes when the Alkalo and village elders cannot solve it. The District Tribunal is the traditional court also chaired by the District Chief, which presides over cases relating to land disputes and ownership. In this project the District Authority will be involved in the processing of leases.

ii) Alkalolu

The Alkalo (Village Head) supported by the village elders oversees the management of all customary land tenure in the village on behalf of the village and the District Authority. As a result, the mandate to allocate village land is vested in the Alkalo and their respective Kabilo heads. As such the Alkalo approves all allocation and transfers of land made by Kabilo heads as well as individuals. The Alkalo collects land rates on behalf of the local government authorities (Area councils). Under this project The Alkalo in conjunction with the Kabilo heads will be required to endorse all voluntary land donations, as well as support resolution of disputes relating to land at the level of the community/village.

IV. PREPARATION AND APPROVAL OF RESETTLEMENT PLANS AND EVALUATION OF ASSETS AND COMPENSATION

4.1. Description of the process for preparing and approving resettlement plans

The following steps will be followed in preparing and approving resettlement plans:

4.1.1. The screening process

Initially, there is the screening form of the Environmental and Social Management Framework, which identifies the potential social risks including the risks of involuntary resettlement and outlines the measures to address these risks. Consequently, once an infrastructure subproject of the GIRAV is known, the Regional Project Focal Point in the region where the investment is to take place shall screen the subproject investment using the **Involuntary Resettlement Screening and Categorization Form (ANNEX 1)**. The form will determine whether a particular sub-project(s) requires land or not and if it does the size, location and availability as in points in particular to answer the following questions:

- Will the infrastructure result in land acquisition, displacement, loss of assets, or access to assets (Yes or No)?
- Will the infrastructure result in the permanent or temporary loss of crops, fruit trees, and household infrastructure (such as granaries, outside toilets and kitchens, etc.)? (Yes/No)
- Will access to facilities, services, or resources, or businesses be lost/restricted? (Yes/No).

If the answers to all these questions above are 'No,' the construction poses no resettlement concern. If one or more of the answers are 'Yes,' then a Resettlement Action Plan (RAP) is required. The results of the screening are forwarded to the CPCU for review and approval for the preparation of the RAP. The CPCU will recruit consultant(s) to prepare the RAP which will entail amongst others a census and a baseline socioeconomic survey of PAPs and the assets lost and their value. The completed plan will be submitted to CPCU and the NEA for review and approval. The screening of project components must be carried out on a case-by-case basis.

Once approved, the CPCU can proceed with implementation, which commands priority over the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before the necessary measures for resettlement are in place. The CPCU will ensure that compensation is effected in line with the national laws and World Bank ESS 5.

4.1.2. Consultations

During the entire process of preparing the RAP, consultations with the public is essential to make them aware of the assets to be impacted, the value of the compensation and the method used to value such compensation. The consultations also offer the PAPs an opportunity to express their views on the RAP preparations, particularly on the compensation of assets impacted. During this process special attention should be given to the vulnerable individuals and groups such as women, elderly, persons with disabilities and others to ensure that they are not disproportionately affected by the resettlement plan. Public participatory consultation will be done through stakeholder meetings in locations agreed to by them. Each household will be informed on entitlement eligibility criteria, modes of compensation, complaints and grievances resolution procedures.

4.1.3. Baseline Survey

Preparation of the resettlement plan will entail undertaking a baseline survey consisting of a census of all affected persons and assets and a socio-economic survey of the conditions of the affected persons.

The census would identify potentially affected individuals, households and vulnerable groups (children, the elderly, female-headed households, widows/widowers, landless, etc.). The socio-economic study will collect baseline socio-economic data of the potentially affected populations/communities within the project targeted areas. The socio-economic assessment would focus on identification of stakeholders (demographic data), the participation process, identification of affected people, impact on their property, their production systems, the institutional analysis and the system for monitoring and evaluation. Detailed calculation of household economies and identification of all impacts will be necessary in the socio-economic assessment and be determinant in the potential compensation process.

4.1.4. Development of a Resettlement Action Plan

The content of a resettlement action plan depends upon whether a full RAP where a major resettlement involving 200 or more persons is to be prepared. Less than this number an abbreviated RAP is prepared. The content of both a full RAP and an abbreviated RAP is attached as **Annex 2** and **Annex 3** respectively. The terms of reference for the preparation of a Resettlement Action Plan are attached as Annex:8

4.1.5. Review and Approval of the RAP

The completed RAP will be submitted by the CPCU to the NEA, which will convene a national validation meeting of all stakeholder. The review will:

- i. Identify and assess potential impacts for the proposed subproject components and determine whether land is required and whether displacement or loss of access and/or property may occur;
- ii. Review the environmental and social impacts of the proposed resettlement;
- iii. Examine whether the RAP has adequately covered all the resettlement issues resulting from this subproject activity;

The comments and observations from this review meeting together with those of the World Bank will be incorporated in the final document for approval. Once approved, the CPCU the PCU will then proceed to implementation of the RAP.

4.2 EVALUATION OF ASSETS AND COMPENSATION

Valuation is the process of determining the value of land, or an asset that PAPs possess or use. Compensation for all land use and assets in kind or cash will be required for the following:

- *Land;*
- *Residential buildings, any structures, and fixtures;*
- *Cultivated crops (both cash and food crops) and trees; and*
- *Loss of livelihood (businesses, employment, or farming)*

For valuation, replacement cost is used for land and properties affected by investments and it does not take into account depreciation. Where the remaining part of a demolished asset is not economically viable, compensation is estimated based on the entire asset.

The type of compensation will be an individual choice although every effort will be made to emphasize the importance and preference of accepting in kind compensation especially for land-based livelihoods.³

In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures. Table 2 below describes the different forms of compensation.

Table 2: The Different forms of compensation

Cash Payments	Compensation will be calculated in Gambian Dalasi, based on the replacement cost. Rates will be adjusted for inflation
In-kind Compensation	Compensation may include items such as land, houses, and other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment.
Resettlement and Economic Rehabilitation Assistance	Assistance may include livelihood restoration measures, moving allowance, transportation and labor and land registration costs

4.2. Compensation for land and other assets

(i) Compensation for Land

The compensation will be based on replacement cost, which will be the market price plus the cost of buying a new plot of land and the fees and taxes involved.

(ii) Compensation for Agricultural Land

In cases where there is no alternative land available, cash compensation at full replacement value will be used. The land will be valued based on the prevailing market price for an equally productive plot of land in the same locality. Any associated costs of purchasing the land i.e., taxes, and registration fees will be included in the compensation. Compensation will also be done for any improvement made on the land calculated on the basis of current prevailing market rates for labor, equipment and materials. In cases where land lost is only a small fraction of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided will be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land). In addition, the PAPs will be compensated for any permanent improvements made to the land (for instance water distribution and supply lines). This will be calculated based on the price of current market rates for labor, equipment and materials. Any trees or structures lost as a result of the relocation will be separately assessed and compensated.

³ The term “land-based” includes livelihood activities such as rotational cropping and grazing of livestock as well as the harvesting of natural resources.

(iii) Compensation for Crops

The principal annual crops comprise food and cash crops. Annual food crops include early/late millet, maize, sorghum, rice and findo. Cash crops comprise groundnuts, sesame and cotton. These crops are important sources of food, nutrition and cash income of families and individuals and their destruction will adversely affect the socioeconomic conditions of the PAPs. The valuation of annual crops would be based on the unit area cultivated (preferably in ha) multiplied by the yield potential (kg)/ha and the current market price (price/kg) of the crop to derive the value of income from one season's production. The same computation methods would be used for the following year's harvest. The Planning Support Unit (PSU), the Department of Agriculture (DOA) and the National Agriculture Research Institute (NARI) could be consulted for the database on commodity market prices and yield potential of annual crops. If the commodity market prices from Government sources are not up to date then the prices should be adjusted to take account of inflation. This will ensure just rates are paid to the PAPs.

In the absence of the existence of such databases, the compensation of the crops would be paid at market price (that would be valued at the last 3-year average for both mature and harvested crop) for the production lost. This considers the value of the crops and the value of the labor invested in the preparation of the new land.

(iv) Compensation for houses and infrastructure

This category includes all immovable structures and physical assets including buildings, concrete floors, perimeter walls, wells, outbuildings, temporary structures including kiosks, shacks, converted shipping containers etc. In all cases, compensation for cost of any improvements made and for loss of earnings will be paid. For houses and other structures, it is the replacement cost to be derived from references to current unit construction costs for similar types of structure without considering the depreciation of the assets, the value of salvage materials, nor the value of benefits to be derived from the project. Similarly, costs for replacement of walls and fences will be calculated by unit length whilst costs for wells will take account of their depth and lining. Costs will include those related to reinstating utility connections.

For temporary structures, (such as shipping containers, kiosks, sheds used as shops and residences), compensation does not include replacement cost because it is assumed that the structure will be dismantled and/or relocated to another site. Assistance will however be provided to cover the full cost of removal and relocation to another site.

(v) Compensation for loss of revenue derived from both formal and informal activities

This category of entitlements covers PAPs who, whether or not they have ownership rights to affected land or structures, are current residential or commercial occupants of these lands or structures and will experience disruption to their living arrangements or livelihoods. The principal groups falling into this general category include farmers, business operators (whether owners or renters of their premises) and squatters, such as Right of Way (ROW) occupiers.

This category of losses covers the following:

- (i) Loss of income from rent and expenditure incurred for alternative accommodation during reinstallation period;
- (ii) Loss of business income and loss of business goodwill;
- (iii) Loss of wages, loss of fees from apprentice, loss of job training.

For category (i) the comparative method is used based on the average monthly net profit. For category (ii) the method used is the comparative sales method and compensation is based on past comparable rent and rent paid in advance. Finally, for category (iii) the comparative method is used, and compensation is based on-going fees and wages.

Once individual sub-project impacts are identified and valuation of individual structures is completed, detailed compensation rates for different structures will be included in the resettlement plan, and the plan will be submitted to the World Bank for no-objection.

(vi) Compensation for Fruit Trees

In the Gambia, fruit trees comprise mangoes, oranges, coconut, guava, banana, papaya and medicinal trees. They are principally important as a source of supplementary food for families. They also provide cash income for their growers and shade in the case of mango trees for family and individual relaxation. The compensation rates for fruit trees vary for instance banana trees have a relatively much shorter productive lifespan than mango trees. Normally, a banana tree will not bear fruit more than once a year. In this regard, compensation for banana trees would be based on the full market values of the trees harvested in that year plus one additional year. Payment for the second year would entail the replacement cost of planting a new tree, managing it and harvesting it all within a year. Not very many of these fruit trees are located in the prescribed project site.

For mango tree, cashew and other fruit bearing trees with longer life span, compensation will be based on a market value of the mango and other fruits harvested in one season multiplied by the years of the productive life of the tree.

The Planning Service Unit (PSU) and the National Agricultural Research Institute (NARI) of the Ministry of Agriculture's (MOA) can be contacted for database on agricultural commodities prices and potential yields for crops and fruit trees.

(vii) Compensation for timber trees

Compensation for timber trees in community forests or individual premises will be based on either the current market prices or tariffs from the Forestry Department, last updated in 2015 whichever is more favorable.

(viii) Compensation for Community Assets

Community assets include community-owned assets such as water points, marketplaces and community/public facilities (e.g., schools, wells, clinics police posts) community forests will be compensated in - kind and new facilities will be provided. However, if community trees are affected, the community will be compensated through provision of new seedlings equivalent to the value of lost trees and cash assistance to ensure their upkeep for two years.

(ix) Compensation for Loss of access to natural resources

The loss of access to natural resources and the types of assets to which access may be lost could include pasture, fruit trees, medicinal plants, fiber, firewood, and other non-timber forest resources, croplands, fallow lands, woodlots, and fish stocks which are common property, are not owned by individuals or households. Lack of access to these communal resources may result in economic displacement.

Compensation measures to be implemented for these losses will be either to allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood-earning potential and accessibility. Where common property resources are affected, benefits and compensation associated with restrictions on natural resource usage may be collective in nature. If it is demonstrated that replacement land or resources are unavailable, the Borrower will offer economically displaced persons options for alternative income earning opportunities, such as credit facilities, skills training, business start-up assistance, employment opportunities, or cash assistance additional to compensation for assets. Cash assistance alone, however, frequently fails to provide affected persons with the productive means or skills to restore livelihoods.

(x) Compensation for Sacred Sites

This RPF is conscious of the fact that valuation of sacred places is a difficult undertaking because of the complexity of placing monetary value on a cultural site such as circumcision forest. Additionally, most sacred sites belong to not only an individual but also a family, village or community. Under this RPF, to the largest extent possible, the sacred sites and use of land that is defined to be cultural and/or sacred property by ESS8 will be avoided. Sacred sites will include altars, initiation centers, ritual sites, ancestral tombs, trees, stones, and cemeteries, which are considered sacred by the project affected persons. It will also include other such sites or places/features that are accepted by local laws (including customary), practice, tradition and culture as sacred. However, if the impact on some cultural sites is unavoidable reference should be made to the findings and recommendations of the environmental and social assessment, as set out in ESS1, which would have considered direct, indirect and cumulative project-specific risks and impacts on cultural heritage. In line with these recommendations, utmost care should be taken to ensure that all related activities affecting such sites and compensation is culturally appropriate and acceptable to the involved community and that all the processes are done in a consultative and transparent manner and with the full participation of the affected communities.

Table 3: Matrix of compensation packages by type of asset lost and ownership right

Compensation Category	Types	Compensation Method
<p>Land acquisition and compensation (Permanent acquisition)</p> <p><i>Note: If remaining parcel is not viable, owner has right to require purchase of entire parcel.</i></p>	<p>Customary lands, private lands</p>	<p>Prevailing market value of the land to be acquired; otherwise, replacement value Owner has the opportunity of being allocated a new plot if one is available and it is suitable to owner's needs</p>
	<p>Agricultural land Less than 20% of land holding affected Land remains economically viable.</p>	<p>Compensation for affected land equivalent to replacement value, taking into account market values for land. Farmer/ title holder Cash</p> <p>Cash compensation for affected land equivalent to replacement value taking into account market value- Community land</p> <p>Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater. - Tenant/ lease holder</p>
<p>Compensation for houses/infrastructure irrespective of legality of occupation rights of structure</p> <p><i>This category will include squatters occupying line corridors</i></p>	<p>All immovable structures and physical assets including buildings, concrete floors, perimeter walls, wells, outbuildings, etc.</p>	<p>Replacement value equivalent to the cost of constructing a new structure of similar construction standard and size at prevailing prices without depreciation. Costs for replacement of walls and fences will be calculated by unit length, whilst costs for wells will take account their depth and lining</p> <p>PAPs will be allowed to remove salvageable construction materials, and this will not affect compensation. Transportation costs will be based on truck hire costs commensurate with volume of salvageable materials and possessions</p>
	<p>Temporary structures including kiosks, shacks, converted shipping containers</p>	<p>Full costs of removal and transfer to a location selected by the owner</p>

Compensation Category	Types	Compensation Method
	For tenants only: compensation for cost of any improvements made	Replacement value
Temporary loss of revenues during construction	Include residential tenants, business operators (whether owners or renters of their premises) and squatters	Full reinstatement or replacement value or a combination of the two
Compensation for crops	Standing crops (include <i>groundnuts, maize, millet, etc.</i>)	Valuation based on unit area cultivated (preferably in ha) multiplied by the yield potential (kg/ha) and prevailing market price (price/kg)
Trees (includes timber, fruit trees)	Timber	Valuation based on prevailing market price or the tariffs from the Forestry Department
	Banana	Market value of the trees harvested in that year plus one additional year
	Other fruit trees (mangoes, oranges, coconut, guava, papaya)	Number of trees affected x by the average annual yield potential/tree x the number of productive years at time of felling x the prevailing market price

4.3. Resettlement and Relocation Process

Relocation assistance: Where applicable, PAPs will be provided logistical support for the identification and purchase or rental of replacement plots and/or structures, or the construction of new structures as well as all related administrative tasks. Physically displaced persons will self-relocate at individual sites and establish structures of their own choice.

Transport allowance: All affected households to be relocated due to loss of access to land for business premises or agricultural land, are entitled to receive a cash allowance to cover the cost of transport of people and their movable property (furniture, household items, personal effects, machinery, tools etc.) and of setting up at the new premises at the current market rate for labor, vehicle hire, fuel and incidental costs. A lump sum amount of compensation (covering all items mentioned) will be provided to the affected persons.

V. ORGANIZATIONAL ARRANGEMENTS AND PROCEDURES FOR DELIVERY OF ENTITLEMENTS

Several institutions will participate in the implementation of any involuntary resettlement for the GIRAV project. The overall responsibility, however, will rest with CPCU within the Ministry of Agriculture with the latter having overall oversight responsibility. Presented below are the institutions to be involved in the implementation of this RPF at national, regional and local /community levels.

5.1. Institutions at National Level

i) Ministry of Agriculture

As the parent ministry of CPCU, Ministry of Agriculture has overall oversight responsibility for the implementation of the RPF/RAP and in this regard, it will provide policy oversight and support in the mobilization of the necessary funds to implement the RAP.

ii) The Central Project Coordinating Unit (CPCU)

The most important agency to be involved in the implementation of the whole resettlement planning and implementation process will be the CPCU. It will be responsible for the management of the implementation of the RPF and in this respect will be responsible for the day-to-day coordination of responsibilities, which include approval of all subproject screening activities and ensuring overall adherence to the RPF. The Unit will also be responsible preparing the TOR for the resettlement plan and the development of the resettlement plan(s) as well as their implementation. Specifically, the tasks of the CPCU will include:

- Initial screening of subproject activities and ensuring the necessary instrument is prepared if ESS 5 is triggered;
- Compulsory acquisition process is initiated where it is required (preparation of plans, preparation of the necessary legal instruments for acquisition);
- The concept of minimal relocation and resettlement is considered in developing sub-projects;
- Bidding documents contain environmental and social clauses and that contractors fully implement these clauses;
- Compliance monitoring with Bank risk management policies and national environmental laws and regulations to ensure they are carried out; and
- Supervision of the implementation of monitoring and evaluation program of resettlement plan(s).

iii) Ministry of Lands, Regional Governments and Religious Affairs and its Technical Departments

The Ministry of Lands and Regional Governments is the apex Institution responsible for land administration in the country. The Ministry and its technical departments may be required to offer technical advice and/or regulatory information on land and resettlement related issues.

iv) National Environment Agency (NEA)

The NEA will be responsible for confirming the results of the screening process, reviewing and clearing subproject-specific safeguard instruments. With the support of the Environmental Impact Assessment (EIA) Working Group, NEA will be responsible for conducting compliance monitoring, with national laws and regulations of the RAP implementation.

v) Attorney General's Department

The Attorney General's Department has redress mechanisms in place for aggrieved persons. Affected persons who are not satisfied with compensation due them are empowered by the constitution to seek redress in the court of law. When this happens, the Attorney General's Department represents the government in the court proceedings. The Attorney General's Department is also responsible for drafting the Executive Instrument for acquiring the land required for the project.

vi) Ministry of Finance and Economic Affairs

The Ministry will be responsible for providing the funds to pay for compensations PAPs and other related cost to resettlement.

vii) Grievance Redress Committee

The project will set up a Grievance Redress Committee (GRC), which will play an important role in addressing complaints relating to resettlement issues. The Grievance Redress Committee must include representatives of the grassroots through their representatives mainly NACOFAG and ALOA.

5.2. Institutions at Regional Level

a) Office of the Regional Directorates of Agriculture

The Regional Directorates form an important link between MOA and the beneficiary communities and are responsible for implementing on the ground the policies and programs of the Ministry. They work with the farmers through their primary and or regional bodies including women farmers and provide technical advice and guidance. In the implementation of the RPF/RAP, the Office of the Regional Directorate will have the following responsibilities:

- Identification of subproject sites in consultation with the local community;
- Conduct in collaboration with the social safeguard specialist's regular compliance monitoring of the implementation of the mitigation measures designed to reduce or minimize the negative social and economic impacts RAPs;
- Work with the local community particularly the elders to prevent resettlement disputes and when they occur, use the traditional mechanisms to resolve them.

b) Local Government Authorities

The Local Government Authorities' direct involvement is the maintenance of a register of all properties in their jurisdiction for rating purposes and in this way, register of ownership. For the project, they will be required to register all voluntary land donations to women and youth groups in their master land register and provide certificates of ownership to the beneficiaries or new owners.

c) Governors' Offices

The Offices of the Governors process and prepare all applications for leases within their jurisdiction. Disputes of land ownership, which the chief/Seyfo cannot resolve are escalated to his/her office.

d) Regional Environment Focal Point

The Regional Environmental Focal Points will conduct quarterly monitoring visits to project sites to ensure compliance with safeguards instruments and provide support to the Regional Agriculture Directorate in the screening and categorization of infrastructural investments.

5.3. Institutions at Local/community level

i. District Authorities/Tribunals

The District Authority chaired by the District Chief, will consider approval requests for all applications for conversion of customary tenure to leasehold. It also considers and approves all applications for transfer of ownership of land within its jurisdiction. This institution will also assist with RPF/RAP information dissemination and mobilizing communities for consultations.

The District Tribunal will be responsible for presiding over land dispute cases that cannot be resolved by the project's GM and the Alkali and community elders at the village level.

ii. Alkalolu

The Alkalo oversees the management of all customary land in the village on behalf of the village and the District Authority and as a result, the mandate to allocate village land is vested in him/her in consultation with the village elders. He/she also approves all allocation and transfers made by Kabilo heads.

The table 4 below shows the institution(s) responsible for each task of the RPF.

Table 4: Institutional Responsibilities for the implementation of the RPF

N°	Tasks	Institution responsible	Remarks/ Observations
1	Screening of project activities to determine requirement of land	CPCU	
2	Preparation of terms of reference for the RAP	CPCU in consultation with NEA	
3	Preparation of RAP	CPCU	Consultant may be hired to prepare the RAP
4	Review and Approval of RAP	CPCU in collaboration with NEA	
5	Implementation of RAP	CPCU/Ministry of Agriculture and affected communities	An NGO/consultant may be hired to support the implementation

N°	Tasks	Institution responsible	Remarks/ Observations
6	Provision of funds for compensation	CPCU , MOA & MF&EA	Government to provide funds to pay for the Compensation
7	Payment	CPCU	Payment of compensation can be contracted to an NGO/consultant
8	Resettlement planning	CPCU, MOA and local communities	Resettlement sites to be identified with a needs assessment
9	Economic Rehabilitation	CPCU, MOA and local communities	Support for livelihood restoration plans
10	Internal monitoring of implementation	CPCU and local communities	Monitoring to include participatory monitoring
11	External monitoring	NEA and World Bank	Activities to be facilitated based on an MOU between DOF and NEA
12	Evaluation	CPCU	Task to be carried out by an independent consultant

5.4. Capacity Building and training

The policies and procedures laid out in this document for the management of social risks represent a significant departure from past practices as the World Bank is now using the ESF, which is new for many of the partners. Although the CPCU is familiar with the implementation of Bank projects, it does not have capacity to manage social risks and oversee the implementation of resettlement programs. In fact, the CPCU Coordinator had indicated during the stakeholder consultations, the difficulties encountered in implementing social safeguards instruments of the previous project, Gambia Agricultural Value Chain Project, because of the absence of capacity within the CPCU. At the time of preparation of this report, this situation has not changed except that the Unit is in the process of recruiting a social development specialist. It is urgent to conclude the recruitment process and start developing the Unit's capacity on social risk management.

During the consultations with the stakeholders at central and community levels, it was clear that training and sensitization would be necessary to facilitate a smooth implementation of the RAP/RPF and the topics would include the resettlement and compensation procedures, GM and issues related to gender based violence (GBV)-sexual exploitation and abuse (SEA) and violence against children (VAC).

Against this background, it is important to strengthen the capacity of the staff of CPCU and other collaborating institutions on the principles of compensation, the complaints management mechanism, and the issues relating to gender. For a start, the project should organize a national training workshop for the CPCU and the project implementing partners on the World Bank's Environmental and Social Framework, particularly ESS1, Environmental and Social Assessment; ESS5; and ESS10, Stakeholder Engagement and Information Disclosure to improve their understanding of social risk management especially as it relates to resettlement.

5.5. Description of the implementation process, linking resettlement implementation to civil works

Before any project investment is implemented, PAPs will need to be fully compensated by the Government in accordance with the principles of this RPF and the RAPs. Taking of land and related assets may take place only after compensation has been paid and where applicable, resettlement sites and moving allowances have been provided to displaced persons. For project activities requiring relocation or loss of shelter, the policy further requires that measures to assist the displaced persons are implemented in accordance with the RPF and the individual RAPs.

The schedule for the implementation of activities related to specific RAPs, will be prepared based on the principles of this RPF. These will include the target dates for start and completion of civil works, the dates of the possession of land and properties used by PAPs, dates of the full compensation, dates of transfer of titles to the CPCU. This schedule will be determined by the CPCU in consultation and agreement with the PAPs. The consultation process will ensure that RAPs contain acceptable measures agreed upon among all stakeholders that link resettlement activity to civil works under each specific investment in compliance with this policy.

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

Implementation schedule

Each investment/sub project once identified and screened, if required, will prepare an individual implementation schedule, which will be included in the RAP for that investment. Therefore, all RAPs will include an implementation schedule for each activity covering initial baseline and preparation, actual relocation, and post relocation economic and social activities. The plan will include a target date when the expected benefits for resettled persons and host community, if relevant, would be achieved. Arrangements for monitoring of implementation of the resettlement and evaluating its impact will be developed during the preparation of individual RAPs implementation schedules. Target dates for achievement of expected benefits to resettled persons and hosts will be set and the various forms of assistance to the resettled persons will be disseminated to them.

Planning and coordination of the tasks of the various actors involved in the RAP implementation will be key to successful RAPs implementation. To achieve this, workshops will be organized with the stakeholders and other relevant government agencies, at individual sub project launching and at the commencement of every project investment identified to have adverse social impacts. The workshops will focus on (i) taking stock of the legal framework for compensation, (ii) describing institutional arrangements and mechanisms for payment of compensation, (iii) defining tasks and responsibilities of each stakeholder and (iv) establishing a work plan in accordance with individual tasks in the RAP.

VI. CONSULTATIONS AND DISCLOSURE PROCEDURES

6.1. Public Consultation and Participation

An important aspect of ESS5 is community engagement with affected communities as provided in the Stakeholder Engagement Plan (SEP) prepared under ESS10. These consultations provide an opportunity for affected communities to gain greater awareness and understanding of the project and to express their views and concerns about the proposed activities, which the project design should take in to account.

In preparing the RPF, the consultant had consultations with the potentially affected communities. This period coincided with the time when some of the stringent measures under the public emergency regulations on COVID-19 were relaxed allowing businesses, markets, schools, restaurants, bars, mosques and churches to resume normal operations, and borders to be opened. However, the consultant continued to be guided by the WHO Advice and guidelines⁴, the public emergency regulations and the World Bank Technical Note⁵ on the consultations.

6.2. Consultations with the stakeholders

During the study, the consultant consulted communities and informed them on all relevant resettlement issues that could affect. These included:

- a) The proposed objectives and activities of the project;
- b) The proposed activities that may require land;
- c) Potential risks and impacts of the project that could result from land acquisition, restriction on land use involuntary resettlement;
- d) The proposed risk management measures, which include payment of fair and timely compensation to PAPs;
- e) The GM to be setup to address grievances arising out of the implementation of the RPF/RP;
- f) The special case of vulnerable and disadvantaged groups who may be disproportionately affected by the adverse social impacts of resettlement;
- g) Challenges of GBV, SEA/SH and VAC;
- h) Communication with stakeholders.

Women and other vulnerable groups received special attention by facilitating their participation in meetings. The Consultant organized meetings exclusively for women and facilitated by female facilitators. These consultations helped highlight the special challenges faced by these groups and the proposed measures that could address them.

⁴ The World Health Organization. Coronavirus disease (covid-19) advice for the public. <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>

⁵ [Technical Note: Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings.](#)

During the consultations, the beneficiary communities welcomed the project and expressed the hope that they will be among the beneficiaries. Some of the points of concern raised by the communities include:

- (i) Fear that people may lose their land and not be compensated;
- (ii) Possibility for youth employment;
- (iii) Women's access to land, credit, and farming inputs;
- (iv) In some cases, land developed by the projects is under-utilized for various reasons including limited manpower capacity, inappropriate infrastructure for water distribution etc.
- (v) Difficulties in marketing of farm produce;
- (vi) Access to training in new farming techniques;
- (vii) Land degradation;

In response, the Consultant explained that any land acquired by the project would be fully compensated, however for vegetable gardens the women groups will be required to have secured that before applying for sponsorship, as it may be one of the selection criteria for sponsorship of gardens. It is therefore important for the community to provide land to their women to qualify for project assistance.

The Consultant documented these consultations in each of the community visited and an attendance register was opened to record all persons who attended the meeting. Copies of the lists are attached as **Annex Table 9.1** gives a breakdown of the attendees of the consultations at the various beneficiary communities; a total of 30 consultative meetings (FGD) were held at 15 communities (6 FGD per region) and were attended by a total of 513 persons (381 women and 12 men).

6.3. Consultations with Government agencies, NGOs, and Private sector

In addition to community consultations, the consultant conducted key informant interviews with representatives of government agencies (both at national, regional and community levels), state-owned enterprises, NGO and the private sector. The list of institutions consulted, and summaries of the minutes are attached as **Annex 6a** and **Annex 6b** respectively.

The RAP provides for an information campaign to popularize the stages of the process and make PAPs aware of their rights within this process. This campaign will include stakeholders' meetings at suitable locations such as the "bantaba", and the official residence or offices of the local leaders and the homes of PAPs. Such meetings will provide the opportunity to inform the PAPs of the eligibility criteria adopted as well as the principles of compensation, which will guide the estimation of losses. Each household will be informed on entitlement eligibility criteria, modes of compensation, complaints and grievances resolution procedures. The information provided may help reduce significantly future litigation.

6.4. Disclosure

The RPF/RAP will be widely disclosed, and the methods of the disclosure will include:

- i. Distribution of as many copies as possible to different institutions and communities for comments and suggestions;
- ii. Publication on the project website and through national media;
- iii. Distribution to individuals and officials such as Regional Governors, and Village Development Committees in the project affected areas;

- iv. The Government will also authorize dissemination of this document on the World Bank's Website.



Focused Group discussions in Choya



Consultations with an exclusively women's group in Pirang village.

VII. CHAPTER 7: GRIEVANCE MECHANISM

A grievance mechanism is an accessible and inclusive system, process, or procedure that receives and acts upon complaints and suggestions for improvement in a timely manner and facilitates resolution of concerns and grievances arising in connection with a project. An effective grievance mechanism provides Project-Affected Parties with redress and helps address issues at an early stage. PAPs will be informed of the intention to set up a grievance mechanism, and the procedures will be communicated at the time of the preparation of investments' specific RAPs.

It is very important that the project's management and staff recognize and value the grievance process as a means of strengthening public administration, improving public relations, and enhancing accountability and transparency. Consequently, grievance redress will be integrated into the project's core activities. This will be done by integrating grievance redress functions into project staffs' job descriptions and regularly review grievances data and trends at project management meetings.

7.1. Principles of GM

The GM will adopt the following six core principles to enhance its effectiveness:

- a) **Fairness:** Grievances will be treated confidentially, assessed impartially, and handled transparently.
- b) **Objectivity and independence:** The GM will operate independently of all interested parties to guarantee fair, objective, and impartial treatment to each case. Officers working under the GM will have adequate means and powers to investigate grievances (e.g., interview witnesses, access records).
- c) **Simplicity and accessibility:** Procedures to file grievances and seek action will be made simple enough that project beneficiaries can easily understand them. Project beneficiaries will have a range of contact options including, at a minimum, a telephone number, an email address, and a postal address. The design of the GM will be such that it is accessible to all stakeholders, irrespective of where they live, the language they speak. The GM will not have complex processes that create confusion or anxiety (such as only accepting grievances on official-looking standard forms or through grievance boxes in government offices).
- d) **Responsiveness and efficiency:** The GM will be designed to be responsive to the needs of all complainants. Accordingly, all officers handling grievances will be trained to take effective action upon, and respond quickly to, grievances and suggestions.
- e) **Speed and proportionality:** All grievances, simple or complex, will be addressed and resolved as quickly as possible. The action taken on the grievance or suggestion is expected to be swift, decisive, and constructive.
- f) **Participatory and socially inclusive:** All project-affected persons – community members, members of vulnerable groups, project implementers, civil society, and the media - are encouraged to bring grievances and comments to the attention of project authorities. Special attention is given to ensure that poor and disadvantaged groups, including those with special needs, are able to access the GRM.

7.2. Types of Complaints and Conflicts to Resolve

The potential sources of conflicts in involuntary resettlement include the following:

- (i) Inventory mistakes made during census survey as well as inadequate valuation of properties.
- (ii) Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development.
- (iii) Disagreements on plot/asset valuation.
- (iv) Disputed ownership of a given asset with two or more affected individual(s) claiming the same;
- (v) Where affected individual(s) opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them).

7.3. Objectives of the Grievance Mechanism

The Grievance Mechanism is designed with the objective of resolving disputes at the earliest possible time before they escalate. Project-affected persons should be heard and be able to voice concerns, and as such, they must have access to fair, transparent, and accessible means to address their concerns and views related to the project. Furthermore, the mechanism should be effective in addressing project complaints and concerns at project-level so that grievances are not referred through the court system for resolution, which is often not timely nor financially feasible or accessible to all. A functioning, inclusive and accessible grievance mechanism is essential for social sustainability of the project. More specifically the objectives of the grievance mechanism are:

- Record, categorize and prioritize the grievances according to severity and immediacy of the issue, and provide timely, fair, accountable resolution to grievances at the project level;
- Settle the grievances via consultation with all stakeholders (and inform stakeholders of the solutions, obtain their views on the outcome, and ensure they understand possible next steps to escalate if they are not satisfied with the outcome);
- Forward any unresolved cases to the relevant authority; and
- Regularly analyze grievances to assess if there are systemic issues in the project that should be addressed to mitigate the same types of issues being reported.

The GM operates within the existing legal and cultural context of The Gambia. It will also take into consideration World Bank procedures and guidelines regarding complaint handling.

7.4. Structure of the GM

The details of the GM are spelt out in the SEP. The GM shall consist of a three-tier system: (i) local/community level; (ii) project level grievance resolution; and (iii) national legal level. The general process is that a PAP should first raise a grievance at the local level. If it is not resolved at this level, it is referred to the Grievance Redress Committee (GRC). If this proves unsuccessful in resolving the grievance, the complainant can proceed to the judicial system.

7.4.1. Local Level Grievance Redress

A functional local level grievance redress process shall be set up by the CPCU and managed by the Project Focal Point in a given project intervention zone assisted by the local community elders. All complaints will be referred to this committee. Dispute resolution at this level will be practical and efficient for the PAP because in many cases, the types of grievances will often relate to issues of inventories, requests for information, or activities that have yet to take place, such as disbursement of compensation which can be directly addressed by the project focal point in the locality. In cases where the dispute relates to traditional and customary issues such as land ownership, inheritance and land boundaries the Project Focal Point will resort to the traditional dispute resolution mechanism comprising the Alkalo and community leaders. The specific composition and other details will be spelt out at the RAP stage.

If the complaint cannot be resolved at this level, the PAP will be advised to proceed to the next level, the Project level-Grievance Redress Committee.

7.4.2. Project-level Grievance Redress Committee

The GRC will deal with all resettlement-related grievances that have not been resolved at the local level. The GRC will normally include a representative from each of the following agencies: (i) the Ministry of Agriculture; (ii) The Project Manager or his representative; (iii) an NGO working in the area; (iv) a trade association; and/or (v) the Area Council; a representative of PAPs with the social development specialist in the CPCU serving as the secretary to the Committee.

The main functions of the Committee are:

- a. Developing and publicizing the grievance management procedures;
- b. Receiving, reviewing, investigating, and keeping track of grievances
- c. Adjudicating grievances;
- d. Monitoring and evaluating the fulfillment of agreements achieved through the grievance redress mechanism.

7.4.3. National legal level.

If the GRC does not provide a satisfactory resolution for the PAP, he or she will be advised to seek redress through the judicial system as provided for in the Constitution 1997 and other relevant laws. The cost relating to such process will be borne by the project.

7.4.4. Grievance Mechanism Procedures

The community will be informed and sensitized about the existence and use of the GM (through radio notices, community meetings, Imam and with some awareness trainings by the CPCU prior to the starting of the resettlement process and of the various uptake options where complaints can be submitted. These uptake channels can include:

- Toll-free telephone hotline;
- E-mail;
- Letter to project focal points in the regions;
- Complaint form to be lodged via any of the above channels
- Walk-ins may register a complaint on a grievance logbook at various easily accessible facilities.

The steps of the grievance mechanism shall comprise:

- Receive, register and acknowledge complaint. A sample of the complaint form is attached as Annex 5

- Screen and establish the foundation of the grievance
- Implement and monitor a redress action
- Advise for a judicial proceeding as last resort if necessary
- Document the experience for future reference

Table 5 below shows the different phases of the GM.

Table 5: Implementation Plan for the Grievance Mechanism

Phase	Process	Description	Completion timeframe	Responsible Agency/Person
1	Receipt of complaint	Document date of receipt, name of complainant, village, nature of complaint, inform the PIU	1day	Project Focal point in the regions
2	Acknowledgement of grievance	By letter, email, phone	1-3 days	Social Development Specialist of CPCU
3	Screen and establish the merit of the grievance	Visit the site; listen to the complainant/community; assess the merit	3-7 days	GRC including the social development specialist
4	Implement and monitor a redress action	Where complaint is justified, carry out resettlement redress in line with the entitlement matrix	10-15 days or at a time specified in writing to the aggrieved PAP	Social Development Specialist
5	Extra intervention for a dissatisfied scenario	Review the redress steps and conclusions, provide intervention solution	2-4 weeks of receiving status report	CPCU
6	Judicial adjudication	Take complaint to court of law	No fixed time	Complainant

Cases involving SEA/SH and VAC: For complaints regarding SEA/SH and VAC, the procedure of receiving and treating the complaint will be different from the procedure for general complaints outlined above. At all times, the approach for such issues will follow a survivor-centered approach, and the anonymity of the survivor will remain intact, with the confidentiality of the survivor’s express consent. The security of the involved parties will not be breached.

VIII. CHAPTER 8: MONITORING AND EVALUATION

Monitoring and evaluation of the Resettlement Policy Framework will be carried out on a continuous basis. Monitoring of the resettlement process will be the responsibility of the PIU, whereas evaluation will be carried out by an external agency.

It is important in monitoring that feedback is provided to the various partner agencies so that the problems identified can be resolved and avoided for the rest of the resettlement process.

8.1. Monitoring

Monitoring will consist of both internal and external monitoring.

- **Internal Monitoring**

The Social Development Specialist within the PIU will be required to provide monthly reports on progress on the identification and acquisition of land, progress in the compensation of PAPs and the level of consultations with the PAPs and their participation in project planning and activities. These reports will be submitted to the CPCU for transmission to the Project Steering Committee.

Secondly, the PIU will compile the monthly resettlement reports and make an integrated resettlement report in the annual M&E report to the Ministry of Agriculture, the World Bank and the NEA.

External Monitoring

NEA will do external monitoring. The frequency and scope of this monitoring will be determined in the Memorandum of Understanding to be signed between the CPCU and NEA.

The monitoring system will:

- a) alert CPCU and the MOA on the necessity for land acquisition in any project activity;
- b) provide timely information about the valuation and negotiation process;
- c) report any grievances that require resolution.

8.2. Evaluation

An evaluation will be done to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed. The method will include participatory monitoring in order to get the perception of the PAPs.

The following are the objectives of the evaluation:

- (i) General assessment of the compliance of the implementation of the Resettlement Action Plan with general objectives and methods as set in this document;
- (ii) Assessment of the compliance of the implementation of the Resettlement Action Plan with laws, regulations and safeguard policies;
- (iii) Assessment of the consultation procedures that took place at individual and community level, together with the Central Government and Local Government levels;
- (iv) Assessment of fair, adequate and prompt compensation as they have been implemented;
- (v) Evaluation of the impact of the compensation on income and standard of living;

- (vi) Identification of actions, as part of the on-going monitoring, to improve the positive impact of the program and mitigate its possible negative impact if any.

There will be a mid-term review as well as a final evaluation. The latter should preferably take place after all RAP activities have been completed including development initiatives, but before the financial commitments to the program are finished. This will allow the flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

The findings of the evaluation may be presented at a validation workshop to be attended by representatives of the PAPs, who would be asked to give:

- (i) Their assessment of the resettlement process;
- (ii) The effects that this has had on their livelihoods; and
- (iii) Suggestions as to first, what residual impacts they are still having to contend with, and second, what changes should be made for future projects.

8.3. Indicators for Monitoring and Evaluation

8.3.1. Monitoring Indicators

Indicators are a set of targets prepared at project design against which project progress or otherwise can be measured. The monitoring indicators can be summarized as follows:

- number of statutory acquisition notices delivered and those outstanding;
- number of PAPs who have left the area by type by category comprising owners who have lost land or structures as well as tenants and employees who have lost their place of work, and the number remaining;
- number, type, and value of cash and in-kind compensation payments made;
- number and type of grievances redress applications, type of grievance made, and manner of resolution;
- number of cases of GVB-SEA/SH and VAC and the manner of resolution; and
- issues brought to the notice of the CPCU handling the resettlement process by PAPs and the mode of settlement used.

8.3.2. Evaluation Indicators

Similarly, the evaluation indicators are also summarized below:

- the nature and extent of stakeholder engagement;
- the numbers of PAPs relocated compared with the initial estimates;
- the compensation disbursed by type/ category of PAP, including the ability to comply with the terms of compensation contained in the RAP;
- an assessment of the effectiveness of the grievance process, including grievance resolution, corrective actions taken, and the monitoring thereof;
- any outstanding adverse impacts identified that need to be resolved before closing out the involuntary resettlement component of the project;
- the extent to which PAPs have recovered their project activity incomes and living standards; and
- the numbers of PAPs relocated compared with the initial estimates.

IX. CHAPTER 9: BUDGET AND FUNDING ARRANGEMENTS

9.1. Budget

Resettlement Action Plans will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. The estimate of the overall cost of resettlement and compensation cannot however be determined prior to identification of the site for the project component but will be determined during the socio-economic study. The compensation modality will be agreed upon between the PAPs and the CPCU. An indicative cost of implementing the RPF is provided in **Table 6** below.

Table 6: Indicative budget for the Implementation of the RPF

S/No.	Activity	Cost in USD	Financing	
			Gambia Govt.	IDA
1	Preparation of RAP	50,000		X
2	Implementation of the RAP- compensation of loss of assets and revenue, relocation of PAP, assistance to vulnerable groups and contingencies	TBD	x	
3	Training of CPCU and regional focal points on the implementation of the safeguard's instruments, notably the screening and GRM.	5,000		x
4	External Supervision and monitoring by NEA	5,000		x
5	Training/ sensitization of staff of MOA, CPCU, and implementing partner agencies on ESF, particularly ESS1,5 &10 and the GM	10,000		X
6	Community sensitization and information sharing	10,000		X
7	Monitoring and evaluation	15,000		X
8	Total	85,000		X

The total estimated cost for the implementation of the RPF is USD 85,000.00 (Eighty-five Thousand US Dollars).

9.2. Sources and Mechanism of Financing

The Gambia Government will finance the implementation of the RAP. A detailed inventory of all affected assets carried out while preparing the RAP will provide the basis for estimating the actual compensation and assistance costs. The compensation funds will be disbursed in the same manner as the funds for the other components of the project and will comply with the regulations of The Gambia Government on the disbursement of funds by government and quasi-government agencies. This will be direct transfer to bank accounts of the respective beneficiaries and where the PAP does not have an account cash payment will be made against presentation of a national identification card and a telephone number.

The IDA credit will finance the preparation of the RAP, communication & sensitization, capacity building, monitoring and evaluation (Mid-term and Final evaluation) estimated at USD 85,000 (Fifty Thousand US Dollars)

CONCLUSION

The implementation of GIRAV will have many positive benefits but it may also have negative impacts, which need to be addressed for the project to attain its objectives and be sustainable. The project's negative impacts may arise from land acquisition, restriction in land use or involuntary resettlement. Since the specific subproject sites are unknown presently, this Resettlement Policy Framework has been prepared to provide guidelines for preparing a RAP to address the potential resettlement issues that may arise because of project activities. The implementation of these instruments will be in accordance with the national laws and the World Bank's ESF.

The efficient implementation of this RPF requires capacity building and adequate consultation and sensitization of stakeholders particularly the beneficiary communities including the PAPs. This sensitization should include the grievance mechanism that will address grievances resulting from the resettlement in a satisfactory and timely manner.

The estimated budget for the RPF/RAP implementation amounts to USD 85,000 (Eighty-Five Thousand US Dollars). This budget takes into account provisions for the development of RAPs, capacity building, information and communication activities, operations of GM and other accompanying measures but does not include the compensation payments, which will be determine during the RAP preparation.

X. ANNEXES

10.1. Annex 1: Involuntary Resettlement Screening and Categorization Form

S/No	Impact	Not Known	Yes	No	Indication of Scope
1	Is the proposed sub-project undertaking likely to involve land acquisition?				
3	Are the sites for land acquisition known?				
4	What is the ownership status of the land?				
5	Are non-titled persons present?				
6	Will tenants, lessees, share farmers, or other third-party users be affected?				
7	Will it affect vulnerable groups such as people with disabilities , children, women, elderly etc.				
8	Will there be loss of housing?				
9	Will there be loss of crops, trees, and other fixed assets?				
10	Will there be loss of income and livelihoods?				
11	Will access to facilities, services, or resources, or businesses be lost/restricted?				
12	Will any social or economic activities be affected by land use related changes?				
13	Does the government executing agency have sufficient skilled resources for resettlement planning and implementation?				
14	Are training and capacity-building required prior to resettlement planning and implementation?				

As indicated in Section 4.1.1 above, if the answers to the above questions indicate that land will be required by the project, then a Resettlement Action Plan (RAP) has to be prepared in line with the procedure set out under Chapter 4.

10.2. Annex 2: Main Contents of the Resettlement Action Plan

- Description of the project sub-component
- Potential impacts(including those identified during the census and the socio-economic survey)
- Relevant findings of the socio-economic study and the census
- Legal framework
- Institutional framework
- Eligibility
- Valuation of and compensation of losses indicating whether compensation is in-kind for each loss or, for those assets whose indemnification is in cash, the unit compensation rates and overall cost for monetary compensation, including transport, administrative and other (e.g., contractor hiring) costs
- Resettlement measures
- Community participation
- Grievance procedures
- Organizational responsibilities
- Present any economic rehabilitation measures required
- Implementation schedule
- Costs, budget and the sources of funds
- Monitoring and evaluation
- A timetable for resettlement and sub-project activities

10.3. Annex 3: Contents of Abbreviated Resettlement Plan

- a) Census of displaced persons and valuation of assets.
- b) Description of compensation and other resettlement assistance to be provided.
- c) Consultations with displaced people about acceptable alternatives
- d) Institutional responsibility for implementation and procedures for grievance redress.
- e) Arrangements for monitoring and implementation and,
- f) A timetable and budget

10.4. Annex 4: Sample Resettlement Summary Data Sheets - Population Census, Asset Inventory and Socio-Economic Survey

1. Number of families who live on the parcel of land to be taken : _____

CURRENT HOUSING

FAMILY	HOUSE PLOT SIZE (M ²)	HOUSE DIMENSIONS (M ²) ; (Number of Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS
PAP 1.					
PAP 2					
PAP 3					
...					

Observations on Housing :

PAP 1 : _____

PAP 2 : _____

PAP 3 : _____

REPLACEMENT HOUSING COST

FAMILY	HOUSE PLOT COMPENSATION (M ²)		HOUSE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			TOTAL
	Replace in-Kind	Cash Comp	m ²	Dalasi/ / m ² (same building materials)	Total	Item	Dalasi / per	Tot	
	Dalasi / M ²	Tot							
PAP 1									
PAP 2									
PAP 3									
...									
Totals									

2. Number of livelihoods and businesses on the parcel of land to be taken : _____

CURRENT HOUSING

TYPE OF LIVELIHOOD (E.G., FARMER, HERDSMAN, FISHERMAN)	BUSINESS TYPE (E.G., TAILOR, HARDWARE STORE, GRAIN SELLER)	PLOT SIZE (M ²)	BUSINESS DIMENSIONS (M ²) ; (Note whether structure, kiosk or table ; for structure, number of Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS (E.G., AMOUNT OF INVENTORY, NUMBER OF EMPLOYEES, MONTHLY PROFITS)
1.						
2.						
3.						
	...					

Observations on Businesses :

- 1 : _____
- 2 : _____
- 3 : _____

REPLACEMENT COSTS

BUSINESSES	PLOT COMPENSATION (M ²)		STRUCTURE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			LOST WAGES, PROFITS (PER MO.)		TOTAL
	Replace in-Kind	Cash Comp	m ²	Dalasi per/ m ² (same building materials)	Total	Item	Dalasi/ per	Tot	Employee No.	Profit Wage	
PAP 1											
PAP 2											
PAP 3											
...											
Totals											

10.5. Annex 5: Grievance complaint form

Date: _____

Region _____ District _____ Village _____

File N°

COMPLAINT

Name of Complainant: _____

Address: _____

Village: _____

Type of assets affected: _____

DESCRIPTION OF COMPLAINT:

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

At, Date.....

Signature Complainant

Follow-up actions undertaken:

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

At, Date.....

(Signature of Complainant)

Signature of Chairman of Committee

Resolution

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

At..... Date.....

Signature of Complainant
Committee

Signature of Chairman of the

10.6. Annex 6a: Summary of consultations with representatives of government agencies

Meeting with the Project Coordinator, CPCU , Mr. Abdoulie TOURAY, on Wednesday June 23rd, 2021

Both Mr. Molpha Sanyang, the Procurement Officer, and Mr. Modou Sowe, the M& E specialist attended the meeting with the Project Coordinator. The discussions centered on the project coverage and the main activities likely to involve land acquisition. In the introduction, the Coordinator explained the different project components, which were arrived at after extensive consultation with the different actors in the Gambian economy. He referred to the various preparatory meetings and the establishment of a Country Task Team to support the CPCU in preparing the project.

The Coordinator lamented the difficulties they had with safeguard issues during the last project, GCAV and expressed the need to remedy that by recruiting both a social safeguards specialist and an environmental specialist. He informed the consultant that the positions have been advertised and applications have been received so the interview will soon take place soon. The presence of a social safeguards special in the team will greatly help avoid the errors of the past project.

With respect to land issues, the Coordinator explained that the project does not envisage major land acquisitions. The land requirements will be for the construction of marketing infrastructure and road rehabilitation in the rural areas some of which will take place on government or municipal lands. On the women's vegetable gardens, the Coordinator raised the issue of ownership since, in most cases the women do not land. It is usually the community or individuals that give them land and based on past project experience, the CPCU would insist that the land ownership be transferred to the women groups for them to apply for project sponsorship. The same procedure is likely to be followed for the new project, he said.

On communication with community beneficiaries, the Coordinator referred to the existing structures at the regional levels and the project focal in the regions. In addition, the CPCU also uses other channels such as community radios and local drama groups to convey special messages. Amongst themselves the women, groups also use WhatsApp.

1) Meeting with the Director General of National Roads Authority (NRA), Mr. Dudu Senghore, on Wednesday 14th July 2021

Mr. Bammy Chapman, the Senior Feeder Roads Manger attended the meeting. Mr. Senghore explained their role in the project, which is to support the CPCU in the design and tender process for the road rehabilitation / construction in order to ensure that the roads conform our national standards. NRA will support the supervision by working closely with the overseeing engineer. He said there would not be any new road construction but rather improving the existing feeders and tracks. However, there might be some realignments, which may require some land, but this is not expected to be much.

2) Meeting with the Director of Lands and Surveys, Mr. Kebba Ceesay, on Thursday July 16th, 2021.

The meeting was attended, Mr. Omar Darbo, the Valuation Officer. The Director presented the laws and regulations relating to land administration, particularly the State Lands Act 1991, the Lands (Regions) Act 1991, which was formerly known as the Provinces Land Act. They explained the increasing pressure on land particularly in urban and peri-urban areas. Therefore, it was important, they explained, that Government agencies consult with their office when discussing a project that may require land. He also raised the issue of the high compensation costs and questioned the Government's ability to make such

payments. On the other hand, this situation in the urban areas is the reverse. The people in these areas who have lost their land to a project now ask for in-kind land compensation and not cash compensation which they consider to be small. Yet the Government does not have enough land in the urban areas to give all such claimants. There is an increasing awareness of the value of land, he said.

On land disputes, the Director explained that the Department is not involved, except if they relate to lease property and state lands. Disputes relating to customary lands are referred to the District Authority and the District Tribunal.

3) Meeting with the Director General of Agriculture, Dr. Saikou Sanyang, on Tuesday 3rd July 2021

Mr. Sariang Jobarteh, Deputy Director General and Mr. Ebou Mendy, Director of Finance and Administration attended the meeting. After the introductory remarks, the D/G expressed the hope that the project will help remove some of the challenge in the sector to allow greater private participation in the sector. On land issues, the D/G explained that there is enough land for agriculture. He said the Ministry of Lands is coming up with a policy to address situations where land is allowed to lie idle by the owners with no one able to use it. Challenges faced by women, he said, include access to land, credit and technology packages. Most of the time they get land on loan from the men in the community. The youth also experience similar problems. Vulnerable groups are therefore found among the female household heads who do not own their land and have limited access to other production resources. Other marginalized group would sometimes be people of lower cast who do not own land. The Department works through the regional directorates to support the farmers.

4) Meeting with Omar Colley, Chief of Bondali West Coast Region on Thursday 15th July 2021

Chief Colley is the traditional head of the district and also a member of the Regional Tribunal Courts for West Coast Region. In the discussions, the Chief explained that women have access to land but not ownership. This is meant to retain the traditional ownership of the land within the Kabilo who the original owners are. However, there are no difficulties for women to access land for productive use, he said. In the Fonis as a whole, incidences of land disputes are limited, and in most cases settled at local /community level by village elders, which have proven to be very successful. There is hardly any incident of case referrals to the courts.

In the district, land for major investments are usually leased for a period of years and this is to avoid permanent transfer of land from the traditional owners. On the other hand, there is no problem for indigenous inhabitants to access land since they are the traditional owners. Access to land under such situations is done through the traditional ways.

On gender-based violence, the Chief explained that the cases are minimal and when they happen, they are settled amicably at community level for minor cases, otherwise the matter is referred to the police for investigation and further action.

5) Interview with Rohey John Manjang, Governor Lower River Region on 15th July 2021

The discussions with the Governor took place in the presence of the Regional Directors of Agriculture and Livestock Services, Messrs. Momodou L. Dabo and Madou Camara respectively. During the meeting, the consultant was informed that land allocation for communities is relatively easy but could face challenges after post project period. Landowners sometimes reclaim the land from the community e.g., the case of Livestock and Horticulture Development Project at Sankandi. To address this challenge, land allocated to

communities including women groups is now demarcated and the necessary transfer documentation prepared to legalize ownership by the group receiving the land.

For individuals, the Governor said owning land can be relatively difficult especially for those with disabilities. The Governor suggested that the project considers mechanisms for supporting such people or groups to access land so that they can qualify to apply for project assistance.

The Governor also referred to poor selection of project intervention sites and /or lack of proper landscaping resulting in large scale erosion and land degradation. To avoid this, she recommended that proper land conservation study be made of any area before the project intervention.

Land disputes, the Governor said do exist, but they are mainly centered around crop/livestock/mining. A typical example is the Buiba, Medina Sasita and Japinneh and the 18 KM cattle track (the only range land for the region), which was also used for mining, resulting in severe land degradation and conflict between the miners, farmers and herders. This protracted conflict was eventually resolved using the traditional dispute resolution mechanism.

The Governor said cases of serious GBV are referred to the Police since they require investigations which the local community or the district tribunals do not have the capacity. Minor cases of GBV are dealt with the communities themselves through their local structures such as Alkalo, Kabilo heads and village council of elders.

Finally, as a general recommendation to the authorities, the Governor suggested adequate sensitization of the public before and during the project implementation to ensure that, the persons identified to benefit from the project fulfill the required criteria.

6) Meeting with Rice Farmers Association in CRR on Friday 16th July 2021

In the discussions with the members of the Rice Farmers Cooperative members at the main store of the cooperative society, they raised the following points of concern to them:

- The owners of land acquired for projects should be compensated, as was the case with the Gambia River Basin Development Organization (OMVG) Regional Electricity Project. The Consultant explained that the Government will also compensate any land acquired for project activities, the only difference will be is that the land requirements for this project would be much smaller that of the OMVG project.
- The farmers also lamented that the land area for cultivation of rice at Jahally Pacharr area is very limited particularly for women, most women cultivate other major crops such as maize and millet in addition to rice.
- Generally, land can be accessed through leasing, borrowing, and renting. This would normally apply to non-inhabitants of the area. GBV incidences, they said, is not frequent but when they happen, they are resolved through the traditional way for minor cases and for major cases mostly involving violence, the matter is referred to the police for investigations and further action if necessary. Land disputes are also resolved in a similar manner. It should however be noted that most of the cases involving land or GBV are resolved at local level.

10.7. Annex 6b: List of representatives of Government agencies contacted during the stakeholder consultations

A. Project Management Team					
1	23 June 2021	Abdoulie Touray	CPCU/GIRAV	Coordinator	7431591
2		Momodou Sowe	“	M&E Specialist	9969931
3		Molpha Sanyang	“	Procurement Specialist	9966763
4		Sajo Marena	“	Finance Director	9986715
B. Others including CTT Members					
	Date	Name	Institution	Position	Contact Tel
5	12 July 2021	Alieu Sowe	NACOFAG	Coordinator	7773248
6	12 July 2021	Kawsu Konteh	AFET	Chairman	7921649
7	12 July 2021	Dr Demba Trawally	NARI	Deputy DG	6121298
8	“	Dr Lamin Dibba	NARI	Director Research	3321778
9	“	Hassan Mbooge	NARI	Director Finance	7151940
10	“	Morro Bah	NSS	Senior Seeds Officer	2123878
11	“	Demba Jallow	NSS	Seeds Officer	217435
12	“	Yankuba Sanneh	NSS	Head of Seed Industry & Planning	6538966
13	“	Enssa Kolley	P2RS Project	Coordinator	3529299
14	“	Kebba Manka	P2RS Project	Land and Water Conservation Specialist	9903157
15	13 July 2021	Dr Saikou Sanyang	Dept of Agric	Director General	9973882
16	“	Sariang Jobarteh	Dept of Agric	Deputy Director General	9969342
17	“	Ebou Mendy	Dept of Agric	Director Fin and Admin	9961458
18	14 July 2021	Mr Senghore	NRA	Director General	9995056
19	22 July 2021	Ramatoulie Giggo	Dept of Agric	Director of Horticultural Services	9840021/ 2840008
20	22 July 2021	Alieu Faye	Cashew Federation	President	7910348
C. Field Level					
21	15 July 2021	Omar Kolley	Local Gov	Chief of Bondali	3535949
22	15 July 2021	Momodou L. Dabo	Dept of Agric	Regional Director LRR	3624898
23	15 July 2021	Siaka Senera	Brikamaba Comm Radio	Manager / Operator	2655858
24	15 July 2021	Faday Jadama	Dept of Agric	Regional Director CRR (S)	9980225
25	15 July 2021	Mamanding Jabby	Council of Elders	Alkalo of Lamin Koto village, Sami District	7613457
26	15 July 2021	Ali Sey	Farmer/District Councilor	Farmer	7407536
27	16 July 2021	Madou Camara	Dept Livestock Services	Regional Director	3938553
28	16 July 2021	Rohey John Manjang	Local Gov	Governor LRR	3100816

10.8. Annex7a. Summary of views and concerns raised during consultations with the communities

Date	Community	Issues raised by the community	Action taken 10.9.
12/7/21	Pirang Kombo East West Coast Region	<p>Welcome the project. Enquired about how the compensation for land taken.</p> <p>The community enquired about having modern farming implements, fencing for their garden. Possibility of employment for youth.</p> <p>For communication channels the meeting said they receive their information from radio and television .</p>	<p>The consultant explained that once the amount of compensation is determined, each PAPs will be paid the monetary value of the land lost. The amount of compensation will be determined by the size of the loss. It is important for the CPCU to explain these procedures during community sensitizations.</p> <p>On the modern farming implements, the consultant informed that this will be determined later as the project is being discussed. However, the interest in farming implements will be conveyed to the CPCU.</p>
12/7/21	Besse Foni Brefet West Coast Region	<p>Welcomed the project and enquired about the starting date and how the village can benefit. They said they get most of their news from the community radio in Brikama.</p>	<p>The consultant explained that it is difficult to give a date for the start of the project. Once the project is finalized, the CPCU together with Regional Directorates will inform the village about the conditions for benefitting from the project.</p>
12/7/21	Busumbala Kombo North (Exclusive Women group) West Coast Region	<p>After welcoming, the women raised the issues of land ownership which also applies to the youth. They enquired about how their village can be included in the project intervention area.</p> <p>On GBV, the women agreed that it exist and urged that since some project workers will be staying in the communities there should be adequate sensitization of the communities and the workers.</p> <p>On communication channels they referred to radio and television. They also have their own WhatsApp group</p>	<p>On the land issue the consultant explained that the MOA is aware of this and will take special measures, as in previous projects, to ensure that participating women groups have ownership of the land they are working on.</p> <p>On participation in the project, the Consultant informed them that once finalized, the CPCU together with Regional Directorates would inform the village about the conditions for benefitting from the project.</p> <p>On GBV-the Consultant took note and reassured them that the project will give particular attention to this issue.</p>

Date	Community	Issues raised by the community	Action taken 10.9.
13/7/21	Toubakolong Mixed FGD North Bank Regio	Lamented the lack of funds to run mini-projects and lack of employment opportunities Marketing of farm produce especially for garden produce	The Consultant explained that the project has yet to take a final form but access to credit for small and medium enterprises are some of the important areas identified for intervention. Similarly, marketing of agricultural produce will be a key intervention area.
13/7/21	No-kunda (Women group only) North Bank Region	The women complained of lack of access to credit, farm inputs and equipment. These together with the responsibilities place on them by the men, make them poor. Request that the project supports women with loans, small enterprises such as poultry and sheep farming	The consultant explained that women and youth are one of the key areas of focus of the project with the objective of improving their living conditions. Issues such as access to credit and technological packages will be included in the new project.
13/7/21	Kunjo Sabach (Women group only) North Bank Region	Inadequate land for gardens Few plots per women in current garden Poor marketing conditions for garden produce and in time of glut prices go down. All these leads to poverty.	These comments in many ways reflect the challenges for women in the agricultural sector, which the projects seeks to address in part. Marketing is a very frequent complaint from the women.
14/7/21	Choya Niamina West Central River Region	Identified youth unemployment and marketing challenges Poor road network and the destruction of rice field by hippos.	The Consultant explained that some opportunities may exist for youth employment and the project should encourage contractors should employ local people if they have the required qualification for the services needed. This will help relations between local communities and the project. He informed the communities about the road rehabilitation component of the project which will also help improve market access.
14/7/21	Dasilameh Lower Fulladu West Central River Region	There is shortage of land in the village and therefore enquired how the compensation will be if the land is taken. Pumping machine in their rice fields have broken down.	The consultant explained as above that once the amount of compensation is determined, each PAPs will be paid the monetary value of the land lost.
	Kolly kunda Sami District	Poor roads and need for skills and skills	The Consultant again explained the project's focus on rehabilitation and

Date	Community	Issues raised by the community	Action taken 10.9.
	Central River Region	To help women and youth will require credit and training in modern agriculture.	improvement of rural roads to support mobility and market access
15/7/21	Nyakoi Kerewan Wuli West Upper River Region	Problem of pests and improvement technical skill in farming	The Consultant explained the project focus on improving the skill of the women and youth. On the pest the Consultant accepted to bring it to the attention of the CPCU
15/7/21	Dampfa kunda Tumana Upper River Region	Lamented the timely supply of farm inputs Land is not a problem	The Consultant took note of the complaint and urged them to address this to the relevant authorities
15/7/21	Sotuma Sere Jimara Upper River Region	Land is not a major problem but youth employment and access to credit especially for women is a major challenge especially for women.	Since the community has enough land, the Consultant urged them to give some of the land to their women groups so that they can fulfill one of the conditions for benefitting from the project.
16/7/21	Dumbuto Kiang West Lower River Region Women's group only	Complained about markets for their vegetables and lack of access to credit to buy fertilizer and other inputs. On land matters they said they receive the land on loan for their gardens. On communication channels the women referred to the community radios, the town crier and the announcements at the mosque.	The Consultant informed them that the project is here to address some of the complaints they have raised particularly market access.
	Buiba Jarra Central Lower River Region Mixed group	Welcomed the project and enquired how the village can benefit. Raised the issue of low level of farm production because of lack of implements and farm inputs (fertilizer) Also referred to youth unemployment.	The consultant explained the CPCU provide them these details once the project starts.
	Donghoro Ba Jarra East Lower River Region (Women's group only)	Raised the issue of market access for their vegetables. Land is given to them by the men on loan, which is then taken back after some years when they have already cleared and invested in it.	The Consultant explained the special focus of the project in addressing marketing and improving the entire value chain of the selected products. Credit is also one of the focus areas

10.10. Annex 7b: Summary of Participants at FGD with Communities

1. NBR					
District	Villages Visited	Type of FGD	Number of Participants		
			Female	Male	Total
Upper Nuimi	Tubakolong	Mixed Group	15	7	22
		Women only	20	0	20
Upper Badibu	No Kunda	Mixed group	11	5	16
		Women only	16	0	16
Sabah Sanjal	Junjo	Mixed group	15	5	20
		Women only	12	0	12
			89	17	106
2. CRR					
Niamina West	Choya	Mixed Group	29	11	40
		Women only	N/A	N/A	N/A
Folladou West	Dasilameh	Mixed group	16	16	32
		Women only	N/A	N/A	N/A
Sami	Koli Kunda	Mixed group	17	27	44
		Women only	N/A	N/A	N/A
			62	54	116
3. URR					
Wuli West	Nyakoi Kerewan	Mixed Group	7	8	15
		Women only	15	0	15
Tumana	Dampha Kunda	Mixed group	7	10	17
		Women only	16	0	16
Jimara	Sotuma Serere	Mixed group	11	4	15
		Women only	15	0	15
			71	22	93
4. WCR					
Foni Berefet	Berefet	Mixed Group	13	6	19
		Women only	12	0	12
Kombo North	Busumbala	Mixed group	17	5	22
		Women only	N/A	N/A	N/A
Kombo East	Pirang	Mixed group	10	12	22
		Women only	12	0	12
Kombo North	New Yundum	Women only	15	0	15
			79	23	102
5. LRR					
Kiang West	Dumbuto	Mixed Group	4	7	11
		Women	15	N/A	15
Jarra Central	Buiba	Mixed Group	8	4	12
		Women only	14	N/A	14
Jarra East	Donghorro Ba	Mixed Group	17	5	22
		Women only	22	0	22
			80	16	96
			381	132	513

ANNEX 7c: Sample list of participants from communities visited

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: Lower Fwinda West

REGION: CRR / South

DATE: 12/7/21

Name	Village	Actor (producer/processor/trader etc)	Gender	Signature
1. Illisa Sanyama	Dasilama	Farmer	M	
2. Jarika Sanyama	Dasilama	Farmer	M	
3. Jabou Cecoy	Dasilama	Farmer	F	
4. Sanyama Jabou	Dasilama	Farmer	F	
5. Mama Dabba	Dasilama	Farmer	F	
6. Kebo Sanyama	Dasilama	Farmer	M	
7. Makoy Sanyama	Dasilama	Farmer	M	
8. Sakoy Sanyama	Dasilama	Farmer	M	
9. Aboulic Sanyama	Dasilama	Farmer	M	
10. Hanyama Sanyama	Dasilama	Farmer	F	
11. Hanyama Sanyama	Dasilama	Farmer	F	
12. Alsiye Boye	Dasilama	Farmer	M	
13. Gimbo Sanyama	Dasilama	Farmer	M	
14. Teney Babu	Dasilama	Farmer	F	
15. Hanyama Cecoy	Dasilama	Farmer	F	
16. Babu Cecoy	Dasilama	Farmer	M	
17. Hanyama Babu	Dasilama	Farmer	M	
18. Sanyama Babu	Dasilama	Farmer	M	
19. Hanyama Sanyama	Dasilama	Farmer	F	
20. Hanyama Sanyama	Dasilama	Farmer	F	
21. Hanyama Sanyama	Dasilama	Farmer	F	
22. Aja Mawneh	Dasilama	Farmer	F	

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: Sami

REGION: CENTRAL RIVER REGION / NORTH

DATE: 14/7/21

Name	Village	Actor (producer/processor/trader etc)	Gender	Signature
1. Aboulic Sallal	Kol. Kandi	Alkalo	Male	
2. Sanyama Jallo	"	Farmer	M	
3. Sanyama Jallo	"	Farmer	M	
4. Mama Sanyama	"	Farmer	M	
5. Mama Sanyama	"	Farmer	M	
6. Sanyama Sanyama	"	Farmer	M	
7. Mama Jallo	"	Farmer	M	
8. Danda Sallal	"	Farmer	M	
9. Danda Balal	"	Farmer	M	
10. Sanyama Ngang	"	Farmer	M	
11. Alsiye Jallo	"	Farmer	M	
12. Sanyama Jallo	"	Farmer	M	
13. Babu Dandj Jallo	"	Farmer	M	
14. Omu Mikal	"	Farmer	M	
15. Aboulic Sanyama	"	Farmer	M	
16. Hanyama Jallo	"	Farmer	M	
17. Hanyama Jallo	"	Farmer	M	
18. Sanyama Sanyama	"	Farmer	M	
19. Mama Sallal	"	Farmer	M	
20. Amiceta Sanyama	"	Farmer	Female	
21. Rubine Nidago	"	Farmer	Female	
22. Kumbo Dam	"	Farmer	Female	

List of participants from CRR North and South

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: SAMI
 REGION: CENTRAL RWER REGION
 DATE: 14/7/21

Name	Village	Actor (producer/processor/ trader etc)	Gender	Signature
23 Deja Jallow	Koli Kunda	Farmer	Female	
24 Halimatu Jallow	"	Farmer	Female	
25 Amienata Mballah	"	Farmer	Female	
26 Mairan Jallow	"	Farmer	Female	
27 Penda Bah	"	Farmer	Female	
28 Mariyatu Nyang	"	Farmer	Female	
29 Amienata Bah	"	Farmer	Female	
30 Kajetan Jallow	"	Farmer	Female	
31 Penda Njie	"	Farmer	Female	
32 Kumbas Sallah	"	Farmer	Female	
33 Jarry Jallow	"	Farmer	Female	
34 Hawa Jallow	"	Farmer	Female	
35 Fatou Sowe	"	Farmer	Female	
36 Musa Sallah	"	Farmer	Male	
37 Momadou Sallah	"	Farmer	Male	
38 Amadou Sallah	"	Farmer	Male	
39 Alasan Njie	"	Farmer	Male	
40 Bubacar Swarich	"	Farmer	Male	
41 Karimo Jaitch	"	Farmer	Male	
42 Isatu Jallow	"	Farmer	Female	
43 Baba Swarich	"	Farmer	Male	
44 Alasan Mballah	"	Farmer	Male	

Part of participants from Koli Kunda CRR

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: BATHIE - NOKUNDA (Women's Group)
 REGION: NORTH BANK
 DATE: 13/7/21

Name	Village	Actor (producer/processor/ trader etc)	Gender	Signature
1 Anita Bibba	No Kunda	producer	F	
2 Aja Sangany		✓	F	
3 Antunata Gagne		✓	F	
4 Alame Yawelle		✓	F	
5 Ndey Daayha		✓ trader	F	
6 Alou Jara Daayha		✓	F	
7 Njimatou Mawng		✓	F	
8 Aja Ceesay		✓	F	
9 Binta Jammal Kama		✓	F	
10 Saigo Ganneh		✓	F	
11 Banna Kenji		✓	F	
12 Binta Mawng		✓	F	
13 Aja Mawng		✓	F	
14 Isatu Kowth		✓	F	
15 Mariama Daayha		✓	F	
16 Binta Jammal			F	

Participants from NoKunda NBR

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: SABANKH - Kunjo

REGION: NORTH BANK

DATE:

Name	Village	Actor (producer/processor/trader etc)	Gender	Signature
1 FODAY ^{COTEL} JAWA	KUNJO	producer	M	<i>[Signature]</i>
2 OLASREH JAWA		Producer	M	<i>[Signature]</i>
3 ANAT GAYE		✓	M	<i>[Signature]</i>
4 BASOU FAYE		✓	M	<i>[Signature]</i>
5 PA JAWA		✓	M	<i>[Signature]</i>
6 HANCHA GAYE		✓	F	<i>[Signature]</i>
7 AWA FAYE		✓	F	<i>[Signature]</i>
8 KUMBA TOURAY		✓	F	<i>[Signature]</i>
9 SOJED JAWA		✓	F	<i>[Signature]</i>
10 WODEH CHA		✓	F	<i>[Signature]</i>
11 MARAM TOURAY		✓	F	<i>[Signature]</i>
12 MARIE JOOF		✓	F	<i>[Signature]</i>
13 FATEU CAMARA		✓	F	<i>[Signature]</i>
14 JAWA SODE		✓	F	<i>[Signature]</i>
15 KEN FAYE		✓	F	<i>[Signature]</i>
16 AALIMATOU CESTRY		✓	F	<i>[Signature]</i>
17 AALIMATOU CAMARA		✓	F	<i>[Signature]</i>
18 AMINA BINA		✓	F	<i>[Signature]</i>
19 BINA MAMBO		✓	F	<i>[Signature]</i>
20 Binta Sedara		✓	F	<i>[Signature]</i>

Mixed gender GROUP meeting in Kunjo NBR

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: SABANKH - Kunjo

REGION: NORTH BANK

DATE:

Name	Village	Actor (producer/processor/trader etc)	Gender	Signature
1 Drammek Jah	Kunjo	Producer	F	<i>[Signature]</i>
2 Binta Mambureh	✓	Producer	F	<i>[Signature]</i>
3 Olanama Samsah	✓	Producer	F	<i>[Signature]</i>
4 Janna Jobe	✓	Producer	F	<i>[Signature]</i>
5 Amie Njie	✓	✓ and Trader	F	<i>[Signature]</i>
6 Binta Njie	✓	Producer	F	<i>[Signature]</i>
7 Gida Nyang	✓	✓ and Trader	F	<i>[Signature]</i>
8 Olanama Faye	✓	Producer ✓ Trader	F	<i>[Signature]</i>
9 Naato Cotel	✓	Producer	F	<i>[Signature]</i>
10 Tambailli Samsah	✓	✓	F	<i>[Signature]</i>
11 Haddy Cestay	✓	Producer and Tailor	F	<i>[Signature]</i>
12 Adama Cotel	✓	Trademard Producer	F	<i>[Signature]</i>

Participants from exclusive women's group Kunjo

Focus Person: Fatumba Bajang
5191447

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: Jundun - New
 REGION: West Coast
 DATE: 12/07/2011

Name	Village	Actor (producer/processor/trader etc)	Gender	Signature
1 Musukaba Cacing	New Kundur	Producer	Female	
2 Amie Maria		Producer	Female	
3 Fatou Colley		Producer	Female	
4 Bintou Manjang		Producer/trader	Female	
5 Fatou Ba		Producer	Female	
6 Jola Banda		Producer	Female	
7 Bintou Samone		Producer/trader	Female	
8 Musukaba		Producer/trader	Female	
9 Maria Bajang		Producer	Female	
10 Fatou Jatta		Producer	Female	
11 I Sadio Jabbi		Producer	Female	
12 Mariama Camara		Producer	Female	
13 Alan Dramak		Producer	Female	
14 I Sadio Jabbi		Producer	Female	
15 Berate Dahaba		Producer	Female	

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: Arang
 REGION: West Coast
 DATE: 12/03/2011

3926189 (Babat K.)
 Bajang / VDC
 Cusum

Name	Village	Actor (producer/processor/trader etc)	Gender	Signature
1 N'Kou Jabang	Male	Producer/trader	Male	
2 Jun Bajang		Producer	Male	
3 Fabuwaru		Producer	Male	
4 Alhage Joff		Producer	Male	
5 Anouane Samo		Producer	Male	
6 Ouady Samo		Producer	Male	
7 Maste	Bajang	Producer	Male	
8 Larin Bah		Producer	Male	
9 Fency Samo		Producer	Male	
10 Sarjo Nyass		Producer	Female	
11 Fatou Janad		Producer	Female	
12 Tida Jaxi		Producer	Female	
13 Kambou		Producer	Female	
14 Aminata Sai		Producer	Female	
15 Ana Jasse		Producer	Female	
16 Fatou Jabang		Producer	Female	
17 Fatou Sanyan		Producer	Female	
18 Musukaba		Producer	Female	
19 Baba		Producer	Male	
20 Baba Bajang		Producer	Male	
21 Abdou Bajang		Producer	Male	
22 Mariama Cacing		Producer	Female	

Select list of participants at meetings in WCR

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: Bereket
 REGION: West Coast
 DATE: 12/07/21

	Name	Village	Actor (producer/processor/ trader etc)	Gender	Signature
1	Kaddy Sowe	Beste	producer	Female	[Signature]
2	Fatou Kebab		producer	Female	[Signature]
3	Fatouwa Jallo		producer	f	
4	Damber Sowe		producer	Male	[Signature]
5	Makubani Sanyang		producer	Male	
6	Ateburu Man		producer	male	[Signature]
7	Sajo Bangwo		producer	Female	[Signature]
8	Amie Cham		producer	female	[Signature]
9	Kaddy Jallow		trader	Female	[Signature]
10	Bintou Sanyang		trader/producer	Female	
11	Nacass Bahja		producer	male	[Signature]
12	Bakary Gerteh		producer	male	[Signature]
13	Alagi Bah		producer	male	[Signature]
14	Alakou Bah		Producer/trader	Female	[Signature]
15	Sofoni Jammeh		Producer	female	[Signature]
16	Fatou Kebab			Female	[Signature]
17	Nimmi Bah			female	[Signature]
18	Mariamou Bah			female	[Signature]
19	Fida Jallow			female	[Signature]

List of participants from Brefet, WCR

FOCUS GROUP DISCUSSION - ATTENDANCE REGISTER

NAME OF DISTRICT: SAMI
 REGION: CENTRAL RWER REGION
 DATE: 14/7/21

	Name	Village	Actor (producer/processor/ trader etc)	Gender	Signature
23	Deja Jallow	Koli Kumb	Farmer	Female	[Signature]
24	Halimata Jallow	"	Farmer	Female	[Signature]
25	Aminata Mamba	"	Farmer	Female	[Signature]
26	Mairan Jallow	"	Farmer	Female	[Signature]
27	Penda Bah	"	Farmer	Female	[Signature]
28	Mariyatu Nyag	"	Farmer	Female	[Signature]
29	Aminata Bah	"	Farmer	Female	[Signature]
30	Kajatu Jallow	"	Farmer	Female	[Signature]
31	Penda Njie	"	Farmer	Female	[Signature]
32	Kumba Sallah	"	Farmer	Female	[Signature]
33	Jarry Jallow	"	Farmer	Female	[Signature]
34	Hawa Jallow	"	Farmer	Female	[Signature]
35	Fatou Sowe	"	Farmer	Female	[Signature]
36	Musa Sallah	"	Farmer	male	[Signature]
37	Momadou Sallah	"	Farmer	male	[Signature]
38	Amadou Sallah	"	farmer	male	[Signature]
39	Alasan Njie	"	Farmer	male	[Signature]
40	Bubacar Sanyang	"	Farmer	male	[Signature]
41	Karano Janteh	"	Farmer	male	[Signature]
42	Isatu Jallow	"	Farmer	Female	[Signature]
43	Buba Sanyang	"	Farmer	male	[Signature]
44	Alasan Mballou	"	Farmer	male	[Signature]

10.11. Annex 8: Sample Terms of Reference for a Resettlement Action Plan

Introduction

- Briefly describe the project.
- List project components including associated facilities (if any).
 - Describe project components requiring land acquisition and resettlement; give overall estimates of land acquisition and resettlement.

Scope

For achieving these objectives, the Consultant should develop a resettlement action plan (RAP) based on the following sections which correspond to the scope of work.

Task 1: Description of the project and surrounding area

The Consultant should provide a general description of affected areas in the geographical, administrative, physical, biological, human, socio-economic of the area concerned.

Task 2: Potential social impacts of the project

The Consultant should identify the potential positive and negative impacts of the infrastructural activities to be undertaken during the following aspects:

components or activities that require resettlement or restriction of access;

zone of impact of components or activities;

alternatives considered to avoid or minimize resettlement or restricted access to sources of income;

mechanisms established to minimize resettlement, displacement, and restricted access to sources of income, to the extent possible, during project implementation;

Task 3: Legal and institutional framework of the resettlement

The analysis of the legal and institutional framework in The Gambia should cover the following:

scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc.;

- applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RAP for the sub-projects;

- relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc. related to displacement and resettlement, and environmental laws and social welfare legislation;
- laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and
- legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc. and which are specific to the sub-projects.

The institutional framework governing RAP implementation generally covers:

- agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
- institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and
- activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

Task 4: Socio-economic studies

The Consultant should conduct socio-economic studies with the involvement of potentially affected people. These socio-economic studies should include the overall results of the census of the PAPs, property and livelihoods covering:

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

information on vulnerable groups or persons, for whom special provisions may have to be made; and

- provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

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

-land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;

-patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-projects;

-public infrastructure and social services that will be affected; and

-social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and Non-Governmental Organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Task 5: Eligibility and entitlements

The Consultant should define and characterize displaced persons or PAPs and the criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

Task 6: Valuation and compensation for losses

The Consultant should determine the methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g., market rates) and included transporting building materials to the construction site, any labor and contractors and any registration cost.

For the compensation of lands lost by PAPs and whose they depend for their livelihood (agricultural and pastoral lands for example), the Consultant should ensure that these PAP find alternative lands in the area with the similar quality or better than the lost lands, without any registration costs.

In any case, the Consultant should consult PAPs to know their preferences compared with different types of compensations.

Task 7: Resettlement measures

The Consultant should do the description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the resettlement objectives. Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

If a resettlement site is an option, the Consultant should describe the alternative relocation site, indicating:

the institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;

the necessary measures to prevent land speculation or influx of eligible persons at the selected sites;

the procedures for physical relocation under the project, including timetables for site preparation and transfer; and

the legal arrangements for recognizing (or regularizing) tenure and transferring titles to resettlers;

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

the environmental protection and management: description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement). The RAPs needs to clearly present detail information on the propose mitigation measures for each affected entity or PAPs with reasoning for the site, type and level of mitigation being offered;

the community participation: consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPs and host communities, should include:

description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;

summary of the consultations and how PAPs' views were taken into account in preparing the resettlement plan; and

review of resettlement alternatives presented, and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g., places of worship, pilgrimage centers, cemeteries); and

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

The consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

consultations with host communities and local governments;

arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;

conflict resolution involving PAPs and host communities; and

additional services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

Task 8: Grievance Management Mechanism

The RAP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms. The grievance management mechanism should include the Regional Coordination Unit (RCU) located in ECOWAS.

Task 9: RAP implementation responsibilities

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

the delivery of RAP compensation and rehabilitation measures and provision of services;

an appropriate coordination between agencies and jurisdictions involved in RAP implementation;

the measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g., community-based livelihood restoration; participatory monitoring; etc.).

Task 10: Implementation Schedule

The Consultant should include in the RAP, an implementation schedule covering all RAP activities from preparation, implementation, and monitoring and evaluation should be included. This schedule should identify the target dates for delivery of benefits to resettlers and hosts and a clearly defined closing date. This schedule should indicate how the RAP activities are linked to the implementation of the overall project.

Task 11: Costs and budget

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

Task 12: Monitoring and Evaluation

The Consultant should include in the RAP section on monitoring and evaluation the arrangements for monitoring of RAP activities by NAWEC (the implementing agency), and the independent monitoring of these activities. An independent monitor or agency will carry out the final evaluation to measure RAP outcomes and impacts on PAPs' livelihood and living conditions.

Task 13: Disclosure and publication

The Consultant should indicate the arrangements for RAP disclosure/publication in order to make them accessible to the PAPs.

Methodology and preparation of the proposal

CPCU has overall responsibility for the implementation of the Project and in this regard, it will have oversight responsibilities for the RAPs studies and implementation. It shall provide the necessary support and guidance to the Consultant or Firm and shall liaise closely with the Regional.

The Consultant will carry out the Resettlement Action Plans (RAP) in accordance with the Resettlement Policy Framework (RPF) and the Environmental and Social Impact Studies (ESIS) of GIRAV project in line with national laws and provisions of Environmental and Social Standard 5 of the World Bank.

In the preparation of the RAPs, the PAPs and other stakeholders will be consulted. Such consultations will be part of the ongoing activities of the project. The consultations seek to increase transparency, public understanding, and citizen involvement in the design and implementation of the RAP. It helps ensure that the PAPs are adequately informed about the project and have the chance to make informed decisions regarding their position on the project. The target group for these consultations will be the PAPs and other relevant stakeholders such as government agencies, at national and regional levels, Local government representatives, NGOs and CSOs, women and youth groups at the regional level. These consultations shall, in all cases, take due consideration of representativeness and inclusion of women and marginalized or vulnerable groups. However, in view of the potential difficulties these groups sometimes have in making their voices heard in large open meetings, special arrangements shall be made at group and individual levels to reach out to them to create the necessary awareness and collect their views.

In line with the Stakeholder Engagement Plan for the project, the Consultant will conduct:

Public meetings in suitable locations ('bantaba,' market-place, etc.), the official residence or offices of the local leaders will be held in the affected areas with community leaders, opinion leaders, and PAPs as individuals (as during the survey) and in their groups. At these meetings, the people will be informed about the project, the assets likely to be impacted, the principle of compensation for the various types of losses, the entitlement eligibility criteria, if already known, modes of compensation and the complaints and grievances resolution procedures. The stakeholders will also be informed about their rights and the alternatives available to them if the proposed compensation to them is considered inadequate.

Individual(s)-based meetings will be conducted with each affected household either at the affected house or local office of the project. During these meetings, the affected individual/households will be informed of their asset(s) that have been affected and informed of the resettlement options. The affected group or individual will also be informed of their right to acquire assistance from any competent valuator, lawyer or legal counsel during the assessment or meeting relating to the assessment of assets.

These meetings and consultations will be documented by signed minutes, minutes and photos.

In his offer, the Consultant will highlight his experiences and detailed references concerning the execution of RAP contracts present the signed CVs of the specialists of his team, and make documented proposals on the following axes:

- understanding of ToRs and the mission;
- the main activities and expected results at each level;
- the timetable for the execution of the study.

Timetable and outputs

The Consultant is expected to submit to CPCU the following:

Inception report describing the procedures and timetable for completion of the RAP preparation process (by second week after contract signing);

Draft RAP report (by 60 working days after contract signing);

.

The RAP will be accompanied by an Excel database containing all information on PAPs and loss of property and assets, including geo-referenced data. The Consultant will develop a template for a PAP form and agreement by type of PAP.

After completion of the review of the draft RAP, including consultations with PAPs and communities on the main finding of the RAP, the final RAP will be disclosed by CPCU. During the review process, the Consultant is expected to make the necessary changes to the RAP and organize the disclosure and consultation process. The RAP will be subject for review and validation by the Technical ESIA working group at the National Environmental Agency prior to disclosure and approved by the World Bank.

Consultant Profile

The Consultant must be a Consultant or firm with at least ten (10) years of experience in conducting social and environmental assessments, including the development of Resettlement Policy Frameworks (RPFs) and Resettlement Action Plans (RAP) on behalf of International Development Agencies projects.

The Consultant or the Firm must have a permanent team, multidisciplinary and qualified for the tasks, including at least the following profiles:

an **Expert in Environmental and Social Assessment**, Team Leader, with a postgraduate degree (Master level), with an experience of at least ten (10) years in the preparation of Resettlement Action Plans and having a good knowledge of the World Bank or other International Development Institutions policies on safeguards.

a **socio-economist, specialist in socio-economic surveys, gender, social inclusion and public consultation**, postgraduate degree (Master level) with at least ten (10) years of experience.

an **Expert in Geographical Information System (GIS)** with a postgraduate degree (Master level) with at least 4 years of professional experience in his area of expertise, good knowledge of GIS software, database management system (Access, Excel), modeling and knowledge in photo-interpretation and remote sensing.

Conduct of the Consultant

The Consultant will, at all times, be expected to carry out the assignment with the highest degree of professionalism and integrity, including prohibition of any SEAH misconduct. The Consultant will be expected to conduct his/her duties in an open and transparent manner;

The Consultant will not, under any circumstance, take any actions or be seen to be taking any actions, which may hinder or prevent the GIRAV Agro-Climatic Resilience project from executing this assignment;

The Consultant will study all the Agro-Climatic Resilience in GIRAV s project guidelines and policies and will be expected to ensure that the assignment is concluded with the strictest adherence to all such policies and regulations;

The Consultant will not, under any circumstances, take any material decision pertinent to this assignment without the express permission and written consent of an authorized representative of the GIRAV Agro-Climatic Resilience Landscapes project; and

The Consultant will not, under any circumstances, discuss, divulge or use any information regarding this assignment or any other transaction conducted as part of the FGN's Program, without the express written permission of an authorized representative of the GIRAV Agro-Climatic Resilience Landscapes project.

Fees and Reimbursable

Firm / Consultant fees and reimbursable (travel costs, organization of consultation meetings with key stakeholders) shall be included in the proposal/ Work plan.

The following milestone payment will be adopted:

Inception Report – 15%

Draft Report – 55%

Final Report – 30%

ANNEX 1

Sample Outline of a Resettlement Action Plan (RAP)

Executive Summary

I. Introduction

1. Rationale for the Audit
2. Findings from the RAP
3. Objectives of the Audit

II. Project Location

III. Project Description

1. Technical description of the Project (taken from the RAP)
2. Coverage of the RAP

IV. Review of Policies, Legal, and Institutional Frameworks

1. Country policies on resettlement
2. Country laws
3. Country institutional arrangements

V. Methodology

1. Sensitization and familiarization: Evaluation of the RAP
2. Assessment of identification and project impact boundary delineation
3. Evaluation of socio-economic surveys and property registration
4. Findings from community level surveys (to assess RAP impacts)
5. Qualitative methods

VI. Description of the Project Affected Areas

1. Realignment of roads
 - a. Population and settlements

b. Economic conditions and livelihood activities

2. Other affected areas

a. Population and settlements

b. Business or commercial areas

3. Agricultural areas

4. Livestock, grazing, other areas

5. Population and settlements

a. Economic conditions and livelihood activities

b. Economic and social impacts

VII. Census and Socio-economic Surveys

1. RAP outcome surveys

2. Income and expenditures profiles

3. Community relations, social capital, etc.

VIII. Impact of the Project

1. Impacts on Gender

2. Impacts on Vulnerable Groups

IX. Public Consultation and Disclosure

1. Major findings from consultations with PAPs and community groups

2. National consultations

X. Assessment of Valuation and Compensation

1. Compensation for loss of land

2. Compensation for loss of annual crops

3. Compensation for loss of perennial crops

4. Compensation for loss of other assets

XI. Evaluation of Income and Livelihood Restoration Strategies

1. Communities affected by the project

a. Income restoration and improvement

b. Land based

c. Non-farm components

d. Social and community development plans

2. Communities in adjacent (but non-project) areas

- a. Income restoration and improvement
 - b. Land based
 - c. Non-farm components
 - d. Social and community development plans
3. Communities along broader corridor
- a. Income restoration and improvement
 - b. Land based
 - c. Non-farm components
 - d. Social and community development plans

XII. Quality of Institutional Arrangements for RAP Implementation

XIII. Monitoring, Reviews, and Evaluation

- 1. Monthly monitoring
- 2. Annual review (RAP Audit)
- 3. RAP evaluation

XIV. Effectiveness of Grievance Mechanism

- 1. Steps for submitting grievances, complaints, etc.
- 2. Dispute resolution process
- 3. Follow up activities

XV. RAPs Implementation Budget and Schedule

- 1. Adequacy of budget for RAPs
- 2. Realism of implementation schedule

10.12. **Annex 9: Bibliography**

- 1) Constitution of the Republic of the Gambia, 1997
- 2) State Lands Act, 1991
- 3) Local Government Act, 2002
- 4) Land Acquisition and Compensation Act, 1991
- 5) Lands (Regions) Act 1991

- 6) Physical Planning and Development Control Act, 1991
- 7) Surveys Act 1991
- 8) National Environmental Management Act 1990
- 9) Environmental Impact Assessment Procedures 1999
- 10) Environmental Impact Assessment Guidelines 1999
- 11) Lands Commission Act 2007
- 12) Development Control Regulations, 1995
- 13) Draft Plans Regulations, 1995
- 14) State Lands Regulations, 1995
- 15) Environmental and Social Framework, World Bank 2017

10.13. Annex 10: Terms of Reference for the Preparation of a Resettlement Policy Framework (RPF)

Background information

To support agricultural value chain development and to move from subsistence to a more market-oriented agriculture, the World Bank (WB) is financing the preparation of The Gambia Inclusive and Resilient Agricultural Value Chain Development Project (GIRAV) for an amount of US\$ 30 million and for five years. The project is planned to be submitted for WB Board approval by August 2021.

The Project Development Objective (PDO) is to support the development of inclusive and competitive agriculture value chains⁶, focusing on smallholder farmers and agri-entrepreneurs in Project targeted areas. To achieve this objective, the project will consist of three interlinked technical components, in addition to the Project Implementation and Coordination Component, organized to address the key binding constraints for the development of the agriculture and agribusiness sector:

PROJECT DESCRIPTION

Proposed Project Development Objectives

The proposed Project Development Objective (PDO) is to support the development of inclusive and competitive agriculture value chains, focusing on smallholder farmers and agri-entrepreneurs in Project targeted areas.

Component 1. Improving the business environment for commercial agriculture development (

The objective of Component 1 is to support establishing an enabling environment that can foster private investment and build a competitive and sustainable development of a commercial agriculture/agribusiness sector in the Gambia. This will be achieved by (i) strengthening the capacity of the key organizations engaged in agri-food value chains, improving value chain coordination and partnership between actors; (ii) improving producers' market access by providing (a) key marketing infrastructure, (b) critical SPS services and (c) feeder roads to improve rural mobility and connectivity.

Subcomponent 1.1: Strengthening the capacity of the key organizations and improving value chains coordination and partnership

In cooperation with IFC, this subcomponent will focus on the following activities:

- (a) **Strengthening of producer and professional organizations**, including men and women, involved in selected priority value chains, through provision of technical assistance, training, coaching, and mentoring. This subcomponent will finance technical assistance to identify promising markets, development of productive partnerships or contract farming between producers and buyers involved in processing, export to increasing sales, and diversify markets. Given current and expected climate impacts in the agricultural sector, in particular the priority value chains, technical assistance and training offered will also cover topics on climate vulnerabilities as well as climate adaptation and mitigation solutions for producer and professional organizations. To address the gender gap in agricultural value chains, the project will support specific training for women leaders of producer organizations to promote their increased participation in decision-making, as well as their economic and social empowerment⁷. A specific indicator will measure the effectiveness of this activity: number of women trained in social and economic empowerment.

⁶ Competitive value chains are defined as those being able to compete in terms of product quality and price on specific market segments. Consequently, they are expected to provide project beneficiaries with better access to markets, and jobs.

⁷ The training will concern the strengthening of their capacity to express their needs, rights, leadership for an active and recognized participation of women in decision-making bodies as well as for defining action plans to raise specific social and economic constraints.

(b) **Establishment of well-coordinated/integrated value chains cooperation mechanism** among the various players of the targeted value chains to respond to market demand/opportunities. To this end this subcomponent will finance : (i) the identification and digital mapping of the different value chain actors including both men and women under the coordination of the Gambia Chamber of Commerce and Industry (GCCI); (ii) the establishment or strengthening for each of the selected commodity value chains, of an Innovation Platform (IP) as promoted by WAAPP to bring together key stakeholders (producers, processors, traders, transporters) around common issues regarding the value chains market demands, climate change risks, information on appropriate technologies including climate-smart agriculture technologies, etc. IPs will be established at key locations in production areas and supported by dedicated facilitators and in coordination with existing initiatives (ROOTS) to build synergy and complementary. These IPs will become the value chains' interprofessional organizations bringing together all stakeholders to improve their coordination, increase their voice in the definition of relevant policies and programs and adopt consensual "rules of the game" for managing the common goods of the value chains ; (iii) the development of productive partnerships/contract farming arrangements between producers and buyers involved in marketing, processing and export; (iv) the preparation of a catalogue of promising investment opportunities which will include information on costs, expected financial return, risks, expected social and environmental impacts, and prerequisites for success; (v) the preparation, establishment and operation of a Digital Market Platform for the targeted value chains to provide actors with real-time market information in terms of market price, supply and demand availability, transport services, and connecting buyers and sellers; and (vi) strengthening the public-private dialogue on specific issues that are key to developing the targeted agri-food value chains.

(c) **Strengthening the capacity of the Gambia Investment & Export Promotion Agency (GIEPA) and Gambia Chamber of Commerce and Industry (GCCI)** for mobilizing, facilitating, and monitoring private investments in agriculture and agribusinesses. The subcomponent will, in cooperation with IFC, support GIEPA as an efficient one-stop shop to promote and support domestic and foreign investment in the Gambia, in particular in agriculture. It will strengthen GIEPA in several key areas as follows: (i) the implementation of an effective communication strategy and outreach campaigns; (ii) the development of a knowledge database related to market opportunities and financing opportunities in the selected value chains (and in the agri-food sector in general)⁸; and (iii) the establishment of a Private Investor Support and Tracking System (to identify promising private investments and monitor their implementation and impacts) and a Grievance Redress Mechanism (GRM) to address and remove administrative constraints that agribusiness investors may face in establishing or expanding their business. The project will strengthen GCCI by financing (i) capacity building program for GCCI staff in governance, organization, communication, and other targeted field areas, (ii) a digital platform mapping different economic operators' members of GCCI and offering them opportunity of connection and partnership.

Supporting public-private dialogue on specific issues and reforms required for the development of commercial agriculture such as inter alia secure access to land, incentives for ensuring the competitiveness of agricultural production and processing, and the management of irrigation in women and youth agribusiness firms, management and maintenance of feeder roads and marketing infrastructure to ensure sustainability. In addition, the project will also encourage public-private dialogue on climate related issues including to encourage the use of climate-smart practices in commercial agriculture.

This Subcomponent will be implemented by the CPCU in partnership with the Gambia Chamber of Commerce and Industry (GCCI) and under the joint supervision of the Ministry of Agriculture and Ministry of Trade Ministry of Trade, Industry, Regional Integration and Employment.

Sub-Component 1.2: Developing critical marketing infrastructures

⁸ This database will include the information on typical investment opportunities and more general data on markets, agronomic conditions, access to irrigation, utilities and services, industrial land, etc. This database will be freely available to public institutions, PFIs and potential investors.

The sub-component will support the establishment/improvement of aggregation/logistics platforms (bulking, storage, conditioning/processing) at critical locations in the project areas. These aggregation/logistics platforms will also offer an efficient access to the main utilities and services to smallholders and SMEs. Expected outcomes for such investments are improved quality of products, reduced marketing costs, reduced post-harvest losses, increased farm-gate prices, better connection between producers and buyers, and improved competitiveness of the domestic production in supplying of food products to major regional consumption centers and export points. The pre-feasibility studies of these infrastructure will include (i) the review options for their management with due consideration to public-private partnership (PPP) arrangements between local governments and the private sector or other concessionary agreements and sustainable financing; (ii) the design standards ensuring their resilience to the main local risk factors (geophysical conditions and climate change) and their potential for climate co-benefits (e.g. improved energy efficiency, use of renewable energy, etc.)⁹; and (iii) related environmental and social Impact assessments (ESIAs). This Sub-Component will finance (i) the technical assistance necessary for undertaking the technical, management and environmental design of the proposed aggregation/logistics platforms; (ii) their construction and (iii) the tailor-made technical and financial assistance to bring these markets to full operational capacity and breakeven point.

Sub-Component 1.3: Strengthening quality and sanitary and phytosanitary control systems

This subcomponent will contribute to establishing a coherent food safety and quality control system which is critical for Gambian agricultural products to access exports markets and improving the management of food safety risks for the domestic consumers. Planned investments will complement past and on-going activities in food safety and quality and focus on three levels:

- (a) Strengthening the institutional and regulatory framework for food quality control and SPS management. Subcomponent 1.3 will provide technical and financial assistance for: (i) updating the national food quality and safety regulatory framework to align with international and regional (ECOWAS) standards; (ii) strengthening the National Agency Food Safety and Quality Authority (FSQA) and the Gambia Standards Bureau (TGSB) under the Ministry of Trade, Industry, Regional Integration and Employment (MOTIE); (iii) promoting a preventive, risk-based inspection system in food safety, plant health, and animal health that encompasses all dimensions of official control, including procedures related to food imports and exports; and (iii) designing a national framework for the development of digital traceability systems for domestic producers.
- (b) Improving key laboratories. Subcomponent 1.3 will provide support to upgrade the facilities and equipment of (one or two) key food-safety laboratories (public and/or private) to improve the national testing capacity and move toward laboratory accreditation.
- (c) Support for value chain specific compliance schemes. This subcomponent will improve the capacity of professional organizations and service providers to assist private value-chain operators in complying with the certification requirements.

The subcomponent will finance the technical assistance, equipment, training, and consultations/workshops required to support the above activities. It will be implemented by CPCU in partnership with the FSQA and under the supervision of the Ministry of Agriculture and Ministry of Trade, Industry, Regional Integration and Employment. This will be complemented by the assistance to be provided to specific investors under Component 3.

Subcomponent 1.4: Improving mobility and connectivity with better access to road

⁹ The design of the markets will incorporate best practices and Eco-Industrial Park Guidelines, focus on mitigating climate change through resource-efficient technologies and buildings (generating renewable photovoltaic energy, for instance), and therefore reduce GHG emissions (World Bank Group (2016), Mainstreaming Eco-Industrial Parks).

The poor road network is a major constraint on access to markets for smallholders and SMEs in The Gambia, leading to high post-harvest losses and transportation costs. The project aims to alleviate these constraints by developing and rehabilitating feeder roads along with a maintenance program to ensure sustainability. This program will follow the National Rural Road Development and Maintenance Strategy, which features a partnership between the State, inter-professional bodies, and private operators to select roads that are high priorities for rehabilitation/maintenance or construction, and the co-financing of these activities. Following an inventory of rural roads in project areas, a rural road improvement program will be developed jointly by Ministry of Agriculture and the National Roads Authority, focusing on priority roads in areas with high potential of production of targeted agricultural value chains. The project will finance the development and rehabilitation of xxx kilometers of feeder roads involving heavy reprofiling and treatment of critical bottlenecks in selected spots (small bridges and culverts); continuous repaving of xxx kilometers of feeder roads; and maintenance and light reprofiling of roads over the duration of the project (in total approximately xxx kilometers). The feeder roads program will incorporate measures to adapt to climate change risks, including basic drainage infrastructure, increasing vegetation buffers between the road and bushland, and maintenance of verge vegetation. To the extent possible, road work will involve labour-intensive methods to provide local employment. The work program will include technical studies as well as environmental and social impact assessments and mitigation measures. To ensure the sustainability of this investment, a community-based road maintenance strategy will be developed, and road maintenance associations will be formed and strengthened at the community level. These associations will receive low-cost hand tools and equipment to undertake routine maintenance. This subcomponent 1.4 will be implemented by the National Roads Authority through private civil works contractors recruited through competitive bidding under the coordination and fiduciary responsibility of the CPCU.

Component 2: Building a productive and climate-resilient agri-food system (US\$ 9 million from IDA)

The objective of this component is to increase agricultural productivity through climate-smart intensification of selected production systems focusing on enhancing water management and fostering access to improved technologies and innovations. More specifically, the project will support the following main interventions organized in two sub-components:

Subcomponent 2.1: Promoting modern irrigation in women and youth-led agribusiness firms

Building on the GCAV achievements, this sub-component aims at promoting the development of new agribusiness firms led by women and youth (18-35 years of age) equipped with modern irrigation technologies. This special focus on women, major actor of horticultural value chains will help them to move from subsistence-oriented community vegetable gardens to market-and-business-oriented horticultural firms for a greater contribution to commercial agriculture, enhanced climate resilience and increased income. Modern youth-led agribusiness firms equipped with greenhouse, modern vertical farming with automatic irrigation and fertigation system will be promoted to attract young men and women in agribusiness and contribute to their economic insertion. Particularly, rural youth and young professionals who have graduated from agricultural and business schools will be targeted and supported to become agri-entrepreneurs. This Sub-Component will finance, inter alia: (i) pressurized water management technologies to modernize production systems, (ii) associated investments, including on-farm water storage tanks, on-farm drip, sprinkler or pivot irrigation equipment, greenhouse, vertical farming, fencing, solar energy system and processing platforms; (iii) capacity building including development of management procedures and guidelines for the choice, operation and maintenance of financed irrigation equipment to ensure its sustainability. A total of 20 women-led agribusiness firms for a total of 100 hectares and 5 hectares each, and 100 hectares and 5 hectares each for youth-led horticultural firms will be fully equipped by the project. This subcomponent will be implemented by the CPCU with support from Soil and Water Management Service and NEDI as implementing partners.

Subcomponent 2.2: Increasing access to technology, innovation, and advisory services

Building on the solid foundation established under the IDA-financed WAAPP, this component objective is to increase the access to and wide-scale adoption of improved technologies, innovations and advisory services adapted to the needs and scale of farmers and SMEs, to increase productivity, competitiveness and resilience at farm-level but also downstream of the value chains. The focus of technology transfers will be on: (i) climate-smart technologies packages including high-yielding, early-maturing, and drought-resistant seed varieties, salinization tolerant genetic material; (ii) improved land and water management technologies; (iii) environmentally friendly practices for agricultural intensification in selected production systems including organic fertilizers, biological plant treatment, solar-based technologies to replace gasoil for irrigation and agri-processing to preserve natural resources and reduce greenhouse etc. ; and (iv) technologies that address the main farming and processing constraints all along the value chain, such as equipment for mechanization, processing and post-harvest losses reduction. The sub-component will promote the use of digital services (including the e-platform, see above) to promote innovative technologies along the value chains (in particular climate information and CSA practices and technologies). A specific focus will be given to the promotion of innovative irrigation technologies such as on-farm drip or sprinkler or pivot irrigation, on-farm water storage tanks, pressurized water management technologies and solar energy systems to modernize production systems (associated on-farm private investments will be supported under Component 3). Women will be deliberately targeted to access receive these technologies.

This subcomponent will finance: (i) the introduction and multiplication of certified seeds of improved varieties (rice, horticulture, maize...) by cooperatives or firms and improved genetic material for poultry (day-old chicks) to increase their availability and lower their cost to farmers; (ii) transfer, demonstration and dissemination of improved technologies and innovations developed across the region; (iii) technical assistance, scientific exchange visits, training, and equipment for National Agricultural Research Institute (NARI), public and private advisory services to strengthen technology transfer systems; and (iv) the development of an e-extension platform, using digital solutions to modernize advisory services and extend their outreach, particularly in this pandemic period. This subcomponent will help to build sustainable access to quality inputs at community level and advice through digital platform. It will be implemented by the Directorate of Agriculture, Directorate of Livestock, NARI and the West and Central Africa Council for Agricultural Research and Development (CORAF) for regional technologies transfer and cooperation, in partnership with producers and other value chains actors' organizations.

Component 3: Mobilizing productive private investments along the value chains

This Component will support private investments in productive activities and related services by addressing the major market failures that constrain the financing of investments in agricultural value chains. It will (i) develop the capacity of financial institutions (PFIs) to scale up their financing of agri-food value chain actors by building their knowledge of the sector and their capacity to evaluate agricultural investment proposals; (ii) establish a matching grant (MG) instrument to co-finance competitively selected private productive investments; and (iii) provide technical assistance and capacity building to strengthen technical, entrepreneurial, and management skills of smallholders and SMEs.

Subcomponent 3.1: Building the operating capacities of partner financial institutions

This subcomponent will enhance access to commercial credit for agri-food value chain actors. The project will identify PFIs interested in growing this segment of their portfolio and help them, through technical assistance, to develop: (i) methodologies for more accurately assessing the credit worthiness of agricultural investments and investors, especially SMEs (for instance, innovative IT-based credit scoring mechanisms); and (ii) financing instruments better tailored to the cash-flow needs and other specific features of agricultural investments and SME investors (in particular appropriate repayment schedules including grace periods if necessary). The sub-component will finance the costs of the specialized service providers that will be recruited to deliver these capacity-building activities on the basis of the specific needs

expressed by PFIs. This subcomponent will be implemented by the CPCU in close collaboration with the Central Bank Gambia.

Subcomponent 3.2: Co-funding productive investments to leverage private capital mobilization

This subcomponent will co-finance competitively selected private productive investments sub-project in the targeted VCs in irrigation, agricultural production, marketing, processing or service provision presented by small private investors, individuals or in groups, and SMEs – in the targeted regions and selected value chains or, on a case-by-case basis, promising sub-projects in any region of the country based on the investment’s prospective impact on the local economy and its contribution to the PDO. Sub-projects using climate-smart technologies will be strongly encouraged. Project funding will be provided under a single matching grant mechanism composed of two separate windows:

Each window will have distinct eligibility criteria, application processes, as well as the guidelines for appraising and approving, terms, and arrangements. Both windows will also emphasize appropriate and water-efficient irrigation technologies to expand irrigated area, reduce dependence to weather conditions and increase resilience to climate change in line with Component 2. Also, MPs with a clear impact on developing domestic market by particularly linking agriculture with the tourism industry, and promoting exports market, would be particularly targeted, along those presented by promoters directly impacted by the COVID-19 pandemic. These operational modalities will be detailed in a Matching Grant Implementation Manual (MGIM) to be prepared during project preparation and approved by the World Bank prior disbursement under the matching grant sub-component. This manual will be informed by consultations with key actors and potential beneficiaries and by the experiences of successful grant programs in Gambia and elsewhere. Modalities will be in line with similar programs implemented by other donors funded projects operating in the same geographical areas, in particular the IFAD-financed Resilience of Organizations for Transformative Smallholder Agriculture Program (ROOTS).

Subcomponent 3.3: Technical Assistance to smallholders and SMEs promoters of productive investment subprojects

The MG mechanism will be sustained with a technical assistance and capacity building (i) to strengthen technical, entrepreneurial, and management skills of PIS promoters, (ii) to prepare, improve or finalize their business plans; and (iii) to successfully implement their investments. Also, the type of possible technical assistance provided by the project, by category of entrepreneurs, will include the following areas (inter alia) : market and supply chain analysis; preparation of business plans; selection of sites (secured access to land) and equipment; choice of irrigation equipment; technical advice; financial and accounting systems; governance; agricultural/industrial processes; safety and quality issues; contractual relations with out-growers or raw material suppliers; environment and social risk management; climate smart agricultural practices and technologies; support for mobilization of funding from financial institution; implementation support; and capacity-building support of the MPs beneficiaries in partnership. Cooperation will be built with IFC to leverage advisory services and funding opportunities for SMEs to scale up their agrobusinesses. Investors will be supported from the pre-investment phase, through the investment and the start-up phase for up to the end of the project. Partnership will be built with FIs involving them in the selection process of the PISs to be financed.

The CPCU will be responsible for managing the matching grant program and supervising technical assistance provided through the specialized firms providers of technical assistance, monitoring, and results reporting. The CPCU will maintain fiduciary responsibility for all aspects of this activity. GIEPA, Agribusiness Services Unit of the Directorate of Agriculture and National Entrepreneurship Development Initiative (NEDI) will be the implementing partners supporting the CPCU.

Moreover, small investors and even SMEs have a very restricted access to credit from Financial Institutions, except the larger ones and only to short-term credit for working capital needs. Although project’s matching grant will reduce FIs’ perceived risk of lending to agriculture, this constraint will largely continue to be binding. Under this component, the project will collaborate with the Central Bank Gambia (CBG) to accelerate the establishment and operationalization of the Partial Credit Risk Guarantee Fund (PCRGF) being prepared with United Nations Capital Development Fund (UNCDF)

and in partnership with the African Development Bank (AfDB) through the Gambia Incentive-Based Risk Sharing for Agricultural Lending (GAMIRSAL). This risk sharing facility aims to reduce the inherent sectoral risk and incentivize lending to the sector. The project technical assistance to FIs as well as to smallholders and SMEs value chains actors will contribute to the implementation of the GAMIRSAL technical assistance facility. The project MG mechanism combined with the PCRGF of the GAMIRSAL intending to guarantee up to a maximum of 70 percent of principal loan, is timely needed to address a critical constraint for the development of Gambian commercial agriculture.

Component 4: Project coordination, monitoring and knowledge management

This component aims at ensuring that the project is efficiently managed and monitored, and that performance and outcomes are carefully tracked by the CPCU and the implementing agencies. It will facilitate: (i) administrative, technical, and financial management of the project; (ii) coordination among all institutional partners to ensure efficient flow of information and support to all value chain actors; (iii) effective contractual arrangements with key implementing partners and other private sector operators; (iv) monitoring and evaluation of the performance and the financial, environmental, and social impact of the project; and (v) development of communication activities to publicize and disseminate the project results, best practices and success stories. Under this component, the project will finance: (i) expenses incurred in implementing the project through the CPCU, the participating implementing agencies, and various service providers; (ii) technical assistance provided through consultancies, audits, and training to enhance implementation capacity of the CPCU; (iii) communication, knowledge production and sharing, and outreach activities; (iv) monitoring and evaluation of project financial performance, outcomes and impacts; (v) citizen engagement; (vi) oversight of social and environmental safeguard policies; and (vii) institutional strengthening to ensure sustainability of the project's results. This component will be implemented by the CPCU.

Component 5: Contingency Emergency Response

Given The Gambia's vulnerability to shocks, a Contingency Emergency Response subcomponent (CERC), with a zero-dollar provision, is included to create a financing mechanism within the project for emergency demands arising from natural disasters, disease, and other shocks. This CERC is particularly critical in this context of COVID-19 pandemic as even if the situation is currently manageable, the trend could be not predicted. Added to it the desert locust invasion which is threatening West Africa region. If such a crisis develops, the government may request the World Bank to reallocate project funds to cover some costs of emergency response and recovery. The operations manual for the CERC component is being prepared and will be validated prior to any disbursement under this component. All expenditures under this CERC will be in accordance with paragraphs 11, 12, and 13 of World Bank OP10.00 (Investment Project Financing). They will be appraised and reviewed to determine if they are acceptable to the World Bank before any disbursement is made. Disbursements will be made against an approved list of goods, works, and services required to support crisis mitigation, response, recovery, and reconstruction.

The descriptions of the components above provide a fair overview of the range of activities and actors likely to be involved during the lifecycle of the project. The individual component designs being developed will provide more specific information on this towards developing the overall Resettlement Action Plan (RAP).

RATIONALE AND OBJECTIVE OF THE ASSIGNMENT

The project by design includes activities that will involve land acquisition, restrictions on land use and access, or involuntary resettlement and economic displacement. Specifically components 2, building a productive and resilient agri-food system will finance specific activities such as improving water management and expanding irrigated areas through investments to cover, inter alia: (i) civil works for irrigation infrastructure; (ii) adoption of simple, efficient, and labor-saving water management technologies and solar energy system to modernize production systems. A special focus would be put on supporting women-vegetables community gardens, youth groups and SMEs; and (iii) creation or

strengthening of water user's associations (WUAs), including development of management procedures and guidelines for the operation and maintenance of financed irrigation infrastructure to ensure its sustainability.

Community livelihood and resilience activities such as community green infrastructure; and services and livelihood improvement such as small all scale community agro processing, common market infrastructures like water point improvement, sanitation, and shared market logistic. Other similar activities proposed for intervention under this component are rehabilitation of paths/tracks/roads and other connectivity infrastructures. These activities involve land acquisition, physical and economic displacement which might impact livelihood. Given the exact location and magnitude of these impacts are unknown at stage, a Resettlement Policy will need to be prepared.

The objective of the RPF is to set out the policies, principles, institutional arrangements, schedules, and indicative budgets that will take care of anticipated land acquisition, restriction of access, economic and physical involuntary resettlement. These arrangements are also to ensure that there is a systematic process for the various stages of the implementation of a framework that ensures inclusive and transparent participation of all affected persons, especially the vulnerable groups and persons of the affected communities, involvement of relevant institutions and stakeholders, mitigation measures to risks of gender-based violence, adherence to both World Bank and Government procedures and requirements, and outline compensation for affected persons with and inclusive, transparent, fair grievance mechanism to handle potential complaints that will arise because of the involuntary resettlement.

The consultant will develop the RPF taking into consideration the outlined objective and principles. This RPF will serve as the framework within which resettlement action plans will be developed and implemented when the project specific locations and exact impacts are known.

SPECIFIC REQUIREMENT OF THE RPF

Prior to project appraisal, there is need for the assessment of possible resettlement/displacement risk of the project at a broader level since specific location for implementation of sub-project activities are not known at this stage. The RPF will provide technical guidance during project preparation to address resettlement related risk, including exposure to gender-based violence for certain vulnerable groups in the project locations like land acquisition, economic displacement, restriction of access on land use involving women, vulnerable persons and groups.

The RPF will be prepared in line with the requirement of the ESS5: Land acquisition, Restriction of land use and Involuntary Resettlement; and ESS10: Stakeholder Engagement and Information Disclosure. The RPF shall also refer to Government of The Gambia's legal and institutional requirements. Any identified gaps between these two requirements are to be clearly captured, explained how these gaps will be filled and put strategies to be implemented during project life cycle

SCOPE OF ASSIGNMENT

The assignment to be undertaken by the consultant shall cover the following **key areas as described in this TOR**. Other relevant areas may be included as required.

(i) Project Description

Provide a brief description of the project to place the RPF in the right context. This would include a summary of the background to the project, the different components. Most importantly, the consultant should identify the possible resettlement issues that each component and subcomponents are likely to generate, and for which reason this RPF is being developed.

(ii) Review of Country Legal and Institutional Guidelines and Requirements

The firm or the consultant will require to undertake a comprehensive review of the national laws governing land take and other assets. She/he shall also look at the various land tenure and ownership systems in The Gambia, the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies. The consultant should describe any discrepancies identified in the different legal instruments. The RPF shall also identify the legally mandated institutions associated with these legal instruments and their respective roles. This should be at all levels where implementation of project activities is likely to take place. Attention should be given to local-based institutions and structures at the implementing project affected areas. The institutional arrangement will include implementation and monitoring mechanisms that ensures inclusiveness and participation of all affected people, groups and communities.

(iii) Gap Analysis

The Consultant shall spell out the World Bank's ESS5: Land acquisition, Restriction of land use and Involuntary Resettlement and assess how this applies in the specific case of the Project. Attention should be paid and documented on the difference(s) between the Standard and The Gambia's laws and regulations on land acquisition if applicable; noting that where the differences are significant whichever policy is of a comparatively higher standard will apply.

(iv) Social Assessment and Socio-Economic Surveys

The consultant or the firm shall conduct an initial social and economic survey at the proposed regions for the project activities required under the different components and subcomponents that trigger ESS 5. The survey shall cover issues on the social structure, economic activities, social and gender characterization of potential affected persons, their level of exposure to gender-based violence during the resettlement process, and the numbers likely to be involved, the different social institutions, social capital and mechanism for social cohesion. The RPF shall also explore and describe existing conflict resolution mechanism and potential for conflict situations that might arise in course of implementing the project. This information will serve as critical baseline data for a future RAP (to be reviewed as needed).

(v) Estimated Population, Displacement and Categories of Affected People

This requires a record of the number of estimated people likely to be affected or displaced by the project activities as noted in the project component description. The distinct categories may include those who may be losing temporary access to land, ecosystem services and other livelihood enhancement resources that might be rehabilitated by the project. These are only examples of those who are likely to be affected through displacement. The RPF shall identify the right categories as per the impacts noted or expected, with a special focus on the most vulnerable persons and groups and their needs in an inclusive, fair and transparent manner during consultation in order to avoid any reprisals on them from their communities.

(vi) Eligibility Criteria for various Categories of Affected People

The consultant shall determine the compensation type for the distinct categories, losses and affected persons. These may include persons affected by land take, rights of access to resources or properties like housing, and water sources, loss of livelihood, and loss of cultural properties/sites (where it applies). The RPF shall take note of the multidimensional impact of the project and factor that into the analysis especially about different sites and different forms of social impacts that reflect the peculiarity of each state. The RPF shall pay attention to the different forms of impacts because of the nature of the project and explore the relevant issues appropriately. The criteria for compensation should be as per national legal requirements and provisions of ESS 5, social sustainability and poverty reduction factors and fairness to avoid conflict and dissatisfaction. The section should also identify and document the unit of compensation that is whether individuals, families or groups and indicate the scenarios or cases for the application of each unit of analysis or a combination of units where appropriate.

(vii) Entitlement Matrix for proposed Resettlement and Compensation Policy

Following from the above, the RPF shall develop a matrix that detail the type of compensation, taking into consideration current market value, that each identified PAP will be entitled to and a rationale as part of the matrix explaining the reasoning behind the entitlement as will be proposed in the Matrix, with a special focus on the most vulnerable groups and persons, and their needs.

(viii) Methods for Valuing Affected Assets

This section is the most important part of the RPF hence it shall describe in detail the methods used in valuing those assets that will be eligible for compensation. This method shall be consistent with both national policy requirements and regulations and ESS5. This process should capture the methodology for taking of inventory of assets, values assigned, and agreement reached with each identified PAP and consider inflationary realities in the final determination of values. The PAPs should have an opportunity to do their own valuation if they have doubts or misgivings through the facilitation of the project for further negotiations between the PAP(s) and the client. Valuing of assets should be a process of engagement with PAPs and not an imposition. The RPF shall demonstrate that the methods used for the exercise in its entirety were engaging and acceptable to all stakeholders. During this process, squatters or illegal land users, traditional landowners, women/wives using land of their husbands or families, vulnerable groups, or persons using lend lands...etc., must be taken into consideration

(ix) Organizational Arrangements and Procedures for Delivery of Entitlements

The RPF shall describe the process for organizational arrangements, responsibilities and roles. The RPF shall describe the approval processes for the various stages of the compensation work and which actors will undertake and have what roles and responsibility. This section will also spell out the actual process for delivering the entitlement including the roles for the different agencies and reporting formats.

(x) *Methods for Consultation with and participation of Affected People*

The consultant shall as a matter of importance, describe in clear terms the methodology for consultation and participation in an inclusive, transparent, and fair manner by all types of PAPs in the process until they have received their entitlements. This process should be elaborate and clear to avoid and minimize confusion and suspicion as well as should be in line with the ethical and safety considerations of carrying out sex-segregated consultations with women and other vulnerable groups to allow them to express their concerns freely and safely. Women's participation (groups of only women groups with experienced women facilitators) in consultations and the elaboration of RFP will be ensured so that their voices and concerns can be heard, and the risks of any potential Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) in involuntary resettlement can be adequately mitigated and responded to. The Consultants shall undertake inclusive and participatory consultations. This could be done according to the various levels of consultations, the expected outcome from the various stages of the consultation and participation approach that would be adopted. The consultation process includes that for the development of the RFP and subsequent Resettlement Action Plans (RAPs). The RFP should categorically emphasize the importance of documentation and other evidential indication for the consultation and participation process for this RFP and for subsequent RAPs. The record of consultation and participation for this RFP should be attached as an annex to the final RFP report for the client. As part of this, the consultant will develop a program for the disclosure of the RFP to facilitate the work of the client on this matter. The responsibility for both the disclosure and dissemination however lies with the client.

(xi) *Grievance Mechanisms*

The RFP should summarize the grievance mechanism for the project, as set out in the SEP. The grievance mechanism should address, inter alia, specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner. Under the grievance mechanism, the consultant shall describe the options available to PAPs for grievance. The RFP shall indicate how these would be disseminated and accessible to the PAPs, including the vulnerable and marginalized groups if they exist in the project affected areas. The grievance mechanism should also have an in-built monitoring mechanism to check on responsiveness to complaints or grievances lodged. The different forms of receiving the complaints should be clearly described together with the various stages of going through the process. In addition, the redress mechanism shall indicate alternatives, in case the proposed mechanism, for any reason, does not respond to all grievances and complaints. The GM should also have specific procedures to handle SEAH incidents safely and ethically and provide timely a quality care to GBV survivors via a safe referral pathway.

(xii) *Budget and Funding Arrangements*

The RFP should clearly state the sources of funding for subsequent RAPs, an overall cost estimates for resettlement including for monitoring and audit of the resettlement activities. If there are multiple sites, the RFP should give an indicative budget for resettlement for each of the sites or communities. The financial responsibility of the relevant stakeholders, where applicable, should be categorically stated to avoid ambiguity of source of funds for resettlement activities. These budgets should take into consideration inflationary tendencies

(xiii) *Monitoring Arrangements*

The RFP shall provide appropriate mechanism for monitoring the implementation of the resettlement activities. The consultant shall propose current and participatory monitoring methodologies that would involve the PAPs themselves. The roles of different players like the PAPs, civil society, traditional authorities, and local government authorities among others, in the implementation and monitoring process will need to be clarified. The RFP shall

develop, as part of this, a template for monitoring with indicators based on the key issues identified and spelt out in the RPF.

(xiv) Implementation Schedule

To avoid confusion with cut-off dates and other timelines especially because compensation will have to be paid prior to commencement of any civil works, it is important for the RPF to set out implementation schedule for the resettlement. The RPF shall in addition to the implementation schedule, identify potential risks that could militate against the smooth implementation of the resettlement actions and suggest plausible mitigation measures to serve as a guide to the client and the team who will be working on the implementation.

(xv) Outline of Resettlement Policy Framework

The Resettlement Policy Framework to be developed under this project will be in line with The Gambia legislation and regulations and with ESS5.

The content should be presented in the following format:

- Executive Summary;
- A brief description of the project and components for which ESS5 is required;
- Principles and objectives governing resettlement policy framework;
- Assessment of estimated population displaced and likely categories of displaced persons, to the extent feasible (including the identification of the most vulnerable and at risks categories);
- Eligibility criteria for defining various categories of displaced persons;
- Assessment and presentation of the legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
- Methods of valuing affected assets;
- Organizational procedures for delivery of entitlements;
- Description of grievance mechanisms inclusive, fair, and transparent;
- Arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds and contingency arrangements;
- Mechanisms for inclusive consultations with, and participation of, displaced persons in planning, implementation, and monitoring in a way that all will feel safe and free to express their concerns and needs; and
- Arrangements for monitoring by the implementing agency and, if required, by independent monitors.

(xvi) Template for the Design of Resettlement Action Plan

The RPF shall develop a template and sample ToR for the design of a RAP based on the details of the RPF and informed by World Bank framework for RAPs. This template will spell out the main subsections of the RAP and any other relevant annexes that should be included.

QUALIFICATIONS AND EXPERIENCE

The consultant required for the preparation of the RPF will have at least 7 years of experience in social assessment, involuntary resettlement, and other relevant fields, such as the social sciences and gender studies. It is desirable that the consultant team have experience working with international development institutions like the World Bank.

The consultant's team shall be composed of professionals with experience in socio-economic analysis, including gender-sensitive analysis, surveying, and valuation.

Knowledge of child rights and women equality is considered an asset.

REPORTING

The Consultant will work closely with CPCU under the Ministry of Agriculture and Country Technical Team (CTT)

DURATION OF THE ASSIGNMENT AND ESTIMATED STAFF INPUT

The duration for preparing the RPF shall not exceed 8 Weeks. The Consultant shall prepare a detailed workplan for conducting the assignment after contract signing.

DELIVERABLES

The key output of the services is an RPF prepared based on the scope of work under this consultancy. The following report shall be submitted to the Central Projects Coordination Unit (CPCU) under the Ministry of Agriculture for the review and approval by the Ministry and the World Bank as detailed below:

Inception Report - Not later than one (1) week from contract award, an Inception Report shall be submitted that presents the Consultant's Work Plan, defining the Implementation Schedule by task, and methodology should be submitted. This will include the table of content of the final report. Five (5) hard copies and one electronic copy shall be submitted

Draft Report - Not later than one (4) weeks from contract award, a draft report shall be submitted. This shall be circulated to all CTT members, Ministry and the World Bank for review and comments. Issues and comments raised shall be incorporated in the draft final report. Five (5) hard copies and one electronic copy shall be submitted.

Draft Final Report – Not later than three (3) weeks after contract signing, a draft final report that addresses all comments raised at the draft stage shall be submitted. Five (5) hard copies and one electronic copy of this report shall be submitted. This version shall be consulted upon with relevant stakeholders prior to submission. The final version must contain an executive summary

Final RPF– Not later than four (4-7) weeks from contract signing, a final report which addresses all comments raised shall be submitted in ten (10) hard copies and one electronic copy.

CONDUCT OF THE CONSULTANT

- The Consultant will, at all times, be expected to carry out the assignment with the highest degree of professionalism and integrity, including prohibition of any SEAH misconduct. The Consultant will be expected to conduct his/her duties in an open and transparent manner;
- The Consultant will not, under any circumstance, take any actions or be seen to be taking any actions, which may hinder or prevent the GIRAV Agro-Climatic Resilience project from executing this assignment;
- The Consultant will study all the Agro-Climatic Resilience in GIRAV's project guidelines and policies and will be expected to ensure that the assignment is concluded with the strictest adherence to all such policies and regulations;
- The Consultant will not, under any circumstances, take any material decision pertinent to this assignment without the express permission and written consent of an authorized representative of the GIRAV Agro-Climatic Resilience Landscapes project; and
- The Consultant will not, under any circumstances, discuss, divulge or use any information regarding this assignment or any other transaction conducted as part of the FGN's Program, without the express written permission of an authorized representative of the GIRAV Agro-Climatic Resilience Landscapes project.
- **FEES AND REIMBURSABLE**

- Firm / Consultant fees and reimbursable (travel costs, organization of consultation meetings with key stakeholders) shall be included in the proposal/ Work plan.
- The following milestone payment will be adopted:
- Inception Report – 15%
- Draft Report – 55%
- Final Report – 30%