



RESETTLEMENT POLICY FRAMEWORK (RPF)



OYO STATE GOVERNMENT

**IBADAN URBAN FLOOD MANAGEMENT PROJECT
(IUFMP)**

FINAL REPORT

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Ibadan Urban Flood Management Project
Ibadan, Oyo State
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LIST OF ACRONYMS & ABBREVIATIONS

ARAP	Abridged Resettlement Action Plan
BP	Bank Procedure
EMP	Environmental Management Plan
ESMF	Environmental and Social Management Framework
FGN	Federal Government of Nigeria
FME _{nv}	Federal Ministry of Environment
GRM	Grievance Redress Mechanism
IDA	International Development Association
IBNET	International Benchmarking Network
IUFMP	Ibadan Urban Flood Management Project
JMP	Joint Monitoring Programme
LUA	Land Use Act
M&E	Monitoring & Evaluation
NEWMAP	Nigeria Erosion and Watershed Management Project
NGO	Non-Governmental Organization
OBA	Output Based Aid
OP	Operational Policy
OYSFIF	Oyo State Flood Investment Fund
PA	Protected Areas
PAP	Project Affected Person
PDNA	Post Disaster Needs Assessment
PIM	Project Implementation Manual
PMO	Project Management Office
PPP	Public Private Partnership
PSP	Private Sector Partner or Private Sector Participation
RAP	Resettlement Action Plan
RAMP	Rural access and Mobility Project
RPF	Resettlement Policy Framework
UNICEF	United Nations International Children's Emergency Fund
WHO	World Health Organization
WB	World Bank

DEFINITION OF KEY TERMS

Word/Term	Definition
Asset Inventory	A complete count and description of all property that will be acquired.
Bank	World Bank
Census	Official enumeration and collection of demographic information of people and individuals in the sub-project locations of the IUFMP.
Cut - off Date	A day on and beyond which any person who occupies land or assets, or constructs assets on land, required for project use, will not be eligible for compensation. The date is often the day when the assessment of persons and their property in the project area commences
Compensation	Payment in cash or in kind of the replacement value of the acquired property.
Displacement	Removal of people from their land, homes, farms, etc. as a result of a project's activities. Displacement occurs during the involuntary taking of lands and from involuntary restriction or access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of PAPs.
Entitlements	Compensation and other forms of assistance provided to displaced persons in the respective eligibility category.
Environmental and Social Management Framework (ESMF)	An environmental assessment instrument (document) which establishes a mechanism to determine and assess future potential environmental and social impacts of productive investments under the proposed IUFMP, and then to set out mitigation, monitoring and institutional measures to be taken during design, implementation and operation of the project activities to eliminate adverse environmental and social impacts, offset them , or reduce them to acceptable levels. This instrument has been prepared as a separate and stand-alone document to be used in conjunction with the RPF.
Grievance Procedures	The processes established under law, local regulations, or administrative decision to enable property owners and other displaced persons to redress issues related to acquisition, compensation, or other aspects of resettlement.
Host Communities	Communities receiving resettled people as a result of involuntary resettlement activities
Land Acquisition	The process whereby a person is compelled by a public agency to alienate all or part of the land he/she owns or possesses, to the ownership and possession of that agency, for public purpose in return for a consideration.
Market Rate	Highest rate over the last five years based on commercial terms.
Market Value	The most probable selling price or the value most often sought by buyers and sellers. It assumes buyers and sellers have reasonable knowledge, act competitively and rationally are motivated by self interest to maximize satisfaction and both act independently and without collusion, fraud or misrepresentation.
Project Affected Person (s)	A person that loses assets and/or usage rights and/or income generation capacities (e.g., land, structure, crops, businesses) because these assets/rights/capacities are located inland to be acquired or used, for needs of the project. Not all PAPs are displaced due to the Project, but all are potentially affected in the maintenance of their livelihood.
Rehabilitation	The provision of development assistance in addition to compensation such as land

Assistance	preparation, credit facilities, training, or job opportunities, needed to enable Project Affected Persons and Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-Project levels
Replacement Cost	The amount of compensation that would have to be paid to replace an asset including all cost associated with replacement of asset displaced by the IUFMP at the present time, according to its current worth.
Resettlement Policy Framework (RPF)	The present document which is the overall Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons for the PPP. The Policy Framework describes the process and methods for carrying out resettlement under the Project, including compensation, relocation and rehabilitation of project affected persons.
Resettlement Action Plan (RAP)	The resettlement action plans prepared for specific micro-projects. It is a resettlement instrument to be prepared when project activities are identified, that require land acquisition that leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. The RAP is prepared by the party impacting people and livelihoods in this manner and contains specific and legal binding requirements to be taken by that party to resettle and compensate the affected party before project activities causing this adverse impact are implemented.
Resettlement	The measures taken to mitigate any and all adverse impacts of the Project on PAP's property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation
“Special assistance” to vulnerable people	This refers to special efforts provided to the vulnerable physically challenged persons such as those with blindness, paralysis, difficulties with locomotion, incapacity to work, etc who are ill prepared but displaced by the project. The “special assistance” must be given by qualified persons/relatives/agencies, who can help care for an invalid, providing transitional support (e.g. moving expenses, temporary food supply, etc.).
Vulnerable Groups:	People who may by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status are more adversely affected by resettlement than others; and who may have limited ability to claim or take advantage of resettlement assistance and related development benefits.

EXECUTIVE SUMMARY

Introduction

Worldwide, flooding is the most widespread of all natural disasters. In the 10 years from 1993 to 2002 flood disasters affected more people across the globe (140 million per year on average) than all the other natural or technological disasters put together" (IFRC, 2003). In Nigeria, flooding is one of the key natural disasters that affect populations and has led to enormous loss of lives and properties. For instance, in Ibadan in August 2011 flood disaster left over 120 fatalities and about 4 billion naira damage to property. Also, the Nigeria Emergency Management Agency reported that 363 people were killed, 5,851 injured, 3,891,314 affected, and 3,871,53 displaced due to the resulting 2012 floods.

To solve the problem of flooding in Ibadan, the Federal Government of Nigeria initiated the preparation of the Ibadan Urban Flood Management Project (IUFMP) with financing support from the World Bank to the tune of \$200 million.

Project Description

COMPONENT 1: FLOOD RISK IDENTIFICATION, PLANNING, AND PREPAREDNESS (US\$22.0 million):

The objective of this component is to assess flood risk in the city, plan risk reduction measures, and finance non-structural measures to enhance preparedness to floods. This will be achieved, on one hand, through a number of sector-specific and specialized master plan studies, and on the other hand by designing and establishing an integrated flood early warning and response system.

Sub-Component-1.1 Design of Flood Risk Management Investment Program (US\$16.0million): The identification and preparation of flood risk management investment program will be based on three key Master Plans for the city to be financed under this sub-component. These include Ibadan's Integrated Flood Risk Management Master Plan, Ibadan's Physical Master Plan, and Ibadan's Solid Waste Management Master Plan. The Integrated Flood Risk Management Master Plan will form the basis for long term investment and will include developing integrated urban drainage master plans. It will also cover the structural, geotechnical and hydraulic assessment of Eleyele Dam. A Strategic Environmental and Social Assessment (SESA) will be undertaken to cover potential environmental and social safeguards during project implementation and beyond. This sub-component will finance the feasibility and the preparation of detailed engineering designs for early investments on priority sites severely affected by 2011 floods in Ibadan. Also, relevant capacity building and on-the-job training to the various MDAs and LGAs involved will be provided as part of the formulation of the three Master Plans.

Sub-Component-1.2 Development of an Oyo State Long-Term Flood Resilience Strategy (US\$ 1.0million): This sub-component will support the development of a long-term Oyo State Flood Resilience Strategy building on the Integrated Flood Risk Management Master Plan to be financed under this sub-component. The long-term flood resilience strategy will aim at providing recommendations on the: (i) *policy, regulatory and institutional reforms* required including clarifying the legal and institutional mandates among the various stakeholders as well as mainstreaming disaster and climate risk reduction planning into federal, state and local urban planning and land management tools, (ii) *means of addressing the long-term financing needs* including the possible setting up an Oyo State Flood Management Fund that will provide investment finance, capacity building and technical assistance activities to fund activities identified under the Strategy. This sub-component will also fund the development of local governments' capacities for disaster risk management including risk evaluation, risk-informed planning, preparedness and response, as well as maintenance capacities as an integral part of routine development processes.

Sub-Component-1.3 Establishment of an Integrated Flood Early Warning and Response System (US\$5.0million): This sub-component finances the design and establishment of an Integrated Flood Early Warning and Response System as well as an community outreach program for the city of Ibadan with the aim of providing timely flood alert to communities and ensuring effective government and community response. The early warning system includes the enhancement of data collection networks including the procurement and installation of one weather radar, development of hydraulic and hydrological model, establishing an early warning center, setting up of city's early warning committee to help in decision making, and training on response, operations and maintenance. State, City, and Local Government Contingency Plans will be developed and operationalized to ensure prompt government response to flood warnings.

Sub-Component- 1.4 Contingency Component: (US\$0): Following an adverse natural event that causes a major disaster, the Government of Oyo State may request the Bank to re-allocate project funds to support mitigation, response, recovery and reconstruction. This component would draw resources from unallocated expenditure category and/or allow the government to request the Bank to re-categorize and reallocate financing from other components to partially cover emergency response and recovery costs. Disbursements would be made against a positive list of goods, works, and services required supporting mitigation, response, recovery and reconstruction needs. All expenditures under this component, should it be triggered, will be in accordance with paragraph 11 of OP 10.00 Investment Project Financing and will be appraised, reviewed and found to be acceptable to the Bank before any disbursement is made. This component will also be used to channel resources from rapid restructuring of the project to finance emergency response expenditures and meet crisis and emergency needs under an Immediate Response Mechanism (IRM).

COMPONENT 2: FLOOD RISK MITIGATION MEASURES - (US\$138.0million):

The objective of this component is to ensure flood risk mitigation through public infrastructure works and community-based resilience measures and investments. The component will finance flood mitigation and drainage improvements works through three sub-components:

Sub-Component 2.1: Phase-I Priority Infrastructure Improvement (US\$18.0million): This component will finance critical infrastructure improvements in priority secondary and tertiary sub-catchments and will include: (i) *Priority urban drainage infrastructure improvements (\$15million)* involving the rehabilitation of priority infrastructure in thirteen (13) identified sites, including rehabilitation of culverts, drains, roads and floodplain management activities in secondary and tertiary sub-catchments; and (ii) *Enhancing flood resilience of critical public assets (\$3 million):* This sub-component will finance developing contingency plans and undertaking structural improvements for critical public assets such as hospitals, airport, public buildings, including ensuring access/egress and functionality.

Sub-Component 2.2 Phase-II Long-term Integrated Flood Risk Mitigation (US\$115.0million): This sub-component will be based on the recommendations of the Integrated Flood Risk Management Masterplan (initiated in Component-1), and will finance major rehabilitation and construction of robust infrastructure such as drains, bridges, culverts, and roads; cleaning of river channel on main three rivers; restoring or establishing natural flood retention ponds; and undertaking flood plain management activities (conservation, linkage, and urban design of green spaces and water bodies, and floodplain zoning). The component will provide for goods and equipment needed to support implementation of works. It will also finance structural measures for dam safety, including the rehabilitation of the damaged spillway and stilling basin to improve dam safety, removing vegetation to exposed concrete surfaces, making access, and installation of safety monitoring equipment in main dam body, such as piezometers, seepage gauges, settlement gauge, and water level gauges.

Sub-Component 2.3 Community Resilience Development (US\$ 5.0million): This sub-component aims to enhance community¹ resilience to flooding through the implementation of: (i) a *community awareness and outreach program (US\$ 1million)* which aims at raising awareness and inculcating a culture of prevention and preparedness in the city, especially in public schools and colleges. This component will develop and implement information, education and communication (IEC) strategy and media support tools targeting local and state stakeholders focusing on floodplain management based on risk maps, urban drainage improvements, preparedness, and response; (ii) *Community Resilience Plans and investments (US\$3million)*: This includes the development of Resilience Plans for communities in priority and targeted project sites in phase I (which will feed into City contingency plan and Local Government Contingency Plans developed in sub-component 1.3) as well as in phase II project sites. Based on a highly consultative process facilitated by community facilitators, the Community Resilience Plans will identify community investments to upgrade access roads, public schools buildings (to be used as shelters), ensuring functionality of certain key community services or facilities during crisis, and developing/implementing drills in schools, community centers, and medical centers. These plans will also identify protocols during emergency situations, and (iii) *Appointing and training community volunteers as River Guards US\$1million*: Implementation of this sub-component will be done by “community facilitators” –non-governmental organizations and consulting firms who will lead a highly consultative and participatory process involving local stakeholders and communities to accompany the larger infrastructure investments planned under this component (both phase I and II).

COMPONENT 3: PROJECT IMPLEMENTATION SUPPORT (US\$16million)

Sub-component 3.1 Project Administration (US\$7.0million) through: (i) the procurement of office furniture, ICT equipment, transport vehicles for PIU and; procuring a comprehensive set of Project maps (geospatial, soil, topography, etc.) (US\$ 2.0million); and (ii) the hiring of external Financial and Technical Audits which will monitor the project execution periodically and reporting directly to PIU/Steering Committee (US\$1.0million).

Sub-component 3.2 Project Implementation Support (US\$9.0million) through: (i) the procurement of Project Management Services Consultancy Contract, (ii) the procurement of Construction Supervision Consultancy Services for both Phase-I and Phase-II investment plans; and preparation and implementation of Resettlement Action Plans in project affected areas.

The project would have a total of **US\$22.0** million for Physical and Price contingencies, and **US\$22.0** million as Unallocated including advance made under Project Preparation Facility (\$4.875 million).

Need for RPF

The Resettlement Policy Framework (RPF) is designed to provide procedures and guidelines that would be followed because the World Bank’s OP 4.12 is triggered by the project. The RPF provides a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the comprehensive IUFMP.

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

¹ Community includes citizens, local governments (which have locally elected officials), NGOs, CBOs, and academia.

The RPF provide the framework within which Resettlement Action Plans/Abbreviated Resettlement Action Plans will be developed when the project is certain of the locations and specific impacts of the sub-projects.

Project Location

Ibadan is located in south-western Nigeria and is the capital of Oyo State. Ibadan is centered about latitude 7° 25' North and longitude 3° 51' East and is located approximately 145 km north of Lagos. It is situated close to the boundary between forest and grassland, which makes it a meeting point for people and products of both the forests and grassland areas. Ibadan is regarded as the largest indigenous city in tropical Africa. Since its founding in the 1800s, Ibadan has played a prominent role for people living in the south-west of Nigeria. It was the capital of the old Western Region, when Nigeria had only three regions. The territory of the old Western Region has since been divided into seven states and a sizeable part of the present Lagos State belonged to the old Western Region

Categories of PAPs

The likely displaced persons can be categorized into three groups, namely;

- **Affected Individual** – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economical resources as a result of the project activities and to whom compensation is due.
- **Affected Household** – A household is affected if one or more of its members is affected by sub project activities, either by loss of property, loss of access or otherwise affected in any way by project activities.
- **Vulnerable Households** – Vulnerable households could be owners of compound walls or shops/room that will be partially demolished during sub project activities.

Criteria for Eligibility for Compensation

The Bank's OP4.12 suggests the following three criterion for eligibility;

- a) Those who have formal rights to land (including customary land, traditional and religious rights, recognized under the Federal and/or State Laws of Nigeria)
- b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the state and/or federal laws of Nigeria or become recognized through a process identified in the resettlement plan
- c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from.

Legal Framework for Land Acquisition

The legal framework for land acquisition in Nigeria is the land use Act of 1978, reviewed under Cap 202, 1990. The relevant World Bank operational policy (OP 4.12), which addresses land acquisition and involuntary resettlement was reviewed. The differences between the Land Use Act and the Bank's OP 4.12 are mostly in rehabilitation measures, which are neither proscribed nor mandated in the Act. *Thus it is noted in this RPF that in the event of divergence between the two, the World Bank safeguard policy shall take precedence over Nigeria Land Use Act.*

Guiding Principles for Resettlement Planning

Once the proposed intervention has been designed and before actual work begins, a resettlement action plan will be developed. This will involve a socioeconomic study and census (including complex households such as compounds) will be carried out within the area directly affected by the project where land will be acquired. The socioeconomic study should focus on such issues as livelihoods, household and compound composition, clan

and sub-clan organization, other forms of social organization, ethnic groups, traditional and non-traditional leadership and other factors in the area, conflict and other issues relevant to the implementation of a resettlement plan. The census should include information on all income sources including remittances. All the above data shall be photographically documented. A sample household questionnaire has been prepared as an annex to this RPF. Concurrently, data will be collected on services available to households in the area such as educational institutions, health-care facilities, places of worship, extension agencies, shops and any other services normally used by household members. Transport facilities (roads, bus and van lines, etc.) should be registered. Distance from households to facilities should be noted.

The valuation procedures of all assets that will be affected will be conducted by a qualified valuer/surveyor. Compensation for loss of income and assets will be at full replacement cost such that the PAPs will experience no net loss. Eligibility criteria have been defined. PAPs, communities, NGOs relevant stakeholders will participate in the resettlement/rehabilitation process. The specific plans/mechanisms for consultation participation will be detailed in the RAP and will include resettlement committees for PAPs and communities and interagency committees for participating stakeholders.

Grievance Redress Mechanism (GRM)

All attempts would be made to settle grievances and this will be community based. Those seeking redress and wishing to state grievances would do so by first notifying their traditional ruler or the local chief representing them in the traditional ruling council or the community head. He/she should also send a copy of his petition to the administrative head of their respective local governments. After the report, the traditional council with representatives of CDA and CDCs, to be referred to as Resettlement and Compensation Committee, will meet and consider the validity of the claim. If in their judgment the claim is valid, they will then consult with the PMO, the Federal and State Ministry of Environment and FMWR, Oyo State Ministry of Water Resources and other records to further determine claims validity. If valid, the community leader(s) and PMO will notify the complainant and s/he will be settled. Unresolved issues are thereafter referred to the local and state courts.

Valuation and Arrangements for Compensation

Valuation methods for affected land and assets would depend on the type of asset. Compensation (and resettlement) will be funded like any other activity eligible under the projects' administrative and financial management rules and manuals. Funding would be processed and effected through the IUFMP Project Management Office (PMO) and will comply with the financial arrangements agreed upon at project negotiations. The compensation process, which will involve several steps, would be in accordance with the IUFMP resettlement and compensation plans and will include public participation, notification, documentation and preparation of contracts and compensation payments. The grievance redress mechanism as detailed in the document should be followed in case of complaints.

Monitoring and Evaluation

In order to successfully complete the resettlement management as per the implementation schedule and compliance with the policy and entitlement framework, there would be need for monitoring and evaluation of the RPF and RAP implementation. This framework will be made to fit into the overall procedure for the IUFMP. However, Monitoring and evaluation will be a continuous process and will include internal and external monitoring. The safeguards officer in this case, the Social Development Specialist, shall play a key role in reporting the progress of implementation as well as compliance to the PMO, PMU and the World Bank.

The RPF underscores the importance of monitoring and evaluation of the sub projects under the IUFMP. It also highlights mechanisms for internal and external monitoring and provides the indicators.

ÌJÁBÒ NÍ SÓKÍ

Ìfáàrà

Omiyalé jé òkan gbòògì ninu awòn àjàlù tó gbalé-gboko káàkiri àgbáyé s̀ugbòn ti kii s̀e àtòwòdá eniyan. Ní ǹkan bi òdún méwáà lati òdun 1993 si 2002 àjàlù omiyalé s̀e òpòlòpò eniyan (ogóje miliònu eniyan láàrin òdún kan) káàkiri àgbáyé ni òsé tí ko s̀e é fi ènu sò. Òsé ré si pò ju ti àpapò gbogbo àjàlù to jé àtòwòdá eniyan tabi ti ìmò̀ èrò n fà lò (IFRC, 2003). Ni orilè-ede Naijiria, omiyale jé òkan gbòògì lara awòn àjàlù ti o n kòlu àgbárijò̀ eniyan bèè ni o si ti s̀okunfa àimòye ofò èmí ati dúkía olówó iyebiye. Fun apèrè, ni Ibadan ni os̀u Kèjò òdun 2011 ajalu omiyale s̀e òsé fun ǹkan bi ògòfà eniyan bèè ni o si ba dúkía ti owo ré to biliònu mèrin naira jé. Bakan naà, àjò tó n s̀akoso is̀èlè pàjáwìrì ní ilè Naijiria (Nigeria Emergency Management Agency) jabò wi pe òtalélèòdúnrunólémèta (363) eniyan ni o gbé èmí mi, ègbèrún marún-un ati òtalélègbèrinódínmèsàn-án (5,851) ni o farapa, ti miliònu mèta, ègbèrún lònà èèdègbèrúnódínmèsàn-án ati okòólélèòdúnrunódínmèfà (3,891,314) eniyan faragbá, bèè si ni ègbèrún mèta, òrinlélègbèrinódínmèsàn-án ati ètalélàadòta (3,871,53) eniyan si di alárinkiri látàrí ajalu omiyale òdun 2012.

Láti le dèkun wàhálà omiyale ni Ibadan, ìjòba àpapò orilè-ede Naijiria s̀e àgbékalè is̀è-àkàns̀e fun is̀akoso omiyale ni ilu Ibadan (the Ibadan Urban Flood Management Project [IUFMP]) pèlú owo àtilé̀yin tí ó tó igba miliònu dòlà (\$200 million) lati òdò ile-ifowopamò agbaye (World Bank).

ÀTUPALÈ IS̀È ÀKÀNS̀E

ÈKA KÌN-IN-NI: ÀFIHÀN EWU OMIYALE, ÌS̀ÈTÒ, ÀTI ÌGBARADÌ (US\$22.0 MILIÒNU):

Èròngbà èka yii ni lati s̀e àgbeyèwò ewu omiyale laarin ilu-nla, s̀ètò àwòn ònà àtimu ewu omiyale dinkù, ati lati nawo si awòn ònà wèwèwè miiran ni ìgbaradì fun omiyale. Èyi a di s̀is̀e, ni apa kin-in-ni, nípas̀e òkan-òjòkan àyèwò ilànà àfojúsùn (master plan) èlèkajèka tààrà (sector specific) ati ti oní gbèdeke (specialized), ati ni apá kejì nípa s̀is̀e àlàkalè àti àgbékalè àtètè dá ògbòn àgbajò̀pò s̀is̀e ìkilò ati ìgbèsì/ìdàhùn nipa omiyale.

Abala Kìn-in-ni Lábè Èka Kìn-ín-ní: Àlàkalè Ètò Okoòwò Fún Is̀akoso Ewu Omiyalé (US\$16.0 miliònu):

Ìdámò̀ ati ìmúrasílè ètò okoòwò fun is̀akoso ewu omiyale ni a maa gbekalè lori awòn ilànà àfojúsùn mèta gbòògì lati le nàwó le ilu-nla naa lábè abala èka yii. Lára awòn ǹkan wònyi ni ilànà afojusun fun isakoso agbajò̀pò ewu omiyale Ibadan, ilana afojusun Ibadan ni kedere, ati ilana afojusun isakoso ìdòtí Ibadan. Ilana afojúsùn is̀akoso agbajò̀pò ewu omiyale á jé ìpílè fun ináwó òlòjò pípè bèè ni yoo si farakan idagbasoke ilana ifojusun fun agbajò̀pò òna àgbàrá. Bakan naa ni yoo kan ètò èhun ati àyèwò òlòkan-òjòkan ni adágún odò Èlèyèlè. Bakan naa ni àyèwò is̀è agbègbè ati ti àwujò̀ yoo di s̀is̀e lati ri àrídájú ààbò tó dára lori agbegbe ati awujò̀ lasiko is̀è-akans̀e ati tayò as̀iko yii. Abala èka yii yoo s̀e ináwó àrídájú ati ìmúrasílè èkúnrèrè awòn àlàkalè is̀è-è̀rò fun àtètè bèrè okoòwò lori awòn agbègbè ìmúdàgbàsókè àti ìdánílèkòò lènu-is̀è fun onírúurú MDAs ati LGAs tó bá kan ni a o pesé gègè bi ara awòn ilànà àfojúsùn mètèèta.

Abala Kejì Lábè Èka Kìn-ín-ní: Ìdàgbàsókè Ilànà Ìmúpadàbò̀sípò Òlòjò-ípípè Kúrò Lòwò Omiyalé Ní Ìpínlè̀ Òyò (US\$1.0 miliòn):

Abala yii a s̀e atilé̀yin fun idagbasoke ilana ìmúpadàbò̀sípò òlòjò-ípípè kuro lòwò omiyale ni ipinlè Òyò, eyi ni a si gbe kalè lori ilànà afojusun agbajò̀pò isakoso ewu omiyale eyi ti ináwó ré wa lábè abala-èka yii. Ilana imupadabò̀sipò òlòjò-ípípè kuro lòwò omiyale ni yoo gbiyanju lati

dábàá lori: (i) ètò, òdiwo n àti àtúntò e ka to ye titi kan yíyanjú gbogbo ofin ati ojús e ka gbogbo laarin oniruuru awo n abe nugan ati láti dín àjalù ati ewu tó ro mo ojú-ojo kù ni ibamu pe lu aatò ilu ti ijo ba apapo, ipinle ati ti ibile ati isakoso ile, (ii) o na atianju eto inawo fun igba pipe titi kan igbedide e dawó fun isakoso omiyale ni ipinle Oyo ti o maa pese okoowò fun inawo, idagbasoke gbogbo ati ìránwo nipa is e-o wo lati le s e inawo o kan-o jo kan akitiyan ti a mo labe ilana naa. Abala e ka yii ni yoo tun s e inawo idagbasoke agbara lati s akoso ewu ijamba titi kan agbeye wo ewu, ìtanilólobó ewu, ìmurasíle ati ìgbèsì/ìdahùn, ati àmójútó ipa ge ge bi ara akoso, idagbasoke atìgbàdégba ni ijo ba ibile.

Abala Ke ta Lábe E ka Kìn-ín-ní: Idásíle Àgbájo po O gbo n ikilo E se ke se àti Ìgbèsì/ìdahùn (US\$5.0 millionu):

Abala e ka yii ni yoo s e inawo àlàkale ati idásíle àgbájo po o gbo n ikilo e se ke se ati igbesi/ìdahùn, pe lu eto jijade si awujo ilu lbadan pe lu èròngbà lati so fun awo n ará ilú nnkan ti o le fa omiyale ati lati rí i daju pe ijo ba ati awujo fèsì kiakia. Lara o gbo n ikilo e se ke se ni ìmúgbòòrò o nà àtagbà fun gbígba e rí títi kan ríra ati ríri e ro tó n so bí ojú-ojo s e rí, didásíle ibi ti wo n yoo ti maa kilo le se ke se, ìgbédide ìgbìmo ti yoo maa rí sí ikilo e se ke se ní ilú lati le s e ìránwo ninu ìgbimòrán, ati lati s e ìdánile ko o lori èsì/ìdahùn, o na isis e ati àmójútó. Ilana ipinle, ìlú-nlá ati ijo ba ibile ni yoo dagbasoke ti yoo si maa s is e lati ri i daju pe ijo ba fesi kiakia si ikilo nipa omiyale.

Abala Ke rin Lábe E ka Kìn-ín-ní. E ka Fun Àiròte le (US\$0):

Látàri is e le àito wo dá burúkú to ma a n fa ajalu nla, ijo ba ipinle Oyo le to ro ki ile-ifowopamo s e àtúnýàsò to awo n owo is e akans e lati s e atile yin fun dindín ìrora kù, ìdahùn/esi, ìràpadà ati atuns e. E ka yii yoo ri owó lati ara owónà-án ti a kò yàsò to si is o ri kan pátò tabi kí ó gba ijo ba láàyè lati to ro lo wo ile-ifowopamo lati s e àtúnpin is o ri ati lati s e àtúnýàsò to owo lati ara awo n e ka miiran lati le lo fun gbogbo owónà-ná to ye fun ipè pajawiri ati ìràpadà. Àte ohun lílò, is e ati eto gbogbo ni yoo so bi a o s e pin owó. BAKAN NAA awo n eto gbogbo tó bá satile yin fun dindín ìrora kù, ipè ojiji, ìràpadà ati eyi to s e atuns e gbogbo ni a o pin owo fun. Gbogbo inawo labe e ka yii, eyi ti o ba wayé, ni yoo wa ni ibamu pe lu e se ko kanlá ti OP 10. 00 ti Investment Project Finance. Eyi si ni a o s agbeyewo, s atuns e ti a o si ri i pe o je ite wo gba si ile-ifowopamo ki eto ipinwo kankan to di s is e. A o tun lo e ka yii lati s e ato nà inawo fun atunto is e akans e to jáfafá lati le s e eto inawo ipe ojiji ati lati ri owo lati na lasiko rògbòdìyàn ati fun ohun lilo pajawiri labe idahun si ipe ojiji/pajawiri (Immediate Response Mechanism [IRM]).

E ka Keji: Ìgbése Láti Dín Ìrora Ewu Omiyale Ku (US\$138.0milio nu)

Erongba e ka yii ni lati ri i daju pe ìrora ewu omiyale dinku nipase awo n is e ohun amáyéde rùn ati igbese oun inawo ìmúpadàbò sípò to da lori àwujo. E ka yii ni yoo nawo dindín ìrora omiyale ku ti yoo si mu ìgbega ba is e oju-o na agbara nipas e abala e ka me ta.

Abala Kìn-ín-ní Lábe E ka Keji: Is o ri Kìn-in-ni: Mímú Ìgbega Bá Àwo n Ohun Amáyé derùn Tó S e Pàtàkì Jùlò (US\$18.0millionu):

E ka yii ni yoo s e inawo mimu igbega ba awo n ohun amayede run to s e kókó ní abala e ka ipele ìkejì ati ìke ta, eyi yoo si kan (i) mímú ìmúgbèrú bá ojú-ò nà àgbàrá ní ilú-nla (\$15millionu) èyí tí yoo fo wo kan atunko awo n ohun amáyéde rùn to s e koko ni agbègbè mé talá (13) ti a ti s e ìdánimò wo n, bakan naa ni yoo tun farakan atunko awo n afará, ojú-o na àgbàrá, ojú-o na o ko ati isakoso akitiyan eto oju-o na fe re ge de fun omiyale ni ipele ìkejì ati ìke ta labe abala e ka yii; ati (ii) s is e imugbooro ìmúpadàbò sípò kuro lo wo omiyale fun awo n ohun ìní awujo to s e kókó

(\$3millionu). Abala eka yii ni yoo se inawo idagbasoke awoon eto aarotela ati mimu idagbasoke ba awoon ohun ini awujo to s e pataki bi i ile-iwosan, ile-is e irina oko ofurufu, awoon ile awujo, tifi kan riri i daju pe won n sis e bi o s e ye ti won si di lilo fun awoon eniyan.

Abala keji Labe Eka Keji. Isori Keji: Idinroraku Olojo-pipe fun Agbajo po Ewu Omiyale (US\$155.0millionu):

Abala eka yii yoo da lori awoon aba ilana afojusun isakoso agbajo po ewu omiyale (ti a sàgbekale ni Eka kin-in-ni), be e ni yoo si s e inawo atuntò pataki ati atunko ohun amayede run to gbamuse bi i oju-ona agbara, afara, ati oju-ona, kiko idoti kuro loju ipa ona odo meteta; didapada tabi sis e agbekale ibi adagun ti omiyale yoo ma dagun si; ati lati seto akitiyan isakoso omiyale (bi i idaabobo, isopo, ati awoon alakale aaye ati agbajo omi ni ilu-nla, pelu ibi ti omiyale yoo maa doriko). Eka yii yoo ni yoo pese ohun-elo ati irins e to ye lati satileyin fun imus e awoon is e. Bakan naa ni yoo s e inawo ilana kiko ile adagun omi fun aabo to ye, tifi kan ara atunko oju agbara to ti baje pelu gbogbo ohun elo to ye lati mu idagbaoke ba aabo adagun, lati ko igbo kuro loju adagun ki ara iganna adagun le han gbangba, lati le pese ona lati de ibi omi adagun, ati lati fi ohun elo ti yoo maa sofintoto aabo adagun bi i mita to n safihan ibi ti omi kun de, mita to n safihan ido ti inu omi, mita to n safhan abata inu omi ati be e be e lo si ara ogiri adagun.

Abala Keta Labe Eka Keji: Idagbasoke Imupadabo sipo Awujo (US\$5.0millionu):

Abala eka yii ni afojusun erongba lati mu idagbasoke ba imupadabo sipo awujo¹ si omiyale nipas e imus e (i) itaniji awujo ati eto

ijadesigbangba (US\$ 1millionu) eyi ti o ni erongba lati seto itaniji lati s e ikoni ni as a idaabobo ati imurasile ninu ilu-nla, paapaa ni ile-iwe girama ati kole eji ijoba. Eka yii yoo s e eto idagbasoke ati ifimule eto iroyin, eko ati ibanisoro ati lati sagbekale atileyin fun eto iroyin to ni afojusun awoon abenugan ni abele ati ipinle.

Iru afojusun be e a ni eto fun isakoso ona omiyale eyi to da lori itanka ewu, mimu idagbasoke ba oju-ona agbara laarin ilu-nla, imurasile, ati idahun/esi; (ii) inawo ati ilana imupadabo sipo awujo (US\$3millionu): Eyi tun sit un kan idagbasoke ilana imupadabo sipo fun awujo ni awon agbegbe pataki ibi is e akans e ni isori kin-in-in (eyi ti yoo wa ninu ilana airote le ilu-nla ati ti ilana airote le ti ljoba lbile eyi ti o wa ninu abala eka 1.3) bakan naa ni o si wa ninu isori keji awoon ibi is e-akans e. Nipas e eto ifikunlukun to ga ti awoon o moran awujo sagbekale, eto imupadabo sipo awujo ati lati se igbedide awoon ona ese kuku, awoon yara ikawe ni ile-iwe ijoba (ti a le lo bi i ibugbe), lati ri aridaju isise awoon ise to s e pataki laarin awujo, ati lati seto idagbasoke ni ile-iwe, ibi ipejo laarin awujo, ati ni ile-iwosan laarin awujo. Awoon ilana wonyi yoo s e ate le gbogbo eto to ye lasiko pajawiri, ati (iii) yiyan ati didale ko o awoon to yonda ara won laarin awujo ge ge bi i awoon aso odò (US\$1millionu): Imus e abala eka yii ni awoon "lameyito awujo" – awoon e gbe aladani ti ko fi ti ijoba se ati awoon ile-is e olokoowo ti o maa s e akoso eto ifikunlukun ati kokaari eto gbogbo ti o kan awoon abenugan abele ati awoon awujo ti yoo wa lara ilana ohun amuludun to ga labe eka yii (ati isori I & II).

Eka Keta: Atileyin fun Imus e Is e-Akans e (US\$16millionu)

Abala Kin-in-ni Labe Eka Keta. Isakoso Is e-Akans e (US\$7.0millionu).

Nipas e (i) rira awoon aga ati tabili, ohun-elo iroyin ati ibanisoro, oko irina fun PIU ati, rira awoon ohun-elo miiran to ye (US\$2.0millionu); ati (ii) gbigba awoon aye we-owo-wo ati awoon onimo ero ti o maa s e amojuto agbekale ise akans e loore-koore ati ti won yoo ma jabo taara fun PIU/igbimo oludari (US\$1.0millionu).

¹ Lara awujo ni ara ilu, awo ni ijo ba ibile (ti wo ni ni awo ni orori ti a dibo yan), awo ni e gbe ti ko fi ti ijo ba s, CBO ati awo ni onimo

Abala Kejì Lábe Eka Ke ta. Àtìlẹ̀yìn Ìmúse Isẹ̀ Ákans e (US\$9.0milio nu). Nipase: (i) gbigba awo ni onimo agbani-nimo ran to s e e gbo kanle fun isakoso is e akans e, (ii) gbigba awo ni ile-is e to wa fun aye wo is e-akanse fun iso ri kin-in-ni ati ikeji ilana inawo; ati nipa imurasile pe lu imuse ilana fun ipese ibudo-is enilo jo miiran ni awo ni agbegbe ti is e-akans e ba kan.

Is e-akans e a ni apapo owo US\$22.0milio nu fun ise le airote le ati iye owo nnkan rira, be e si ni US\$22.0milio nu ge ge bi owo ti a ko yaso to titi kan ara awo ni owo asansile labe imurasile fun is e-akanse (\$4.875milio nu).

Pàtàkì RPF

S is eto ibudo tuntun (The Resettlement Policy Framework [RPF]) ni a la kale lati pese gbedeke ati odiwo ni ti o ye lati te le nitori abala ofin ile-ifowopamo agbaye OP 4.12 ni is e akans e yii ti taji. RPF pese ohun-elo pataki bi i iwe aye wo oruko lati le s e ito ni fun imurasile ilana ibudo-isenlojo (Resettlement Action Plans [RAPs]) paapaa fun abala-is e akans e lasiko imus e re ni e kunre re IUFMP.

RPF wa lati sagbekale awo ni eto, ilana, atunto awo ni e kaje ka, be e si ni o s e lila ni e se e se o ro isuna to maa mojuto awo ni ibudo is enilo jo to s e e s e ko wa. Iru eto yii yoo tun ri i daju pe ohun gbogbo wa leto-leto (yato si eyi ti yoo lo ju po) fun oniruuru igbes e nipa imus e ilana to s e aridaju kikopa awo ni to faragba ninu ijamba, ikopa e ka ati awo ni abe nuga, tite pe le mo gbedeke ilana ile-ifowopamo agbaye ati ti ijo ba pe lu awo ni ohun amuye. Bakan naa ni o n s e alakale eto owo iranwo fun awo ni tofara kaasa ijamba. PRF sagbekale gbedeke ninu eyi ti ilana ibudo isenilojo (Resettlement Action Plans [RAP]) a ni idagbasoke nigba ti is e-akans e naa ba ni ibudo ati awo ni ipa e ka-is e-akans e.

Ibùdó Isẹ̀-Ákans e

Apa guusu-iwo-oorun ile Najjiria ni lbadan wa be e si ni o je olu-ilu ipinle O yo. Ooro lbadan je nnkan bi 7° 25' si iha ariwa nigba ti ibu re je iwo ni bi i 3° 5' si iha ila oorun. Agbekale re si je iwo ni kilomita bi i marun-undinlaado jo si iha ariwa ilu Eko. Ibi ti lbadan wa sunmo aala to wa laarin ile igbo ati ile o dan. lbadan je ilu-nla alawo dudu to tobi julo ni gbogbo ile Afirika. Lati igba ti a tite ilu lbadan do ni 1800s, ilu yii ti s e awo ni ohun meremere fun awo ni eniyan to n gbe ni e kun guusu-iwo-oorun ile Najjiria. lbadan ni olu-ilu ipinle iwo-oorun ni igba kan, nigba ti orile-ede Najjiria ni e kun me ta pere. Agbegbe iwo-oorun igba naa ni o ti di pinpin si meje lonii pe lu ipinle Eko.

Àwo ni Iso ri PAPs

Awo ni ti o s e e s e ki o di alarinkiri/alainibikan ni a le pin si is o ri me ta, awo ni ni iwo nyi:

• **E niko o kan to faragba** – E niko o kan to ba padanu ohun iní tabi okowo, ile ati ohun ini tabi ti o padanu irin gaara si ibi ti nnkan o ro -aje re wa nipase igbokègbodò ise-akans e ti o si ni e to si owo gba-ma-binu.

• **Idilé to ba faragba** – Idilé kan yó di fifi ara gbá nigba ti o kan tabi méjì ninu awo ni eniyan ibe ba fi ara gba ninu abala akitiyan awo ni is e-akans e, boya nipa ofò dúkiá, tabi àiní o nà taàrà si ibi okowo tabi ti o sa fi ara gba lo na kan tabi omiran ninu igbokegbodo is e-akans e.

• **Idilé tí ó lè faragba** – Idile to le tete faragba le je e ni ti ó ni ogiri ilé tabi ilé-itàjà /yàrà ti abala re maa di wíwó pale lasiko akitiyan is e-akans e.

Òdiwo ni Fún Níní Èto Sí Owó Gbà-má-bìnú

OP4. 12 ti ile-ifowopamo dabaa awo n osunwo n me ta wo nyi fun nini e to ;

- Awo n to ni e to nipas e e ri to daju si ile (titi kan eto nipa ti ibile, ti ise n baye ati ti e sin, eyi ti a te wo gba labe ofin ti ijo ba apapo tabi ti ipinle ni orile-ede Naijiria).
- Awo n ti ko ni e to labe ofin si ile lasiko ti eto-ikanian be re s ugbo n ti wo n ni e ri to daju nipa ile tabi ohun ini be e, paapaa ti iru e ri be e ba je eyi ti o s e ite wo gba labe ofin ti ijo ba apapo tabi ti ipinle Naijiria, tabi ti o di ite wo gba nipas e eto ti a fo wo si las iko ipade yianju aawo nipa ile.
- Awo n ti ko no e to kankan ti a mo labe ofin, be e ni wo n ko si ni e ri kankan lori ile ti wo n n gbe, lo tabi ti wo n ti n ri ounje o ojo wo n.

Ilana Ofin Fun Nini Ile

Ilana ofin fun nini ile ni orile-ede Naijiria ni o wa ninu ofin ile ti o dun 1978, ti a s e atuns e labe ofin Cap 202, ti o dun 1990. Awo n abala to ye ninu eto isis e ile-ifowopamo agbaye (OP4.12), to so ro nipa nini ile ati ibudo-isenilo jo ni a s e atuns e wo n. Awo n iyato to wa laarin Ofin Ilo Ile (Land Use Act) ati eto isis e ile-ifowopamo agbaye OP4.12 je eyi to wo po si ilana atunto, eyi ti a ko fagile ti a ko si s e e ni dandan ninu ofin naa. Nitori naa a se akiyesi pe ninu ilana eto isenilo jo pe lasiko iyato laarin mejeeji, eto idaabobo ti ile-ifowopamo agbaye ni yoo je gaba le ti ofin ilo ile Naijiria.

Ilana Fun Tite le Lasiko Isenilo jo

Le yin ti a ba ti s e alakale o na ti a o gba s e iranwo ati ki is e gan an to be re, is e lori ilana ibudo is enilo jo gbo do di gbigbe dide. Eyi a kan agbeye wo eto o ro-aje oun awujo pe lu eto ikaniyan (titi kan awo n idile to gbooro bi i agboole) ni a o ko s e eto re laarin awo n agbegbe ti is e akans e yoo kan ti ile yoo si ti di gbigba. Agbeye wo awo n o ro awujo ati eto o ro-aje a fojusun awo n koko bii igbe-aye, idile ati agboole, ati onilejile. Bakan naa ni awo n oniruuru o na eto awujo, e le yame ya, awo n adari lo na ti ibile ati awo n adari miiran pe lu awo n koko miiran fun agbe yewo eto awujo ati o ro-aje ni yoo fojusun. Agbeye wo yii yoo tun kan o ro aawo ati awo n koko miiran to le wulo fun imus e ilana ibudo-isenilo jo. Eto ikaniyan gbo do ni nnkan s e pe lu orisun awo n owo to n wo le ati bi wo n s e n san wo n. Gbogbo awo n koko e ri yii ni a o ya aworan wo n fun ako sile to peye. Ape re ate-as ebeere ni a ti pese sile ge ge bi o kan lara ilana eto isenilo jo. Nigba kan naa ni a o maa gba koko e ri sile le nu idile lori i bi awo n ohun koseemaniai ko o kan bi i eto e ko, ilera, ile ijo sin, awo n onimo nipa is e agbe, ile itaja ati awo n nnkan miiran ti idile maa n lo s e wa ni aro wo to wo n si. A gbo do s e ako sile eto irina (o ko ayo ke le ati o ko nla). Jinjina to wa laarin idile si awo n nnkan koseemaniai wo nyi ni a gbo do s e akiyesi.

Ilana /gbedeke mimo idiyele gbogbo ohun ini ti o le di pipalara ni onimo nipa idiyele ati awo nle to danito gbo do s e. Owo gba-ma-binu to ba ye fun ofo to n wo le ni a gbo do san ninu owo ti a ya so to fun un ni o na ti PAPs ko n ii padanu kankan ni opin ohun gbogbo. A ti so nipa odiwo n fun nini e to si owo yii. PAPs, awo n awujo, awo n e gbe ti ko fi ti ijo ba s e ati awo n abe nungan awujo to ba ye ni wo n yoo kopa ninu ilana ibudo isenilo jo/atuns e. Gbogbo gbedeke ilana fun kikopa ni a o salaye ni e kunre re ninu ilana/gbedeke ibudo is enilo jo be e si ni eyi yoo kan igbimo fun awo n lameyito to ba fe lati kopa.

Ilana Yianju E honu

Gbogbo ipa ni a o sa lati yanju awo n e honu be e si ni eyi yoo si wa ni awujo ko o kan. Awo n to ni e honu lati fihan ko ko gbo do so fun awo n o ba ilu wo n tabi awo n baale ijoye to n so ju wo n ninu igbimo ibile. Bakan naa ni e ni be e gbo do fi e da iwe ife honuhan re

so wo si o ga patapata ni ijo ba ibile re. Le yin ijabo, igbimo ibile pe lu asoju CDA ati CDCs, ti a o maa pe ni igbimo alabe sekele lori i ibudo isenilojo ati sisan owo gba-ma-binu, a se ipade lati sagbeye wo ojulowo eri e niko o kan. Ti wo ba ri ododo ninu eri e niko o kan, igbimo alabe sekéle yii a wa fikun-lukun pe lu PMO, ile-is e eto ayika ti ijo ba apapo ati ti ipinle pe lu ile-is e o ro omi ati alumo o ni ti ijo ba apapo (Federal Ministry of Water Resources [FMWR]) ati ti ipinle O yo. Ninu ipade wo ni wo n yoo ti s agbekale gbogbo eri e niko o kan lati tunbo s e aridaju ododo eri naa. Ti awo n eri wo nyi ba tun je ojulowo, awo n olori awujo pe lu PMO a ko we si e ni ti o fe honu han lati wa gba owo re. Gbogbo e honu ti wo n ko ba le yanju ni wo n yoo gbe lo si ile-e jo ti ijo ba ibile tabi ipinle.

Ìdíyelé àti Sís ètò Owó Gbà-má-bìnú

O gbo n idiyelé fun ile to faragba ati awo n ohun iní wa lo wo bi ohun ini be e ba s e ri. Owo gba-ma-binu ati ibudo-isenilojo ni a o mojuto ge ge bi awo n eto miiran to ye labe ofin isakoso ati inawo is e-akans e. Inawo re ni a o s eto nipas e IUFMP, o o fiisi to n sakoso is e-akans e (Project Management Office [PMO]) be e si ni yoo wa ni ibamu pe lu eto isuna ti a ti fi ohun so kan le lori lasiko idúnáándúrà. Ilànà isanwo gba-ma-binu to ni o kan-o-jo kan igbes e ni o wa ni ibamu pe lu gbedeke fun ibudo isenilojo ati sisan owo gba ma binu ge ge bi IUFMP s e la a sile. Eyi yoo si ni nnkan s e pe lu ikopa ati italolobó awo n ara ilu, ati fun ako sile ati pipese is e-ayans e pe lu owo gba-ma-binu sisan sile. Ilana yijanju e honu ge ge bi a s e s e ako sile re ni a gbo do te le lasiko ifisun.

Amojuto ati Aye wo

Lati le s e gbogbo eto ibudo-isenilojo ni as eyo ri paapaa nipa imus e ilana ati ni ibamu pe lu eto ati ilana e to, o ye ki eto wa fun amojuto ati aye wo imus e RPF ati RAP. Gbedeke yii ni a o s e lo na ti o s e re gi pelu gbogbo ilana IUFMP. Amo sa, amojuto ati aye wo gbo do je eto ti yoo ma te siwaju ti yoo si ni s e pe lu amojuto ni inu ati ni ode. Alamojuto ni tire, e ni to je onimo nipa idagbasoke awujo, a ko ipa pataki nipa ijabo ite s iwaju imus e ati iwani-ibamu pe lu o o fiisi alamojuto is e-akans e (Project Monitoring Office [PMO]), PMU ati ile-ifowopamo agbaye.

Ilànà ètò ibudó-isenilojo s alaye pataki amojuto ati aye wo awo n e ka is e-akans e labe IUFMP. Bakan naa ni o si s e alásile gbédéke fun amojuto lati inu ati lati ode pe lu alamí to ye.

CHAPTER ONE: INTRODUCTION

1.1 Background

Worldwide, flooding is the most widespread of all natural disasters. In the 10 years from 1993 to 2002 flood disasters affected more people across the globe (140 million per year on average) than all the other natural or technological disasters put together" (IFRC, 2003). In Nigeria, flooding is one of the key natural disasters that affect populations and has led to enormous loss of lives and properties. Severe flood events are increasingly affecting major urban centers such as Ibadan—where people and economic activities are concentrated. Nigeria has been affected by several extreme flood events in recent years. These have resulted in severe devastation and economic damages. The 2012 floods alone resulted in an estimated US\$16.9 billion² in damages with impacts across priority sectors such as housing, agriculture, commerce, oil and education.

² Nigeria Post Disaster Needs Assessment 2012 Floods, May 2013, Government of Nigeria. A weighted exchange rate of 160 Naira per US Dollar was adopted.

Climate change, although uncertain, is also likely to increase frequency and magnitude of natural disasters such as flooding.³

To sustain the rapid pace of economic growth and support Nigeria's vision of becoming one of the World's 20 largest economies by 2020⁴, Nigeria will have to ensure flood risk is managed sustainably in a way that promotes the safety and resilience of urban areas (housing the majority of current and future economic investments) and healthy ecosystems. Some of the challenges in reducing and mitigating flood risks are related with inadequate flood control infrastructure and management practice, risk insensitive land use planning, aging or weak dams, lack of flood risk awareness, inadequate solid waste, sewage, and surface water drainage services.

Ibadan, the capital city of Oyo State and the third largest metropolitan area in Nigeria, after Lagos and Kano, is highly exposed to flooding. The city has a population of 3 million⁵ and a growth rate of 3.4% (City of Ibadan, 2013). It is the largest metropolitan geographical area in West Africa (1,190 sq mi or 3,080 km²) with a highly built up and dense population. The city is frequently exposed to floods. Notable of these events, was the Ogunpa disaster of year 1980 which was recorded to have resulted in a death toll of 500 people. The latest flood event took place after a downpour rainfall of 187.5 mm (about 7.38") occurred in about 4-5 hours on August 26, 2011, induced by the overflow from Eleyele reservoir causing the death of more than 120 people and serious damages to infrastructure (many bridges collapsed, roads washed away, and substantial property loss) (Government's Task Force Report, November 2011). Based on government assessments after the floods the following impacts of the flood disaster have been highlighted: (i) the housing sector suffered the biggest impact with about 2100 homes partially or severely affected, estimated to approximately Naira 2 billion (US\$12.5 million equivalent); (ii) the agriculture sector experienced damages to hardware, infrastructure, fish and food stocks (losses included the actual year's production) estimated at over Naira 300 million (US\$1.9 million equivalent); and (iii) substantial damages occurred to the transport sector, particularly bridges and culverts, estimated to have cost more than Naira 4 billion (US\$25 million equivalent). The water sector, including Eleyele dam, experienced substantial damages and losses.

Recognizing the need for an integrated and long term solution to flooding in the city, the Oyo State Government has requested the World Bank's support to finance a flood management project in Ibadan. So far, the responses to the past flooding events have been piecemeal; mainly focusing on alleviating immediate and short-term needs such as rebuilding of destroyed assets. However, in line with the global focus on disaster prevention following Hyogo Framework of Action, the Oyo State Government has realized the importance of moving from merely responding to pro-actively managing and preventing flood risk in the city. The Global Facility for Disaster Reduction and Recovery (GFDRR)'s support following 2011 floods, primarily a small training and awareness exercise, also recommended the need for urban flood risk assessment and an urban flood risk management program. Building on these recommendations, the Government of Nigeria and Oyo State Government requested the World Bank's support to finance a flood management project in Ibadan.

A preliminary assessment by the World Bank and State Government team identified multiple and interconnected reasons which contribute to the growing challenge of flooding in Ibadan. As a response to the Government's request, the World Bank constituted a team of experts to work with the city stakeholders to assess the causes of flooding and the associated impacts. A preliminary flood risk assessment was carried out based upon field visits and discussions with local officials and community leader and supported by an

³ The World Bank, "Nigeria: Enhancing the resilience of development to climate change" Report No. 69027, November 2012

⁴ Nigeria Vision 20: 2020

⁵ Estimated on the basis of 2006 census; However, the City of Ibadan estimates the population close to 5 million; Starting as a war camp, the city grew from 60,000 in 1856 to 1,228, 663 in 1991(source: Population Census of Nigeria).

initial broad scale hydrological and hydraulic analysis. The assessment identified a complex combination of different factors: (i) prolonged and torrential rainfall, (ii) a landscape typified by small rounded hills and relatively flat bottomed valleys, (iii) a highly interconnected drainage network, and (iv) a dense urban development, which inevitably creates significant flood risk in the city. More specifically, the initial investigations highlighted the following main drivers of flood risk within the city:

Main Drivers of Flood Risk in Ibadan

- *Rapid and uncontrolled runoff from the built environment* (in particular the large expanses of impermeable tin roofs, characteristic of Ibadan, and the hard packed soils, contribute to a rapid runoff response)
- *Deforestation and loss of vegetation in the upper parts of the catchment* (resulting in greater run-off rates and volumes).
- *Poorly controlled development in the natural floodplain* (placing property and life in danger, and reducing the effectiveness of the floodplain as a natural flood storage area and conveyance).
- *Inadequate and poorly maintained road ways and watercourse crossings* (numerous small watercourses intersect the city and are typically crossed by low bridges or carried by culverts. These structures are prone to scour leading to collapse. Unsurfaced, or poorly surfaced, road ways soon become unpassable during the floods).
- *The lack of effective debris management within the City means high levels of debris (man-made and natural) are readily recruited by flood flows leading to blockages of the culverts and bridges* (causing significant local flooding and severely reducing the capacity of the channel to convey flood flows).
- *Inadequate surface drainage throughout the City* (forcing the majority of rainfall to be carried as overland flow, the formation of deep rills and gullies on the steeper slopes, exacerbating the rapid run-off and contributing to severe soil erosion).
- *Limited community awareness of the risks associated with flooding and how to respond.*
- *Lack of formal emergency response capability* (both at government level with limited civil contingency planning and at a local, with limited community resilience means that response to flood events is difficult to coordinate and actions taken are not as effective in reducing impacts as they could be).
- *Lack of flood forecasting and warning capability* (a lack of technical infrastructure and clarity of ministerial responsibility and organizational structure means little warning is given regarding the onset of flooding and how best to minimize impacts).
- *The Eleyele Dam on the River Ona (just upstream of the city) designed as a water resources reservoir (although not heavily silted) is in an uncertain structural condition and requires improvement to ensure safety..*

The proposed project development objective is: to reduce the risk of urban flooding in target areas of Ibadan. The proposed project will ensure that the reconstruction of physical assets, protection and/or restoration of essential services and social/institutional capital, and capacity building, is done in a holistic, sustainable, and integrated manner, which increases flood resilience in the long term.

The project is classified as Environmental Category A mainly as a result of the need to rehabilitate Eleyele dam. Other than the dam, other works involve river channelization and infrastructural work that may involve various degrees of resettlement and have a range of social and environmental impacts. The project triggers four safeguards policies: OP 4.01 (Environmental Assessment), OP.4.11 Physical Cultural Resources, and OP 4.12 (Involuntary Resettlement), OP/BP 4.37 (Safety of Dams).

The Resettlement Policy Framework (RPF) is designed to provide procedures and guidelines that would be followed because the World Bank's OP 4.12 is triggered by the sub-project activities. Considering that the Ibadan Urban Flood Management Project (IUFMP) is still at the preparatory stage and the details of the sub-projects (volume, scope, scale and/or actual nature of activities, etc.) are not known, it is therefore not possible in this situation to prepare a Resettlement Action Plan (RAP) or an Abbreviated Resettlement Plan (ARAP). The World Bank Operational Policy on Involuntary Resettlement (OP 4.12) therefore requires the development of a Resettlement Policy Framework (RPF).

The Resettlement policy framework clarifies resettlement principles, organizational arrangements and design criteria to be applied during project implementation. Sub-project resettlement plans consistent with the RPF will subsequently be submitted to the Bank for approval after specific planning information becomes available. It should be noted that the policy is designed to mitigate harm caused by displacement or land acquisition occurring in the process of the IUFMP implementation.

The policy is not designed to mitigate damages caused by processes occurring prior to the Ibadan Urban Flood Management Project (IUFMP) interventions of any particular sub-project. OP4.12 demands mitigation only when land is taken. There is no obligation, under Bank Policy, to replace assets lost to construction or rehabilitation prior to or outside the context of the Bank-financed project. The policy does not prohibit compensation for other kinds of losses and damage such as loss of "customer goodwill" but such compensation is not required by OP4.12.

The RPF shall serve as a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the comprehensive Ibadan urban flooding management project (IUFMP). It is vital to note that for each subproject supported under the Project that involves land acquisition or relocation of people, a separate Resettlement Action Plan (RAP) satisfactory to the Bank is required prior to signing a work order.

Project Design to Support Long-term Risk Reduction Framework

Formulation of an effective and sustainable urban flood risk management strategy for Ibadan is a long and complex process requiring a mutually agreeable understanding (among different stakeholders) of (i) source and probability of flooding in Ibadan, especially due to climate change, and (ii) dynamic and growing vulnerability of public and private assets in the city. Similarly, promoting an integrated approach to urban flood risk management that combines both structural and non-structural measures requires a good understanding of available alternatives depending upon the future growth of the city. These must be based on transparent and accountable cost-benefit analyses facilitating the prioritization of financing on the most urgent and effective of these measures.

The project design, thus, focuses on developing a long term risk reduction framework in the city building on multi-sectoral nature of flood management, and ensuring long-term implementation, funding size, and planning horizons. The adoption of this framework approach effectively sets the "rules of the game" and allows infrastructure investments to be selected in a dynamic and ongoing basis following the adoption of strategic master plans which will be carried out as a part of the project. The studies will provide much needed clarity on the future land use and urban development of Ibadan as well as the range and options of structural and non-structural measures that can be implemented in a cost-effective manner. Finally, any social resettlement decision to clear the flood plains is also linked to the completion of the above studies.

1.2 Objectives for Consultancy

The main objective of the consultancy is to prepare a Resettlement Policy Framework (RPF) applicable to the project over its time frame. The preparation of this RPF shall follow the requirements of the World Bank's policy on Involuntary Resettlement, OP 4.12. The RPF shall also make reference to the Federal Government of Nigeria's legal and institutional requirements. Any identified gaps are to be clearly captured, explaining how these gaps will be filled, and which should take precedence with reasons.

1.3 Scope of Work

The assignment by the Consultant shall cover the following key areas as described in the ToR. Other areas considered relevant by the Consultant should be included so far as they add value to the outlined areas below:

(i) Project Description:

Provide a brief description of the project to place the RPF in the relevant context. This would include a summary of the background to the project and the different components. Most importantly, the Consultant shall identify the possible resettlement issues that each component and subcomponents are likely to generate.

(ii) Country Legal and Institutional Guidelines and Requirements:

Provide a review of the national, state and customary laws and regulations governing land tenure, land use and land acquisition, as well as similar laws and regulations covering other natural and built assets. It also includes the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies. The Consultant shall 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. Particular attention should be given to local-based institutions and structures at the project site(s). The institutional arrangements will include implementation and monitoring mechanisms that ensure inclusiveness and participation of all affected people, groups and communities.

(iii) World Bank Safeguards Policies:

The Consultant shall spell out the World Bank's policy on Involuntary Resettlement OP 4.12 and assess how this applies in the specific case of the NGTPP. Attention should be paid to and documented on the difference(s) between the Bank's policy and Nigeria's policy on involuntary resettlement, if applicable; noting that where the differences are significant whichever policy is considered to be of a comparatively higher standard shall apply.

(iv) Social Assessment and Socio-Economic Profile:

The Consultant shall conduct an initial social and economic survey at the various proposed sites for the project activities required under the different components and subcomponents that trigger the involuntary resettlement policy. The survey shall cover issues on the social structure, economic activities, social characterization of potential affected persons, 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 mechanisms and potential for conflict situations arising as a result of the potential conflicts inherent in dealing with channelization and allied developments. This information will serve as critical baseline data for a future Resettlement Action Plan (RAP).

(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 (Project Affected Persons – PAP) as noted in the project component description above. The different categories of affected persons may include those who may be losing legal title to land and those without legal title but who use the land for economic activities or for residential purposes. There may be those who may be losing temporary access to property or business sites. These are only examples of those who are likely to be affected through displacement. The RPF shall identify the right categories based on the impacts noted or expected.

(vi) Eligibility Criteria for various Categories of Affected People:

The Consultant shall determine the method for setting a cut-off date for eligibility for compensation and also as a means for making this information (on cut-off date) reach the wider public. In addition, the Consultant shall recommend the compensation type for the different 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. The RPF shall take particular note of the multidimensional impact of the project and factor that into the analysis especially with regard to different sites and different forms of social impacts. The criteria for compensation should be in line with national legal requirements and provisions, World Bank OP 4.12, 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 details the type of compensation 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.

(viii) Methods for Valuing Affected Assets:

This section shall describe in detail the methods used in valuing those assets that will be eligible for compensation either as per national or World Bank policy on involuntary resettlement (OP4.12). This method shall be consistent with both national policy requirements and regulations and OP4.12. This process should capture the methodology for taking of inventory of assets, values assigned and agreements reached with each identified PAP and consider inflationary realities in the final determination of values. The RPF shall include a clear statement alluding to the possibility of revised values should there be major discrepancies between dates for value determination and actual date for payments. 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 fully participatory and acceptable to all stakeholders.

(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 including the various actors and their roles and responsibilities. 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 will describe in clear terms the methodology for consultation and participation by the PAPs in the process until they have received their entitlements. This process should be elaborate and clear to avoid and minimize confusion and suspicion. This could be done according to the different levels of consultations,

the expected outcome from the different stages of the consultation and participation approach that would be adopted.

The framework will include a section on the consultations undertaken to develop the RPF, as well as guidelines for future consultations for RAPs. The RPF should emphasize the importance of documentation and other evidential indication for the consultation and participation process for this RPF and for subsequent RAPs. The record of consultation and participation for this RPF should be attached as an annex to the final RPF report for the client.

(xi) Grievance Redress Mechanisms:

Under the grievance redress mechanism, the consultant shall describe the options available to PAPs for grievance redress they may have about the process, the identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process. The RPF shall indicate how these would be disseminated and accessible to them in a way that is clear and comprehensible to the PAPs. The grievance redress 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 different 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.

(xii) Budget and Funding Arrangements:

The RPF will clearly state the sources of funding for subsequent RAPs, an overall cost estimates for resettlement including for monitoring of the resettlement activities. If there are multiple sites, the RPF 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 RPF 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 RPF shall develop, as part of this, a template for monitoring with indicators based on the main issues identified and spelt out in the RPF.

(xiv) Implementation Schedule:

To avoid confusion with cut-off dates and other time lines 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. Due to the fast track nature of this project, 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) Screening process and Template for the Design of Resettlement Action Plan:

The RPF shall develop a screening checklist for identification of sites that require site specific RAP's, and a template for the design of a RAP based on the details of the RPF This template will spell out the main subsections of the RAP and any other relevant annexes that should be included.

1.4 Principles and Objectives of World Bank's Resettlement Policy

Generally, involuntary resettlement, unless properly managed, may result in long-term hardship and impoverishment for affected persons and communities, as well as environmental damage and social stress in areas to which they have been displaced. The impacts due to involuntary resettlement from development projects, if left unmitigated, often gives rise to severe economic, social and environmental risks resulting in production systems being dismantled; people facing impoverishment when their productive assets or income sources are lost; people being relocated to environment where their skills may be less applicable and the competition of resources greater; community institutions and social networks being weakened; kin/clan groups being dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. For these reasons, most projects, like the IUFMP supported by the Bank are designed to avoid involuntary resettlement. Where it is unavoidable to embark on involuntary resettlement, appropriate measures to minimize, as much as possible, are chosen. For adverse impacts on displaced persons and host communities, carefully planned and implemented framework is ensured to mitigate the impact.

The World Bank Resettlement Policy OP 4.12 could be triggered in instances where, project activities could result in loss of structures (houses, fences etc.) and possibly incomes (rents for landlords, business premises, agricultural land). Therefore, people are in most cases compensated for their loss (of land, property or access) either in kind or in cash of which, in most cases the former is preferred.

The failure to take into account potential involuntary resettlement in the construction and rehabilitation of the the Eylele dam, for example as will be carried out in IUFMP can increase the risk of hardship and negatively impact poverty reduction objectives.

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

a. Landlessness

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

b. Homelessness

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

c. Joblessness

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

d. Food Insecurity

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

e. Increased Morbidity and Mortality

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

f. Educational Loss

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

g. Social Displacement

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

h. Marginalization

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

i. Loss of Access to Common Property

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

In line with the foregoing, the World Bank's Resettlement Policy Framework has the following objectives:

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

For the purposes of this framework, "Affected Persons" are defined as:

All persons who, as a result of works carried out or to be carried out under the Project, would incur: (i) relocation or loss of shelter, such as houses; (ii) loss of assets or access to assets, such as land or crops; or

(iii) loss of income sources or means of livelihood whether or not the affected persons must move to another location, such as stalls or productive activities on the land; or (iv) the involuntary restriction of access to legally designated parks or protected areas, which would result in adverse impacts on the livelihoods of displaced persons.

Therefore, involuntary resettlement, as per the definition in OP 4.12 (Annex 1), means both physical displacement as well as economic displacement. The term “involuntary” means that any impact, to which the project affected person cannot say no, is “involuntary” and therefore the policy OP 4.12 is triggered.

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

In particular for IUFMP, the policy also requires that the implementation of individual resettlement and compensation plans are a prerequisite for the commencement of project activities causing resettlement, such as land acquisition, to ensure that displacement or restriction to access does not occur before necessary measures for resettlement and compensation are in place.

It is further required that these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites (if necessary) with adequate facilities, where required. In particular, the taking of land and related assets or the denial of access to assets may take place only after compensation has been paid and where applicable, resettlement sites, new homes, related infrastructure, public services and moving allowances have been provided to displaced persons.

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

1.5 The Need for IUFMP RPF

The Resettlement Policy Framework (RPF) is designed to provide procedures and guidelines that would be followed because the World Bank’s OP 4.12 is triggered by the project. The RPF provides a practical tool (e.g. screening checklist) to guide the preparation of Resettlement Action Plans (RAPs) for sub-projects during the implementation of the comprehensive IUFMP.

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

The RPF provide the framework within which Resettlement Action Plans/Abbreviated Resettlement Action Plans will be developed when the project is certain of the locations and specific impacts of the sub-projects.

1.6 IUFMP and the Principle of Involuntary Resettlement

Under the World Bank OP 4.12, those affected by resettlement are defined as those who are directly affected socially and economically by:

(a) The involuntary taking of land and other assets resulting in:

- relocation or loss of shelter;
- loss of assets or access to assets; or
- loss of direct income sources or means of livelihood (i.e., income and livelihoods directly dependent on the affected areas), whether or not the affected persons must move to another location.

(b) The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

The Bank Safeguard Policy OP 4.12 applies to IUFMP in:

1. All components under the project, whether or not they are directly funded in whole or in part by the Bank.
2. All displaced persons due to the sub-projects regardless of the total number affected and the severity of the impact and whether or not they have legal title to the land.
3. Squatters or other land occupiers who lack legal title or legal occupancy rights to the land they occupy who should be entitled to assistance in accordance with the objectives of the RPF.

This RPF further applies to other activities resulting in involuntary resettlement that in the judgment of the Bank are:

- a) Directly and significantly related to IUFMP sub-projects during implementation
- b) Necessary to achieve its objectives as set forth in the project documents; and
- c) Carried out, or planned to be carried out, at the same time as the IUFMP sub-projects.

Below, is an overview of what must be done to compensate those that will be displaced involuntarily (loss of land or prevention of access to normal means of livelihood) is given:

- Offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation where appropriate.
- Provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable.
- Make alternative housing and/or cash compensation available prior to relocation.
- Build new resettlement sites for displaced persons with improved living conditions.
- In the case of physically displaced persons with recognized or recognizable rights, the project will offer the choice of replacement property of equal or higher value, equivalent or better characteristics and advantages of location or cash compensation at full replacement value.
- Where these displaced persons own and occupy structures, compensate them for the loss of assets other than land, such as dwellings and other improvements to the land, at full replacement cost.

Offer compensation in kind in lieu of cash compensation where feasible. Based on consultation with such displaced persons, provide relocation assistance sufficient for them to restore their standards of living at an adequate alternative site. It is important to stress that the policy is not designed to address “economic displacement” in itself. “Economic displacement” could occur where people suffer losses or damage due to project activities that do not involve the taking of land. For example, if the water pipes to be replaced are located in a street where business shops are and disruption of economic activities may be caused temporary as people may be prevented for visiting nearby shops to make purchases. This is a *purely economic*

displacement and not subject to OP4.12 because land was not taken from the business itself. If, on the other hand, the rehabilitation of the dam structures involves cutting off access by persons to a school or health facility within the period, some compensation could be called for due to the taking of land during reconstruction. In summary, this RPF reflect the fact that OP4.12 demands mitigation only when land is taken. The policy does not prohibit compensation for other kinds of losses and damage such as loss of “customer goodwill” but such compensation is not required by OP4.12.

1.7 Technical Approach and Methodology

Generally, the RPF is prepared in accordance with applicable World Bank safeguard policies and Nigerian guidelines/laws. The distinct phases for preparing RPF include: review of existing RPF to be updated; Public Consultation, Data Gathering e.g. for baseline conditions, institutional arrangement, capacity, etc. which involved reconnaissance survey/visits to States; and identification of potential impacts; preparation of the RPF and sub-project guidelines screening.

1.7.1 Review of Literature/Existing RPF

A review of relevant literature was carried out with a view to gaining a further and deeper understanding of the project and the social conditions that exists in Oyo State.

The following documents, amongst others, were considered:

- RPFs prepared for other recent World Bank projects in Nigeria and elsewhere (other countries), where there have been a greater number of resettlements and affected populations as there potentially is under the project;
 - the draft RPF for NEWMAP
 - RPF for Enugu, Kaduna and Cross River projects
 - Other relevant documents, reports, publications on land acquisition, compensation that bears relevance to the RPF,
 - The PDNA of Nigeria 2012 flood disaster and other literature on flooding and drainage control in Oyo state and in Nigeria
- United Nations (2006) Human Development Report
- National Bureau of Statistics (2009) Social Statistics in Nigeria
- The Nigeria Land use Act
- Forestry Act
- Nigeria’s National laws and/or regulations on environmental assessments
- World Bank Operational Policies

1.7.2 Stakeholders/Public Consultation

Three main groups of organizations and individuals (government MDAs, individuals and CBOs/NGOs) were consulted. Some officers from various ministries and departments including Ministry of Lands, Housing and Survey, Ministry of Environment and Habitat, Ministry of Works, Ministry of Planning and Urban Development, Ministry of Water, Eleyele Reservoir Catchment area, Staff of the Project Management Office and some Officers of Federal Ministry of Environment. A general Stakeholder consultation was also held on the 18th of October 2013 . The Summary of stakeholder/PAPs consultation meetings and the list of individuals consulted is attached in the Annex 6 and 7 respectively.

1.7.3 Data Gathering and Reconnaissance Survey

The data gathering involved visits to various government offices at state levels already indicated above, internet searches, etc. to obtain relevant information. All concerned stakeholders in Ibadan were visited, with a view to gathering first hand information and holding stakeholder consultations/meetings. With the visits, better appreciation of the baseline conditions, institutional arrangement at the local levels, capacity, the nature

and extent of likely social impacts as well as who would likely be impacted and how, etc were identified and documented.

1.7.4 Organizing and Integrating Data

The information/data obtained were organized and summarized with a view to identifying areas of commonality and difference among the various relevant issues in the project. Just as it is important to identify areas of common social benefits or cost to the likely project affected persons, it was also essential to evaluate the differences among impacts and determine how to address the differences which were considered most significant.

1.8 Structure of the Resettlement Policy Framework

The Resettlement Policy Framework is structured into nine chapters as follows:

Chapter One: provides a background to the project and outlines the scope, objectives, principles and the need of the Resettlement Policy, as well as the methodology of the RPF study and structure of the report.

Chapter Two: describes the proposed project, provides a broad overview and outlines the project objectives and components.

Chapter Three: describes the process that will be used to prepare and approve resettlement plans for sub-projects to be financed under the project.

Chapter Four: presents the different categories of the likely persons that may be displaced by the project.

Chapter Five: provides the eligibility criteria and conditions for compensating project affected persons.

Chapter Six: describes the legal/institutional guidelines and requirements for resettlement planning in Nigeria and discusses the World Bank safeguard policy on resettlement.

Chapter Seven: describes the methods for valuation of affected assets and compensation payment.

Chapter Eight: discusses arrangements for compensation including the compensation and implementation processes as well as the mechanisms for grievance redress and consultation/ participation of displaced persons.

Chapter Nine: discusses arrangements for monitoring and evaluation.

CHAPTER TWO: DESCRIPTION OF PROPOSED PROJECT

2.1 Project Overview

The Federal Government of Nigeria has initiated the preparation of the Ibadan urban flooding management project (IUFMP) with financial support from the World Bank to the tune of \$200 million. The proposed project will ensure that the reconstruction of physical assets, protection and/or restoration of essential services and social/institutional capital, and capacity building, is done in a holistic, sustainable, and integrated manner, which increases flood resilience in the long term.

2.2 Project Development Objective

The Ibadan Urban Flood Management Project (IUFMP) aims to develop long term flood resilience in the city— by collaboratively identifying and implementing robust and sustainable solutions for mitigating flood risk, and improving flood preparedness. In the short term, the project will finance priority and critical infrastructure

investments, including setting up flood early warning and response system. An Integrated Flood Risk Management Masterplan will assess and recommend flood risk management actions in the city along with the development of a long term Flood Resilience Strategy. The outcome of the assessment will guide long term flood risk mitigation and drainage improvement investments.

The project development objective is to improve flood resilience in the city of Ibadan. The project objective will be achieved through a combination of non-structural and structural measures by: (i) strengthening risk identification, planning and preparedness, and (ii) undertaking flood risk mitigation and urban drainage improvements in priority and targeted project sites.

In line with the PDO, the project to reduce the risk of flooding in Ibadan by:

(a) Developing capacity of state and local institutions to effectively manage the long term flood management program in the city, and;

(b) Implementing a diverse set of demonstrative and priority investments for reducing flood risk in a sustainable manner

The project will help catalyze an integrated, proactive, long term, and sustainable approach to flood risk management in Ibadan, combining structural and non-structural measures. The achievement of the PDO will be measured through a number of outcome indicators including:

(a) Increased capacity of local institutions to effectively manage flood risk in the city

- Establishment of an urban flood management fund and implementing body
- Urban Flood Risk Management plan developed, and adopted by the state government
- Urban flood risk information portal and disaster center established
- Effective early warning, preparedness and response system established

(b) Percentage city population covered by effective flood risk reduction measures

Non-structural:

- Integrated soil and water conservation measures implemented
- Flood plain identification and risk sensitive land use development initiated

Structural:

- Priority new structural measures undertaken: new drains and culverts
- Priority infrastructure and building safety improvements and maintenance: increased capacity of existing priority drains, culverts, and dam rehabilitation and safety measures

2.3 Components of the IUFMP

The project entails three components, namely:

COMPONENT 1: FLOOD RISK IDENTIFICATION, PLANNING, AND PREPAREDNESS (US\$22.0 million):

The objective of this component is to assess flood risk in the city, plan risk reduction measures, and finance non-structural measures to enhance preparedness to floods. This will be achieved, on one hand, through a number of sector-specific and specialized master plan studies, and on the other hand by designing and establishing an integrated flood early warning and response system.

Sub-Component-1.1 Design of Flood Risk Management Investment Program (US\$16.0million):

The identification and preparation of flood risk management investment program will be based on three key Master Plans for the city to be financed under this sub-component. These include Ibadan's

Integrated Flood Risk Management Master Plan, Ibadan's Physical Master Plan, and Ibadan's Solid Waste Management Master Plan. The Integrated Flood Risk Management Master Plan will form the basis for long term investment and will include developing integrated urban drainage master plans. It will also cover the structural, geotechnical and hydraulic assessment of Eleyele Dam. A Strategic Environmental and Social Assessment (SESA) will be undertaken to cover potential environmental and social safeguards during project implementation and beyond. This sub-component will finance the feasibility and the preparation of detailed engineering designs for early investments on priority sites severely affected by 2011 floods in Ibadan. Also, relevant capacity building and on-the-job training to the various MDAs and LGAs involved will be provided as part of the formulation of the three Master Plans.

Sub-Component-1.2 Development of an Oyo State Long-Term Flood Resilience Strategy (US\$ 1.0million): This sub-component will support the development of a long-term Oyo State Flood Resilience Strategy building on the Integrated Flood Risk Management Master Plan to be financed under this sub-component. The long-term flood resilience strategy will aim at providing recommendations on the: (i) *policy, regulatory and institutional reforms* required including clarifying the legal and institutional mandates among the various stakeholders as well as mainstreaming disaster and climate risk reduction planning into federal, state and local urban planning and land management tools, (ii) *means of addressing the long-term financing needs* including the possible setting up an Oyo State Flood Management Fund that will provide investment finance, capacity building and technical assistance activities to fund activities identified under the Strategy. This sub-component will also fund the development of local governments' capacities for disaster risk management including risk evaluation, risk-informed planning, preparedness and response, as well as maintenance capacities as an integral part of routine development processes.

Sub-Component-1.3 Establishment of an Integrated Flood Early Warning and Response System (US\$5.0million): This sub-component finances the design and establishment of an Integrated Flood Early Warning and Response System as well as an community outreach program for the city of Ibadan with the aim of providing timely flood alert to communities and ensuring effective government and community response. The early warning system includes the enhancement of data collection networks including the procurement and installation of one weather radar, development of hydraulic and hydrological model, establishing an early warning center, setting up of city's early warning committee to help in decision making, and training on response, operations and maintenance. State, City, and Local Government Contingency Plans will be developed and operationalized to ensure prompt government response to flood warnings.

Sub-Component- 1.4 Contingency Component: (US\$0): Following an adverse natural event that causes a major disaster, the Government of Oyo State may request the Bank to re-allocate project funds to support mitigation, response, recovery and reconstruction. This component would draw resources from unallocated expenditure category and/or allow the government to request the Bank to re-categorize and reallocate financing from other components to partially cover emergency response and recovery costs. Disbursements would be made against a positive list of goods, works, and services required supporting mitigation, response, recovery and reconstruction needs. All expenditures under this component, should it be triggered, will be in accordance with paragraph 11 of OP 10.00 Investment Project Financing and will be appraised, reviewed and found to be acceptable to the Bank before any disbursement is made. This component will also be used to channel resources from rapid restructuring of the project to finance emergency response expenditures and meet crisis and emergency needs under an Immediate Response Mechanism (IRM).

COMPONENT 2: FLOOD RISK MITIGATION MEASURES - (US\$138.0million):

The objective of this component is to ensure flood risk mitigation through public infrastructure works and community-based resilience measures and investments. The component will finance flood mitigation and drainage improvements works through three sub-components:

Sub-Component 2.1: Phase-I Priority Infrastructure Improvement (US\$18.0million): This component will finance critical infrastructure improvements in priority secondary and tertiary sub-catchments and will include: (i) *Priority urban drainage infrastructure improvements (\$15million)* involving the rehabilitation of priority infrastructure in thirteen (13) identified sites, including rehabilitation of culverts, drains, roads and floodplain management activities in secondary and tertiary sub-catchments; and (ii) *Enhancing flood resilience of critical public assets (\$3 million)*: This sub-component will finance developing contingency plans and undertaking structural improvements for critical public assets such as hospitals, airport, public buildings, including ensuring access/egress and functionality.

Sub-Component 2.2 Phase-II Long-term Integrated Flood Risk Mitigation (US\$115.0million): This sub-component will be based on the recommendations of the Integrated Flood Risk Management Masterplan (initiated in Component-1), and will finance major rehabilitation and construction of robust infrastructure such as drains, bridges, culverts, and roads; cleaning of river channel on main three rivers; restoring or establishing natural flood retention ponds; and undertaking flood plain management activities (conservation, linkage, and urban design of green spaces and water bodies, and floodplain zoning). The component will provide for goods and equipment needed to support implementation of works. It will also finance structural measures for dam safety, including the rehabilitation of the damaged spillway and stilling basin to improve dam safety, removing vegetation to exposed concrete surfaces, making access, and installation of safety monitoring equipment in main dam body, such as piezometers, seepage gauges, settlement gauge, and water level gauges.

Sub-Component 2.3 Community Resilience Development (US\$ 5.0million): This sub-component aims to enhance community⁶ resilience to flooding through the implementation of: (i) a *community awareness and outreach program (US\$ 1million)* which aims at raising awareness and inculcating a culture of prevention and preparedness in the city, especially in public schools and colleges. This component will develop and implement information, education and communication (IEC) strategy and media support tools targeting local and state stakeholders focusing on floodplain management based on risk maps, urban drainage improvements, preparedness, and response; (ii) *Community Resilience Plans and investments (US\$3million)*: This includes the development of Resilience Plans for communities in priority and targeted project sites in phase I (which will feed into City contingency plan and Local Government Contingency Plans developed in sub-component 1.3) as well as in phase II project sites. Based on a highly consultative process facilitated by community facilitators, the Community Resilience Plans will identify community investments to upgrade access roads, public schools buildings (to be used as shelters), ensuring functionality of certain key community services or facilities during crisis, and developing/implementing drills in schools, community centers, and medical centers. These plans will also identify protocols during emergency situations, and (iii) *Appointing and training community volunteers as River Guards US\$1million*: Implementation of this sub-component will be done by “community facilitators” –non-governmental organizations and consulting firms who will

⁶ Community includes citizens, local governments (which have locally elected officials), NGOs, CBOs, and academia.

lead a highly consultative and participatory process involving local stakeholders and communities to accompany the larger infrastructure investments planned under this component (both phase I and II).

COMPONENT 3: PROJECT IMPLEMENTATION SUPPORT (US\$16million)

Sub-component 3.1 Project Administration (US\$7.0million) through: (i) the procurement of office furniture, ICT equipment, transport vehicles for PIU and; procuring a comprehensive set of Project maps (geospatial, soil, topography, etc.) (US\$ 2.0million); and (ii) the hiring of external Financial and Technical Audits which will monitor the project execution periodically and reporting directly to PIU/Steering Committee (US\$1.0million).

Sub-component 3.2 Project Implementation Support (US\$9.0million) through: (i) the procurement of Project Management Services Consultancy Contract, (ii) the procurement of Construction Supervision Consultancy Services for both Phase-I and Phase-II investment plans; and preparation and implementation of Resettlement Action Plans in project affected areas.

The project would have a total of **US\$22.0** million for Physical and Price contingencies, and **US\$22.0** million as Unallocated including advance made under Project Preparation Facility (\$4.875 million).

2.4 Project Location

Ibadan is located in south-western Nigeria and is the capital of Oyo State. Ibadan is centered about latitude 7° 25' North and longitude 3° 5' East (Figure 2.1) and is located approximately 145 km north of Lagos. It is situated close to the boundary between forest and grassland, which makes it a melting point for people and products of both the forests and grassland areas. Ibadan is regarded as the largest indigenous city in tropical Africa. Since its founding in the 1800s, Ibadan has played a prominent role for people living in the south-west of Nigeria. It was the capital of the old Western Region, when Nigeria had only three regions. The territory of the old Western Region has since been divided into seven states and a sizeable part of the present Lagos State belonged to the old Western Region

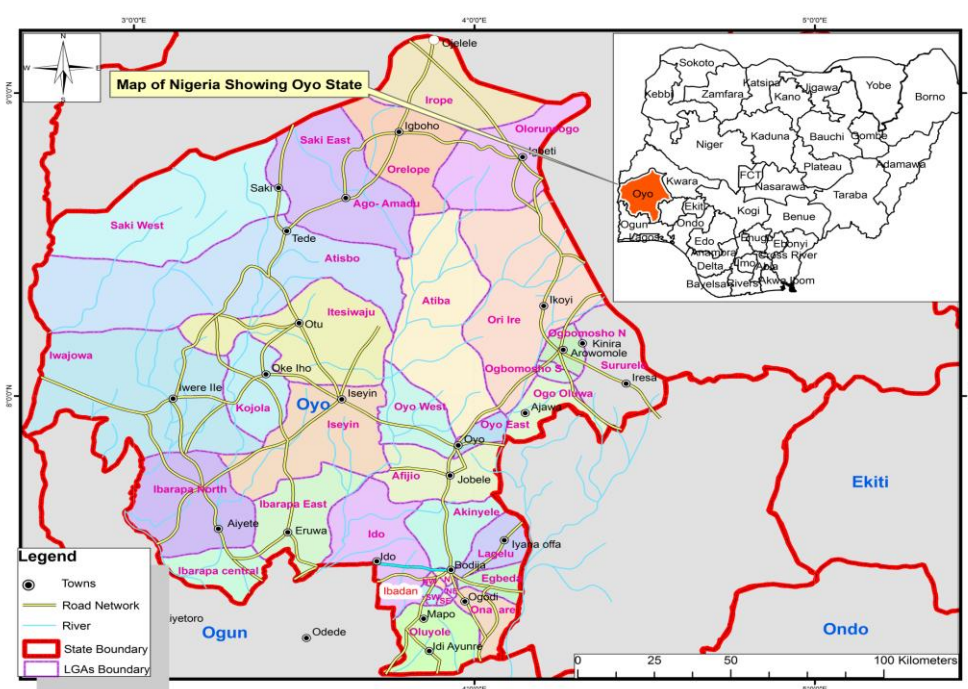


Figure 2.1: Map of Nigeria showing Oyo state.

Relief and Drainage

Ibadan lies mostly on lowlands which are punctuated by rocky outcrops and series of hills. These outcrops are mainly granitic. Three major landforms of hills, plains and river valleys dominate the whole landscape of the region. The average elevation is 230 m above mean sea level. The metropolis is drained by three important rivers, R. Ogunpa, R. Ona and R. Ogbere and their several tributaries including Omi, Kudeti, Alaro and Alapata. This combination of hills and river valleys provide a good drainage for the city but it has suffered a lot of abuse due to blockages of the water courses by solid wastes coupled with the construction of structures along the river courses and sometimes right within the river course itself. These practices constitute the major reasons for the incessant flooding as occasioned by the flood disaster that occurred on the night of 26th August 2011.

The metropolis is drained by three important rivers, R. Ogunpa, R. Ona and R. Ogbere. There are several tributaries of these rivers. The major tributary of R. Ogunpa is the R. Kudeti, both of them drain the eastern part of Ibadan. The western part of the city, which consists of more recent residential and other developments, is drained by the R. Ona and its numerous tributaries, including the Alalubosa, Oshun and Yemoja streams.

Geology and Soils

Ibadan is underlain by basement complex rocks which are mainly metamorphic rocks of Precambrian age with granite, quartzite and migmatite as the major rock types. The minor rock types include pegmatite, aplite and diorite. The soils of Ibadan region were formed from the underlying rocks especially granite gneisse, quartz-schist, biotite gneisse and schist. They were formed under moist semi-deciduous forest cover and belong to the major soil group called ferruginous soils (Hopkins, 1965; D'Hoore, 1964). Aweto (1994) identified four main soil associations in Ibadan region on the basis of soil parent materials as the Iwo, Okemesi, Egbeda and Mamu soil associations. The soils of the Iwo association were formed from coarse grained granites and gneisses and those of Okemesi from gneisses, schist and quartzites. Those of Egbeda and Mamu were formed from fine grained biotite and schist, and from sericite schists respectively.

Climate

Oyo State exhibits the typical West African Monsoon climate marked by distinct seasonal shifts in wind patterns. Between March and October, the city is under the influence of moist maritime south-west monsoon winds which blow inland from the Atlantic Ocean, marking the rainy season. The dry season occurs from November to February when the dry dust laden winds blow from the Sahara desert. The area experiences high relative humidity and generally two rainfall maxima regimes during the rainfall period of March to October. The mean temperatures are highest at the end of the Harmattan (averaging 28°C), that is from the middle of January to the onset of the rains in the middle of March. Even during the rainfall months, average temperatures are relatively high, between 24°C and 25°C, while annual fluctuation of temperature is about 6°C.

Table 2.2: Flooding Rainfall Data in Ibadan

Date	Depth of Rainfall Causing Flood (mm)
9-10 July, 1951	161
16-17 June, 1955	173
16-17 August, 1960	178

27-28 August, 1963	258
14 May, 1969	137
20 April, 1978	126
31 August, 1980	274
1982	-
1984	-
April, 1986	-
June/July, 1987	-
April, 1997	151
26 August, 2011	187.5

Source: NEST (1991:107), Nigerian Meteorological Services (2011), Ibadan Station, National Water Resources Institute (2011).

Demography

Ibadan experienced geometrical increase in population between 1851 and 1921. By 1856 the population was estimated at 60,000 (Hinderer, 1856) which rose to over 200,000 in 1890 (Millson, 1891), 238,094 in 1921, and 386,359 in 1931 (Mabogunje, 1962). The 1991 census in Nigeria put the population at 1,222,570 (Ayeri, 1994) with a density of 475.11 persons per square kilometre. Its population is estimated to be about 2,550,593 according to 2006 estimates by the National Population Commission. Its projected population by 2010, using 3.2% growth rate, is about 2,893,137 (Table 3.4).

Table 2.3: The population growth of Ibadan (1856-2010)

Year	Population
1856	60,000
1890	200,000
1921	238,094
1931	386,359
1991	1,222,570
2006	2,550,593
2010	2,893,137

Source: Wahab (2011)

Table 2.4: Distribution of the population in the 11 local government areas of Ibadan

S/N	LGA	Growth rate March 2006 1991-2006F	2006 Census			2006-2012 (March)		
			Male	Female	Total	Total	Male	Female
1	Ibadan NE	1.29	163,844	167,600	331,444	358,043	176,993	181,050
2	Ibadan N	0.13	152,608	155,511	308,119	310,600	153,837	156,763
3	Ibadan NW	0.28	75,410	78,619	154,029	156,661	76,699	79,963
4	Ibadan SE	1.16	130,334	136,123	266,457	285,579	139,687	145,892
5	Ibadan SW	0.15	139,622	143,476	283,098	285,670	140,891	144,780
6	Akinyele	2.88	105,594	106,217	211,811	251,808	125,534	126,274
7	Egbeda	5.47	137,527	146,116	283,643	393,879	190,976	202,903
8	Ido	4.63	52,465	51,622	104,087	137,440	69,276	68,163
9	Lagelu	4.11	74,220	73,913	148,133	204,083	102,253	101,830
10	Ona Ara	5.37	130,615	134,956	265,571	366,470	180,240	186,230

11	Oluyole	5.57	102,371	101,090	203,461	284,255	143,022	141,233
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Source: Federal Republic of Nigeria official gazette of 2nd February 2009 No. 2 Vol. 96.

Administration

There are eleven (11) Local Governments in Ibadan Metropolitan area consisting of five urban local governments in the city and six semi-urban local governments in the less-city. Local governments at present are institutions created by the military governments but recognized by the 1999 constitution and they are the third tiers of government in Nigeria. Local governments Councils consist of the Executive Arm made up of the Executive Chairman, the vice chairman, the secretary and the supervisory councilors.

The list of Local government areas in the State is shown in Table 2.6.

Table 2.5: Local Government Areas in Ibadan City

Urban	Semi- Urban
Ibadan North	Akinyele
Ibadan North East	Egbeda
Ibadan North West	Ido
Ibadan South East	Lagelu
Ibadan South West	Ona Ara
	Oluyole

Economy

With its strategic location on the non-operational railway line connecting Lagos to Kano, the city is a major center for trade in cassava, cocoa, cotton, timber, rubber, and palm oil. The main industries in the area include the processing of agricultural products; Tobacco processing and Cigarette (Manufacture); flour-milling, leather-working and furniture-making. There is abundance of clay, kaolin and aquamarine in its environs, and there are several cattle ranches, a dairy farm as well as a commercial abattoir in Ibadan.

Vegetation

The vegetation thins out into the derived semi deciduous forest as one moves towards southern Oyo and Afijio local government areas. Here, there is a mixture of tall trees, palm trees and tall grasses in the patchy lands utilized for cultivation. Ogbomoso, northern Oyo, Iseyin and Kajola local government areas are covered by the Guinea Savannah while the extreme northern parts of the State, namely Saki and Kishi areas in Ifedapo and Irepo local government areas are covered by the Sudan Savannah. The thick, low-lying forests are prone to flooding as observed in areas like Ajibode, National Institute for Horticultural Research (NIHORT) and Oke Ayo along the course of River Ona. The IITA forest is covered by thickest of climbers and clumps of bamboo, *Bambusa vulgaris*.

Solid waste

There are four dumpsites located at the cardinal points of the Ibadan city

Table 2.6: Dumpsite Areas in Ibadan City

Cardinal points	Name	Size (Hectares)
North	Lapite	9

South	Ajakanga	20
East	Abaeku	20
West	Awotan	50

Source: Official information by Oyo State Waste Management Authority

Table 2.7 List of Local Government In Ibadan Metropolis And The Quantity Of Waste Moved By Volume(Tons) By Each For The Month Of September, 2013

LOCAL GOVERNMENT	QUANTITY (tons)
Ibadan North East	199.10
Ibadan North West	397.61
Ibadan South East	718.52
Ibadan South West	492.55
Ibadan North	869.65
Akinyele	1164.80
Ona-Ara	818.06
Oluyole	646.34
Lagelu	541.84
Egbeda	514.38
Ido	259.83
TOTAL	6622.68

Source: Official information by Oyo State Waste Management Authority

CHAPTER 3: THE PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS.

3.1 Introduction

As stated earlier, the World Bank policy on Involuntary Resettlement OP4.12 is triggered because the IUFMP will finance productive infrastructure investments that may require land acquisition and/or land use leading to loss, denial or restriction of access to economic resources. Since the exact nature of project construction activities that may lead to taking of land and the construction sites are not known at the time of the preparation of the project, the preparation and disclosure of this RPF by the IUMP office is a conditionality for appraisal of this project.

However, during implementation of this project, in a process defined below, the identification of the specific activities that will lead to taking of land and the areas that will be specifically involved will be made. When that happens, people will be affected. At that stage, the Bank's policy calls for the preparation of individual Resettlement Plans that must be consistent with this RPF.

To address the impacts under this policy, resettlement and compensation plans must include measures to ensure that displaced persons are;

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

3.2 The Land Selection Screening Process

Each sub project proposed for inclusion in the IUFMP would be screened and classified according to its social impact. The first stage in the process of preparing the individual resettlement and compensation plans is the screening process to identify the land/areas that are causing this impact (i.e. resettlement). The resettlement and compensation plans will contain the analysis of alternative sites undertaken during the screening process.

Fig. 3.1 depicts the process of scoping for potential resettlement implications at the design and implementation stages of each individual sub-project.

The screening process would take the form of:

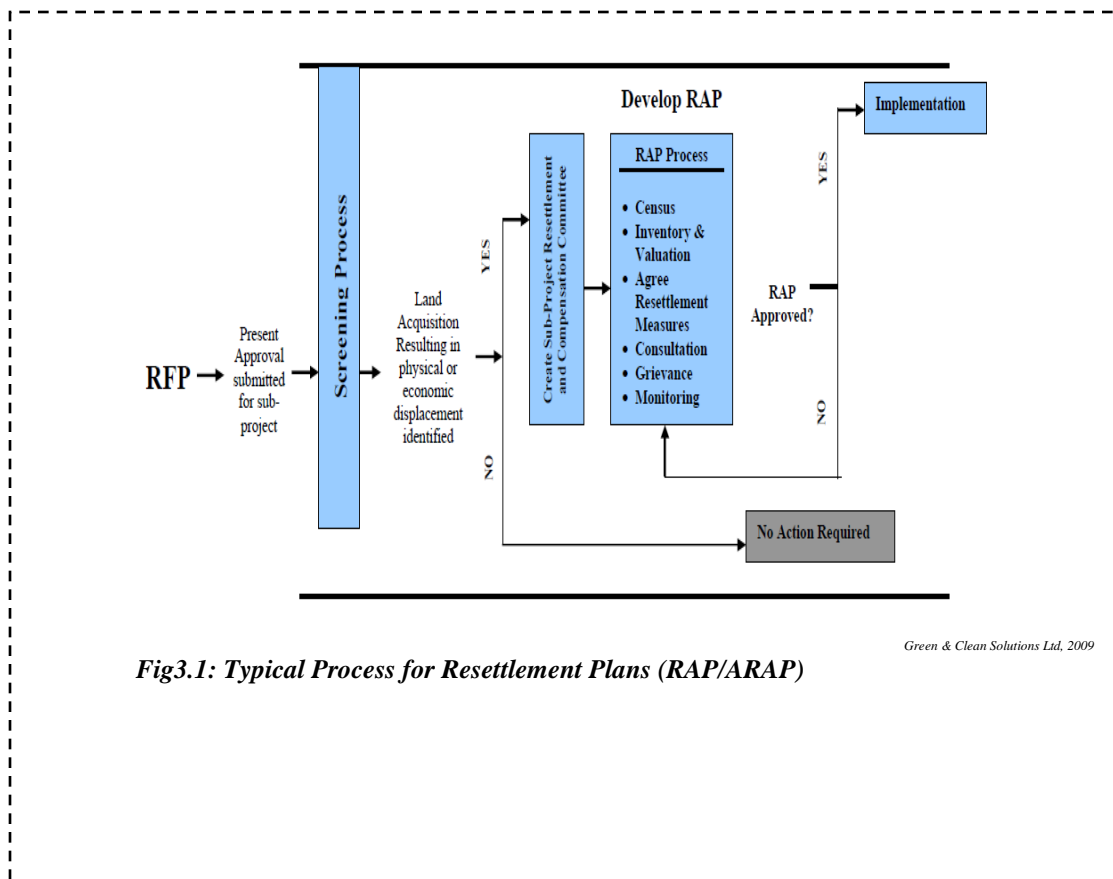
1. General sub- project sub sector classification:

As outlined in the IUFMP description, classification would take into cognizance interventions that will include structural, vegetative, and adaptive natural resource based livelihood measures, coupled with micro-catchment planning where necessary.

2. Classifying the sub projects by activity into the following categories:

Each subproject planned for implementation under the project shall be screened for possible triggering of OP4.12 (Involuntary Resettlement). In general, subprojects for instance that repair and/or rehabilitate existing infrastructure may not trigger the resettlement policy.

Those that entail new construction are more likely to trigger the policy if the activity involves acquisition of land and if displacement or restriction of access may result. Table 3.1 outlines samples of possible sub project that may be proposed in the project that would trigger the involuntary resettlement policy with probable social impact



Green & Clean Solutions Ltd, 2009

Fig3.1: Typical Process for Resettlement Plans (RAP/ARAP)

Table 3.1: Sample of possible sub project that may trigger the involuntary resettlement policy with probable social impact

Sub project	Impact?	Triggered OP 4.12? (yes/no)
Establishment of an integrated early warning system for the city of Ibadan. This will involve the procurement and installation of about 30 meteorological stations (AWS and Relay Telemetry System) and 30 river flow, water/sediment quality gauging stations.	Trigger displacement, lack of access, loss of shelter due to take of land.	Yes
Strengthening Eleyele Dam safety. This will involve rehabilitation of the damaged spillway and stilling basin to improve dam safety.	Trigger displacement, lack of access due to take of land	Yes
Urban drainage improvement	Blockage/lack of access due to take of land	Yes
Rehabilitation and construction of robust infrastructure such as drains, bridges, culverts, and roads.	Trigger displacement Blockage/lack of access due to take of land	Yes
Rehabilitation and construction of robust infrastructure such as drains, bridges, culverts, and roads.	Trigger displacement, lack of access, loss of shelter, displacement due to take of land	Yes

Adapted From NEWMAP, 2011

- Based on the engineering and other technical design requirements essential to achieving improved drainage and flood control, two issues will be evaluated:

- * **(i) Will all investments be taking place on its existing land (secured by legal title)?
and
(ii) Will there be a need to acquire additional/new/extra land?**

With regards to (i), if the answer is "yes", then a further determination will be made on whether there are any potentially project affected persons (PAPs) on the land in question using the criteria set out in Section B of this RPF. If there are potentially PAPs on the land, then OP 4.12 is triggered and the provisions of this RPF apply. Also if the answer with regards (i) is yes and there are no PAPs on existing utility sites or transmission lines, then OP 4.12 is not triggered and the provisions set out in this RPF do not apply. But, if the answer with regards (i) is "no", then question (ii) becomes relevant. Therefore, if the answer to (ii) is "yes", then land should be acquired in such a manner that the provisions of OP4.12 do not apply, that is land on which there are no potential PAPs. This is the desired and risk free solution and will be a win-win situation for all.

However, if after exhausting all alternatives, it were deemed necessary by a participating state utility to acquire /use land that does not belong to it but has potential PAPs, then the provisions of OP4.12 will apply.

Therefore, for the situations where OP4.12 apply, for each land site (whether existing or new) that has potential PAPs, each participating state utility will commission the carrying out of a socio-economic study and a census to identify the potential PAPs on the individual, household and vulnerable groups level and to calculate their household incomes, as the first step in the preparation of the RAPs.

3.3 Socio-economic Study

An important aspect of preparing a RAP is the conduct of a socioeconomic study. The purpose of the socio-economic study is to collect base line data within the chosen/targeted sites/areas thereby enabling the social assessment of potentially affected populations/communities. The socio-economic study would focus on the identification of stakeholders (demographic data), the participation process, identification of affected people (including owners and users of land) and impact on their property and their production systems, the institutional analysis and the system for monitoring and evaluation.

Detailed calculation of individual and household economies and identification of all impacts will be undertaken as part of the socio-economic study and be the determinant in the potential compensation process. Standard characteristics of the affected households, including a description of production systems, labor, and household organization, and baseline information on livelihoods (including production levels and incomes derived from both formal and informal economic activities) and standards of living and health status of the PAPs.

Under this study, a comprehensive base line census would be carried out to identify potentially affected people on the individual and household levels, vulnerable groups (women, children, the elderly, female headed households, affected internally displaced people, affected internally displaced households, etc.) and to discourage inflow of people ineligible for assistance.

The socio-economic study and baseline census will be prepared on behalf of the participating utilities by their facilitators. On completion of the socio-economic study and the baseline census the participating state utility will prepare a resettlement plan for each site that is affected by resettlement and compensation.

3.4 Preparation of Resettlement Plans

Where the impacts on the entire displaced population are minor (i.e. if affected people are not physically displaced and less than 10% of their productive assets are lost) or fewer than 200 people are displaced, then the Bank may approve the preparation of an Abbreviated Resettlement Plan (ARAP). The contents of the ARAP are to be:

- (a) a census survey 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.

For impacts that are not considered minor, the preparation of a Resettlement Plan (RAP) is required for each site. World bank OP 4.12 article 25 sets the requirements of the RAP to include;

- (a) Description of the project

- (b) Potential Impacts
- (c) Objectives
- (d) Socioeconomic Studies
- (e) Legal Framework
- (f) Institutional Framework.
- (g) Eligibility
- (h) Valuation of and compensation for losses
- (i) Resettlement measures
- (j) Site selection, site preparation, and relocation
- (k) Housing, infrastructure, and social services
- (l) Environmental protection and management
- (m) Community participation
- (n) Integration with host populations
- (o) Grievance procedures
- (p) Organizational responsibilities
- (q) Implementation schedule
- (r) Cost and budget
- (s) Monitoring and evaluation

3.5 Approval Process

The resettlement plans should be forwarded for screening and approval to the relevant MDAs, namely, Oyo State Ministry of Environment and Habitat, Oyo State Ministry of Lands and that of Physical Planning, and the FMWR in compliance with the project institutional and administrative requirements.

All approved productive investments that trigger OP4.12 and their resettlement plans would be subject to the final approval of the World Bank to ensure compliance with bank safeguards. Thus ensuring that before land is actually acquired or access to resources is lost, denied or restricted, that the individual resettlement plans are consistent with this RPF.

For the World Bank to approve the award of a PSP contract for the IUFMP when there is need to acquire land to support proposed investments under this project, the IUFMP must first secure legal title to land that is acquired, consistent with the provisions of this RPF. For investments on land that is already owned by the IUFMP pre-project, the World Bank will only approve award of the PSP contract once it is satisfied that the provisions of this RPF were met in cases where OP 4.12 apply.

In cases where the land was acquired and there were no resettlement and compensation issues the state utilities would have to also seek the confirmation of the World Bank that provisions of OP 4.12 do not apply before funding will be approved and must secure the site and also chose a cut-of date for that site so that opportunistic invasions can be avoided.

The aforementioned screening process should be used by the participating state utilities in their preparation of their productive investments to enhance their likelihood for approval.

Before the decision to approve a site is taken, the State Environment Agencies would need to approve or disapprove the resettlement plan of the utilities proposed investments in totality with the overall environmental and social screening process that has been applied for each of their proposed investments and to also approve or disapprove of the proposed mitigation measures, if any.

The proposed investments are expected to be significantly large, in the range of tens of millions of US dollars. Therefore, the effect in the state of multiple sites is likely to be significant and a review must be made at the level of the State Ministry of Environment and habitat on the possible cumulative impact of proposed investments and if the respective individual mitigation measures per site are sufficient at the cumulative level in the r state.

This process of identifying land, consulting potentially impacted people, carrying out a socio-economic study may have to be iterative, simply because the mitigation measures (i.e. the compensation levels) may be too costly in terms of the amount paid as compensation and the overall number of people impacted. This would have to be determined by the participating state utilities. The utilities may also wish to consider the selection of alternative sites to propose to the state Ministry of Environment and Habitat for approval. However, irrespective of whether the process of identifying potential land/sites is pursued iteratively or a number of sites are identified simultaneously, the process for the selection must be as described above.

Capacity will be built at the level of the PMO and at the Oyo State Ministry of Environment and Habitat by providing technical assistance to allow the PMO and responsible staff of Ministry of Environment and Habitat themselves to screen their proposed productive investments for environmental and social concerns. This training will also include the capacity to develop mitigation measures to meet environmental and social impacts and to prepare implementation of such measures. This would build capacity at the level of the PMO with regards to environmental and social safeguards issues, which is crucial for success of this project.

CHAPTER FOUR: LAND ACQUISITION AND LIKELY CATEGORIES OF PROJECT AFFECTED PERSONS

At this stage, it is not possible to estimate the likely number of people who may be affected since the technical details and precise locations of the proposed productive investments that will be made in the IUFMP have not yet been known.

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

4.1 Individuals and Households Potentially Affected

- (i) **Affected Individual** – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economical resources as a result of the project activities and to whom compensation is due. For example, person who has built a structure (or has a structure) on land that has been demarcated as a suitable site that may be affected by the reconstruction of drainage channels and therefore may be needed by a sub project activity.
- (ii) **Affected Household** – A household is affected if one or more of its members is affected by sub project activities, either by loss of property, loss of access or otherwise affected in any way by project activities. This provides for:
 - (a) any members in the households, men, women, children, dependent relatives and friends, tenants
 - (b) vulnerable individuals who may be too old or ill to work.
 - (c) members of households who cannot reside together because of cultural rules, but who depend on one another for their daily existence
 - (d) members of households who may not eat together but provide housekeeping, or reproductive services critical to the family's maintenance, and
 - (e) other vulnerable people who cannot participate for physical or cultural reasons in production, consumption, or co-residence.

In the local cultures, members of production, consumption, and co-resident groups form overlapping, often incongruent sets of people who may exchange domestic or farming services on a regular basis even though living separately.

Compensation will not be limited to people who live together in a co-resident group, since this might leave out people whose labor contributions are critical to the functioning of the "household". For example, among polygamous settings, each wife has her own home.

(iii) **Vulnerable Households** – Vulnerable households could be owners of compound walls or shops/room that will be partially demolished during sub project activities. Partial demolition of houses will lead to congestion and possible voluntary termination of tenancy. These negative impacts of partial demolition will deprive landlords of important rent income. Other vulnerable groups are:

- (a) **Internally Displaced Peoples** – these are people who fled their homes during civil unrests/riots/armed robberies, if any, and are virtually refugees in their own country and have not returned. They may be dependent on the NGO community and others for support.
- (b) **Elderly** – With age limiting them in terms of productivity, they will have cash or in-kind replacements to exchange. For future production they need access to only a small parcel of land. What would damage their

economic viability is resettlement that separates them from the person or household on whom they depend for their support. The definition of household by including dependents avoids this.

- (c) **Women including unmarried women and widows** – may depend on husbands, sons, brothers or others for support. In many cases too, women are the main breadwinners in their household. They need relatively easy access to health service facilities, as mothers and wives. Some women live in a polygamous situation in Nigeria and this requires special attention, as women are central to the stability of the household. For example, where the land being acquired is used by a woman with no formal rights to it or a woman who is dependent on a man other than her husband for her primary income. These women should not be resettled in a way that separates them from their households as the very survival of their households may depend on them. Their compensation must take into account all these factors.
- (d) **Income related poverty** – that is the poorest households are also vulnerable.
- (e) **Orphans**-Those without parents and are under aged
- (f) **The infirmed/ill**- Those suffering one disability or another serious illness.
- (g) **Physically challenged** – Those that are physically disabled.

Special attention would be paid to these groups by identifying their needs from the socio-economic and baseline study so that (i) they are individually consulted and given the opportunity (i.e. not left out) to participate in the project activities, (ii) that their resettlement and compensation is 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.

iv) Affected Communities – These are communities (districts, towns and villages) permanently losing land and/or access to assets and or resources under customary rights.

CHAPTER FIVE: CRITERIA AND ELIGIBILITY FOR COMPENSATION OF PROJECT AFFECTED PERSONS

5.1 Introduction

The Bank's OP4.12 suggests the following three criteria for eligibility;

- a) Those who have formal rights to land (including customary land, traditional and religious rights, recognized under the Federal and/or State Laws of Nigeria)
- b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the state and/or federal laws of Nigeria or become recognized through a process identified in the resettlement plan
- c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from.

Those covered under a) and b) above are to be provided compensation for the land they lost, and other assistance in accordance with the policy. Persons covered under c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the participating state utilities in close consultation with the potential PAPs and the respective state environmental agencies and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in a), b) or c) above are to be provided with compensation for loss of assets other than land.

Therefore, it is clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date. Persons who encroach on the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance.

The sub projects likely impacts and their mitigating measures have been discussed extensively in the ESMF. Within the context of the IUFMP, the eligibility matrix next page reflects sub project activities likely to trigger OP 4.12.

Table 5.1 Eligibility Matrix

Activity	Nature of Impact	Resettlement Measure
<ul style="list-style-type: none"> - Establishment of flood early warning system: - Installation of about 30 meteorological stations (AWS and Relay Telemetry System) and 30 river flow, water/sediment quality gauging stations including training on operations and maintenance. 	Many Small plots where metrological stations will be installed	Replace land or pay compensation Replace land or pay compensation Pay compensation if not in public right of way
Strengthening Eleyele Dam safety-rehabilitation of the damaged spillway and stilling basin to improve dam safety.	Small plot that may be taken due to repairs and increased setbacks for the dam	Replace land or pay compensation
Urban drainage improvement	Plot that may be taken due to repairs	Replace land or pay compensation; compensate for other assets taken or lost
Rehabilitation and construction of robust infrastructure such as drains, bridges, culverts, and roads.	Plot that may be taken due to rehabilitation and construction	Replace land or pay compensation; compensate for other assets taken or lost
Delayed backfilling of trenches after excavation	Temporary Income loss by shop owners	Cash compensation for relocation, disturbance allowance, movement allowance etc
Loss of tenancy from shops by landlords	Temporary income loss by landlords	Cash compensation

5.2 Eligibility for Community Compensation

Communities (districts, towns and villages) permanently losing land and/or access to assets and or resources under customary rights will be eligible for compensation. Example of community compensation could include those for public toilets, market place, taxi parks, schools and health centers. The rationale for this is to ensure that the pre-project socio-economic status of communities where adversely impacted is also restored. The local community leaders will play a crucial role in identifying users of land

5.3 Mechanism for Voluntary Donation of Land: Procedure and Records

The Project anticipates land for rehabilitation and construction of robust infrastructure such as drains, bridges, culverts, and road to be donated by communities or individuals that will be directly benefited by IUFMP on a voluntary basis. Thus it is important that these voluntary donations should not severely affect the living standards of PAPs and that the community agrees to replace any of their losses. Thus, the Policy requires that voluntary donations are confirmed and verified by an independent third party. In fact, voluntary donations of land are discussed in OP 4.12 and are only acceptable to the Bank under certain circumstances. The following procedures, records and safeguards adopted from RAMP II will be adhered to by the project and included in respective RAPs of subprojects, which involve voluntary donations of land and other assets:

1. Site Selection Consultations

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

2. Replacement of Losses of the Vulnerable and Poor

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

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

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

4. Record of Donation and Verified Transfer by Legal Authority

Donations by the community or an individual will be documented on an affidavit and confirmed verbally by the individual owner or a recognized elder(s) of clan(s) or sub-clan(s) in front or in the presence of two witnesses known from the same community certifying the identity of the donors. The donors and witnesses will affix their signatures and /or thumb impressions on the affidavit and the land will be transferred in the name of the community organization (CO) of the respective subproject.

5. Report on Subproject Voluntary Donation Process and Documents

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

It is also important to note that the principles of informed consent and power of choice will apply and the process of voluntary donation must be carefully documented to ensure that vulnerable households are not negatively impacted.

5.4 The Cut – off Date

5.4.1 Justification for Cut-off-date

The entitlement cut-off date refers to the a day on and beyond which any person who occupies land or assets, or constructs assets on land, required for project use, will not be eligible for compensation. The date is often the day when the assessment of persons and their property in the project area commences. It is a date after the participating state utilities have identified the land sites they would need. This date is before the census of affected persons. The main purpose of establishing a cut-off date is to ensure that the actual project affected persons are the ones resettled and that individuals do not exploit the expected resettlement in the project and thus relocate and settle in the project location. The establishment of a cut-off date is required to prevent opportunistic invasions /rush migration into the chosen land thereby posing a major risk to the project. Besides it helps to avoid unidentified costs for the project.

5.4.2 Common complications in the Application of Cut Date

The application of cut-off date sometimes become controversial especially if there is delay between the time the census is carried out and the start and completion of project. However, the WB OP 4.12 recognizes that individuals and households who occupy project-affected areas after the cut-off date are not eligible for compensation. The WB OP 4.12 sets a caveat for nullifying new claims as follows *“provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx’*.

There is also the complication of unfinished structures which were later finished at or after the time of census but after the cut-off date. Unfinished structures should be identified during mapping prior to setting of cut-off date. Thus unfinished sites should be secured, and unused materials piled at the site should be noted and the cut -off survey can estimate investment which should be compensated for in lieu of expenses (including labor) incurred until the cut - off date. Nevertheless, if works are not initiated two years or more pass after declaration of a cutoff date, a new census and evaluation of properties must be carried out.

5.4.3 Establishing the Cut-off-date

Establishment of a cut-off date is of critical importance. To avoid an influx of outsiders to subproject areas and misuse of the compensation policy, the date of the census will serve as the cut-off date for eligibility and no new PAPs will be eligible for compensation after this date. The cut-off date will be announced and made public through appropriate means of reach-out such as radio advertisement during the community awareness campaigns. The detailed census of PAPs will be appended to the RAP/ARAPS. Subprojects should only be approved if they include at least a preliminary RAP and budget. This date is to be chosen in close consultation with the State Environmental Agencies and the participating state utilities and must be in full compliance with the conflict resolution mechanisms in this RPF and as noted, this date must be communicated effectively to the potential PAP's and surrounding local communities.

5.4.4 Requirements for enforcing Cut-off Date

To ensure that the cut-off date is adhered to, there should be thorough stakeholder communication through print and electronic media, including meeting and other mechanisms of local announcement. This will help prevent opportunistic invasions/rush migration into the chosen land areas thereby posing a risk to the subproject. Such opportunistic invasions could be by individual encroachers, newly formed families (e.g. households formed after the cutoff date) and persons making improvements to their homes or businesses who will not be compensated after the cutoff date. The list of PAP before the cut-off date should always be kept safe. Effort should also be made to ensure that new entrants into the land/subproject locations are aware that work is about to start and that people entering the areas from the date will not be compensated. This can be done by placing bill boards inside and in the streets leading to the project location to pre-warn potential settlers.

CHAPTER SIX: LEGAL/INSTITUTIONAL GUIDELINES, REQUIREMENTS AND SAFEGUARD POLICIES

6.1 Land Ownership in Nigeria

A range of diverse cultural and traditional practices and customs characterize land ownership in Nigeria. Land ownership in Nigeria is subject to a range of diverse cultural and traditional practices and customs. Land can be classified according to the following broad categories:

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

The legal framework for land acquisition and resettlement in Nigeria is the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990. The land use act did not strictly classify land into different categories but it recognizes the right of occupancy for all lands that can be granted by the Governor of a State and the customary right of occupancy that can be granted by Local Government Area Authority. The following are selected relevant sections of the Act;

Section 1: Subject to the provisions of this Act, all land comprised in the territory of each State in the Federation are hereby vested in the Governor of each state and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of this Act.

Section 2 (a): All land in urban areas shall be under the control and management of the Governor of each State; and (d) all other land shall be under the control and management of local government within the area of jurisdiction in which the land is situated.

Section 5 (1): It shall be lawful for the Governor in respect of land, whether or not in an urban area (a) to grant statutory rights of occupancy to any person for all purposes.

Section 6 (1): It shall be lawful for a Local Government in respect of land not in an urban area, (a) to grant customary rights of occupancy to any person or organization for the use of land in the Local Government Area for agricultural, residential and other purposes; (b) to grant customary rights of occupancy to any person or organization for use of land for grazing purposes as may be customary in the Local Government Area concerned.

Section 6 (3): It shall be lawful for a Local Government to enter upon, use and occupy for public purposes any land within the area of its jurisdiction, and for the purpose, to revoke any customary right of occupancy on any such land.

Section 6 (5): The holder and the occupier according to their respective interests of any customary right of occupancy revoked under subsection (3) of this section shall be entitled to compensation, for the value at the date of revocation, of their unexhausted improvements.

Section 6 (6): Where land in respect of which a customary right of occupancy is revoked under this Act was used for agricultural purposes by the holder, the Local Government shall allocate to such holder alternative land for use for the same purpose.

Section 28 (1): It shall be lawful for the Government to revoke a right of occupancy for overriding public interest.

Section 29 (1): If a right of occupancy is revoked, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements.

Section 29 (3): If the holder or occupier entitled to compensation under this section is a community the Governor may direct that any compensation payable to it shall be paid (a) to the community or (b) to the chief or leader of the community to be disposed of by him for the benefit of the community in accordance with the applicable customary law (c) into some fund specified by the Governor for the purpose for being utilized or applied for the benefit of the community.

Section 29 (4): Compensation under subsection (1) of this section shall be, (a) the land, for the amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked, (b) buildings, installation or improvements thereon, for the amount of the replacement cost of the building, installation or improvement, that is to say, such cost as may be assessed on the basis of the prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interests at the bank rate for delayed payment of compensation and in respect of any improvement in the nature of reclamation works, being such cost thereof as may be sustained by documentary evidence and proof to the satisfaction of the appropriate officer, (c) crops on land apart from any building, installation or improvement thereon, for an amount equal to the value as prescribed and determined by the appropriate officer.

Section 33 (1): Where a right of occupancy in respect of any developed land on which a residential building had been erected is revoked under this Act, the Governor or the Local Government, as the case may be, may in his or its discretion offer in lieu of compensation payable in accordance with the provisions of this Act, resettlement in any other place or area by way of a reasonable alternative accommodation (if appropriate in the circumstances).

Therefore, according to the Land Use Act, all land in every state of Nigeria is vested in the Governor of each State, and shall be held in trust for the use and common benefit of all people. The administration of land area is divided into urban land, which will be directly under the control and management of the Governor of each State; and non-urban land, which will be under the control and management of the Local Government. The Governor of each State will have the right to grant statutory rights of occupancy to any person for any purposes; and the Local Government will have the right to grant customary rights of occupancy to any person or organization for agricultural, residential and other purposes. For agricultural purposes, no single customary right of occupancy shall exceed 500 hectares.

The rationale for the Act was that bitter disputes over land were resulting in loss of lives and properties; moreover, that the management and ownership of land needed to be streamlined and simplified; and furthermore that citizens, irrespective of their social status, need support to realize their aspirations of owning a place where they and their family can lead a secure and peaceful life.

The Act gives the government the right to acquire land by revoking both statutory and customary rights of occupancy for the overriding public interest. In doing so, the Act specifies that the State or Local Government should pay compensation to the current holder or occupier with equal value.

The relevant Bank policy (OP) 4.12, which addresses land acquisition and resettlement, was adopted in 2001. The differences between the Land Use Act and the Bank's OP 4.12 mostly concern rehabilitation measures, which are neither proscribed nor mandated in the Act.

Community Driven Projects are land based. To this end, various interests and titles to particular pieces of land may be impacted. Therefore an analysis of the legal framework for the project will be carried out in the RAP and this will consider the various land holding arrangements in the assessment of entitlements and compensations for the various interests for lands acquired.

6.2 Nigerian Legal/Institutional Guidelines and Requirements

6.2.1 Land Use Act of 1990 and Resettlement Procedures

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

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

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

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

Requirements of the Land Use Act

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

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

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

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

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

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

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

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

Payment of such compensation to the holder and the occupier as suggested by the Act is confusing. Does it refer to holder in physical occupation of the land or two different persons entitled to compensation perhaps in equal shares? The correct view appears to follow from the general tenor of the Act. First, the presumption is more likely to be the owner of such unexhausted improvements. Secondly, the provision of **section 6(5)** of the Act, which makes compensation payable to the holder and the occupier according to their respective interests, gives a pre-emptory directive as to who shall be entitled to what.

Again the Act provides in **section 30** that where there arises any dispute as to the amount of compensation calculated in accordance with the provisions of **section 29**, such dispute shall be referred to the appropriate Land Use and Allocation Committee. It is clear from **section 47 (2)** of the Act that no further appeal will lie from the decision of such a committee. If this is so, then the provision is not only retrospective but also conflicts with the fundamental principle of natural justice, which requires that a person shall not be a judge in his own cause. The Act must, in making this provision, have proceeded on the basis that the committee is a distinct body quite different from the Governor or the Local Government. It is submitted, however, that it will be difficult to persuade the public that this is so since the members of the committee are all appointees of the Governor.

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

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

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

6.2.2 Forestry Act

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

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

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

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

6.2.3 National Environmental Regulations, S.I 27 of 2009

This Act is directed at the protection of Watershed, Mountainous, Hilly and Catchment Areas. The regulations require every land owner or occupier, while utilizing land in a watershed, mountainous, hilly or catchment area

to: observe and respect the carrying capacity of the land; carry out soil conservation measures; carry out measures for the protection of water catchment areas; use the best available environmentally friendly technologies to minimize significant risks and damage to ecological and landscape aspects; and maintain adequate vegetation cover.

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

6.3 International Guidelines

International Development Partners/Agencies such as World Bank and other financial organizations interested in development projects recognize this highly especially in development that result in involuntary resettlement. It is against this background that policies and guidelines have been set for managing such issues. The project proponents must comply with the policies before these institutions invest in them such as the World Bank Policy on Involuntary Resettlement (OP.4.12).

The World Bank's policy on involuntary resettlement will be applied in any sub-project of the IUMP that displaces people from land or productive resources due to land take.

6.3.1 World Bank Policy on Involuntary Resettlement (OP.4.12) and IUFMP

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

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

For the nature of this IUFMP, the World Bank requires the preparation of a Resettlement Policy Framework (which this document stands for prepared in accordance with National and World Bank safeguard policies related to involuntary resettlement {OP4. 12}) to guide the project as sub-projects are selected and specific Resettlement Action Plans (RAPs) for each sub-project are prepared.

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

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

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

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

In the legacy situations, there may be concerns about the consistency of the proposed project and its social Safeguards-related documents with the Bank’s current social Safeguard Policies. These concerns may arise from: a legacy of inadequate social impact assessment; or adequate social impact that was carried out but may have become outdated due to either the passage of time or to significant changes in the local social setting. This is not expected to arise in the case of the IUFMP.

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

In Table 6.1, a comparison between compensation in Nigerian Land law and the WB policy is shown. Whereas the law relating to land administration in Nigeria is wide and varied, entitlements for payment of compensation are essentially based on right of ownership. The Bank’s OP4.12 is fundamentally different from this and states that affected persons are entitled to some form of compensation whether or not they have legal title if they occupy the land by a cut -off date.

The Nigeria Land Use Act and World Bank Safeguards Policy OP/BP 4.12 agree that compensation should be given to PAPs in the event of land acquisition and displacement of persons. Thus all land to be acquired by the government for this project would be so acquired subject to the Laws of Nigeria and the Bank OP4.12.

In the event of divergence between the two, the World Bank safeguard policy shall take precedence over Nigeria Land Use Act.

Table 6.1: Comparison of Nigerian Law and World Bank OP4.12 Regarding Compensation

S/N	Category of PAPS	Nigerian Law	World Bank OP4.12
1	Land Owners	Cash compensation based upon market value.	Recommends land-for-land compensation. Other compensation is at replacement cost.
2	Land Tenants	Entitled to compensation based upon the amount of rights they hold upon land.	Are entitled to some form of compensation whatever the legal recognition of their occupancy.
3	Land Users	Not entitled to compensation for land, entitled to compensation for crops.	Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels at least.
4	Owners of “Non permanent” Buildings	Cash compensation based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.
5	Owners of “Permanent” buildings	Cash Compensation is based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.

The World Bank resettlement policy, OP 4.12 is developed to ensure that the negative impacts of the IUFMP development on people do not occur. And if it does occur, the affected persons/people are commensurately compensated for their loss (of land, property or access) in kind e.g. land for land or a combination of land and cash or when it becomes inevitable cash compensation.

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

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

Table 6.2: The Entitlement Matrix for Various Categories of PAPs

Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of Land and other Assets	Compensation for Loss of Income	Moving Allowance	Other Assistance
Property Owners	Loss of Land	Full Replacement Costs.	Land replacement at new site, plus land clearing by the project	Crops at market rates in scarce season	None	Amount to be determined by SPMO
	Loss of Structure or Business	Compensation at full replacement value, not depreciated, taking into account market prices for structures and materials.	Lump sum payment of 6 months rent per tenant	For lost rental income, lump sum cash payment of 3 months rent per tenant.	Moving to be done free by project	Disturbance Allowance to be determined by PMO
Residential Tenant:	Loss of rental accommodation	No loss of structure, no entitlement to housing at new site.	Replacement costs for non-movables if installation was agreed with owner.	No loss of income	Free moving if notification before deadline	Lump sum payment of 6 months rent per tenant
Business Tenant	Loss of Premises	No Loss	Replacement cost for facilities that cannot be moved	For loss of business income, payment of half of turnover for 3 months	Free moving if notification before deadline	N/A
Encroachers (using Land)	Loss of Land	None	Where possible assistance in securing other access to land for crops growing subject to approval of local authorities/communities.	Crops at market rates in scarce season. For street vendors on right of ways possible access to other sites/location where they can legally work	None	Possible employment with civil works contractors, etc. and/or amount to be determined by PMO
Squatters (living on Site)	Loss of Shelter	Compensation at full replacement value for structure, relocation to resettlement site, with payment of site rent.	None	Payments in lieu of wages while rebuilding	None	Amount to be determined by PMO

CHAPTER SEVEN: METHODS OF VALUING AFFECTED ASSETS.

7.1 Introduction

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

- (i) State (urban and non urban) owned Land
- (ii) Privately owned Land
- (iii) Assets held under Customary Law

State owned land would be allocated free by the Governor or Local Government (perhaps except for processing and registration fees). The PMO would be expected to pay compensation to acquire land in this category in cases where the state-owned land is being used by landlords or squatters, settled upon or otherwise being used. Privately owned property, would have to be acquired at the market value. The guiding principle is that whoever was using the land to be acquired would be provided other land of equal size and quality.

However, according to Nigeria law, assets held under customary rights are in the Local Government jurisdictions only and would have to be valued according to the following method and compensation paid for. The project would compensate for assets and investments, including labor, buildings, and other improvements, according to the provisions of the resettlement plan. Compensation rates would be market rates as of the date and time that the replacement is to be provided. Compensation would not be made after the entitlement cut-off date in compliance with this policy. Under customary law land belongs to chiefdoms, towns and villages. The permanent loss of any such land will be covered by community compensation, which will be in-kind, only. However, because the Bank's policy on resettlement (OP4.12), makes no distinction between statute and customary rights, not only assets and investments will be compensated for, but also land. Thus, a customary land owner or land user on state owned land, will be compensated for land, assets, investments, loss of access etc. at market rates at the time of the loss.

7.2: Compensation Payments and Related Considerations.

Forms of compensation may include one of more of the following:

- (i) **Payments in Cash:** Cash compensation may be made for damage to or loss of land assets, damage to or loss of trees or other activities related to livelihood and damage to or loss of structures.
- (ii) **Payments in Kind:** In-kind compensation may be made for land assets, agricultural assets (such as productive trees) or structures.

The type of compensation will be an individual choice although every effort will be made to instill the importance and preference of accepting in kind compensation if the loss amounts to more than 20% of the total loss of subsistence assets.

Making compensation payments raises some issues regarding inflation, security and timing that must be considered. One purpose of providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur, thus market prices will be monitored within the time period that compensation is being made to allow for adjustments in compensation values. The question of security,

especially for people who will be receiving cash compensation payments needs to be addressed by the State Governments. Local banks and micro finance institutions should work closely with the State and the participating local governments at this level to encourage the use of their facilities, which will positively impact the growth of the local economies.

7.2.1 Compensation for Land

Compensation for land is aimed at providing a landlord or owner of land whose land is acquired and used for project purposes with compensation. In the project context, and for transparency, "Land" is defined as an area:

- Covered with structures (building, kiosk, shop, fence/wall)
- Where a structure is about to be erected.
- In cultivation or being prepared for cultivation or cultivated during the last season agricultural season.

Compensation relating to land will cover the market price of labor invested as well as the market price of the land lost.

Land required for IUFMP may fall under the following categories:

- Land permanently required for construction and location of equipment for example metrological facilities for flood early warning system
- Land temporarily required for the duration of construction activities (e.g. access track that will be reclaimed after construction, or staging area that a contractor will use for the duration of construction of a given facility).
- Rights-of-Way, i.e. land that can still be used by its former users during operation of the facility subject to certain restrictions (e.g. set backs for the Eleyele Dam)

For purposes of measuring land, the unit of measurement would be that which is used and understood by the affected land owners. Therefore, if a traditional unit of measurement exists, that unit should be used. If a traditional unit of measurement does not exist, then it is recommended that land should be measured in meters or any other internationally accepted unit of measurement. However, in such an event, the unit that is being used must be explained to the affected farmers or landlord and must somehow be related to easily recognizable land features that the communities are familiar with, such as using location of trees, stumps, etc. as immovable pegs. The most important concern of this exercise is to ensure that the affected person is able to verify using his/her own standards/units of measurement for him/herself, the size of land that is being lost. Ensuring that this occurs maintains transparency in the system and will thus avoid subsequent accusations of wrong measurements or miscalculation of areas.

7.2.2: Compensation for Buildings and Structures.

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

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

Compensation will be made for structures that are:

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

Replacement values will be based on:

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

Details for compensation of buildings are presented in table 7.1.

Table 7.1: Compensation for Buildings and Structures

Buildings and structures will be replaced by an equivalent structure or, on an exception basis, cash and/or credits will be paid based on replacement costs.	
Item	Example
House	Raw or Baked brick Straw or tin roof Varying sizes (small, medium large)
Kitchen	Open, closed
Stables/sheds/pens	Cattle, goat, sheep, other
Fence	Straw/poles (per unit poles & mat), raw and/or baked brick/cement blocks (per 1-m length)
Latrine	Replacement latrines will be similar to those currently operational and financed by the bank or other donor agencies at health centers, schools or similar structures.
Open well	Internally lined with concrete rings and provided with a hand driven pump.
Storage building	Cement/sand block walls with thatched roof on z-profiled metal sheets.

7.2.3: Calculation of Crops Compensation Rate

The rehabilitation of Eleyele Dam which may lead to increasing the setbacks, the rehabilitation and construction of robust infrastructure such as drains, bridges, culverts, and roads could result in destruction of standing crops on areas acquired permanently or areas occupied temporarily. Where crops are affected, there are considerable impacts on livelihoods of affected farmers (potentially including both owners and occupants/users).

For farmers, the current prices for cash crops would have to be determined. All crops to be compensated using a single rate regardless of the crop grown. This rate incorporates the value of crops and the value of the labor invested in preparing a new land. Determining compensation using a single rate creates transparency because anyone can measure the area of land for which compensation is due and multiply that by a single rate known to all. This approach also allows assignment of values to previous year's land (land in which a farmer has already invested labor) and land that have been planted but have not yet sprouted. Further, it avoids contention over crop density and quality of mixed cropping. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation is to be updated to reflect values at the time compensation is paid. The following example, which is based on 2013 data, derives a total value for a one hectare land from the value of the crops on the land and the value of labor invested in preparing a replacement land.

Table 7.2: Example of method to be used to determine a monetary compensation rate for land*

Item Compensated	Basis of Value	NAIRA/ha (example)
Value of Crops	Average of the highest 2013 official and market survey land prices per ha of staple food crops (yam, plantain, rice etc.), plus cash crops (e.g., maize, rice).	500,000
Labor Invested	Labor costs of preparing a replacement land.	75,000
Total	Replacement value of crops plus labor.	575,000

- Note: This example assumes a one-hectare land.

All agricultural labor activities are included for two reasons. First, because of the need for transparency, all land labor will be compensated for at the same rate. Second, it is difficult to forecast when during the growing season a farmer might need to give up his/her land. Thus, the land compensation covers all investments that a farmer will make. In certain cases, assistance may be provided to land users in addition to compensation payments, for example, if the farmer is notified that his/her land is needed after the agriculturally critical date of March, when s/he will no longer have enough time to prepare another land without help. Assistance will be provided in the form of labor-intensive village hire, or perhaps mechanized clearing, so that replacement land will be ready by the sowing dates. The farmer will still continue to receive his/her cash compensation so that /s/he can pay for sowing, weeding and harvesting.

7.2.4: Compensation for Vegetable Gardens and Beehives

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

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

7.2.5: Compensation for Domestic Fruit and Shade Trees.

These trees have recognized local market values, depending upon the species and age. Individual compensation for wild trees "owned" by individuals located in lands as defined in this policy will be paid. Note that wild, productive trees belong to the community when they occur in the true bush as opposed to a fallow land. These trees will be compensated for under the umbrella of the village or community compensation.

7.2.6: Compensation for Loss of Business/Employment

Compensation will be paid for loss of business or employment so as to ensure that livelihoods of small holder business owners such as road side food vendors, recharge card vendors etc. are not negatively impacted.

CHAPTER EIGHT: ARRANGEMENTS FOR COMPENSATION

8.1 Introduction

Compensation (and resettlement) will be funded like any other activity eligible under the projects' administrative and financial management rules and manuals. Funding would be processed and effected through the IUFMP Project Management Office (PMO) and will comply with the financial arrangements agreed upon at project negotiations. The compensation process, which will involve several steps, would be in accordance with the IUFMP resettlement and compensation plans and will include:

- **Public Participation** with the PAPs would initiate the compensation process as part of an ongoing process that would have started at the planning stages when the technical designs are being developed and at the land selection/screening stage. This would ensure that no affected individual/household is simply 'notified' one day that they are affected in this way. Instead, this process seeks their involvement and wishes to involve PAPs in a participatory approach with the project from the onset.
- **Notification** of land resource holders - the respective municipal heads or leaders (chiefs) having been involved in identifying the land that the IUFMP require will notify the municipal and community inhabitants who will help to identify and locate the land users. These local community leaders will also be charged with the responsibility of notifying their community members about the established cut-off date and its significance. The user(s) will be informed through both a formal notification in writing and, for as many people as are illiterate, by verbal notification delivered in local language understood by the people in the presence of the community leader or his representative. In addition, the village chiefs, religious leaders, other elders and individuals who control pastoral routes, fishing areas, wild trees, or beehives, hunting areas will accompany the survey teams to identify sensitive areas.
- **Documentation** of Holdings and Assets – IUFMP officials arrange meetings with affected individuals and/or households to discuss the compensation process. For each individual or household affected, officials of the IUFMP completes a compensation dossier containing necessary personal information on, the affected party and those that s/he claims as household members, total land holdings, inventory of assets affected, and information for monitoring their future situation. This information is confirmed and witnessed by state environment agency and village officials. Dossiers will be kept current and will include documentation of lands surrendered. This is necessary because it is one way in which an individual can be monitored over time. All claims and assets will be documented in writing.
- **Agreement on Compensation and Preparation of Contracts** - All types of compensation are to be clearly explained (in English and local languages understood by the people) to the individual or household. The IUFMP draws up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has an order form which is signed and witnessed. The compensation contract and the grievance redress mechanisms are read aloud in (in English and local languages understood by the people the presence of the affected party and the representative of the state environment agency, project officials, community (or municipal) officials and other leaders prior to signing.
- **Compensation Payments** - All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party, representative of the Oyo state Ministry of Environment and Habitat and the community officials.

8.2 Public Participation and Its Implementation in the Resettlement Process

With growing awareness of the limitations of traditional top down approaches for development actions, interest has shifted to the potentially powerful role of community participation in enhancing local public service delivery. People's participation is now thought by many as a prerequisite for sustainable development. Local participation is important in order to engage people as stakeholders in resource management thus ensuring their commitment to long term management goals. Seven levels of participation ranging from passive participation through interactive participation to self-mobilization have been identified and used in practice. Passive participation is a type of participation whereby people participate by being told what is going to happen. It is a top-down approach. Under various forms of passive participation, people can participate by providing information to outsiders, by providing resources (usually labour) in return for incentives and by forming groups to undertake planned activities; planning and decision making are in the hand of outsiders. Passive participation does not guarantee sustainable development. This is because as the people are not involved in decision making, they may not see themselves as being part of the project as a result will not feel committed to its success. Interactive participation is a level of participation whereby people participate in joint analysis, which leads to locally formulated action plans; local groups and communities take control. Besides levels (how much) of participation, participation can be classified as three types or categories namely, sharing costs, working with people (joint activities and paid labour) and talking with people (decision making and political involvement).

Thus, public participation with local communities will be an ongoing process throughout resettlement planning and this would have taken off at the screening stage. Interactive participation will be the key approach to ensure that those directly concerned are involved in the decision making process. PAPs will be notified during the identification of subprojects and consulted with as part of the screening process.

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

8.3 Community Compensation Payments

Community compensation will be in-kind only for a community as a whole in the form of reconstruction of the facility to at least the same standard or equivalent better standard prior to IUFMP and to serve the same function. Examples of community compensation include;

- School Building (public or religious)
- Public Toilets
- Well or Pump
- Market Place
- Road
- Storage warehouse

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

8.4 Description of the Implementation Process

The environmental and social safeguards specialist attached to the PMO will be responsible for the implementation of the RPF in close collaboration with the Oyo State Ministry of Environment and Habitat, Oyo State Ministry of Lands, Oyo State Ministry of Physical Planning and Oyo State Ministry of Water Resources. Before any project activity is implemented, PAPs, will need to be compensated in accordance with the resettlement policy framework and subsequent RAP. For activities involving land acquisition or loss, denial or restriction to access, it is further required that these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, the 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 individual resettlement plan of action.

The measures to ensure compliance with this policy directive would be included in the resettlement plans that would be prepared for each land involving resettlement or compensation.

When the PMO presents the resettlement plans to the respective MDAs for approval, part of the screening process that would be used to approve recommended sites would be to confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works in compliance with this policy. The timing mechanism of these measures would ensure that no individual or affected household would be displaced due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or household affected. Once the resettlement plan is approved by the local and national authorities, the resettlement plan should be sent to the World Bank for final review and approval.

8.5 Grievance Redress Mechanism

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals would have been informed of the process for expressing dissatisfaction and to seek redress, the grievance redress mechanism. Grievance redress mechanisms are increasingly important for development projects where ongoing risks or adverse impacts are anticipated. For IUFMP, grievances are likely to arise due to the following:

- failure to identify all categories of PAPs
- losses not identified/quantified correctly;
- inadequate assistance or not as per entitlement matrix;
- dispute about ownership;
- delay in disbursement of assistance; and
- Improper distribution of assistance
- Implementation of project without settling or resolving compensation matters

To manage these social risks and others which cannot be foreseen now with a view to ensuring successful project development and implementation, experience has revealed that open dialogue and collaborative grievance resolution represent the best practice.

The grievance mechanisms

- Provide a way to reduce risk for projects,

- Provide an effective avenue for expressing concerns and achieving remedies for communities, and
- Promote a mutually constructive relationship.
- Prevent and address community concerns, and
- Assist larger processes that create positive social change.

The grievance procedure will be simple, administered as far as possible at the local and State levels to facilitate access, flexible and open to various proofs taking into cognizance the fact most people are illiterate requiring a speedy, just and fair resolution of their grievances. Thus the grievance redress mechanism in the IUFMP will be community based making use of Community Development Associations (CDAs), Community Development Councils (CDCs) as well as traditional institutions such as Chiefs, Bales etc.

The PMO being a party to the contract would not be the best office to receive, handle and rule on disputes. Therefore, taking these concerns into account, all grievances concerning non-fulfillment of contracts, levels of compensation, or seizure of assets without compensation should be channeled through the existing state and local courts system used for administration of justice, especially using the CDAs, CDCs and other traditional institutions.

All attempts would be made to settle grievances and this will be community based as indicated earlier. Those seeking redress and wishing to state grievances would do so by first notifying their traditional ruler or the local chief representing them in the traditional ruling council or the community head. He/she should also send a copy of his petition to the administrative head of their respective local governments. After the report, the traditional council with representatives of CDA and CDCs will meet and consider the validity of the claim. If in their judgment the claim is valid, they will then consult with the PMO, the Federal and State Ministry of Environment and FMWR, Oyo State Ministry of Water Resources and other records to further determine claims validity. If valid, the community leader(s) and PMO will notify the complainant and s/he will be settled.

If the complainants' claim is rejected, then the matter will be brought before the local courts for settlement as a last resort, that is, all other options must have been exhausted. The decision of the state high courts would be final and all such decisions must be reached within a short period of time after the complaint is lodged. If a complaint pattern emerges, the PMO and the Oyo State Ministry of Environment and Habitat, Oyo State Ministry of Water Resources with local community leaders will discuss possible remediation. The local leaders will be required to give advice concerning the need for revisions to procedures. Once they agree on necessary and appropriate changes, then a written description of the changed process will be made. The local heads and other community leaders will be responsible for communicating any changes to future potential PAPs when the consultation process with them begins.

8.5.1 Grievance redress process

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

There is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local customs and project conditions and scale. Thus as indicated earlier, the GRM that will be adopted by IUFMP will be community based.

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

- Receive and register a complaint

- Screen and assess the complaint
- Formulate a response
- Select a resolution approach
- Implement the approach
- Settle the issues
- Track and evaluate results
- Learn from the experience and communicate back to all parties involved.

8.5.2 Expectation When Grievances Arise

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

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

Fig.8.1 gives a process flowchart for the grievance mechanism. Suffice it to say, that the overall process of grievance shall take the following way:

- During the initial stages of the valuation process, the affected persons are given copies of grievance procedures as a guide on how to handle the grievances
- The process of grievance redress will start with registration of the grievances to be addressed for reference, and to enable progress updates of the cases. An example of a grievance redresses form is provided in Annex 4.
- The project will use a local mechanism, which includes CDAs, CDCs, Chiefs and local leaders of the affected people. These will ensure equity across cases; they eliminate nuisance claims and satisfy legitimate claimants at low cost
- The response time will depend on the issue to be addressed but it should be addressed with efficiency. Nevertheless, Grievance form will be filled by person affected by the project with the Grievance Redress Committee which will act on it within 10 working days on receipt. If no understanding or amicable solution is reached, or the affected person does not receive a response from the local Rehabilitation and Resettlement Committee within 15 working days, the affected person can appeal to a designated office in the PMO, which should act on the complaint/grievance within 15 working days of its filing.
- Compensation will be paid to individual PAPs only after a written consent of the PAPs, including both husband and wife.
- All reasonable moves must be made to settle any arising grievance amicably. If affected person is not satisfied with the decision received, he/she can, as a last resort, appeal to a court of competent jurisdiction. Affected persons will be exempted from all administrative and legal fees incurred pursuant to grievance redress procedures
- Where large scale grievance or complaints arise, that is cases that undermine the integrity of the census and inventory of assets and/or their valuation, the grievance redress committee should refer the case to the PMU for a possible revaluation/supplementary census that will identify omitted PAPs and assets

For IUFMP sub-projects, it is recognized that the formal legal mechanisms for grievance redress tend to be lengthy and acrimonious procedures, besides, some uneducated people may not be able to access it. For this reason, an informal grievance redress mechanism through the PMO Safeguard Units will be established. This unit will work with a committee comprising CDAs, CDCs, administrative head of local governments; community/village chiefs, NGOs and other CBOs and other relevant Government organs that will be set-up to address complaints. The grievance redress mechanisms is designed with the objective of solving disputes at the earliest possible time which will be in the interest of all parties concerned and therefore implicitly discourages referring such matters to the law courts for resolution which would otherwise take a considerably longer time.

For this reason, handling grievances will begin with traditional ruler or the local chief. A grievance log will be established by the project and copies of the records kept with all the relevant authorities. In addition, where displacement is unavoidable and displaced people are dissatisfied with the compensation and rehabilitation, the State Agencies will establish an informal forum for the presentation and consideration of individual complaints. The informal forum will include community authorities/leaders, CBOs, NGOs, local government, and other concerned responsible parties, as deemed appropriate by them.

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

8.5.3 Management of Reported Grievances

The procedure for managing grievances should be as follows:

- The affected person should file his/ her grievance, relating to any issue associated with the resettlement process or compensation, in writing to his traditional ruler or the local chief representing them in the traditional ruling council or the community head.
- After the report, the traditional council with representatives of CDA and CDCs will meet and consider the validity of the claim. This council can be referred to as subproject Resettlement and Compensation committee. This committee does not currently exist, but is proposed as part of the RPF implementation arrangements.
- The grievance note should be signed and dated by the aggrieved person.
- A selected member of the Committee will act as the Project Liaison Officer who will be the direct liaison with PAPs (this should be the Social representative) in collaboration with an independent agency/NGO person ensure to objectivity in the grievance process.
- Where the affected person is unable to write, the local Project Liaison Officer will write the note on the aggrieved person's behalf.

- Any informal grievances will also be documented.
 - If the Resettlement and Compensation committee resolves that the claim is valid, they will then consult with the PMO, the Federal and State Ministry of Environment and FMWR, Oyo State Ministry of Water Resources and other records to further determine claims validity.
 - If valid, the community leader(s) and PMO will notify the complainant and s/he will be settled.

8.5.4 Grievance Log

The Project Liaison officer will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed. A sample of a Grievance mechanism Form is

included in Annex 4. The log also contains a record of the person responsible for an individual complaint, and records dates for the following events:

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

8.6 Resettlement, Cost Estimates and Contingencies

The estimate of the overall cost of resettlement and compensation would be determined during the socio-economic study. There will be provision in the IUFMP to finance the resettlement concerns as and when they arise during project implementation.

At this stage, it is not possible to estimate the likely number of people who may be affected since the technical details/designs have not yet been developed and land needs have not yet been identified. When these locations are known, and after the conclusion of the site specific socio-economic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data are available, thus facilitating the preparation of a detailed and accurate budget for resettlement and compensation.

The PMO will prepare the resettlement budget and finance this budget consistent with the project's administrative and financial management rules and manuals like any other activity eligible for payment under the project. This budget will be subject to the approval of the World Bank. The PMO is expected to fund the A/RAP especially through the counterpart fund of the project.

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8.7 Mechanism for Consultation and Participation of Displaced Persons

Public consultation and participation are essential because they afford PAPs the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts between and among PAPs and the PMO. The socio-economic situation prevailing in the State as discussed earlier, makes public consultation with the communities, indispensable. Furthermore, it is the local urban, semi-urban and the rural areas that are to claim ownership of this project and are the intended beneficiaries ultimately. For this

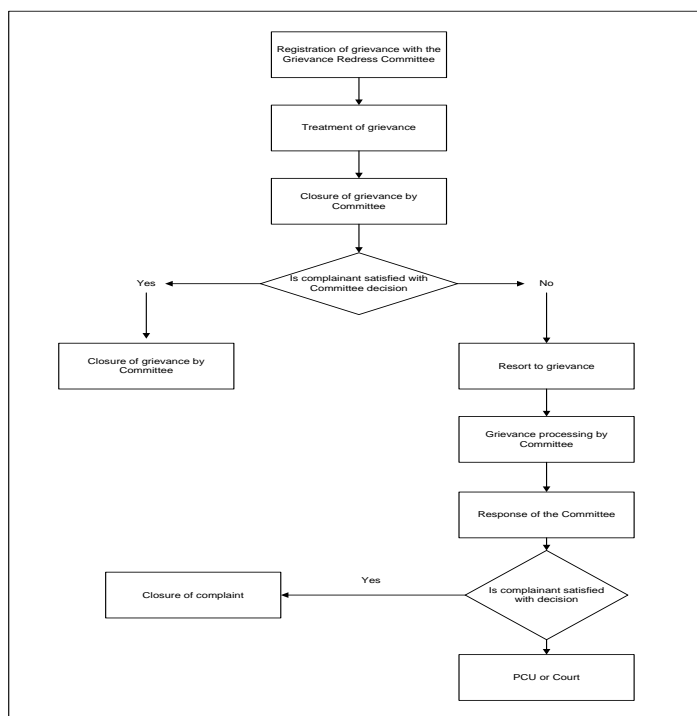


Fig. 8.1: Flowchart for Grievance Mechanism adapted from NEWMAP, 2011

project to be successfully meaningful, effective and close consultation with local communities is a pre-requisite. In recognition of this, particular attention would be paid to public consultation with potentially affected individuals/households.

8.8.1 Identifying Stakeholders

Stakeholders for the purpose of this project shall be defined as all those **people and institutions** that have an interest in the successful planning and execution of the project. This includes those positively and negatively affected by the project. Table 8.1 shows the stakeholder identification matrix.

Table 8.1: The Stakeholder Identification Matrix

Those who may be affected by the project:	
These may include	How to identify them
People living in the vicinity of the proposed works.	<ul style="list-style-type: none"> Identify the local government area(s) that falls within 1 km radius of the proposed sites. Review available data to determine the stakeholder profile of the whole stakeholder or relevant group. Use identified groups and individuals to tap into stakeholder networks to identify others.
Special interest groups.	<ul style="list-style-type: none"> Identify key individuals or groups through organized groups, local clubs, community halls and religious places. Organizations such as environmental groups would be aware of similar local groups or individuals.
Individual people who own properties that will be directly or indirectly affected.	<ul style="list-style-type: none"> Advertise in local newspapers, telling people that they may be affected and asking them to register interest in attending meetings or receiving further information.
Business (owners and employees).	<ul style="list-style-type: none"> Council lists or property registers.

8.8.2 Consultation Strategies

The consultation process shall ensure that all those identified as stakeholders are consulted. Subject to PMO approval, information about the project will be shared with the public, to enable meaningful contribution, and enhance the success of the IUFMP.

Public consultation should take place through workshops, seminars, meetings, radio programs, request for written proposals/comments, questionnaire administration, public reading and explanation of project ideas and requirements. The consultation plan would be monitored by Oyo State Ministry of Environment and Habitat. The Ministry will set their own verifiable indicators to assess the degree of participation of the key stakeholder during all the phases of IUFMP implementation.

Level of Engagement

The level of stakeholder involvement would be based on the project phase, location and expected outcome. Small projects would require less complicated stakeholder involvement programs as the issues are likely to be less complex and their impact smaller. This section is a guide to determining the level of stakeholder involvement required. Specifically, the extent of stakeholders' involvement would be based on the following:

- the project is likely to have significant impacts, that is, high impacts in one area/location, or relatively small impacts spread out over a large area.
- the project involves significant issues, that is, the wider stakeholder may be affected.

Table 8.2 shows the consultation plan based on the project phases while figure 8.2 shows the spectrum of engagement.

Table 8.2: Consultation Plan at Project Phases

Project Stage	Activities	Institutional Responsibilities
Implementation	Preparation of compensation packages, RPF/RAP review	PMO, Oyo State Ministry of Environment and Habitat, Ministry of Women Affairs.
Monitoring	Review of verifiable indicators	Oyo State Ministry of Environment and Habitat,



Objective

Provide public with objective information to assist them in understanding the issue.

Tools

Meetings
Public Notice Exhibition

Objective

Obtain public feedback on analysis, alternative, or decision.

Tools

Questionnaires
Surveys
Focus Group

Objective

Work with the public to ensure concerns are understood and considered.

Tools

Networking
Questionnaires
Notice Exhibition

Objective

Partner with the public in identification of preferred solution.

Tools

Meetings
Public Notice Exhibition

Figure 8.2: Spectrum of Engagement

Through these engagement strategies; the PMO would be able to:

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

CHAPTER NINE: MONITORING AND EVALUATION ARRANGEMENTS

9.1 Introduction

The arrangements for monitoring would fit the overall monitoring plan of the entire IUFMP which would be through the Oyo State Ministry of Environment and Habitat, Oyo State Ministry of Water Resources and Federal Ministry of Environment. The details of the M&E for the entire IUFMP will be worked out at the commencement of the project.

However, a fundamental approach in monitoring and evaluation segment of this project will avoid the linear conceptual model, in which monitoring and evaluation come in the end of the implementation processes however monitoring will be a continuous process.

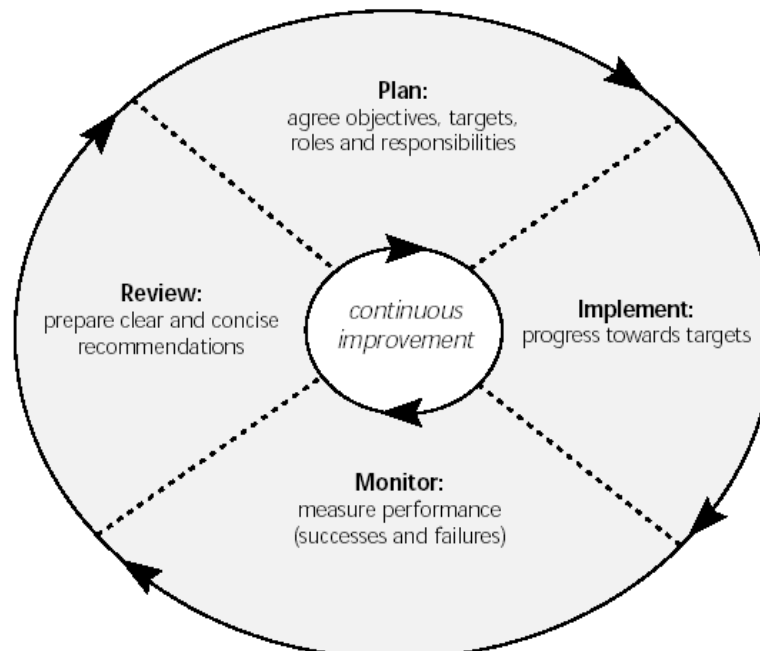


Figure 9.1: Conceptual Model (Adapted from National Biodiversity Strategy and Action Plan (NBSAP), 2004)

Based on measurable indicators, the progress of the project will be assessed. This will involve a thorough comparison of projected activities with actual achievements based on the work plan and the log framework. Details of reasons for variances will always be determined and adequate corrective measures taken. Data collection in this stage will involve key informant interviews, focus group discussions, and direct observations. The monitoring will help assess the progress of implementation and make timely decisions to ensure that progress is maintained. The strategic objective of monitoring and evaluation of activities is to measure the extent to which the objectives of the project are being achieved. Monitoring and evaluation will also help to understand the types of checks and balances that are most effective in ensuring that the IUFMP especially the resettlement issues are result oriented. To achieve this, the IUFMP will institute an administrative reporting system that:

- (a) Alerts Oyo state project authorities to the necessity for land acquisition in IUFMP technical requirements,
- (b) Provides timely information about the valuation and negotiation process,

- (c) Reports any grievances that require resolution, and
- (d) Documents timely completion of project resettlement obligations (i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary losses, as well as unanticipated, additional construction damage.

9.2 Monitoring Plan Procedure

The Environmental and Social specialist of the PMO will prepare a long term monitoring strategy and this will encompass clear and definitive criteria and parameters to be monitored for each specific site and in each community. The Monitoring Plan will take into consideration the scope of development, environmental and social sensitivity and the financial and technical means available for the monitoring plan. The plan will identify and describe the indicators to be used, the frequency of monitoring and the standard (baseline) against which the indicators will be measured for compliance with the Environmental management Plan (EMP).

Arrangement for monitoring will include both internal and external monitoring. Internal monitoring, will involve reporting by government officials and field consultants, community participatory monitoring; while external monitoring, will involve NGOs and journalists providing independent monitoring. Monthly monitoring plans will be prepared by the PMO. Quarterly and annual reports will be submitted to the Oyo State Ministry of Environment and Habitat, and to other appropriate agencies. All monitoring components will be subject to audit, internally by the PMO and externally by the Oyo State Ministry of Environment and Habitat, Oyo State Ministry of Physical Planning and Urban Development and Ministry of Lands. Each monitoring programme will follow the established schedule; monitoring may be performed daily, weekly, quarterly, semi-annually, annually, biennially, or continuously, depending upon the resource, regulatory requirements for regulatory monitoring, and the project-specific requirements for other monitoring. Monitoring results will be compiled when due and communicated to the Cabinet Department of Governor's Office, Oyo State Ministry of Environment and Habitat, Oyo State Ministry of Physical Planning and PMO as appropriate. The table below shows the variables to be monitored routinely by the project during implementation of the resettlement issues.

Table 9.1 indicates some specific variables to monitor routinely in the course of implementation.

Table 9.1 Monitoring Indicators

Subject	Indicator	Variable
Land	Acquisition of land	<ul style="list-style-type: none"> ➤ Area of land acquired for IUFMP developments ➤ Area of communal land acquired for IUFMP developments ➤ Area of private land acquired? ➤ Area of government land acquired?
Buildings/ Structures	Acquisition of buildings	<ul style="list-style-type: none"> ➤ Number, type and size of private buildings acquired ➤ Number, type and size of community buildings acquired ➤ Number, type and size of government buildings acquired
	Acquisition of other structures	<ul style="list-style-type: none"> ➤ Number, type and size of other private structures acquired ➤ Number, type and size of other community structures acquired
Trees and Crops	Acquisition of trees	<ul style="list-style-type: none"> ➤ Number and type of trees cut down
	Destruction of crops	<ul style="list-style-type: none"> ➤ Crops destroyed by area, type and ownership
Compensation, Re-establishment	Compensation and reestablishment of affected owners/	<ul style="list-style-type: none"> ➤ Number of homesteads affected (buildings, land, trees, crops) ➤ Number of owners compensated by type of loss

Subject	Indicator	Variable
and Rehabilitation	individuals	<ul style="list-style-type: none"> ➤ Amount compensated by type and owner ➤ Number of replacement houses constructed ➤ Size, construction, durability and environmental suitability of replacement houses ➤ Possession of latrines ➤ Water supply access ➤ · Number of replacement businesses constructed
	Reestablishment of community resources	<ul style="list-style-type: none"> ➤ Number of community buildings replaced ➤ Number, type of plants lost ➤ Number of seedlings supplied by type ➤ Number of trees planted
Hazards and Disturbances	Introduction of nuisance factors	<ul style="list-style-type: none"> ➤ Number of homesteads affected by hazards and disturbances from construction (noise levels, blasting, increased traffic levels)
Social/ Demographic	Changes to homestead structure	<ul style="list-style-type: none"> ➤ Homestead size (births, deaths, migration in and out) ➤ Age distribution ➤ Gender distribution ➤ Marital status ➤ Relationship to homestead head ➤ Status of “vulnerable” homesteads
	Population migration	<ul style="list-style-type: none"> ➤ Residential status of homestead members ➤ Movement in and out of the homestead (place and residence of homestead members)
	Changes to access	<ul style="list-style-type: none"> ➤ Distance/travel time to nearest school, health centre, church, shop, village
	Changes to health status	<ul style="list-style-type: none"> ➤ Nutritional status of resettled homestead members ➤ Number of people with disease, by type (STDs, diarrhea, malaria, ARI, immunizable disease) ➤ Mortality rates ➤ Access to health care services (distance to nearest facility, cost of services, quality of services) ➤ Utilization of health care services ➤ Disease prevention strategies ➤ Extent of educational programmes ➤ Latrine provision at schools (school child population per VIP on site)
	Changes to educational status	<ul style="list-style-type: none"> ➤ Literacy and educational attainment of homestead members- any changes due to project ➤ If School attendance rates are affected (age, gender) ➤ Number, type of educational establishments affected
	Changes to status of women	<ul style="list-style-type: none"> ➤ Participation in training programmes ➤ Landholding status ➤ Participation in IUFMP related activities

Subject	Indicator	Variable
	Homestead earning capacity change due to resettlement activities	<ul style="list-style-type: none"> ➤ Ownership of capital assets ➤ Ownership of equipment and machinery ➤ Landholding size, area cultivated and production volume/value, by crop (cash and subsistence crops) ➤ Landholding status (tenure) ➤ Redistribution of cultivation land ➤ Changes to livestock ownership: pre- and post disturbance ➤ Value of livestock sales, and imputed value of barter transactions ➤ Consumption of own livestock production ➤ Employment status of economically active members ➤ Skills of homestead members ➤ Earnings/income by source, separating compensation payments ➤ Changes to income-earning activities (agriculture) – pre and post disturbance ➤ Changes to income-earning activities (off-farm) – pre and post disturbance ➤ Amount and balance of income and expenditure ➤ Possession of consumer durables ➤ Realization of homestead income restoration plans (components implemented, net income achieved) ➤ Possession of bank and savings accounts ➤ Access to income-generating natural resource base (wood, grass, sand, stones)
	Changes in social organization	<ul style="list-style-type: none"> ➤ Organizational membership of homestead members ➤ Leadership positions held by homestead members
	Population influx	<ul style="list-style-type: none"> ➤ Growth in number and size of settlements, formal and informal ➤ Growth in market areas
Consultation	Consultation programme operation	<ul style="list-style-type: none"> ➤ Number of local committees established ➤ Number and dates of local committee meetings ➤ Type of issues raised at local committees meetings ➤ Involvement of local committees in IUFMP development planning ➤ Number of participating NGOs
	Dissemination	<ul style="list-style-type: none"> ➤ Number, position, staffing of Information Centres ➤ Staffing, equipment, documentation of Information Centres ➤ Activities of Information Centres ➤ Number of people accessing Information Centres ➤ Information requests, issues raised at Information Centres
	Grievances resolved	<ul style="list-style-type: none"> ➤ Number of grievances registered, by type ➤ Number of grievances resolved ➤ Number of cases referred to court
Training	Operation of training programmes	<ul style="list-style-type: none"> ➤ Number of local committee members trained ➤ Number of affected population trained in Project-related training courses

Subject	Indicator	Variable
Management	Staffing	<ul style="list-style-type: none"> ➤ Number of implementing agencies by function ➤ Number of ministry officials available by function ➤ Number of office and field equipment, by type
	Procedures in operation	<ul style="list-style-type: none"> ➤ Census and asset verification/quantification procedures in place ➤ Effectiveness of compensation delivery system ➤ Number of land transfers effected ➤ Co-ordination between local community structures, IUFMP and officials

9.3 Evaluation

Consistent with the ESMF, the Monitoring and Evaluation Officer, the Environmental and Social Safeguards Specialist attached to the PMO and their counterpart in the environment agencies would be responsible for periodically transferring the information compiled at the state level to the FMEnv so that it is alerted in a timely manner to any difficulties arising at the local level.

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

- If affected people have been paid in full and before implementation of the sub projects activities ,
- If the people who were affected by the project have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are they are actually poorer than before.

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, standard of house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc). Therefore, the resettlement and compensation action plans will contain indicators and benchmarks for achievement of the objectives under the resettlement program. These indicators and benchmarks should be of three kinds:

- Process indicators, indicating project inputs, expenditures, staff deployment, etc
- Output indicators, indicating results in terms of numbers of affected people compensated and resettled, training held, credit disbursed, etc.
- Impact indicators, related to the longer term effect of the project on people's lives.

The benchmarks and indicators should be limited in number, and combined quantitative and qualitative types of data. The first two types of indicators, related to process and immediate outputs and results, will be monitored internally by the project. This information will serve to inform project management about progress and results, and to adjust the work program where necessary if delays or problems arise. The results of this monitoring will be summarized in reports, which will be submitted to authorities and the World Bank on a regular basis. Each time land is used or acquired by the IUFMP, the dossier will be updated to determine if the individual or household is being affected to the point of economic non-viability and eligibility for compensation/resettlement or its alternatives. These dossiers will provide the foundation for monitoring and evaluation, as well as documentation of compensation agreed to, received, and signed for. Table 9.2 outlines indicators to monitor and evaluate the implementation of resettlement and compensation plans.

Table 9.2: Resettlement and Compensation Performance Measurements Indicators	
Monitoring Indicators	Evaluation Indicators
1. Outstanding Compensation or Resettlement Contracts not completed before next agricultural season	1. Outstanding individual compensation or resettlement contracts
2. Communities unable to set village-level compensation after two years	2. Outstanding village compensation contracts
3. Grievances recognized as legitimate out of all complaints lodged.	3. All legitimate grievances rectified
4. Pre- project production and income (year before land used) versus present production and income of resettlers, off- farm-income trainees, and users of improved mining or agricultural techniques.	4. Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.
5. Pre-project production versus present production (crop for crop, land for land)	5. Equal or improved production household
6. Pre-project income of vulnerable individuals identified versus present income of vulnerable groups.	6. Higher cost project income pf vulnerable individuals

It is normal that some compensation procedures and rates may require revision at some time during the project cycle. The IUFMP, Oyo State Ministry of Environment and Habitat, Ministry of Physical Planning and Urban Development, Ministry of Lands, and Local Governments will implement changes through the Change Management Process in the Monitoring and Evaluation manuals of the project, which will require feedback from:

- Indicators monitored by the Oyo state government to determine whether goals are being met, and
- A grievance procedure for the local community to express dissatisfaction about implementation of compensation and resettlement.

This framework is suggesting that Oyo State Ministry of Environment and Habitat, be structured into the whole M&E component of the project. This would take the form of giving these agencies the mandate to carry out independent monitoring of the implementation of the resettlement and compensation plans at periodic intervals of quarterly or half yearly (as circumstances dictate) during the project life. Their report would then be sent to the PMO and will become part of the official documents of the project.

Annex 1: Template For Preparing Resettlement and Compensation Plans (RAPS).

This template is extracted from OP 4.12 Annex A which can also be found on the Banks website at www.worldbank.org.

The scope and level of detail of the resettlement plan vary with magnitude and complexity of resettlement. The plan is based on up-to—date and reliable information about (a) the proposed resettlement and its impacts on displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers elements, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

Description of the sub project: General description of the sub project and identification of sub project area.

Potential Impacts: Identification of (a) the sub project component or activities that give rise to resettlement, (b) the zone of impact of such component or activities, (c) the alternatives considered to avoid or minimize resettlement; and (d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

Objectives: The main objectives of the resettlement program.

Socio-economic studies: The findings of socio-economic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including;

(a) the results of a census survey covering;

- (i) current occupants of the affected area to establish a basis for design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance.
- (ii) 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
- (iii) the magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic
- (iv) information on vulnerable groups or persons, for whom special provisions may have to be made; and
- (v) 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.

(b) Other studies describing the following;

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

- (ii) The patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub project
- (iii) Public infrastructure and social services that will be affected; and
- (iv) Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g. community organizations, ritual groups, non governmental organizations (NGO's) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework: The findings of an analysis of the legal framework, covering,

- (a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment,
- (b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the sub project,
- (c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law related to displacement, and environmental laws and social welfare legislation,
- (d) laws and regulations relating to the agencies responsible for implementing resettlement activities,
- (e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps, and,
- (f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage.

Institutional Framework: The findings of any analysis of the institutional framework covering;

- (a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;
- (b) an assessment of the institutional capacity of such agencies and NGOs; and
- (c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

Eligibility: Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

Valuation of and compensation for losses: The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

Resettlement Measures: A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of OP 4.12. In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

Site selection, site preparation, and relocation: Alternative relocation sites considered and explanation of those selected, covering,

- (a) 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,
- (b) any measures necessary to prevent land speculation or influx of eligible persons at the selected sites,
- (c) procedure for physical relocation under the project, including timetables for site preparation and transfer; and
- (d) legal arrangements for regularizing tenure and transferring titles to resettlers.

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; any necessary site development, engineering, and architectural designs for these facilities.

Environmental protection and management. A description of the boundaries of the relocation area; and 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).

Community Participation: a description of the strategy for consultation with and participation of resettlers and host communities, including

- (a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of resettlement activities,
- (b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan,
- (c) a review of the resettlement alternatives presented and the choices made by displaced persons 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
- (d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, landless, and women are adequately represented.

Integration with host populations: Measures to mitigate the impact of resettlement on any host communities, including,

- (a) consultations with host communities and local governments,
- (b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers,
- (c) arrangements for addressing any conflict that may arise between resettlers and host communities, and
- (d) any measures necessary to augment services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

Grievance procedures: Affordable and accessible procedures for third-party settlement of disputes arising from resettlement, such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

Organizational responsibilities: The organizational framework for implementing resettlement, including identification of agencies responsible for delivery or resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

Implementation Schedule: An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

Costs and budget: Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

Monitoring and evaluation: Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

Annex 2. Indicative Resettlement Screening Form (Adapted from RAMP II)

Annex 2a: NUWSRP3 Resettlement Screening Form				
Sub-project name				
Sub-project Location (Include Map/sketch)				
Type of Activity (Structural land management measures and civil works - New construction, Rehabilitation or Periodic Maintenance etc).				
Estimated Cost				
Proposed Date of Commencement of work				
Technical Drawing/specifications Reviewed		(Circle answer) Yes No		
This report is to be kept short and concise.				
1. Site Selection:				
<i>When considering the location of a subproject, rate the sensitivity of the proposed site in the following table according to the given criteria. Higher ratings do not necessarily mean that a site is unsuitable. They do indicate a real risk of causing undesirable adverse social effects, and that more substantial social planning may be required to adequately avoid, mitigate or manage potential effects.</i>				
Issues	Site Sensitivity			Rating L, M, H
	Low(L)	Medium(M)	High(H)	
Involuntary resettlement	Low population density; dispersed population; legal tenure is well-defined.	Medium population density; mixed ownership and land tenure.	High population density; major towns and villages; low income families and/or illegal ownership of land; communal Properties	
Cultural property	No known or suspected cultural heritage sites	Suspected cultural heritage sites; known heritage sites in broader area of influence	Known heritage sites in project area	
Natural hazards vulnerability, floods, soil stability/ erosion	Flat terrain; no potential stability/erosion problems; no known flood risks	Medium slopes; some erosion potential; medium risks from flood	Hilly/mountainous terrain; steep slopes; unstable soils; high erosion potential; flood risks	
Natural habitats	No natural habitats present of any kind	No critical natural habitats; other natural habitats occur	Critical natural habitats present	
Checklist questions:				
Physical data		Yes/No answers and bullet lists preferred except where descriptive		

	<i>detail is essential.</i>
Extension of or changes to existing alignment	
Any existing property to transfer to sub-project	
Any plans for new construction	
<i>Refer to project application for this information.</i>	
Land and resettlement:	Yes/No answers and bullet lists preferred except where descriptive detail is essential.
Require that land (public or private) be acquired (temporarily or permanently) for its development?	
Use land that is currently occupied or regularly used for productive purposes (e.g. gardening, farming, pasture, fishing locations, forests)	
Displace individuals, families or businesses?	
Result in the temporary or permanent loss of crops, fruit trees or household infrastructure such as granaries, outside toilets and kitchens?	
Impact assets?	
Negatively impact livelihood and/or standard of living?	
Result in the involuntary restriction of access by people to legally designated parks and protected areas?	
What level or type of compensation is planned?	
Who will monitor actual payments?	
<i>(If the answer to any of the questions is "Yes", please consult the RAMP II Resettlement Policy Framework and, if needed, prepare a Resettlement Action Plan (RAP).</i>	
Actions:	
List outstanding actions to be cleared before sub-project appraisal.	
Approval/rejection	Yes/No answers and bullet lists preferred except where descriptive detail is essential.
<i>Recommendations:</i>	
Requires a RAP to be submitted on date: _____	
Does not require further studies	
Reviewer: _____	
Name: _____	
Signature: _____	
Date: _____	

Annex 2b: Socio-Economic Census and Land Asset Inventory Form
Socio-economic Household Datasheet of PAPs

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

Date:
Day Month Year

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

Household Interview

Name	Relationship to Head of Family	Sex	Place of Birth	Age	Marital status	Residence Tenure	Ethnic Group	Religion	Education Level	Income Earner	Economic Activity
1											
2											
3											
4											
5											
6											
7											
8											

Annex 2d: Affected Plot Sheet

Reference:
Reference:
Location:- LG:Community:
GPS Coordinates:Surface: m2
Description of soil:
.....
.....
Perennial Crops: 1 Owner:
2 Owner:
Annual Crops: 1 Owner:
2 Owner:
Trees: 1 Owner:
2 Owner:
Structures: Movable structures: Owner:
Immovable structures: Owner:
Buildings: Owner:
Users: User 1: Surface used: Regime of tenure:
User 2: Surface used: Regime of tenure:
User 3: Surface used: Regime of tenure:
User 4:Surface used: Regime of tenure:
Valuation proposal (details of calculation on attached sheet):
Crops:
.....
.....
Structures:
.....
.....
Proposed distribution of compensation:
User 1:
User 2:
User 3:
User 4:
Prepared By:Date:

Annex 2e: Affected Building Sheet

Reference:

Location: - LG:Community/Clan:

GPS Coordinates: Photograph number:

Owner:-

Full Name:

Address:

.....

Description:-

Permanent:.....Non permanent:

Surface: m2 Number of rooms:

Walls: Material: Condition:

Roof: Material: Condition:

Floor: Material: Condition:

Annexes outside:

Latrine: Material: Condition: Bathroom: Material:

..... Condition: Kitchen: Material: Condition:

..... Others:Material:Condition:

.....

Additional features:

.....

Permanently Inhabited: ...By:Regime of occupation:

Periodically Inhabited: By: Regime of occupation:

Vulnerable group:

a) Women-headed Household.....

b) Family with physically and mentally.....

c) Family with aged members.....

d) Family with income below poverty line.....

e) Family losing more than the economic threshold of their land through acquisition/negotiation.....

Valuation proposal (details of calculation on attached sheet):

.....

.....

.....

Proposed distribution of compensation:

User 1:

User 2:

User 3:

User 4:

Prepared By:Date:

Annex 2f: Affected Household Sheet

Household Reference:
Location: - LG:community/Clan:
Reference of Affected Asset:-
Type: - Structure: Plot:Crop: (Tick one)
Reference of Affected Asset Sheet:
Household Information:-
Head of Household: - Name:Age:Sex
Identity Document: - Type:Number:
Composition of Household:-
Number Name Relationship with Household Head Sex Age
1
2
3
4
5
Socio-Economic Information:-
Head of Household:
Occupations: - Primary: Secondary:
Other members of Household:-
Number: Occupation: Highest education level attained:
Number: Occupation: Highest education level attained:
Number: Occupation: Highest education level attained:
Number: Occupation: Highest education level attained:
Total Estimated Household Cash Income:
Education level of Household Members:-
Number: Level:
Number: Level:
Number: Level:
Number: Level:
Project Impact:-
Assessment of the Impact of the Loss of the Affected Asset on Household's Livelihood:
.....
Amount of land owned;
Details of income loss due to loss of land;
Proposed Compensation or Resettlement Package:-
Household's Wishes:
.....
Proposed Package:
Proposed Livelihood Restoration Package:-
Household's Wishes:
.....
Proposed Package:

Annex 2g: Simplified Survey Form for Affected Properties, Characteristics of Families and/or Businesses and Impacts Caused by Displacement

2g.1 Property (Goods and Assets Affected)

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

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

2g.2: Socioeconomic Characteristics of Families

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

2g.3 Socioeconomic Characteristics of Business

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

2g.4 Impacts Caused by Displacement (Households)

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

2g.5 Impacts Caused by Displacement (Businesses)

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

Annex 3: Calculation of Land and Crop Compensation Rate

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

FORMULA

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

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

Annual Crops

Area of land in Ha .X productivity of crops) X Price of crops) +Cost of permanent improvement on land.
Value =
((area of land in ha .X productivity of the crops) X price of crops))X10 +cost of permanent improvement on land.....2

For ripe and unripe perennial crops

Ripe

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

Thus:

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

For unripe perennial crop

Value (number of plant (legs) cost incurred to grow an individual plant)
+ cost of permanent improvement on land.....4

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

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

* This example assumes a one-hectare land.

Crop values will be determined based on:

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

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

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

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

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

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

Annex 4. Sample Grievance Redress Form and Agreed Resolution Format

Annex 4a: Grievance Redress Form				
Grievance Form				
Grievance Number:		Copies to forward to:		
Name of the Recorder;		(Original)-Receiver Party:		
LG & Community:		(Copy)- Responsible Party:		
Date:				
Information About Grievance				
Define The Grievance:----- ----- ----				
INFORMATION ABOUT THE COMPLAINANT			Forms of Receipt:	
Name		<input type="checkbox"/> Community/Information Meetings		
Phone Line		<input type="checkbox"/> Mail		
Village/ Local Govt. Area		<input type="checkbox"/> Informal		
Signature of Complainant and Date		<input type="checkbox"/> Other		
DETAILS OF GRIEVANCE (addition to list could be made as appropriate)				
1. Access to Land and Resources a) Fishing grounds b) Lands c) Pasturelands d) House e) Commercial site f) Other	2. Damage to a) House b) Land c) Livestock d) Means of livelihood e) Other	3. Damage to Infrastructure or Community Assets a) Road b) Bridge/Passageways c)Power/Telephone Lines d) Water sources, canals and water infrastructure for irrigation and animals e) Drinking water f) Sewerage System g) Other	4. Decrease or Loss of Livelihood a) Agriculture b) Animal husbandry c) Beekeeping d) Small scale trade e) Other	5. Traffic Accident a) Injury b) Damage to property c) Damage to livestock d) Other
6. Incidents Regarding Expropriation and Compensation (Specify)	7. Resettlement Process (Specify)	8. Employment and Recruitment (Specify)	9. Construction Camp and Community Relations a) Nuisance from dust b) Nuisance from noise c) Vibrations due to explosions d) Misconduct of	10. Other (Specify)

			<i>the project personal/worker</i>	
			<i>e) Complaint follow up</i>	
			<i>f) Other</i>	

Annex 4b: Agreed Solutions Format		
Date:		
Grievance Number		Copies to forward to:
Name of the Recorder		(Original)-Receiver Party: (Copy) – Party responsible:
Household & business	Resettlement Solution	Remarks

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

Annex 4c: Template of a Claim Registration and Follow-up Form	
Prepared by: Date:	
Aggrieved person:	
Full name:	
Residence:	
Project registration number:	
Reason for the claim (detailed description of the aggrieved person's version):	
Composition of the mediation committee:	
Chair (name, position):	
LG Chairman/Community Leader/representative (name, position):	
Project (name, position):	
Other elders (name, position):	
Report of mediation efforts:	
Agreed solution:	
Implementation of the agreed solution:	
Close-out:	
In case no settlement is reached:	
Reason why no settlement could be reached:	
Follow-up by claimant:	

Annex 5: The World Bank Operational Manual – OP 4.12 - December 2001

1. This annex describes the elements of a resettlement plan, an abbreviated resettlement plan, a resettlement policy framework, and a resettlement process framework, as discussed in [OP 4.12](#), paras. 17-31.

Resettlement Plan

2. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

3. *Description of the project.* General description of the project and identification of the project area.

4. *Potential impacts.* Identification of

(a) the project component or activities that give rise to resettlement;

(b) the zone of impact of such component or activities;

(c) the alternatives considered to avoid or minimize resettlement; and

(d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

5. *Objectives.* The main objectives of the resettlement program.

6. *Socioeconomic studies.* The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including

(a) the results of a census survey covering

(i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;

(ii) 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;

(iii) the magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic;

(iv) information on vulnerable groups or persons as provided for in [OP 4.12](#), para. 8, for whom special provisions may have to be made; and

(v) 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.

(b) Other studies describing the following

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

(ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;

(iii) public infrastructure and social services that will be affected; and

(iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

7. *Legal framework.* The findings of an analysis of the legal framework, covering

(a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;

(b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;

(c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation;

(d) laws and regulations relating to the agencies responsible for implementing resettlement activities;

(e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and

(f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land—including claims that derive from customary law and traditional usage (see [OP 4.12](#), para.15 (b)).

8. *Institutional Framework*. The findings of an analysis of the institutional framework covering

(a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;

(b) an assessment of the institutional capacity of such agencies and NGOs; and

(c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

9. *Eligibility*. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

10. *Valuation of and compensation for losses*. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.¹

11. *Resettlement measures*. A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see [OP 4.12](#), para. 6). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

12. *Site selection, site preparation, and relocation*. Alternative relocation sites considered and explanation of those selected, covering

(a) 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;

(b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;

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

(d) legal arrangements for regularizing tenure and transferring titles to resettlers.

13. *Housing, infrastructure, and social services.* Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services);² plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

14. *Environmental protection and management.* A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement³ and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

15. *Community participation.* Involvement of resettlers and host communities,⁴ including

(a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;

(b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;

(c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting 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);⁵ and

(d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

16. *Integration with host populations.* Measures to mitigate the impact of resettlement on any host communities, including

(a) consultations with host communities and local governments;

(b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;

(c) arrangements for addressing any conflict that may arise between resettlers and host communities; and

(d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

17. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

18. *Organizational responsibilities.* The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

19. *Implementation schedule.* An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

20. *Costs and budget.* Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

21. *Monitoring and evaluation.* Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

Abbreviated Resettlement Plan

22. An abbreviated plan covers the following minimum elements:⁶

- (a) a census survey 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.

Resettlement Policy Framework

23. The purpose of the policy framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation (see [OP 4.12](#), paras. 26-28). Subproject resettlement plans consistent with the policy framework subsequently are submitted to the Bank for approval after specific planning information becomes available (see [OP 4.12](#), para. 29).

24. The resettlement policy framework covers the following elements, consistent with the provisions described in [OP 4.12](#), paras. 2 and 4:

- (a) a brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement plan as described in paras. 2-21 or an abbreviated plan as described in para. 22 cannot be prepared by project appraisal;
- (b) principles and objectives governing resettlement preparation and implementation;
- (c) a description of the process for preparing and approving resettlement plans;
- (d) estimated population displacement and likely categories of displaced persons, to the extent feasible;
- (e) eligibility criteria for defining various categories of displaced persons;
- (f) a legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
- (g) methods of valuing affected assets;
- (h) organizational procedures for delivery of entitlements, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;
- (i) a description of the implementation process, linking resettlement implementation to civil works;
- (j) a description of grievance redress mechanisms;

(k) a description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements;

(l) a description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and

(m) arrangements for monitoring by the implementing agency and, if required, by independent monitors.

25. When a resettlement policy framework is the only document that needs to be submitted as a condition of the loan, the resettlement plan to be submitted as a condition of subproject financing need not include the policy principles, entitlements, and eligibility criteria, organizational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for grievance redress set forth in the resettlement policy framework. The subproject-specific resettlement plan needs to include baseline census and socioeconomic survey information; specific compensation rates and standards; policy entitlements related to any additional impacts identified through the census or survey; description of resettlement sites and programs for improvement or restoration of livelihoods and standards of living; implementation schedule for resettlement activities; and detailed cost estimate.

Process Framework

26. A process framework is prepared when Bank-supported projects may cause restrictions in access to natural resources in legally designated parks and protected areas. The purpose of the process framework is to establish a process by which members of potentially affected communities participate in design of project components, determination of measures necessary to achieve resettlement policy objectives, and implementation and monitoring of relevant project activities (see [OP 4.12](#), paras. 7 and 31).

27. Specifically, the process framework describes participatory processes by which the following activities will be accomplished

(a) Project components will be prepared and implemented. The document should briefly describe the project and components or activities that may involve new or more stringent restrictions on natural resource use. It should also describe the process by which potentially displaced persons participate in project design.

(b) Criteria for eligibility of affected persons will be determined. The document should establish that potentially affected communities will be involved in identifying any adverse impacts, assessing of the significance of impacts, and establishing of the criteria for eligibility for any mitigating or compensating measures necessary.

(c) Measures to assist affected persons in their efforts to improve their livelihoods or restore them, in real terms, to pre-displacement levels, while maintaining the sustainability of the park or protected area will be identified. The document should describe methods and procedures by which communities will identify and choose potential mitigating or compensating measures to be provided

to those adversely affected, and procedures by which adversely affected community members will decide among the options available to them.

(d) *Potential conflicts or grievances within or between affected communities will be resolved.* The document should describe the process for resolving disputes relating to resource use restrictions that may arise between or among affected communities, and grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation.

Additionally, the process framework should describe arrangements relating to the following

(e) *Administrative and legal procedures.* The document should review agreements reached regarding the process approach with relevant administrative jurisdictions and line ministries (including clear delineation for administrative and financial responsibilities under the project).

(f) *Monitoring arrangements.* The document should review arrangements for participatory monitoring of project activities as they relate to (beneficial and adverse) impacts on persons within the project impact area, and for monitoring the effectiveness of measures taken to improve (or at minimum restore) incomes and living standards.

-
1. With regard to land and structures, “replacement cost” is defined as follows: For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in [OP 4.12](#), para. 6.
 2. Provision of health care services, particularly for pregnant women, infants, and the elderly, may be important during and after relocation to prevent increases in morbidity and mortality due to malnutrition, the psychological stress of being uprooted, and the increased risk of disease.
 3. Negative impacts that should be anticipated and mitigated include, for rural resettlement, deforestation, overgrazing, soil erosion, sanitation, and pollution; for urban resettlement, projects should address such density-related issues as transportation capacity and access to potable water, sanitation systems, and health facilities.
 4. Experience has shown that local NGOs often provide valuable assistance and ensure viable community participation.
 5. [OP 4.11](#), *Physical Cultural Resources*.
 6. In case some of the displaced persons lose more than 10% of their productive assets or require physical relocation, the plan also covers a socioeconomic survey and income restoration measures.

Annex 6: Summary Outcome of Stakeholder/PAPs Consultation Meetings

The RPF consultant visited Ibadan between 11 and 18 October, 2013. Interactive sessions with the various stakeholders in MDAs were carried out. Some MDA visited include Ministry of Environment and Habitat, Ministry of Works, Ministry of Water Resources, and Ministry of Lands, Housing and Surveys. Stakeholder consultation with CBO's and some individuals living near Eleyele Dam was held on the 14th of October 2013 while a general stakeholder consultation was held on the 18th of October, 2013. The sessions provided insight to the environmental concerns of the state, the issue of flooding and what the different MDAs are doing to curb it, there concerns, among others.

Approaches adopted for the Consultation: All the Deputy Directors in each ministry (in case of the ministry of lands, housing and surveys, the Permanent Secretary was involved), with their Engineers in some cases assembled in an office in the ministry for briefing and interview, with the help of the project Engineer serving as facilitator. At the meeting, our mission was made known to them and from there, interviewer questions were raised one after the other and the respondents replied accordingly. Attendance was taken. In case of the CBO and other respondents living close to the Dam where the flooding occurred, selected individual and groups comprising individual CBOs/NGOs were called on phone for a meeting at the Eleyele Dam on Monday 14th October, 2013. Necessary questions were raised concerning the effect of the 2011 flooding, what they have done and what are their expectations. A larger stakeholder consultation was also carried out on Friday 18th October, 2013 at PentoRise, Awolowo New Bodija Ibadan.

Ministry of Environment and Habitat

Items	Description
Name of Stakeholder (MDA):	Oyo State Ministry of Environment and Habitat
Date:	11/10/2013
Venue:	Oyo State Ministry of Environment and Habitat
Language of Communication:	English/Yoruba
Opening Remarks:	The RPF consultant elaborated on the aims of the assessment;
Stakeholder Remarks:	The major environmental concern/problems in the state include erosion, flooding and solid waste management (refuse disposal) among others. Flooding in Ibadan and in other major towns and villages in the state started since 1957. Since then, the state has experienced 15 major flooding which had led to loss of lives and properties. Various ways have been adopted in tackling the problem which include dredging, channelization, clearing and maintaining the converts and sensitization programme using mass media such as radio and television. More efforts should be made through the project to avoid subsequent flooding.
Queries and Concerns	They observed that there are no edicts and laws guiding social and resettlement issues in the state.

Ministry of Water Resources

Items	Description
Name of Stakeholder (MDA):	Oyo State Ministry of Water Resources
Date:	11/10/2013
Venue:	Oyo State Ministry of Water Resources
Language of Communication:	English /Yoruba
Opening Remarks:	Tpl. Akinwale O.A (Chief Urban Planner, PIU) introduced the project, its aims and proposed intervention measures to be established; The RPF consultant elaborated on the aims of the assessment;
Stakeholder Remarks:	<p>The major environmental problem the state experienced was the issue of flooding. The major flooding the state experienced is that of 2011 and was caused because of</p> <ul style="list-style-type: none"> ▪ The dam spillage. The Dam was constructed in 1942, hence need proper maintenance. ▪ The holding capacity of the dam has been reduced ▪ Most of the wing ways of the dam were not in good order ▪ Siltation ▪ Improper refuse disposal ▪ The intake is not functional – control repair is necessary because of storms ▪ Blockage etc <p>The efforts of the ministry since the flooding in 2011 incidence include the following measures/programme:</p> <ul style="list-style-type: none"> ▪ Inspection of the sites affected at the downstream and upstream ▪ Check the volume of water entering the dam ▪ Check the intake valves/channel but discovered that it was bad. Nothing has been done for now ▪ Putting in jingles on radio and television on the possible impact of flooding
Queries and Concerns	The holding capacity of Eleyele dam has greatly reduced caused by siltation; Intake structures and controls are not functioning; Wing walls/retaining walls in the spillway of Eleyele dam have cracks and not in order. Channel downstream in some areas which is 25m

	has been reduced to 5m; Living trees have fallen reducing the natural flow of water; The Eleleye dam should be desilted.
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Ministry of Works and Transport

Items	Description
Name of Stakeholder (MDA):	Oyo State Ministry of Works and Transport
Date:	11/10/2013
Venue:	Oyo State Ministry of Works and Transport
Language of Communication:	English/Yoruba
Opening Remarks:	Engr. Akanbi T.O (Project Engineer, PIU) introduced the project, its aims and proposed intervention measures to be established; The RPF consultant elaborated on the aims of the assessment;
Stakeholder Remarks:	The major environmental problems in the state include erosion, flooding, and improper disposal of solid waste among others. The flooding that took place in the year 2011 was a great challenge to the state because it came when nobody expected it. The causes of the flooding were categorized into the problem emanating from (a) upstream (b) Dam (c) downstream. The illegal dumping of refuse, encroachment and set back have all contributed to these factors. The channels were too narrow hence leading to back flow and the control valves were not functioning. The following were perceived as the best way to control further occurrences: <ul style="list-style-type: none"> • Drenching • Channelization • Construction of bridges, culverts etc • Protecting the river banks. The ministry asserted that there is capable manpower to handle various projects in the states and supervise them effectively.
Queries and Concerns	The ministry of work has not embarked on any meaningful project to prevent such occurrence in the future for now. Meanwhile all what the proposed are still in paper not yet implemented.

Ministry of Lands Housing and Survey

Items	Description
Name of Stakeholder (MDA):	Oyo State Ministry of Lands Housing and Survey
Date:	11/10/2013
Venue:	Oyo State Ministry of Lands Housing and Survey
Language of Communication:	English /Yoruba
Opening Remarks:	Tpl. Akinwale O.A (Chief Urban Planner, PIU) introduced the project, its aims and proposed intervention measures to be established; The RPF consultant elaborated on the aims of the assessment.
Stakeholder Remarks:	<p>The major environmental problem in the state is that of soil erosion and flooding. Flooding has been occurring in the state for years. It affected both lives and properties. The major ones were that of the Dams in the state. The possible causes of the flooding include improper refuse disposal, illegal occupant of people living very close to the dam, government nonchalant attitude towards maintenance of existing infrastructure etc.</p> <p>Since the occurrence of this problem, the ministry has been paying frequent visit to prevent encroachment. Also, surveying of the area to ascertain the extent the people have moved beyond 200m from the Dam site. As regards the land use, land tenure and land titling and human settlement, the ministry is in charge of acquiring land for any government parastatals whenever the issue arises. Individual has control over their own land acquired through inheritance. But if government is interested in any abandoned land, they will pay compensation to the owner with genuine documentation. Government encourages individual to document their land by collecting certificate of occupancy (CofO). Whenever there is need for any resettlement, the ministry of land will only allocate land for that purpose while other ministries will take over their responsibilities for the development.</p>
Queries and Concerns	Synergy with other line MDAs is low. Each Ministry or agency operate separately;

Consultation with CBO/Individuals

Items	Description
Name of Stakeholder (MDA):	CBO/Individuals
Date:	14/10/2013
Venue:	Eleye Dam
Language of Communication:	English/Yoruba
Opening Remarks:	The RPF Consultant, elaborated on the aims and objectives of the RPF.
Stakeholder Remarks:	<p>They observed that the flooding Displaced so many people, led to Loss of properties – buildings, household materials, livestock etc and that lives were lost.</p> <p>On what they have, Often, there's a man in the community near the Eleyele Dam that normally spend up to ₦300,000 to ₦ 500,000 every year to clear the gutter to avoid blockage. The people living close to the Dam area also preventing other people to dump refuse in the channels.</p> <p>As regards their expectations: As opined by different people, the following are their opinion as regards their expectation as regards the flooding that happened:</p> <ul style="list-style-type: none"> ▪ Using concrete to re-build the walls ▪ Proper channeling of the dredges and gutters with capable contractors handling it ▪ Formal consultation with the stakeholders on how prevent future occurrence through constant meetings ▪ Releasing the dam water at regular intervals ▪ Demarcating the boundaries with wire to prevent people from encroaching ▪ Proper evacuation of the solid waste in Ibadan. ▪ There's need to come up with a people driven policy that will be generally accepted on environmental management. This could be achieved through a bottom up approach. ▪ Collection of solid waste should be done at the household level using different contractors handling different zones or areas. The ideas of allowing residence to dump refuse on a particular place should be discourage. There should be a public private partnership.

General Stakeholder Consultation

Items	Description
Name of Stakeholder (MDA):	General Stakeholders Consultation,
Date:	18/10/2013
Venue:	PentoRise, Awolowo New Bodija Ibadan.
Language of Communication:	English/Yoruba
Opening Remarks:	<p>Mr. Onuoha gave a welcome address and opening remarks;</p> <p>Mr. Diya (DRM Specialist, PIU) introduced the project, its aims and proposed intervention measures to be established;</p> <p>The ESMF consultant elaborated on the aims of the assessment.</p> <p>The RPF Consultant, Dr Chukwuone elaborated on the need for the RPF and the aims and objectives of the RPF</p>
Stakeholder Remarks:	<p><u>Interventions:</u></p> <p><i>Comrade Segun- Center for Constitutional governance and human rights :</i></p> <p>Some rivers were channelized after the 2011 floods; standard drainages were constructed; road constructions follow best practice designs.</p> <p><i>Director of Lands; Ministry of Lands Housing and Survey:</i></p> <p>Shanty buildings/developments have been demolished thereby allowing free flow of storm water and reducing risk tendencies; Demolition exercise around WAEC in Ijokodo were carried out also; Before any road construction the standard is to reinforce drainage structures.</p> <p><i>Mr. Olanrewaju- Ministry of Lands Housing and Survey-</i></p> <p>Demoliton of houses were carried out along flood lains; Most structures along the roads were improved; there have been massive efforts on solid waste Mangement.</p> <p><i>Mrs. Adesina (Environmental specialist, PIU)-</i> Emergency sanitation exercise especially in the Iwo road axis has improved; The restoration bridge in Bodija is laudable; There was dredging of rivers along Ona.</p> <p><i>Engr. Oluseye (Eleyele Resident):</i> Engr Mc Gregor spends about 300,000-500,000 thousand Naira annually to claen drainages near a bridge located IN Eleyele and also help to evacuate waste.</p> <p><i>Mr. Balogun-</i> Training of youths on Environmental issues is on-going.</p>

	<p><i>Surveyor Omotosho, AD Office of the surveyor general- Government has been keen and has made efforts ; Eleyele dam has been visited and mapping has been done; GIS students were engaged to carry out mapping of all streams in Ibadan; Government is willing.</i></p> <p><i>Alh. I.G Yussuf, Child Dev of Concerned Foundation – UNICEF came to the attention of the children</i></p>
<p>Queries and Concerns</p>	<p><i>Engr. Oluseye (Eleyele Resident): Effective channelization from Eleyele dam to the bride should be carried out within the project activities.</i></p> <p><i>Mr. Ariola Lateef (Social Welfare Dept, Ministry of Women Affairs, community dev, social welfare and poverty alleviation)- Land tenure system/law has not given directives to land owners to the setbacks from the roads; There is no law to compel land owner for space for markets, garage</i></p> <p><i>Mr. Oyebamiji, CLPRI- Political instability deterred the rehabilitation of the 3 rivers- Ona, Ogbere and Ogunpa; Enforceable law is a problem; No intervention has been carried out after demolition of houses and moving of individual from the flood plains; there is no enforcement of law on people Constructing is on-going on flood plains; There should be an arrangement to put solid waste into use such as the waste to wealth initiative; Environmental clubs in secondary schools should be trained.</i></p> <p><i>Dr. Adeyeye (Code Africa)- Level of environmental awareness ,attitude and life pattern of the people is not encouraging; A survey of people after the 2011 floods in terms of environmental change reduced from 53% in March to 47% in August 2013.</i></p> <p><i>Mr. Balogun- Environmental education needs to be taken into cognizance to educate the masses/youth on environmental issues.</i></p> <p><i>Owoeye Abiodun, Gada Community – The dredging of Ona River should be carried out as well as the rehabilitation of all bridges.</i></p> <p><i>Alh. I.G Yussuf, Child Dev of Concerned Foundation – Nothings was done in terms of the needs of the children;</i></p>

	<p>SEMA has been written but no support.</p> <p><i>Mr. Segun Adepoju; Coordinator, Centre for constitutional governance and human rights:</i> Landlords and community associations should assist in their own way to construct mini connected drainages; There should be better waste management strategies; There is injustice in displaced areas especially in Oremeji area; The problem of effective implementation should not be affected by lack of political will; mistakes during projects made in the past should guide policy implementation and interpretation.</p> <p><i>Director of Lands; Ministry of Lands Housing and Survey:</i> A careful consideration towards implementing activities in component 1 and 2 should be noted as these are entirely massive projects on its own.</p> <p><i>Bola Omidiji, Coordinator ANWIB-</i> The project should plan for prevention and not for solutions; Early warning systems is important.</p> <p><i>Samuel Okewoye, Executive Director, Community Alliance-</i> There should be a future plan or projection by the government; the Odo-ona elewe river and the bridge needs rehabilitation.</p> <p><i>Zonal Director, NEAREA-Town</i> planning enforcement should be taken seriously by Government; There should be adherence to buffer zone setbacks by citizens; There should be synergy between all MDAs</p> <p><i>Dr. Tayo Ogunsowo, Cardinal Initiatives for Development-</i> Vulnerable groups such as women and children should be extremely considered in all facets of disaster risk reduction; Reduce, Reuse and Recycle of solid waste should be taken into consideration.</p>
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Annex 7: List of Those Consulted in Various Ministries, Department and NGOs/CBOs

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7	Engr. Akanbi T.O	Project Engineer	PMO	08039152280	
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Ministry of Planning and Urban Development 10/10/2013					
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Ministry of Environment and Habitat 10/10/2013					
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	Ogunjimi O.D	Disaster Risk Mgt Specialist	PMO	08066664411	ogunjimidiya@gmail.com
	Engr. Akanbi T.O	Project Engineer	PMO	08039152280	Engr. Akanbi T.O
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Oyo State Waste Management Authority 17/10/2013					
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