

OYO STATE GOVERNMENT



Resettlement Action Plan

For

Reconstruction of Culvert at Isokun, Ojoo and Associated Roads



Prepared by

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Definition of Key Terms

Word/Term	Definition
Asset Inventory	A complete count and description of all property that will be acquired.
Bank	World Bank
Cut - off Date	Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cutoff date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated
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.
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	Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses on the basis of overriding public interest
Market Value	The highest estimated price that a buyer would pay and a seller would accept for an item in an open and competitive market
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 Assistance	The provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable Project Affected Persons 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	Market value of assets plus transaction costs. Depreciation of structures and assets should not be taken into account.
Resettlement Policy Framework (RPF)	An approved national instrument that establishes the principles, procedures, entitlements and eligibility criteria, organizational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for redressing grievances by which the client will abide during the project implementation.
Resettlement Action	The document in which a project sponsor or the responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects,

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Plan (RAP)	compensate losses, and provide development benefits to persons and communities affected by an investment project.
Resettlement	The measures taken to mitigate any and all adverse impacts of the Project on PAPs 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 persons (see definition) The “special assistance” shall 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.) and help to arrange for longer-term social support.
Vulnerable Persons:	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.

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EXECUTIVE SUMMARY

ES 1 Introduction and Background

The Ibadan Urban Flood Management project (IUFMP) is being implemented by Oyo state with the support of the World Bank to help reduce flood risks by improving (i) critical infrastructure, (ii) waste collection and treatment and (iii) flood risk management in the city of Ibadan. The project triggers the World Bank Operational Policy 4.12 on Involuntary Resettlement.

ES 2 RAP Justification

The sub-project activities in components 2 (sub component 2.1) will involve critical infrastructure improvements which includes the construction of a bridge and raised roadway across the valley. Previous screening activities had established that this could adversely affect local populations with potentials for loss of income, shelter and assets. Therefore, the Project Implementing Unit (PIU) has commissioned consultancy services for the preparation of a Resettlement Action Plan as part of the social safeguards requirements

This report outlines the Resettlement Action Plan for the construction of the Isokun Ojoo-Arulogun road culverts and associated roadworks. It describes the identified Project Affected Persons [PAPs]; (ii) establishes criteria and eligibility for compensations; (iii) sets out time bound action steps for the implementation etc. This RAP builds upon a Resettlement Policy Framework (RPF) that was previously prepared to mitigate the resettlement impacts on IUFMP sub-projects.

ES 3 Objectives of RAP

Specifically, the RAP is designed to:

- Identify and assess the human impact of the proposed works at the site as described in Chapter two of this report, and
- Prepare an Action Plan to be implemented in coordination with the civil works in line with World Bank Policy and Nigeria policies and laws.
- Conduct consultations with identified project affected persons (PAPs), based on a census of the affected sites;
- Establish local decision-making bodies who will be part of RAP implementation
- Describe culturally-sensitive and acceptable procedures for managing complaints arising from the resettlement program triggered by project activities;
- Carry out a baseline socio-economic survey of PAPs.
-

ES 4 Project Description

The World Bank is supporting the Government of Nigeria and the Oyo State Government to implement the Ibadan Urban Flood Management Project (IUFMP), in response to the devastating floods of 2011. The Project Development Objective (PDO) is to “improve the

capacity of Oyo State to manage flood risk and to respond effectively and promptly to flooding in the city

Specific project components at a glance are:

Component 1: Flood Risk Identification, Planning and Preparedness

- Sub-Component-1.1: Design of Flood Risk Management Investment Program
- Sub-Component-1.2: Development of an Oyo State Long-Term Flood Resilience Strategy
- Sub-Component-1.3: Establishment of Integrated Flood Early Warning and Response System
- Sub-Component-1.4: Contingency Component

Component 2: Flood Risk Reduction

- Sub-Component 2.1: Priority Infrastructure Improvement
- Sub-Component 2.2: Long-term Integrated Flood Risk Mitigation

Component 3: Project Administration and Management Support

- Sub-component 3.1: Project Administration
- Sub-component 3.2: Project Implementation Support

This intervention of the Ibadan Urban Flood Management Project on the Isokun-Ojoo-Arulogun road involves the following:

- Reconstruction of Isokun Ojoo road culvert to a double cell culvert;
- Reconstruction of 1000m approach
- Reconstruction of 3 roads adjoining the main Ojoo-Arulogun road with total length of 525m
- Construction of 750m lined drain

Table ES 4.1: Summary of Proposed Works

Name of structure	Specifications	Approach road		Adjoining roads			Width of Road
		Main road	Lined drains	Number	Total Length	Drains	
Isokun Ojoo Arulogun road	RC Culvert	1000 M	750M	3	525M	938M	7.3M

ES 5 Impact of Isokun Ojoo Arulogun culvert project

The project will involve temporary land acquisition because the reconstruction works shall be carried out on the RoW of the existing roads and culvert and access to land on the sides of the roads will be cut off during construction. There are potentials for permanent and/or temporary physical or economic displacements which will take place on account of:

- Need to demolish buildings/structures encroaching on the road RoW and floodplain setback

- Temporary business disturbances of less than a month resulting from partial or full blockage of access to business premises while reconstructing the drainages of the approach roads

The actual displacement types identified were in three categories summarized in the table below

Table ES 5.1: Summary of Impacts

Category of PAP	Number	
Category A: Temporary business disruption		
Category A1: PAPs enlisted for business disruption ONLY	6	40
Category A2: PAPs enlisted for dismantling and relocation of shop extensions ONLY	8	
Both A1 and A2	26	
Category B: PAPs impacted by total loss of property/asset/permanent structure encroaching on setback of Bridge	3	
	TOTAL	
	43	

ES6 Census and Socio-economic Survey

All 43 PAPs identified in the census carried out as part of the RAP preparation enlisted for the socio-economic data collection to describe the existing socioeconomic characteristics of the area.

The socioeconomic indicators obtained from analysis of data obtained from the PAPs are summarised below.

Table ES 6.1- PAPs Socioeconomic Characteristics

Socio-Economic Indicator	Details		
Gender	%male	%female	PAPs were mostly female (65%)
	35% (15)	65% (28)	
Marital status	%Married	%Single	PAPs were all married, with family size varying from 2-8. Aside from the children, they mostly had parents and several dependents
	100%		
Religion	PAPs were mostly Christians (80%).		
Occupation	PAPs are mostly (i) petty traders of provisions, food/foodstuff, snacks, drinks and beverages. Others were auto mechanics, welders and technical service providers such as hairdressers, barbers, battery chargers, vulcanizers etc.		
Average income	PAPs earned between N15,000 and N100,000 per month		
	The average income per day was estimated at approximately N2,500/day		

Four (4) persons aged 60 years and above were found in the project area.

ES 7 Census Cut-off Date

At the conclusion of the census, the cut-off date was declared on 28th September 2017, after which no newly arriving persons or families would be eligible for resettlement benefits. The cut-off date was announced publicly in the community.

PAPs expressed preference for cash payments as the means of compensation.

ES 8 Public Participation and Consultation

As a follow up to (i) one-on-one engagements with PAPs and (ii) collaborative work with community leadership, a public meeting/consultative forum was conducted with PAPs and community leaders. The objectives of this forum were to:

- Inform the PAPs and the communities about various options of resettlement and compensation.
- reaffirm the purpose of the RAP to PAPs, especially to assure the PAPs of the commitment of the project to mitigate displacement impacts and in particular to assuage their fears and suspicions that the collection of their biodata and passport photographs were not for some other ulterior motives
- Ensure accurate and transparent resettlement and rehabilitation process for Project affected Persons.
- Announce cut-off-date
- Nominate members for the Community based Resettlement Implementation Committee
- Understand PAPs concerns as well as views on measures to avoid displacement etc.

Participation of PAPs and communities involved the following:

- Reconnaissance/Scoping activities with community leadership
- Inauguration of Resettlement Committee to - amongst other functions - facilitate communication throughout planning and implementation

On the other hand, consultations with PAPs and communities were executed as follows:

- One on One Engagements with PAPs
- Meeting/Consultative forum with PAPs and community leaders

The key concern of PAPs and community leaders was *'How soon will the project begin?'* They were generally anxious for the project to commence without delay. They lamented the eventuality of facing another rainy season without the repair of the bridge and roads. The consultation that began with the preparation of the RAP will continue during RAP implementation and throughout the lifecycle of the project.

ES 9 Applicable Legal, Policy and Regulatory Framework

The legal framework for land acquisition in Nigeria is the Land Use Act of 1978, it is wide and varied, and entitlements for payment of compensation are essentially based on right of ownership. The World 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 or before the cut -off date as indicated. Also, the RAP preparation was in line with the provisions of the Resettlement Policy Framework (RPF) of the IUFMP.

In comparison and bridging the gaps between the requirements under Nigeria Law and the World Bank OP4.12 (Table 6.1), it is emphasized that the higher of the two standards/instruments (*the more beneficial to the project affected persons*) should be followed as it also satisfies the requirements of the lesser standard.

ES 10 VALUATION AND DESCRIPTION OF COMPENSATIONS

Current Market value of assets within the project area was used to determine the compensation rate for affected assets and businesses. This was determined via market prices of the affected structures in the project areas.

Replacement values were based on survey findings on the following current market prices:

- Prices of these items priced in different local markets
- Rent rates per room priced in similar and improved neighbourhoods
- Costs for transportation and delivery of construction materials per trip/day
- Estimates of construction of new structures including labour required.

Full replacement cost methodology was used for compensation values arrived in this RAP. Replacement cost (cost of constructing a substitute structure of equivalent value using current materials, design and standards) has been used in the valuation. PAPs will be allowed to dismantle their structures and reuse them at relocated locations. Rates of cost of labour and transportation allowances have also been built in. The current rates in the market have been used. Compensatory cost for lost income was calculated based on average income of businesses in the area based on the socio-economic survey carried out.

ES 11 RAP Implementation Arrangements and Budget

Cash based assistance is the most preferred of options to PAPs due to its flexibility, simplicity and do-ability. The RAP implementation steps are summarized in the table below.

Table ES 11.1 RAP Implementation Steps

Step 1:	Disclosure
Step 2:	Activation of Implementation Committees
Step 3:	Training
Step 4:	Notification and Agreement with PAPs
Step 5:	Disbursement of compensations

The disclosure of the RAP will be handled internally by the IUFMP social safeguards unit. Implementation activities which includes (i) PAPs verification, notification and agreement processes in collaboration with the IUFMP RAP Implementation Committee]; (ii)training and (iii) documentation and preparation of RAP implementation reports will also be carried out by the IUFMP.

The RAP implementation parties are:

- The PIU: The PIU is the major institution responsible for implementing the RAP. The key officers in charge are the (i) Social safeguards officers/specialists, supported by the (ii) Environmental safeguards officers/specialists, (iii)M&E and (iv) Communication Officers
- The World Bank
- Ministry of Environment
- Community Resettlement Committee (RC)including PAPs
- Project Affected Persons (PAPs)and
- Contractor

The roles and responsibilities of each institution/officer are detailed in Chapter7

The total budget for RAP implementation is Three Million, two hundred and eighty-six thousand, two hundred and fifty naira (N3,286,250).The breakdown of the budget includes (i) One Million, nine hundred and eighty seven thousand five hundred naira(N1,987,500)is for PAPs compensations while (ii) One Million Naira (N1, 000,000) is to be shared between RAP Implementation; and Training/Capacity Building and Enlightenment for RAP. A 10% contingency provision is also included in the budget. (Table ES 11.2 below)

Table ES 11.2 – RAP Budget Summary

S/N	Description	Indicative Costing (N)	Sources of Funds
1	RAP Compensation Payment	N1,965,000	IUFMP
2	Commissioning of Witness NGO	N100,000	
3	Grievance Management	N 100,000	
4	RAP Implementation field activities	N 500,000	IUFMP budget for: (I) E&S consultancy; (II) Stakeholder engagement and communication plans and (III) Beneficiary feedback and Grievance Redress
5	Training/Capacity Building and Enlightenment for RAP Implementation	N 300,000	
	Sub-Total	N 2,965,000	
6	Contingency (10% of sub-total)	N 296, 500	
	Total	N 3,261,500	

ES 12 Grievance redress

The IUFMP operates an elaborate Grievance Redress Mechanism, with committees in every priority project area. Under the RAP, PAPs shall be informed of the process for expressing dissatisfaction and seeking redress prior to the signing of the individual resettlement contracts. Four (4) levels of appeal are provided before going to the law

court, to ensure that complainants can move to a higher level if they are not satisfied with the resolutions suggested. These are:

- | | |
|---------|-------------------------------------|
| Step 1: | Referral to Community GRC Secretary |
| Step 2: | Site GRC Mediation Session |
| Step 3: | Referral to IUFMP Team |
| Step 4: | Oyo State Mediation Centre (OYMC) |

ES 13 Monitoring and Evaluation

Summarily, the monitoring component of this resettlement plan will verify that:

- Actions and commitments for compensation, resettlement, land access, and development in the RAP are implemented fully and on time
- Eligible project affected people receive their full compensation on time, prior to the start of the main project activities on the corridors;
- RAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards;
- Compensation and livelihood investments are achieving sustainable restoration and improvement in the welfare of Project-Affected Persons and communities
- Complaints and grievances are followed up with appropriate corrective action and, where necessary, appropriate corrective actions are taken and if necessary, changes in RAP procedure are made to improve delivery of entitlements to project affected people.
- Vulnerable persons are tracked and assisted as necessary

The key focus areas for M&E are

- (i) Input monitoring,
- (ii) Output/Outcome monitoring and
- (iii) Impact evaluation as enunciated below

A completion audit will be commissioned by the PIU to undertake an evaluation of RAP's physical inputs to ensure and assess whether the outcome of RAP complies with the involuntary resettlement policy of the World Bank. The completion audit should bring to closure PIU's liability for resettlement. The external M&E reports and Witness NGO end-line report will be tied into the completion audit to provide a holistic view of the extent of implementation of this RAP

The manpower for tracking inputs outputs and outcomes of Resettlement Implementation will be sourced from both internal and external sources.

Hands-on Monitoring to Action shall be implemented to identify and dispense high value care to elderly PAPs identified in this RAP. Monitoring shall focus on the following potential vulnerabilities.

- ❖ Special health needs and support during implementation processes.
- ❖ Considering the vulnerable people for unanticipated complications arising from displacement impacts during the construction period.

CHAPTER ONE: INTRODUCTION AND BACKGROUND

1.0 Introduction

This report outlines the Resettlement Action Plan (RAP) for the rehabilitation of the **Isokun Ojoo Arulogun culvert and approach roads**, under the Ibadan Urban Flood Management Project (IUFMP). It identifies Project Affected Persons (PAPs); lays down the criteria for eligibility for compensation and sets out time-bound action steps for implementation of the compensation and other assistance. This RAP builds upon a Resettlement Policy Framework (RPF) that was previously prepared and disclosed for the project.

1.1 Project Background

Oyo State Government is implementing the **Ibadan Urban Flood Management project (IUFMP)** with assistance from the World Bank. The Project Development Objective (PDO) is to “improve the capacity of Oyo State to manage flood risk and to respond effectively and promptly to flooding in the city. This project is financing the improvement of priority flood management infrastructure of Ibadan City, especially those destroyed by August 26, 2011 floods. The Bank's support will help Ibadan reduce flood risks, improve waste collection and treatment, while developing and improving the quality of existing infrastructural assets. The larger goals are to develop a long-term flood risk management framework by initiating risk assessment, community awareness, and providing enough flexibility in the project design to make changes based on learning. Additionally, the project is supporting capacity building for flood risk management in the city of Ibadan and reinforcing early warning and response capabilities. The details of the proposed works in the site are provided in Chapter 2.

Specific project components at a glance are:

Component 1: Flood Risk Identification, Planning and Preparedness

Sub-component-1.1: Design of flood risk management investment program

Sub-component-1.2: Development of an Oyo state long-term flood resilience strategy

Sub-component-1.3: Establishment of integrated flood early warning and response system

Sub-component-1.4: Contingency component

Component 2: Flood Risk Reduction

Sub-component 2.1: Priority infrastructure improvement

Sub-component 2.2: Long-term integrated flood risk mitigation

Component 3: Project Administration and Management Support

Sub-component 3.1: Project administration

Sub-component 3.2: Project implementation support

The Project components are further detailed in Chapter 2.

1.2 The Need for a Resettlement Action Plan for the Proposed Project.

For WB supported projects, any project that causes displacement of any sort must be subjected to the requirements of its Operational Policy, OP 4.12, on Involuntary Resettlement. It is pursuant to this that this RAP was prepared as part of the World Bank's Environmental and Social Safeguard Policies. The proposed project triggers World Bank (WB)' s Operational Policy, OP 4.12 on Involuntary Resettlement in that it requires restrictions of access in areas within the sub project corridor as well as potential damage to encroaching structures.

World Bank's OP 4.12 allows "where impacts on the entire displaced population are minor, or fewer than 200 people, an Abbreviated Resettlement Action Plan (ARAP) may be agreed with the borrower" (OP 4.12, Para. 25). Impacts are considered 'minor' if the affected people are not physically displaced and less than 10% of their productive assets are lost" (OP 4.12, footnote 25). On the other hand, impacts are considered major if the affected people are more than 200 and a full Resettlement Action Plan is prepared.

The Resettlement Policy Framework (RPF) as well as the Scoping and Screening Reports prepared earlier for the project revealed that the magnitude of impacts is minor since less than 200 persons would be affected in the course of work execution. However, given the urban context of the resettlement, a decision to carry out a full RAP was decided.

1.3 The RAP in Relation to other Project -Triggered Safeguard Instruments

Generally, the objective of the World Bank's Environmental and Social Safeguards Policies is to prevent and mitigate undue harm to people and their environment in the development process. These policies provide guidelines for bank and borrower staff in the identification, preparation, and implementation of programs and projects. Safeguard policies have often provided a platform for the participation of stakeholders in project design, and have been an important instrument for building ownership among local populations.

As part of preparatory processes for IUFMP, two national instruments, a *Resettlement Policy Framework (RPF)* and an *Environmental and Social Management Framework (ESMF)* were prepared. The RPF addresses potential adverse social impacts that might stem from resettlement of people affected by the project, whereas the ESMF addresses other possible harmful social and environmental effects of the project. In general, while

- the RPF specifies the contents of the triggers - Abbreviated Resettlement Action Plan (ARAP) or Resettlement Action Plan (RAP) - when land acquisition leads to the temporary or permanent 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 due to project activities

- the ESMF specifies the procedures to be used for preparing, approving and implementing the triggers of the framework namely:

(i) environmental/social assessments (ESAs, or alternately both an SA or an EA) and/or
(ii) environmental/social management plans (ESMPs, or alternately both an EMP and SMP) for individual civil works packages developed for each project.

These 'triggers' help translate the two national framework into specific costed, measurable, and monitor-able actions for specific intervention sites. This RAP identifies the specific impacts in relation to the Project Affected Persons (PAPs) across the different points along the subproject corridor where the proposed works are to be carried out. It identifies the full range of people affected by the proposed work and justifies their displacement after consideration of alternatives that would minimize or avoid displacement as well as suggest adequate measures for the mitigation of such impacts.

1.4 RAP objectives

The fundamental objective of project resettlement action planning is to avoid resettlement issues whenever feasible, or, when resettlement is unavoidable to minimize its extent and to explore all viable alternatives. In project circumstances against land acquisition and involuntary resettlement are unavoidable, resettlement and compensation activities are carried out in a manner that provides sufficient opportunity for the people affected to participate in the planning and implementation of the operation. Further, if incomes are adversely affected, adequate investment is required to give the persons displaced by the project the opportunity to at least restore their income-earning capacity.

Specifically, the RAP is designed to:

- Identify and assess the human impact of the proposed works at the site as described in Chapter two of this report;
- Conduct consultations with identified project affected persons (PAPs), based on a census of the affected sites;
- Prepare an Action Plan to be implemented in coordination with the civil works in line with World Bank Policy and Nigeria policies and laws;
- Establish local decision-making bodies who will be part of RAP implementation; and
- Carry out a baseline socio-economic survey of PAPs and host communities.

1.5 Scope and Task of the RAP

The RAP covers the Isokun, Ojoo Arulogun culverts and approach roads in Ibadan, Oyo State under Sub-component 2.1 (Priority infrastructure improvement) of the IUFMP. It specifically covers area where the main civil works shall take place as is currently captured by the engineering designs. The scope of work for the RAP assignment covers

the following elements/tasks, consistent with the provisions described in OP 4.12, paras. 2, 4 and 6 as presented in the TOR for the RAP;

- A brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a Resettlement Action Plan is required
- Legal analysis and framework, reviewing the Nigerian laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
- Conducting a census and declaring a cutoff date;
- Estimate population displacement and categories of displaced persons, to the extent feasible;
- Eligibility criteria for defining various categories of displaced persons;
- Valuation of affected assets – both natural and built assets – ; Compensation and assistance are to be based on the overall principle that affected people shall not suffer net losses as a result of the project;
- A description of possible mechanisms for transitional costs (such as moving expenses) and for restoring livelihoods where they are adversely affected;
- Organizational procedures for delivery of entitlements, a description of the implementation process, linking resettlement planning and implementation to both civil works and livelihood strategies;
- A description of grievance redress mechanisms that takes into account the need for (a) registration of grievances; (b) prompt and transparent action on grievances; (c) due process; (d) opportunity for appeal; and (e) avoidance of legal proceedings to the extent possible;
- A description of the arrangements for funding resettlement including the preparation and review of cost estimates, the flow of funds, and the contingency arrangements;
- Description of specific roles of all the agencies, public or private, that will be involved in the resettlement program, their respective roles, the budget allocated to each and the legal arrangements to be made;
- A description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- A description of the processes of monitoring, verification and evaluation required for effective implementation of the resettlement process.

1.6 Terms of Reference requirements

This report aligns with the requirements of the Terms of Reference (ToR) for the consultancy, which stipulates the requirements for this RAP in broad strokes as follows:

- Description of the project
- Description of project-attributable impacts on land resources and livelihoods
- Census of Project Affected Persons (PAPs) and affected Assets
- Report on Socio-economic studies

- Legal Framework
- Community Participation
- Grievance procedures
- RAP implementation responsibilities
- Costs and budget
- Monitoring and evaluation procedures

1.7 RAP Principles

This RAP is guided principally by the World Bank's Operation Policy (OP) 4.12 on involuntary resettlement and the project Resettlement Policy Framework. One of the clear requirements of OP 4.12 is to ensure that a Resettlement Action Plan restores the livelihood of Project Affected Persons (PAPs) to their pre-project situation.

Other OP 4.12 guidelines include:

- Avoid involuntary resettlement where feasible, or minimize it by exploring all viable alternative project designs.
- Implement resettlement activities as a sustainable development program providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.
- Conduct meaningful consultation with displaced persons, providing opportunities for them to participate in planning and implementing resettlement programs. PAPs shall be communicated with in the language and form that they understand. Informed participation of PAPs shall be ensured and capacity building for PAPs if required to achieve this standard
- Provide assistance for displaced persons to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher
- Establishment of a pre-resettlement baseline data
- Assistance in relocation must be made available
- A fair and equitable set of compensation options must be negotiated.

Additionally, OP 4.12 on Involuntary Resettlement requires displaced persons to be "(i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices, and provided technically and economically feasible resettlement alternatives."(World Bank, 2008).

The principles guiding eligibility for compensation and assistance as well as entitlements are provided in Chapter 6.

1.8 Survey Approach

The RAP procedure was in line with WB guidelines and the IUFMP Resettlement Policy Framework (RPF). It adopted current best consultation approaches of Participatory Learning and Action (PLA) and benefitted from past experiences in similar World Bank

resettlement plans; as well as made inferences from the WB Sourcebook on Involuntary Resettlement Planning.

Specific survey tasks conducted are:

- Study of thematic maps and engineering design documents
- Review of relevant background documents including
 - Environmental and Social Management Framework
 - Resettlement Policy Framework
 - IUFMP Project Appraisal Document (PAD);
 - IUFMP Project Implementation Manual (PIM)
 - World Bank safeguards policies
 - Intervention design from design reports - Detailed engineering designs and high resolution digital imagery for the site
- Consultations
- Fieldwork; Census, socio-economic data collection
- Valuation of impacts
- Presentations to PIU/management
- Report development

The RAP preparation was carried out in three phases as follows:

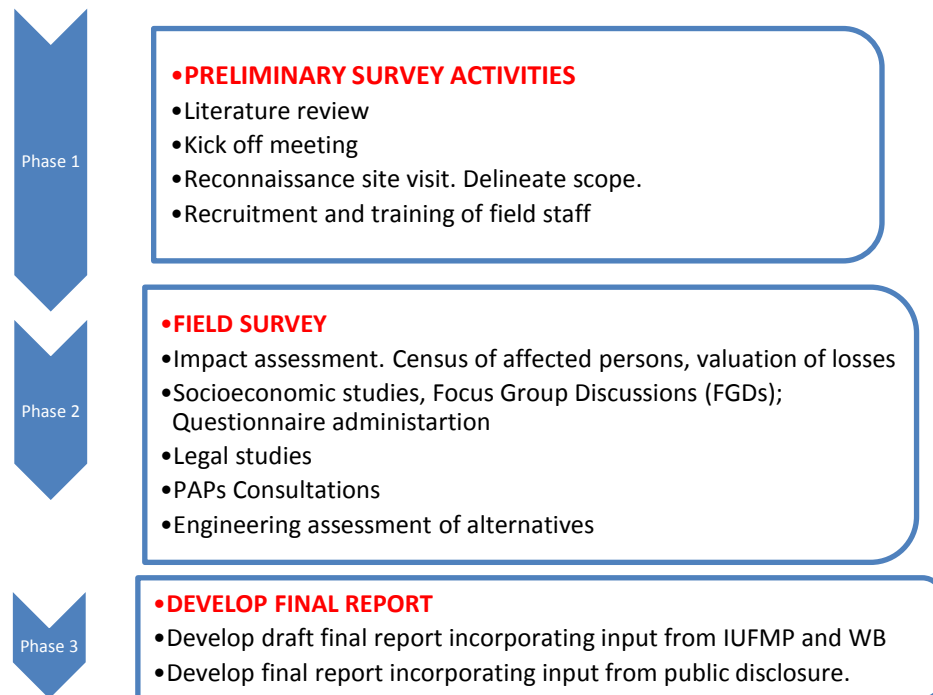


FIG 1.1: RAP PREPARATION PHASES

The summary of the survey activities as linked to the deliverables are provided below in Table 1.1

Table 1.1 - RAP Survey Approach

	RAP Deliverables/ Scope	Technical approach
1.	Provide description of the project.	<ul style="list-style-type: none"> Gathering and review of relevant data. Meetings with engineering and safeguards team
2.	Identify potential impacts. Take inventory of affected assets and census of affected persons	<ul style="list-style-type: none"> Reconnaissance, Team meetings, Engineering consultancy, House to house consultations to conduct census of PAPs and take inventory of affected assets Review of similar previous reports, Import of best practices from similar projects
3.	Conduct socioeconomic studies	<ul style="list-style-type: none"> Review of the existing literature and information relevant for the development of the RAP, including the IUFMP RPF, Beneficiary Feedback and Grievance Redress Mechanism, ESMP and other project documents Recruit and train/orientation of field personnel Scoping/Reconnaissance surveys and visits to potential project sites Consultations with PAPs Questionnaire administration Key-Informant Interview Schedule Focus Group Discussions (FGD) with PAPs Census of affected PAPs
4.	Legal survey	<ul style="list-style-type: none"> Review of RPF and other relevant documents Additional Legal research/studies and consultations on land and urban planning laws in the State, including literature review.
5.	a) Identify agencies responsible for resettlement activities; (b) Assess institutional capacity gaps and measures to enhance capacity.	<ul style="list-style-type: none"> Consultations. Institutional capacity assessment tool
6.	Value Compensation losses	<ul style="list-style-type: none"> Survey of local market prices to identify current market prices of replacement items
7.	Describe Resettlement measures	<ul style="list-style-type: none"> Consultations with PAPs, ensuring that resettlement packages are compatible with the cultural preferences of the PAP, and prepared in consultation with them. Technical expertise input
8.	Describe Grievance procedures	<ul style="list-style-type: none"> Review of IUFMP GRM docs Technical expertise input
9.	Describe Implementation schedule	<ul style="list-style-type: none"> Consultations Technical expertise input
10	Present Costs and budget	
11	Describe arrangements for Monitoring and evaluation	

1.9 RAP Reporting Format

This RAP is concise and includes only significant social/economic and resettlement issues. Essentially, it covers the following relevant Chapters:

- | | |
|---------------|---|
| Chapter One | Introduction and Background |
| Chapter Two | Project Components and Description of Site Intervention |
| Chapter Three | Identified Displacement Pattern |

Chapter Four	Census and Socio-economic survey
Chapter Five	Public Participation and Consultations
Chapter Six	Legal and Policy Environment
Chapter Seven	Compensation Valuation Methodology
Chapter Eight	RAP Implementation Arrangements and Budget
Chapter Nine	Grievance Redress Mechanisms
Chapter Ten	Monitoring and Evaluation

CHAPTER TWO: PROJECT COMPONENTS AND DESCRIPTION OF SITE INTERVENTION

2.0 Introduction

This section outlines the (i) Project components in more detail than provided in Chapter 1; (ii) the site situation inviting the planned intervention; and (iii) the proposed construction works.

2.1 Project Components

The project consists of three main components, summarised below:

COMPONENT 1: FLOOD RISK IDENTIFICATION, PLANNING, AND PREPAREDNESS

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. This component consists of the following four sub-components;

Sub-Component-1.1: Design of Flood Risk Management Investment Program: This sub-component will finance (1) the preparation of a flood risk management investment program building on the three key Master Plans for the city namely; Ibadan's Integrated Flood Risk Management Master Plan, Ibadan's Integrated (2) carrying out feasibility studies and detailed engineering designs and construction supervision services for works to be carried out under component 2 of the project,(3) preparation of emergency preparedness plan for Eleyele Dam as well as ESIA'S and ESMP's.

Sub-Component-1.2: Development of an Oyo State Long-Term Flood Resilience Strategy: This sub-component will support the preparation of a long-term Oyo State Flood Resilience Strategy. This component will build on the institutional analyses carried out by the World Bank during project preparation and will provide recommendations on the policy, regulatory and institutional reforms required so as to clarify the legal and institutional mandates of the various stakeholders and MDAs with regards to flood risk management in the city of Ibadan.

Sub-Component-1.3: Establishment of an Integrated Flood Early Warning and Response System: This sub-component finances:(1) the design and establishment of an Integrated Flood Early Warning and Response System for the city of Ibadan with the aim of providing timely flood alert to communities and ensuring effective government and community response; (2) the procurement and installation of one weather radar and software for development of hydraulic and hydrological modeling (3) community based awareness and disaster risk reduction and preparedness activities by organizing training programs in targeted communities living in high risk areas of Ibadan.

Component- 1.4 Contingency Component: 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 from other components to partially cover emergency response and recovery costs. This component could also be used to channel additional funds should that become available as a result of an eligible emergency. This component will also be used to channel resources from rapid restructuring of the project to finance emergency needs under an Integrated Response Mechanisms.

COMPONENT 2: FLOOD RISK REDUCTION

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: Priority Infrastructure Improvement: This component will finance critical infrastructure improvements in priority secondary and tertiary sub-catchments and will include:

- (i) Restoration works on flood damaged Eleyele Dam for safety.
- (ii) Priority urban drainage infrastructure improvements involving the rehabilitation of priority infrastructure in fourteen (14) identified sites.

Sub-Component 2.2: Long-term Integrated Flood Risk Mitigation: This sub-component will be based on the recommendations of the Integrated Flood Risk Management Master plan (initiated in Sub-Component-1.1), and will finance major rehabilitation and construction of robust infrastructure in targeted project sites.

COMPONENT 3: PROJECT ADMINISTRATION & MANAGEMENT SUPPORT

Sub-component 3.1: Project Administration 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.); and (ii) the hiring of external Financial and Technical Audits which will monitor the project execution periodically and reporting directly to PIU/Steering Committee.

Sub-component 3.2: Project Implementation Support 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

2.2 Site Location and Current Situation

The site area is Isokun, Aroro-Makinde and in close proximity to Ojoo Arulogun in Ibadan, Oyo State (further detailed in Chapter 4). It is located at about 2km from Ojoo, Arulogun

junction (before Gofamint), Arulogun Road in Akinyele Local Government Area of Ibadan metropolis. It lies between x and y coordinates N828917 and E603137.



Figure 3.1: Map showing Isokun, Ojoo Culvert Area

This site was prioritized on account of (i) inadequate and damaged culvert and drainage, with aquatic weeds restricting flow of water. The existing culvert is undersized and severely clogged with debris deposits. There are no protective barriers on both sides of the culvert. The situation was aggravated through several flooding occurrences after the 2011 flood disaster, with clear indications that the capacity of the single cell ring culvert had become inadequate to discharge flood water due to deep gully erosion around the culvert, which threatened the single carriage road and the adjoining area. It also indicated that the drainage also requires reconstruction.



PIC 2.1: Damaged culvert with Inadequate Capacity to discharge flood water

2.3 Proposed Reconstruction Works

The proposed intervention works will entail the demolition of dilapidated culvert, removal of debris from the river bed, construction of a suitable double cell concrete culvert (to replace the damaged one) and rehabilitation of approach roads and drainage structures. The objective of the project is to allow for free flow of water and ease of crossing by both pedestrian and vehicles, and consequently prevent flooding.

The proposed works comprises of:

- a. Construction of 2-Cells (3mx3.5m) reinforced concrete bridge;
- b. Construction of reinforced Concrete (RC) retaining wall with varied height between 1- 4m;
- c. Training of the stream at both up and down stream;
- d. Approach and adjoining roads of approximately 1000M with RC side drains;
- e. Intercepting roads 6m average width with line drain;
- f. Covered/access culvert at junction;
- g. Road markings & warning signs

Specifically, the design includes:

- a. Excavation and stabilization;
- b. Construction of bed and concrete screeding;
- c. Construction of 9” thick reinforced concrete retaining wall. (Abutments);
- d. Construction of deck concrete; and
- e. Construction of Parapet wall

The culvert is to be designed to maximize its capacity without significantly raising the finished roadway level above existing levels (to avoid impeding more extreme flood flows).

The approach road to be rehabilitated is 890M long. The cross section of the proposed road shows the width of the road to be between 6m to 7.3m while the drains will be between 0.75m to 1m.

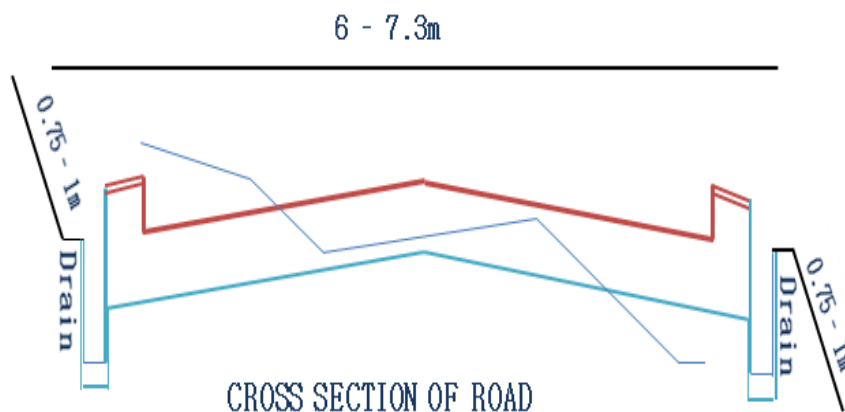


Plate 2.2: Cross Section of Road and Drains

The basic geometric design standards for roads are shown in Table 2.2 below.

Table 2.2: Basic Geometric Design Standards for Roads

Road type	Access road
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Road type	Access road
Normal surface type	Bituminous
Approximate range of traffic levels (vehicles per day)	≥ 500
Carriage way width (metres)	6.0-7.3
Shoulder width (metres)	0-1.0
Cross fall (per cent)	3-5%
Stopping sight distance (metres)	25-85
Overtaking sight distance (metres)	140-240
Minimum horizontal curve radius (metres)	190
Minimum crest curve K values	0-16
Maximum percentage gradient	8-12
Right of Way (RoW) (metres)	≤15.0

Construction activities include:

- Clearing and grubbing of road land
- Dismantling of structures within row
- Preparation of base camp and stacking of material
- Earthwork excavation,
- Embankment preparation,
- Preparation of sub base,
- Preparation of base,
- Preparation of asphaltic surface course
- Construction of culverts,
- Construction of lined and unlined drain,
- Installation of traffic signs for safety of pedestrian and vehicular traffic
- Others

Typical equipment to be used for the project includes but not limited to the following:

- Excavator
- Concrete Mixer
- Dozers
- Motor Grader
- Water Tanker
- Smooth Wheeled Loader
- Vibratory Loader
- Generator
- Tipper
- Tractor-Trolley
- Asphalt Paver
- Bitumen Pressure Distributor
- Cooker
- Air Compressor
- Mechanical Broom
- Portable Mixer for Asphaltic Concrete preparation

2.4 Duration of Civil Works and Implications for Resettlement

The overall project schedule is put at 18 months. However, this does not automatically translate to 18 months of business disruption and restrictions to access. Like every other project, these 18 months includes a preconstruction phase, of usually 2-3 months. Furthermore, there are measures to avoid displacement, such as precise scheduling of works, to ensure that restrictions to access to any one structure is reduced to the minimum i.e. maximum of 2-3 weeks (See Chapter 3)

CHAPTER THREE: IMPACT OF THE ISOKUN OJOO ARULOGUN CULVERT SUB-PROJECT

3.0 Introduction

The World Bank's Safeguard policies emphasizes preference for preventive measures over mitigation or compensatory measures, whenever feasible (Para 2, OP 4.01.). Specifically, the mitigation hierarchy embraces a 4 step process, outlined as follows:

Step I: Anticipate and avoid risks and impacts;

Step II: Where avoidance is not possible, minimize risks and impacts;

Step III: Once risks and impacts have been minimized, mitigate; and

Step IV: Where residual risks or impacts remain, compensate for or offset, as appropriate.

Similarly, it is a clearly stated objective of OP 4.12 to avoid involuntary resettlement where feasible, or minimize it by exploring all viable alternative project designs. In the course of the safeguards studies carried out for this site, both positive and negative dimensions of project-attributable impacts were identified. A detailed impact analysis is useful for the purpose of optimising project benefits and reducing harmful impacts of interventions.

The identified impacts are highlighted in the next section.

3.1 Impacts of Civil Works at project location

3.1.1 Positive/Beneficial Impacts

Stakeholders and experts jointly determined that the proposed construction works would provide enormous benefits to the immediate social and biophysical environment in the following ways;

- Reduced vulnerability of neighbouring communities and resident households to flooding hazards;
- Increased resilience of communities at risk of flooding, and the preservation of assets of households and businesses against flood risk;
- Propagation of vegetal cover and Restoration of flora habitat;
- Soil stabilization and regeneration;
- Employment of local labour for site clearing and construction activities;
- Reduced mortality and morbidity from water related diseases;
- Diversification of livelihood, increased productivity and creation of post-construction economic opportunities;

- .Reduction in household expenditure on impacts and losses induced by flood hazards

3.1.2 Negative Impacts

It is anticipated that Project activities will lead to unintended negative consequences which need to be mitigated proactively. They include;

- Damage to buildings and building extensions encroaching the RoW of the road.
- Blockage of access for both social and economic interactions within the project influence area.
- Influx of additional population resulting in increased pressure on accommodation and rent.
- Damage to existing underground public utility cables and pipes and disruption of services
- Traffic congestion and increased risk of road traffic accidents and injuries
- Risk of occupational accidents, injuries and diseases
- Increase risk of communicable diseases i.e HIV/AIDS and other STDs arising from the interactions amongst the workforce and the host community
- Increased burden on local health services and competition for public service provision
- Risk of social conflict and increase illicit behaviour and crime due to labour influx

Mitigation measures to address these potential negative social impacts are contained in a stand-alone Environmental and Social Management Plan (ESMP) prepared for this sub project. However the impacts related to loss of land, access to land and associated livelihood impacts which are covered in OP 4.12 are addressed through this Resettlement Action Plan (RAP).

3.2 Measures to avoid and minimize displacement

In keeping with the principle of optimizing opportunities for avoiding and minimizing impacts, measures to avoid physical displacement and minimizing economic displacement have been considered in developing this Resettlement Action Plan.

3.2.1 Physical Displacement

The project will involve temporary land acquisition because the reconstruction works shall be carried out on the RoW of the existing roads and culvert and encroaching structures will have to be removed to pave way for planned works. Consequently, there are potentials for permanent and/or temporary physical displacements.

However, despite that fact, additional measures to avoid other forms of physical displacement are:

- Alignments and technical designs shall be altered as much as possible to avoid displacement during the setting out of work areas by contractors
- Appropriate technology, such as the requirement for use of light equipment and manual labour, shall be applied to reduce impact on structures through vibrations
- The required quarry materials for the project shall be taken from existing quarries nearby to completely remove the need to acquire land for such purpose

3.2.2 Economic Displacement

Most of the impacted persons as described in this RAP were identified for economic losses related to disruption of their means of livelihoods as a consequence of construction activities to be carried out on the road corridor. However, beyond measures identified as offsets for the economic impacts of construction, measures to minimize the impacts are required to protect the PAPs.

The minimization measures are;

- Roads and drainage construction shall be scheduled in such a manner as to reduce disturbances to access to business customers
- Provision of alternative route to (i) pedestrian and motor cycle bridge and (ii) alternative roads for vehicles in the course of construction of approach roads, side drains and others in accordance with schedule in related sections of the ESMP report.
- Pre-construction street meetings and adequate notification shall be held to allow PAPs to make individual and communal self-help arrangements
- Hands on social monitoring and supervision shall be carried out as provided in ESMP/ESIA
- Contractors shall be required to source local labour in Ibadan, particularly artisans who have requisite skills that might be required for construction works to reduce land requirement for workers camp.

3.3 Identified Displacement Pattern

As previously stated, the project will not involve land acquisition because the reconstruction works shall be carried out on the existing project RoW. However, there are potentials for permanent and/or temporary physical and economical displacements to take place on account of:

- Need to demolish buildings/structures encroaching on the road RoW and floodplain setback

- Temporary business disturbances of less than a month resulting from partial or full blockage of access to business premises while reconstructing the drainages of the approach roads
- Damage to structures (e.g. fences) adjacent to the drains from vibration of heavy equipment

3.4 Summary of Identified Impacts

Forty-three (43) PAPs were identified. These include 40 PAPs in Category A (PAPs enlisted for business disruption as a result of restricted access and only 3 PAP in Category B (PAPs to lose physical property). Kindly see Table 3.1 below.

Table 3.1 – Identified PAPs

Category of PAP	Number	
Category A: Temporary business disruption		
Category A1: PAPs enlisted for business disruption ONLY	6	40
Category A2: PAPs enlisted for dismantling and relocation of shop extensions ONLY	8	
Both A1 and A2	26	
Category B: PAPs impacted by total loss of property/asset/permanent structure encroaching on setback of Bridge	3	
	<i>TOTAL</i>	
	43	

Category A PAPs: Temporary and partial business disruption

This category is further differentiated into 2 overlapping sub-categories. These are:

Cat. A[1] PAPs, which include all the 6 PAPs in Cat. A, who shall be impacted on account of denial of access to customers ONLY and

Cat. A[2] PAPs, which include 8 PAPs (4 PAPs in Isokun street and 4 PAPs on Ojoo-Arulogun roadside) who are enlisted to suffer loss of business capital for dismantling and moving shop extensions and temporary structures/business premises ONLY

A total of 26 PAPs also fall into the two sub-categories.

Category B PAPs: Three (3) PAPs are listed in this category for loss of Physical property/assets and associated income. This includes a car wash and 2 artisans shed encroaching on the setback of the river.

3.4.1 Site Specific Impact Considerations

The site-specific considerations accounting for the number and types of PAPs identified are as follows;

- Temporary restriction of access to customers as a result of reconstruction of drains will occur on both Ojoo-Arulogun Road and Isokun Streets.
- Based upon the 7.3 standard road width, the Ojoo-Arulogun road is quite wide and the alignment of the existing drainage leaves sufficient space to the roadside structures. Therefore, there is little or no risk for construction

activities to damage roadside structures on the Ojoo-Arulogun road. But the situation is not the same for the Isokun alternative route, which would require that many house/shop extensions and temporary business structures be dismantled/demolished.

- Impacts on PAPs on account of blockage of Ojoo-Arulogun road may be minor, as long as the Isokun road bypass/alternative route and the proposed alternative motorcycle and pedestrian bridges are put in place before blocking the bridge. Additionally, the limited level of commercialization and types of low income roadside businesses in the area indicate that there are no PAPs whose deliveries (in and out) depend upon haulage trucks.
- PAPs losing full property and assets in form of permanent structures encroaching within setback of the bridge include the car wash and 2 artisan shops to be displaced, which falls within 15m setback (the minimum setback set for rivers in Ibadan by the State government [Table 3.2])

Table 3.2: Approved setbacks for major rivers in the Ibadan metropolitan area

River Name	Setback (m)
Odo- Ona Elewe	15
Adamo	15
Alalubosa	15
Sango	15/45
Oluyole	15.5
Kudeti	30.5
Orogun	30.5
Onire	30.5
Gbaremu	30.5
Alaro	30.5
Ogbere	30.5
Gege	30.5
Ogunpa	45
Odo-Ona	45
Ona-Ara	45.7
Others	15

Source: Oyo State of Nigeria, 2005

CHAPTER FOUR: CENSUS AND SOCIO-ECONOMIC SURVEY

4.0 Requirement for Socio-Economic Survey

The socio-economic indicators required for the determination of socio-economic characteristics of the project area was obtained through a socioeconomic survey of PAPs along the sub project corridor with a view to understanding the socioeconomic basis of the impacts and required measures for mitigation.

The primary objectives of the socio-economic survey include:

- To inform the affected population about the proposed intervention work;
- To announce the cut-off-date for capturing those affected by the proposed project who are along the zone of impact;
- To obtain feedback from the affected population about the Intervention work;
- To establish the social profile of the affected population along the project corridor;
- To record/update the base line situation of all affected people;
- To identify the affected households and individuals;
- To identify vulnerable individuals or groups;
- To record all affected assets and impacts within the ROW

4.1 Project Socioeconomic Influence Area

The site area is Isokun, Aroro-Makinde and in close proximity to Ojoo Arulogun in Ibadan, Oyo State. As described in Chapter 2, the site is located at about 2km from Ojoo, Arulogun junction (before Gofamint), Arulogun Road in Akinyele Local Government Area of Ibadan metropolis. It lies between x and y coordinates N828917 and E603137.

Oyo state is located in the south-western part of Nigeria, within the approximate longitude 3°5' to 4°36' East of the Greenwich Meridian, and latitude 7°23' to 7°55' north of the Equator. This city is about 145 km north of Lagos. It has an aerial extent of over 30, 080 km² with the metropolis covering more than 250 km² of the total area. The 2006 census put the total population of Ibadan at 2,550,593 while the average population density was 828 persons per km².

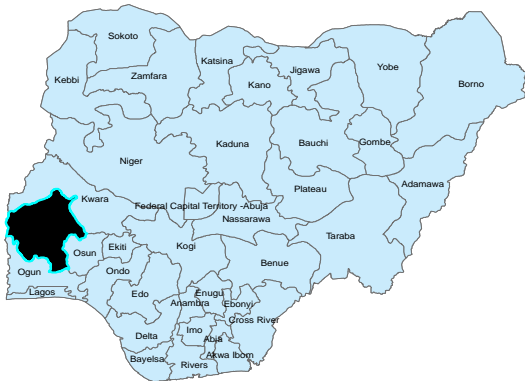


Figure 4.1: Map of Nigeria showing Oyo State



Figure 4.2 Map showing Isokun Ojoo culvert area

Ibadan is located at a strategic location on the operational railway route in the Southern region connecting Lagos to Kano in the North of Nigeria. It is a major trade stop for traders who 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

Ibadan is made up of 11 Local Government Areas (LGAs). These are:

- Akinyele LGA
- Lagelu LGA
- Ibadan North LGA
- Ibadan North West LG
- Ibadan South West LC
- Ibadan South East LG
- Ibadan North East LG,
- Egbeda LGA
- Ona-Ara LGA
- Oluyole LGA



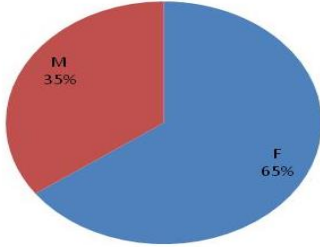
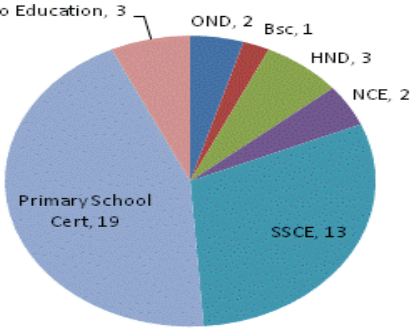
Figure 4. 2: Map of Oyo State showing Ibadan LGAs

The total land area of the 11 Local Government Area (LGAs) of the Ibadan metropolitan area is 3.123km² out of which about 15% falls in urban Ibadan while the remaining 85% is in rural Ibadan. Akinyele Local Government Area occupies 464.89 km² of urban Ibadan.

4.2 PAP Types and Socioeconomic Characteristics

A total of 43 PAPs were identified (section 3). These PAPs were mainly individual business vendors. They will be mainly affected by disturbances to their businesses due to restrictions of access to customers as a result of the construction works. The socioeconomic aspects of these PAPs are profiled below.

Table 4.1- PAPs Socioeconomic Characteristics

Social Aspect	Details		
Gender	%male	%female	28 out of the 43 PAPs were female (65%) 
	35% (15)	65% (28)	
Age	The age of PAPs ranged from 20 to 60. They are all within productive working age.		
Marital status	%Married	%Single	PAPs were all married, with family size varying from 2-8. Aside from the children, they mostly had parents and several dependents
	100% (43)		
Religion	PAPs were mostly Christians (80%).		
Education	8 out of the 43 PAPs had tertiary education, while 13 had SSCE. 19 of the PAPs had primary education, while the remaining 3 had no institutional education.		
Occupation	PAPs are mostly (i) petty traders of provisions, food/foodstuff, snacks, drinks and beverages. Others were auto mechanics, welders and technical service providers such as hairdressers, barbers, battery chargers, vulcanizers etc.		
Average income	PAPs earned between N15,000 and N100,000 per month		
	The average income per day was estimated at approximately N2,500/day		

4.3 Cut-Off Date

The Census cut-off date refers to the date after which PAPs will NOT be considered eligible for compensation, i.e. they are not included in the PAPs register. The purpose of the cut-off date is to prevent speculation and rent-seeking. This is especially more so bearing in mind the time period between the cut-off date and the time that the actual productive investments would start, and that only after PAPs have been compensated according to the requirements of this RAP. Nevertheless, if works are not initiated two years or more elapsed after declaration of a cut-off date, an updated census and evaluation of properties/assets must be carried out.

At the conclusion of the census, the cut-off date was declared on 28th September 2017, after which no newly arriving persons or families will be eligible for resettlement benefits. The cut-off date was announced and made known through appropriate traditional means of reaching-out during the community awareness campaigns at site level and through the local government. In addition, improvements to housing etc. made after the date will not be eligible for compensation (repairs, such as fixing a leaky roof, are permissible).

4.4 Choice of assistance

Cash based assistance was the most preferred by the PAPs. For all the PAPs, the idea of compensating them for hardships and losses resulting from construction was foreign and unbelievable. However, with further probing, the only form of compensation they suggested was financial. Being mostly traders, they suggested that compensation will be used to increase their buying power as well as overall market as well as to tide them over the period when sales will be affected.

Cash compensations combined with additional training on financial management and decision making were found to be adequate, when compared with other forms of livelihood security and strengthening measures. Its advantages include its flexibility, simplicity and do-ability: Other livelihood strengthening measures would require deliberate program development, which will not only complicate, but compete, distract as well as drag the principal purposes for which the IUFMP is to serve. Such programs may not be easily brought to closure in the time frame provided for the project

4.5 Identified Vulnerable Persons

Under the context of Resettlement Action Planning, vulnerable persons are defined as people who are - by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status - 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.

There were no PAPs that were identified to be disproportionately disadvantaged in enjoying the full benefits of the RAP on account of gender, education, health or age.

However, there were three (3) PAPs around 60 years and above. These PAPs were found to be still actively engaged in their businesses; as none of them admitted to being disabled by health or age. However, adequate provisions shall be made to give these aged PAPs first priorities and other assistance – as required - during the implementation of the RAP

CHAPTER FIVE: CONSULTATIONS AND PARTICIPATION

5.0 Introduction

In line with OP 4.12 and international best practices, the preparation of this RAP involved abundant public consultations and collaboration with relevant agencies, particularly the IUFMP

5.1 Consultation with IUFMP and Relevant State Agencies

The RAP inception meeting took place with the IUFMP PIU on 08/06/2017 to discuss about the project. This meeting involved the IUFMP PC, safeguards officers and consultants, engineering consultant, community mobilization, communication and M&E officers as well as representatives from the Ministry of Lands.



Plate 5.1: Inception meeting with IUFMP

This was basically a planning meeting, whereby community and site based activities were planned and scheduled. Thereafter, specific members of the IUFMP such as the social safeguards officer and consultant as well as engineers were engaged in work sessions in order to achieve full alignment of the job assumptions as well as to collect relevant instructive documents.

5.2 Public Consultations

Public consultation and participations are essential because they afford PAPs and the general public the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts. The more direct involvement of the local level people in the planning and management processes, the greater the likelihood that resource use and protection problems will be solved as well as the likelihood of development opportunities occurring in a balanced way and to the broad benefit of all communities in the project.

The Public Consultation process for the project began during the early stage of reconnaissance survey. This has further been enriched through interactions and consultation with the relevant stakeholders in the course of the preparation of this RAP.

5.2.1 Objective of Public Consultations

Providing adequate information to affected communities and stakeholders reduces the potential for conflicts, minimizes the risk of project on communities and enable resettlement and compensation a comprehensive development program. Previous to the public consultations conducted during the RAP, the IUFMP had conducted a sensitization campaign in affected communities aimed at:

- Informing stakeholders of the project activities and providing adequate information on the project, its components and upcoming activities, including the RAP.
- Establishing grievance and effective complaints mechanism on the project.
- Obtaining vital information about the needs and priorities of affected settlements.
- Obtaining cooperation and support of the project affected persons

The stakeholders¹ enlisted, identified and consulted for the purpose of this sensitization campaign included political leaders in the relevant local government areas, community heads, other opinion leaders in the communities, individual people who own properties that are directly or indirectly affected, special interest groups such as CBOs, etc.

The objectives of the public consultations during the RAP were to:

- Inform the PAPs and the communities about various options of resettlement and compensation.
- Ensure accurate and transparent resettlement and rehabilitation process for Project affected Persons.

5.2.2 Consultation Strategies

The process of resettlement and public participation includes both information exchange (dissemination and consultation), and collaborative forms of decision making. Information dissemination and consultation with stakeholders, especially the Project Affected Persons (PAPs) means transfer of information from Project proponents to the affected population. It provides an opportunity for all the communities in the areas to raise issues and concerns pertaining to the project, and allow the identification of alternatives and recommendations.

¹Stakeholders for the purpose of this project are 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.

Specific objectives of the public information campaign and public consultation include: fully share information about the ongoing project, its components and its activities, with affected people, obtain information about the needs of the affected people, and their reactions towards proposed activities, ensure transparency in all activities related to land acquisition and compensation payments and ask local residents especially the interested and Affected Parties about the problems anticipated with the project and how these can be overcome.

The consultation process ensured that all those identified as stakeholders, especially the project affected persons were consulted. One-to-one meetings was used during the census survey of the socio-economic activities along the corridors in addition to the other meetings held at residences of community head to interact with the opinion leaders

5.2.3 Report on Consultation Activities

Participation of PAPs and communities involved the following:

- Reconnaissance/Scoping activities with community leadership
- Inauguration of Resettlement Committee to - amongst other functions - facilitate communication throughout planning and implementation

On the other hand, consultations with PAPs and communities were executed as follows:

- One on One Engagements with PAPs
- Meeting/Consultative forum with PAPs and community leaders

Details are provided below.

5.2.3.1 Reconnaissance/Scoping activities with Community Leadership

Preliminary reconnaissance/scoping activities were implemented at two levels. The first scoping mission involved a combined team of consultants, community leadership and IUFMP Social Safeguards Officers. This involved visits to the proposed bridges and roads, and walking through the approach road. This first scoping mission afforded the IUFMP officers the opportunity to introduce the RAP consultants and inform the community leadership about the commencement of the activity.

The second scoping mission involved the consultants and selected leaders. The team inspected the potential affected structures during these visits to the proposed bridges and roads, and walking through the approach road. This activity also created awareness that the fieldwork for the preparation of the Resettlement Action Plan had commenced, and the community leaders were encouraged to further share the information.



PIC 5.2: Engagement with Community Leaders during Reconnaissance

5.2.3.2 One on One Engagement with PAPs

An interview guide (Annexure 1B) was used for in-depth exploration of the concerns, anxieties and preferred compensation packages of PAPs. The individual engagement provided the opportunity to ensure that all PAPs were fully represented (women and vulnerable groups inclusive). Each of the PAPs were engaged individually. These provided an opportunity for women to speak freely thus removing the barriers to meaningful participation of women in public discussions held in the presence of men.

5.2.3.3 Meeting/Consultative forum with PAPs and community leaders

PAPs were invited to a meeting alongside community leaders that had been supporting the IUFMP project. Details of the consultative forum with the community leadership and the PAPs are provided below.

Date of Consultation	14 th November, 2017
Language of Consultation	English and Yoruba
Venue	Open space before bridge arranged for event
Participants	RAP Consultants, IUFMP Social Safeguards Team – Social Safeguards Specialist, Social Safeguards Consultant, Community Mobilization Officer, Community leaders, Project Affected Persons

The meeting was held as a follow-up to initial consultation approaches carried out and described in sections 5.2.3.1 and 5.2.3.2 served the following purposes

1. It provided a forum to reaffirm the purpose of the RAP to PAPs, especially to assure them that of the commitment of the project to deliver compensations for displacement impacts
2. It served as a forum to assuage the fears and suspicions that the collection of their biodata and passport photographs were not for some other ulterior motives.

3. It provided a means for announcing the established cut-off-date and also reiterate the fact that speculative investments into the proposed work areas after the established date are ineligible for compensation under the RAP due to the applicability of compensation entitlements to PAPs found in the project area on and before the cut-off date **only**. The forum provided ample opportunity for the inauguration of Resettlement Committee to - amongst other functions (i) facilitate communication throughout planning and implementation (ii) help mobilize and notify PAPs on any upcoming developments (iii) assisting with Monitoring and Evaluation (M&E) of the RAP implementation.

Clarifications were made that the assignment of the Resettlement Implementation Committee would not attract salaries or other pecuniary rewards, although expenses incurred would be reimbursed. PAPs volunteering for this service were advised to be sure that they have the time and commitment to serve. As well, the inclusion of women and minority ethnic groups in the committee was registered as desirable.

Photographic evidences capturing this activity are presented in Annex 4, while the Attendance list is in Annex 5.

5.3 Findings from Public consultations.

The summary of stakeholder concerns and anxieties are provided in Table 5.1 below

Table 5.1 – Summary of Stakeholder Views, Concerns and Anxieties

Stakeholder views/concerns	How they were addressed	Remarks
There have been too many meetings in the preparation of the project	There is a process to be followed before the contract for the works can be initiated. This includes the assessment of the potential risks and likely impacts of project activities. This process requires that the concerns of project beneficiaries are studied and included in the project design considerations. The likely impacts of projects also require that proper measures and safeguard instruments should be put in place. One of such is the preparation of a Resettlement Action Plan.	The stakeholders accepted the explanations and pleaded with the government to fast track action
Will we truly receive the compensation from the Oyo State Government?	Adequate assurances were provided that each of the PAPS will receive compensation before the commencement of civil works. PAPs were educated on the project guidelines on environmental and social safeguards. Conditions for eligibility as well as PAPs rights and the cut-off-date were provided as well.	PAPs were reassured
What will be the criteria for determining the eligibility of persons for compensation	Insights were provided into the criteria that determine why some potentially affected persons are differentially affected and	Explanations provided pleased the community.

Stakeholder views/concerns	How they were addressed	Remarks
payments	compensated. For instance, a mobile food vendor may enjoy better sales during the project while a food canteen owner in a permanent structure may suffer net loss as a result of restricted access to customers. Land acquisition is not envisaged since the work will be carried out within the existing RoW. Other examples stated included such typical businesses as vulcanizing, block industry, welding, carpentry, distributors etc. may be more affected than others The centrality of a Grievance redress mechanism to address complaints was explained	The meeting was used as an opportunity for community members to nominate and volunteer for the Community based Grievance Redress Committee
To reduce economic disturbances during road construction, will the project provide alternative routes before blocking the current access?	The RAP visiting team took note of this concern and explained that alternative routes would be provided.	Stakeholders were satisfied with the response

5.4 Public Disclosure of RAP

IUFMP will publicly disclose this RAP, in English and in local language, where need be and make copies available and distribute with a letter accompanied to local government authorities concerned. This could be done by: (a) publishing it on the project’s website; (b) depositing/posting it in a range of publicly accessible places such as, Traditional Heads’palaces and community squares where they could be protected and not abused. In addition, IUFMP will ensure that the affected public is adequately sensitized through public meetings, notices, and handbills/information booklets. Once this RAP is disclosed, the public have to be notified both through administrative structures and informal structures about the availability of the RAP documents and also be requested to make their suggestions and comments. The complete approved RAP will be made available in easily accessible locations in or near the affected areas. Once disclosed in Nigeria, IUFMP will authorize the WB to disclose on its external website.

5.5 Consultation Strategy during RAP implementation processes

Consultation is an ongoing process. The consultation that began as part of preparation of this RAP will continue throughout the implementation of the RAP as well as throughout the duration of the project.

CHAPTER SIX: LEGAL AND POLICY ENVIRONMENT

6.0 Introduction: Legislative Provisions

This Chapter provides a brief review of the applicable local laws, regulations, policies and procedures on land acquisition and resettlement. Essentially, here, consideration is given to the Nigeria’s Land Use Act (LUA) of 1978 and the World Bank Policy on involuntary resettlement OP4.12 as the main instrument guiding the entire process.

In understanding the existing legal framework, reference should be made to the national instrument Resettlement Policy Framework. Adequate attention was given to the relevant legal instruments (Legal Basis for Land Acquisition and Resettlement in Nigeria and World Bank Policy on Involuntary Resettlement (OP.4.12)).

6.1 Nigeria Land Use Act and Bank OP4.12 – A Comparison

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 or before the cut -off date as indicated.

Based on this comparison, entitlement matrix presented in this RAP is designed to assist the process by bridging the gaps between requirements under Nigeria Law and the World Bank OP4.12.

In comparison and bridging the gaps between the requirements under Nigeria Law and the World Bank OP4.12 (Table 6.1), it is emphasized that the higher of the two standards/instruments (*the more beneficial to the project affected persons*) should be followed as it also satisfies the requirements of the lesser standard.

Table 6.1: Comparison of Nigerian Legislation and World Bank Resettlement Policy

Category	Nigerian Law	World Bank OP4.12	Measures to Filling the Gaps
Minimization of resettlement	No requirement to consider all options of project design in order to minimize the need for resettlement or displacement	Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs	Design of footprints of project-related activities, particularly commercial farmland, will be undertaken so as to minimize resettlement.
Information and Consultation	It’s lawful to revoke or acquire land by the governor after issuance of notice. No consultation is required.	PAPs are required to be meaningfully consulted and participate in the resettlement process	PAPs shall be meaningfully consulted and engaged in the resettlement process
Timing of Compensation	The law is silent on timing of payment	Compensation implementation to take precedence before construction or displacement	Compensation and resettlement implementation to take place before construction or displacement
Livelihood restoration	Makes no proscription on livelihood restoration measures	Requires that vulnerable PAPs be rehabilitated	Livelihood restoration measures will be put in place for vulnerable PAPs

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Grievance Process	The land use and allocation committee appointed by the Governor is vexed with all disputes/grievances and compensation matters	Requires that a grievance redress mechanism be set early constituting the representative of PAPs and, prefers local redress mechanism. The law court is the last resort when available mechanism or outcome is unsatisfactory to PAP	A grievance redress committee (GRC) shall be established early and existing local redress process shall be considered to address issues of project-induced grievances. PAPs or their representatives shall be members of the GRC.
Owners of economic trees and crops	Compensation for an amount equal to the value as prescribed by the appropriate officer of the government	Compensation for the market value of the yield plus the cost of nursery to maturity (for economic tree) and labour	Compensation for the market value of the yield plus the cost of nursery to maturity (for economic tree) and labour
Community land with customary right	Compensation in cash to the community, chief or leader of the community for the benefit of the community	Land for land compensation or any other in-kind compensation agreed to with the community	Land for land compensation or any other in-kind compensation agreed to with the community
Agricultural land	Entitled to alternative agricultural land	Land for land compensation	Land for land compensation
Fallow land	No compensation	Land for land compensation subject to land holding right	Land for land compensation subject to land holding right
Statutory and customary right Land Owners	Cash compensation equal to the rent paid by the occupier during the year in which the right of occupancy was revoked	Recommends land-for-land compensation or other form of compensation at full replacement cost.	Recommends land-for-land compensation or other form of compensation at full replacement cost.
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.	Are entitled to some form of compensation whatever the legal recognition of their occupancy.
Squatters and settlers and migrants	Not entitled to compensation for land, but entitled to compensation for crops.	Are to be provided resettlement assistance in addition to compensation for affected assets; but no compensation for land	Are to be provided resettlement assistance in addition to compensation for affected assets; but no compensation for land
Owners of "Non-permanent" Buildings	Cash compensation based on market value of the building (that means depreciation is allowed)	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Owners of "Permanent" buildings, installations	Resettlement in any other place by way of reasonable alternative accommodation or Cash Compensation based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.

6.2 Entitlement Matrix for Various Categories of PAPs

Based on the comparison between Land Law (Land Use Act) of the Federal Republic of Nigeria and The World Bank OP4.12, an entitlement matrix has been designed as shown in Table 6.2 of this RAP and bridges the gaps between the requirements under Nigeria Law and the World Bank OP4.12,

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 PIU
	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 PIU
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 2 weeks to 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 PIU

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 PIU
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6.3 Eligibility Criteria

There are three basic categories of eligibility for resettlement benefits:

- (i) Persons holding legal title (or the equivalent in customary-law) to the land they occupy or use to derive their livelihood. This shall be entitled to receive compensation for their assets at replacement value.
- (ii) Persons lacking title but with legal rights that can be ratified by recognized legal process, e.g. heirs to an estate.
- (iii) Persons with no legal or legitimate claim to the land they occupy or use.

Those having **legitimate rights** shall receive assistance to regularize their status and shall be treated just as those having legal rights.

Persons having no legal rights to land under law may not be compensated for the land they occupy but they are entitled to compensation for other assets (e.g. housing) and to receive assistance. In practice, this may mean that squatters and other non-legal occupants receive the same entitlement as those having legal rights.

Where cash compensation is used for very poor people, it is strongly recommended that supervision be provided so that such compensation is not used for consumption or other unsustainable expenditures. The census carried out has enabled the identification of those affected and eligible for assistance and the nature of assistance.

The **entitlements**, as the case may be consist of replacement housing, replacement land, building lots, or cash compensation. Under Bank Policy, cash compensation (for expropriated land) is only appropriate when there is an active market in land or housing and where such assets are actually available for purchase.

Communal rights to land and other assets are recognized. Clans, lineages and other community property will be subjected to the same procedures as for privately held land. In such cases, traditional law may be taken into account.

Tenants may be granted resettlement entitlements along with owners or they may be given a subsidy to find a new rental property. Entitlements shall include transitional support such as moving expenses, assistance with food and childcare during a move and other needed support.

All PAPs irrespective of their status, 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 project area before the cut-off date.

All persons residing, conducting activities or earning income within the project affected areas at the cut-off date, which is the last day of inventory of loss will be entitled to compensation and resettlement assistance. To determine their eligibility, PAPs are classified as follows:

- Person who have formal right to land (including customary and traditional rights recognized under Nigerian law;
-
- Persons with temporary or leased rights to use land; and
- Persons who do not have formal legal right to lands or other assets at the time of the census, but who have claim to such legal rights by virtue of occupation or use of those assets.
- Businesses within the community

Those who do not have the legal title to land but reside in the affected area before the cut-off-date will be compensated for properties such as houses and other investment on the land, but will not be compensated for the land. The eligibility criteria for compensation are outlined in Table 6.3.

Table 6.3: Eligibility Criteria for Compensation

PAP Classification	Eligible for		
	Compensation	No Compensation	Assistance
Those with legal right	Land or assets at replacement cost, taking into account market values for land	For land, assets, and structure on the land after the cut-off date	Assistance as needed
Those with temporary or leased rights at cut-off date	Land and assets at replacement cost, taking into account market values for land	For land, assets, and structure on the land after the cut-off date	Assistance as needed
Those with no legally recognised right but arrived before cut-off date.	Assets at replacement cost except that compensation may be “topped off” to allow the PAP to acquire a new residence in a place where he/she can legally reside.	- For land	Assistance as needed
Those who arrived after Cut-off-date	None	None	None
Those with business located within the Community	Assets and lost income as a result of lost business during project duration	For business located in community after the cutoff-date and outside the affected area.	Assistance as needed

Table 6.4: PAPs Entitlements

Category	Description/Sub-category	PAPs ENTITLEMENTS
Cat A	Temporary and partial business disruption	
Cat A1	PAPs affected by business disruption (of 3 weeks max.) during reconstruction of drainage	Cash compensation of estimated average income of all PAPs for 3 weeks
Cat A2	PAPs to lose business/financial capital for dismantling shop extensions	Cash compensation of estimated full replacement cost of re- construction
Cat. B	Loss of property/structure encroaching on RoW/ floodplain setback	Cash compensation of full replacement cost of structure/building, without depreciation

CHAPTER SEVEN VALUATION AND DESCRIPTION OF COMPENSATIONS

7.0 Introduction

In this Chapter the description of the valuation methodology and compensations are presented based on the updated situation on the corridors.

7.1 Valuation Methodology

The methodology used is outlined below:

7.1.1 Replacement Cost Method

Current Market value of assets within the project area was used to determine the compensation rate for affected assets and businesses. This was determined via market prices of the affected structures in the project areas.

Replacement values were based on survey findings on the following current market prices:

- Prices of these items priced in different local markets

- Rent rates per room priced in similar and improved neighbourhoods
- Costs for transportation and delivery of construction materials per trip/day
- Estimates of construction of new structures including labour required.

This methodology was used for compensation values arrived in this RAP. Further details are presented in section 7.2

7.1.2 Land Resettlement

The World Bank OP 4.12 requires that displaced owners of land be provided with an area of land equivalent to their displaced land. It states that land restoration should be in a location that has similar value as the one displaced to the project. However, land resettlement will not occur since there is no land take and will not warrant a physical displacement of persons.

7.1.3 Valuation of Structures and Cost of Materials and Transportation

Some of the structures affected in the project area are primarily not for investments purposes. Rather than reproduction cost (cost of constructing an identical structure by using the same design and materials), Replacement cost (cost of constructing a substitute structure of equal utility using current materials, design and standards) have been used in the valuation.

PAPs will be allowed to dismantle their structures and reuse them at relocated locations. In addition, PIU will provide supplementary assistance to affected PAPs. Rates of cost of labour and transportation allowances have also been built in. The current rates in the market have been used.

7.1.4 Temporary Income losses

Compensatory cost for lost income was calculated based on average income of businesses in the area based on the socio-economic survey carried out.

7.2 Compensation and Other Resettlement Assistance

Based upon the market survey that was carried out, the current rates applied for valuation of business disruption and physical structures in this RAP are presented in Table 7.1 below.

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 plan have been designed as shown in the table below.

Items replaceable		Rate/unit (₦)
A	Business disruption	

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Items replaceable		Rate/unit (₦)
A1	Business disruption on account of temporary restriction of access to customers during reconstruction of drainage	50% of average daily income of all PAPs for 3 weeks
A2	Business disruption on account of increased cost of haulage and delivery due to blockage of access to usual delivery vehicles to shops/businesses	Additional 25% of average daily income of all PAPs for 3 weeks
A3	PAPs average income per day	2,500
A4	Number of working days in 3 weeks	18 days
B	Rent	
B1	Rent rates in area	N2,500/ room
B2	Transaction costs	N500/room
C	Transportation	
C1	5 Ton delivery truck	N18,000/day
D	Wooden structures	
D1	Wooden slabs/planks	
A1.1	Stilts 2x6x12	1400 unit
A1.2	Roofing wood 2x2; 2x3; 2x6	N600 - N1,000 unit
A1.3	Plywood 4ft x 8ft	2800
A1.4	Flush doors	N7,000
D2	Zinc roofing sheets	N14, 000/bundle
D3	Nails	N150 - 200/kg
D4	Labor	
A4.1	Labor per day	N2,500/day
A4.2	Labor for dismantling small structure	N30,000
A4.3	Labor for dismantling medium structure	N40,000
A4.4	Labor for dismantling large structure	N60,000
E	Concrete	
E1	Average mix	N 45,000/m3

In addition to being technically and economically feasible, the resettlement packages are seen to be compatible with the cultural preferences of the displaced persons and prepared in consultation with the PAPs. The RAP Implementation Committee shall make the offer to the PAPs during the implementation, the identification of the PAPs are indicated in Annex 3.

7.3 Modes of Restitution

All project affected persons have been carefully documented with their phone numbers. All the PAPs can be reached by the Resettlement Committee. The notification for payment will include how payments will be made and when. The peculiar local security situations would be taken into consideration by the PIU in reaching out to the PAPs for payments.

7.4 Compensation Payment and Procedures for Delivery of Compensation

The main objective of the RAP is to develop programmes that aim to improve the livelihoods of PAPs or restore them to the pre-displacement levels. Where impact on land use is such that sustainability of livelihoods may be affected, preference would be given to land for land compensation rather than cash pay-outs. This applies to people who are not necessarily physically displaced but who are affected by a land loss that affects their sustainability.

The following principles should be followed for payment of compensation for lost assets

- Compensation shall be paid prior to acquisition or displacement;
- Compensation will be at replacement cost;
- Compensation for structures shall include: the full cost of materials and labour required for reconstructing a building of similar surface and standing.
- Compensate all the PAPs adequately for properties and income lost
- Check and ensure that resettlement was built in as an upfront project cost to avoid inadequate compensation.

In other words, the affected person must be able to have their structure rebuilt in a different location using the compensation paid for the old building. Depreciation will not be taken into account while calculating the cost of affected structures.

The Compensation package will also include cost of moving, such as transport costs as well as any associated land titling or transfer fees.

All payments should be in monetary forms as agreed with the PAPs. Payment of compensation will be made by the Resettlement Implementation Committee. This committee will include members of the PIU and selected community leaders from the affected location. Compensation benefits shall be settled before the construction phase of the project.

The RAP implementation committee will verify the correctness of each PAP as stated in the register. Payments will be made according to locations and adequate information will be made available to all affected persons before payment. Such information will include how the payment will be made and dates, etc.

The procedure for delivery of compensation shall include:

- Full payment of compensation carried out before possession of acquired sites

- Formally making offers to affected persons and allowing persons to accept or reject offer, offer a counter claim and seek redress under the grievance procedures established
- Implementation committee communicates the amount to be paid to the PAPs
- Transfer to individual accounts is the preferred and first mode of payment. PIU shall make arrangements with nearest bank to effect payments without any challenge to the PAPs.
- Necessary document of payments to the affected persons should be presented to local land/Asset Valuation Committee from the local government and/or other **independent witness** of the affected person and leaders of the communities.
- Proper receipts issued and copies given to the affected person, the Finance Department of PIU;
- Comprehensive reports on payment made submitted for review by PIU Management

7.5 Compensation Rate Guidelines for Temporary Acquisition of Assets

Whereas this RAP does not cover the acquisition of land for temporary use in construction management, a key measure required for the avoidance of physical displacement impact as stated in section 3.2.1, requires that contractors may negotiate for temporary use of land and landed assets.

In such instances, the temporary use of private lands or structures for access, material storage, work sites, or other purposes, it is suggested that contractors could obtain voluntarily temporary access through renting or leasing or exercise legal or regulatory authority over the parcel owned by the government.

In cases where such land or asset belongs to individuals or the community, the following conditions will apply;

- The conditions of the lease must not be forced or coerced.
- Rent and lease rates must be fair and comparable to prevailing rates in the project area.
- The firm carrying out civil works must covenant to restore the land to prevailing conditions before the temporary acquisition
- A documented agreement of the lease or rental transaction must be produced and endorsed by both willing parties.

CHAPTER EIGHT: RAP IMPLEMENTATION ARRANGEMENTS AND BUDGET

8.0. Introduction

IUFMP involves many Federal and State Ministries, Departments and Agencies (MDAs), as well as local governments and communities as shown in Table 7.3. As such it requires cross-ministerial and cross-state coordination, collaboration, learning and teamwork in a

highly-systematic manner, with clearly defined roles and responsibilities. This RAP recognizes this and has developed institutional arrangements amongst public agencies with local communities and project affected persons with a view to ensuring good project management. The roles and responsibilities of the participating parties in collaborative efforts are well outlined. A gap has been identified in terms of capacity building and training of these stakeholders and this has been highlighted in this chapter in terms of measures designed for strengthening their capabilities to carry out their respective activities

8.1 Implementation Procedures

8.1.1 Implementation Steps

The RAP implementation steps are:

Table 8.1 - RAP Implementation Steps

Step 1:	Disclosure
Step 2:	Activation of Implementation Committees
Step 3:	Training
Step 4:	Notification and Agreement with PAPs
Step 5:	Disbursement of compensations

Details are provided below.

8.1.1.1 Disclosure

The Project is responsible for dissemination of the documents in the project area in a form and language that is understandable to the local populations. Adverts shall be placed in national daily newspapers of documents displayed in the following locations:

- Project community - Isokun
- Ibadan Urban Flood Management Project(IUFMP)
- Oyo State Ministry of Environment and Water Resources
- Oyo Ministry of Lands
- Relevant LGA office – Akinyele LGA
- FMEnv Zonal Office, Ibadan.
- World Bank external website

The final version of the RAP will also be submitted to the World Bank for disclosure on the World Bank website, in compliance with relevant legislations and OP4.12.

8.1.1.2 Activation of RAP Implementation Committees

After the disclosure of this RAP report, Resettlement Implementation Committees (RICs) which have been earlier inaugurated at the (i) PIU and (ii) Community levels will be activated for the purpose of implementing the RAP. These shall include the community

members that had been previously nominated and played supportive roles in the RAP preparation.

Members to be enlisted into the PIU RIC shall include;

Table 8.2 - RAP Implementation Committee

S/N	NAME	POSITION
1	Mrs Bola Dada	Social Development Specialist
2	Mrs. Evelyn Adesina	Environmental Specialist
3	Mrs Bunmi Babanumi	Communication Specialist
4	Mr.Deji Babalola	Community Mobilisation Officer
5	Mr. Ade Ojo	Environmental Consultant
6	Mr Tosin Oso	Social Development Consultant

The Project Accountant and project engineer shall be a non-permanent member of the RIC, to be called upon as required. Other nominal members could be recruited from Civil Society institutions, such as NGOs operating in the project area to witness the disbursement of compensations to PAPs.

Members to be enlisted into the Community RIC shall include active members of the existing community based Grievance Redress Committee (GRC), especially those that have been identified as being supportive to the project. Both the PIU and community based RIC shall partake in resettlement activities, such as verification and negotiation/agreement with PAPs as well as communication with PAPs.

This PIU based committee will meet regularly to review the work plan, as well as coordinate the overall activities of the RAP implementation, review reports and report to the Project Coordinator (PC)

8.1.1.3 Training

Basic training in order to achieve adequate informed participation by the PIU, communities and PAPs will be conducted. This is in compliance with the World Bank policy requirements on stakeholder engagement and participation, where it is mandated to carry out needed capacity building to ensure adequate informed participation by stakeholders. The necessity of such training is grounded in the fact that there is low public awareness on clarity of RAP expectations, as well as low implementation skills and experience by government. This need is further reinforced by the sensitivity of the receiving environment and the high combustion risk potentials. The basic training requirements identified are summarised in Table 8.2 below.

Table 8.3 - RAP Training and Awareness Need

Description/Module		Course content	Target	Source of Funding
Involuntary Resettlement and Rehabilitation	1	Principles of Resettlement Action Plan	PIU	To be funded by: <ul style="list-style-type: none"> • PIU budget for consultancy • Budget for implementation of the stakeholder engagement and communication plans • Budget set aside for the Beneficiary feedback and Grievance Redress
	2	Monitoring & Evaluation of RAP Implementation		
	3	Conflict Management and Resolution in RAP implementation	<ul style="list-style-type: none"> • PIU • Community GRC 	
Sensitization and Awareness on RAP process			<ul style="list-style-type: none"> • Community Representative • PAPs 	
Basics of Livelihood Restoration		<ul style="list-style-type: none"> • Cash Management and Monitoring • Making Investment Decisions 	All PAPs	

8.1.1.4 Notification and Agreement with PAPs

The cash based compensation will be implemented by first notifying the PAPs of the implementation process. This will be followed by documentation, agreement and finally disbursement of compensation payment. This message shall be delivered by the IUFMP Safeguards team in the presence of the community leaders and council. The Local community leaders and the Community Resettlement Committee will be charged with the responsibility of further spreading the message to community members. Agreements shall be prepared and signed and witnessed before the PIU. The compensation contract and the grievance redress mechanisms shall be read aloud in the presence of the affected party, representatives of the PIU and community leaders prior to signing. A compensation dossier shall be completed for each household affected, which will contain necessary personal information, inventory of assets affected, types of compensation and information for monitoring their future situation. Witness NGOs will be encouraged to independently spot-check as these activities proceed.

IUFMP PIU/PC shall oversee the entire process, by instructing spot checks to certify that the process is credible.

8.1.1.5 Disbursement of compensations

Disbursement shall be carried out in line with the projects' administrative and financial management rules and manuals. Compensation payments will be made into bank accounts of PAPs while those who do not have bank accounts will be assisted to open such in order to promote financial inclusion. The PIU and Community Resettlement Committee shall ascertain the identity of the PAP before being approved for payment by the Project Coordinator. IUFMP PIU/PC shall oversee the entire process, by instructing spot checks to certify that the process is credible.

8.1.2 Institutional Responsibilities

The roles and responsibilities of the PIU, World Bank, safeguard officers, communities, PAPs, Line ministries and other important implementation partners are summarised in Table 8.3 below.

Table 8.4 – Institutional Roles and Responsibilities

Institutions	Responsibilities
PIU	<p>The PIU, as the implementing authority, headed by Project Coordinator (PC) & Authorized to take decision on financial matters within the provided budget, has the mandate to:</p> <ul style="list-style-type: none"> • Develop and implement RAPs and other safeguard instruments. • Drives activities of procurement, capacity building, service-provider mobilization, and monitoring • Coordinating the many participating MDAs at State and Local Government levels. • Study in detail the RAP, and based on the review of the RAP prepare a detailed action plan and time table for the day to day RAP implementation; • Organize the necessary training and capacity building measures for the unit itself and for other partner organizations and committees; • Establish all local level institutions and committees which will participate in the implementation of the RAP and provide them with the necessary training and capacity building measures; • Coordinates and undertake compensation activities in accordance with the principles and procedures specified in the RAP • Implement the income restoration and social development programs and project in accordance with the principles and procedures specified in the RAP; • Ensure the systematic undertaking of monitoring, review and evaluation of the RAP in accordance with the framework and guidelines provided in the RAP and store the data and information collected in a data base; • Based on the findings of the monitoring and review take corrective actions and submit monitoring and review reports to the relevant higher bodies for timely corrective measure. • Facilitate the discussion between PAPs and communities regarding compensation for land acquired for the projects; • Implement the RAP including their involvement to redress complaints and internal monitoring. • Cooperate through a Steering Committee that provides guidance to the technical aspects of all project activities; • Maintain and manage all funds effectively and efficiently for the projects • Organize the necessary orientation and training for SPMU officials so that they can carry out consultations with communities, support communities in carrying out RAPs and implement the payment of compensation and other measures (relocation and rehabilitation entitlement) to PAPs in a timely manner; • Ensure that progress reports are submitted to the World Bank regularly •
IUFMP RAP Implementation Committee	<ul style="list-style-type: none"> • Conduct field verification activities to ensure the credibility of the notification and verification of PAPs • Review of RAP report to ensure that it meets OP 4.12 standards • Oversight monitoring of the RAP implementation program • Disclosure of reports • Procurement of consultants
Social Safeguards Specialist/ Consultant	<ul style="list-style-type: none"> • Initiate Resettlement Action Plan (whenever the project involves displacement of homes or businesses) or land acquisition of any kind). • Review and approve Contractor's Implementation Plan for the social impact measures as per the RAP • Liaise with the Contractors and the SPMU on implementation of the RAP • Coordinate on behalf of SPMU day to day activities with the relevant line departments and oversee the implementation of RAP instrument, prepare compliance reports with statutory requirements, etc. • Monitor and supervise regularly the implementation of RAP • Observe payment of Compensation to PAPs. • Identify and liaise with all relevant Stakeholders pre and post Project implementation. • Sensitization of and Consultations with relevant Stakeholders during and after (where necessary) Project Implementation. • Establish partnerships and liaise with organizations, community based organizations (CBOs) and civil society organizations (CSOs).
Project	<ul style="list-style-type: none"> • Implement the disbursements of cash entitlements to PAPs

RESETTLEMENT ACTION PLAN FOR ISOKUN OJOO ARULOGUN CULVERT AND ROADS

Institutions	Responsibilities
Accountant	<ul style="list-style-type: none"> • Verify legitimacy of PAPs being paid • Develop report on evidenced payment of PAPs
Community RAP Implementation Committee	<ul style="list-style-type: none"> • Support PAPs identification, mobilization, verification and communication • Serve as medium for communication to PAPs
Project Engineer	<ul style="list-style-type: none"> • Provide important information, technical details, documents etc. relevant to RAP • Provide feedback on site activities on RAP impacts and effectiveness
Project Communication Specialist	<ul style="list-style-type: none"> • Participate as members of the PIU RAP Implementation committee • Support the implementation of the RAP communications activities and advocacy at state level, • Produce And Disseminate Periodic Progress Reports • Identifying modern and traditional channels of communication at community levels
Project M&E Officer	<ul style="list-style-type: none"> • Participate in PIU RAP Implementation committee • Participate in internal monitoring and evaluation of RAP performance • Input RAP into Management Information System (MIS)
Project Environmental & Specialists/Consultants	<ul style="list-style-type: none"> • Participate as members of the PIU RAP Implementation committee • Participate in weekly meetings on progress of activities • Support PIU in ensuring that contractors comply with the environmental and social management clauses (inserted into the contract) during construction phase • Ensure that there are sufficient resources (time, money and people) to supervise the environmental issues of the works. • Review RAP and ensure its compliance to the applicable Bank policies • Ensure that any changes during implementation process that have significant environmental or social impact are communicated to the PIU in time and advice on actions to be taken and costs involved. • Ensure that the PIU is sufficiently informed on monitoring results. • Ensure that complaints received are treated with utmost urgency • Interact continuously with CSO/NGOs and community groups to be involved
World Bank	<ul style="list-style-type: none"> • Maintain an oversight role to ensure compliance with safeguards policies • May conduct spot checks or audits (if necessary) • Provide overall guidance and recommend additional measures for strengthening the management framework and implementation performance. • Responsible for the final review, clearance and approval of the RAP; • Granting of “No objection” request for RAP implementation • Conduct regular supervision missions throughout the project implementation, and monitor the progress of the construction project.
Resettlement Implementation Committee (RIC)	<ul style="list-style-type: none"> • Work with RAP consultant in mobilizing and notifying PAPs as well as in Monitoring and Evaluation • Ensure the Implementation of the RAP is without conflict • Ensure that the project work plan adequately reflect the recommendations of the RAP • Establish dialogue with the affected persons and ensure that the concerns and suggestions are referred to the PIU for appropriate response and management • Provide any other support where necessary during RAP implementation
Ministry of Environment	<ul style="list-style-type: none"> • Witness/monitor the RAP compensation and implementation process; • Ensure environmental compliance in the civil work aspects of RAP implementation
Contractor	<ul style="list-style-type: none"> • Compliance with the environmental and social management clauses in contract • Ensure that there are sufficient resources (time, money and people) to manage the environmental issues of the works. • Be responsible for ensuring that all site staff, including sub-contractors and sub-contracted activities will comply with the projects ESMP. • Ensure that any changes during the implementation process that have a significant environmental and social impact are communicated to the Supervising Engineer in time and manage them accordingly. • Comply with relevant contract clauses on resettlement issues • Establish good community relations; • Train the workforce, and avoid any form of discrimination in terms of gender, religion or tribe; • As much as possible employ the workforce from the project catchment area, and also make procurement therein; • Try to provide local infrastructure and services in the course of executing the project;

Institutions	Responsibilities
	<ul style="list-style-type: none"> Ensure that workers and site staff are sensitive to the customs and way of life of the communities. Promptly repair any damage to utility services or infrastructure of the community in implementation of the project;
Project Affected Persons (PAPs) and the Community	<ul style="list-style-type: none"> Giving their own opinions and, or support on alternative project designs during Focused Group Discussion, Attending meetings as may be necessary regarding the RAP implementation Coordinate with the survey team in carefully checking and signing off their affected lands (where applicable) and other assets as well as their entitlements Provide feedback on improving the quality of the RAP and suggesting solutions for its effective implementation
Grievance Redress Committee	<ul style="list-style-type: none"> Provide support to PAPs on problems arising from loss of private properties and business area Record the grievance of the PAPs, categorize and prioritize the grievances that need to be resolved by the committee; Report to the aggrieved parties about the developments regarding their grievances and the decision of the project authorities and' Ensure that grievances are settled locally and in time as much as possible.
Oyo State Ministry of Lands	<ul style="list-style-type: none"> Collaborate with PIU in implementing RAP Provide required information and knowledge on state land laws and enforcement measures Attend RAP planning and reporting meetings
Oyo State Ministry of Finance	<ul style="list-style-type: none"> Ensure prompt budgetary approvals and disbursements for RAP execution Ensure compliance with fiscal plans
Citizen's Mediation Centre	<ul style="list-style-type: none"> Serve as the fourth referral point for complaints and grievance redress before any issue is taken to court
Project Steering Committee	<ul style="list-style-type: none"> Ensure that project objectives are in line and on schedule. Ensure that RAP activities are conducted Provide timely approvals Coordinate amongst MDAs at the state level

8.1.3 Resettlement Activities and Responsible Party

Table 8.6 outlines specific resettlement activities and the responsible parties drawn from the roles and responsibilities indicated in Section 8.1.5.

Table 8.5: Resettlement Activities and Responsible Party

NO	ACTIVITY	RESPONSIBLE
a.	Coordination of Activities	PIU
b.	Vetting of request for compulsory acquisition of land, Oversight of land expropriation and land issuance of titles to resettled PAPs.	Ministry of Lands and survey
c.	Organization and implementation of, socio-economic studies, census of affected people and valuation of affected assets,	PIU, Local Government Authority, Community rep, consultant, Site Committee
d.	Notifications, Request for proof of eligibility, - Consultations, Valuation of Affected Assets.	PIU (Resettlement Consultant), Local Government Authority/Forestry Department, PAPs, Site Committee
e.	Consultations, planning and Preparation of RAP	PIU/Consultants, Site Committee

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f.	Review of RAPs	PIU and World Bank
g.	Disclosure of RAP	PIU
h.	Internal Monitoring	PIU
i.	External Monitoring and Approval	Site Committee, NGOs/CBOs, Consultants, Communities, World Bank
j.	Preparation of Monitoring and Evaluation Report of RAP and Disclosure	PIU
k.	Establishment of Resettlement Committees	PIU
l.	Establishment of Grievance and dispute resolutions Committee	PIU Grievance Committee
m.	Procedures for dispute resolutions and actual dispute resolutions	Grievance Committee
n.	Organization of necessary training and capacity building measures for the different units and other partner organizations and committees;	PC, Social Safeguard Officer
o.	Disclosure/notification of values. Making of offers/negotiation and payment modalities, meeting with PAPs, etc	Resettlement Implementation Committees
p.	Release of funds for payment and Compensation Payments	PIU
q.	Review and approve the Contractor's Implementation Plan for the social impact measures as per the RAP	Social Safeguard Officer
r.	Taking possession of site	PIU, Contractor
s.	Adherence to contractual clauses in procurement to contractors, promptly reporting of any conflict and disputes raised during construction and ensuring that all mitigation measures required from the contractor during construction are fully applied.	PIU, Contractor
t.	Representation of PIU/government for any law court redress cases	PIU, State Attorney General's Office

8.2 Budget and cost

A detailed inventory of all affected assets provides the basis for estimating the compensation and assistance costs. This section provides information on the estimated budget for the overall implementation of this RAP and source of funds.

8.2.1 Total Estimated Cost

The total budget for RAP implementation is Three Million, two hundred and sixty-one thousand, five hundred naira (N3, 261, 500); of which (i) One Million, nine hundred and sixty-five thousand naira is for PAPs compensations while (ii) One Million Naira (N1, 000,000) is to be distributed between RAP Implementation; and Training/Capacity Building and Enlightenment for RAP. A 10% contingency provision is also included in the budget. (Table 8.6 below)

Table 8.6 – RAP Budget Summary

S/N	Description	Indicative Costing (N)	Sources of Funds
1	RAP Compensation Payment to PAPs	N1,965,000	IUFMP
2	Commissioning of Witness NGO	N300,000	
3	Grievance Management	N 100,000	
4	RAP Implementation field activities	N 500,000	IUFMP budget for: (I) E&S consultancy; (II) Stakeholder engagement and communication plans and (III) Beneficiary feedback and Grievance Redress
5	Training/Capacity Building and Enlightenment for RAP Implementation	N 100,000	
	Sub-Total	N 2,965,000	
	Contingency (10% of sub-total)	N 296, 500	
	Total	N 3,261,500	

8.2.2 Breakdown for Cash Compensation

Out of the 43 PAPs identified, twenty six (26) PAPs shall be compensated for a combined impact of temporary business losses (A1) and dismantling/relocation of shop extensions at a total cost of N1, 105,000. Six (6) PAPs would suffer losses related to the only losses in business income (A1 only) at a cost of N135,000 while eight (8) PAPs would be compensated for losses of business capital in the form of shop extensions and rental deposit for the construction period (A2 only) at a cost of N240,000.

Three (3) PAPs belong to the Category B who will be compensated for permanent demolition of structures on encroaching the setback of the river at a cost of N485, 000 only.

Table 8.7 – RAP Compensation Breakdown

Category of PAP	Description	Cost
Category A	PAPs enlisted for both A1 (business disruption) and A2 (dismantling of shop extensions)	N1,105,000
A1	Income loss associated with 3 weeks business disruption ONLY	N135,000
A2	Capital Investment for dismantling and relocation of shop extensions ONLY	N240,000
Category B	PAPs impacted by total loss of property/asset/permanent structure encroaching on setback of Bridge	N485,000
	TOTAL	N1,965,000

Annex 3 provides the detailed register and compensations for the different categories of PAPs

8.2.3 Source of Fund

The State PIU is the source of fund for this RAP which will be sourced from the IUFMP counterpart fund.

8.3 Implementation Schedule

Before any project activity is implemented, PAPs will need to be compensated in accordance with this RAP and the resettlement policy framework that had been prepared. The schedule for the implementation of activities must be agreed to between the Resettlement Committee and the PAPs. These include the target dates for start and completion of all compensations before commencement of civil works on the project. The major component tasks for the RAP are outlined in Table 8.8.

Table 8.8: Implementation Schedule

PROJECT ACTIVITY		Month		
		Sept 2018	Oct 2018	Nov 2018
1	RAP Disclosure			
2	Inauguration of resettlement Implementation Committee			
3	Training			
4	Notification and Agreement with PAPs			
5	Disbursement of compensations			
6	Management of Grievances			

8.4 Coordination with Civil Works

The resettlement program will be co-coordinated with the timing of civil works. The required co-ordination has contractual implications, and will be considered in procurement and bidding schedules, award of contracts, and release of cleared RoW sections to project contractors. The timing mechanism of this RAP ensure that no PAPs is displaced (economically or physically) due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for the PAPs.

The project will adhere to the following important principles in its implementation:

- No civil works contracts for proposed projects site will be initiated or where this has happened no further action will be taken compensation has been paid.
- No construction should be undertaken unless PAPs are compensated for their losses, and have received their resettlement entitlements in accordance with this RAP.
- Information sharing and consultation with PAPs will continue throughout the planning and implementation phase of the project, including the relocation and the restoration of livelihoods.
- A completion survey of the delivery of compensation and resettlement entitlements will be undertaken as per this RAP and other relevant instrument prepared for the project.
- The schedule for the implementation of activities must be agreed to between the Resettlement Committee and the PAPs such as

- o target dates for start and completion of civil works, and
- o dates of possession of land that PAPs are using.

8.4.1 Green Light Conditions

Green light conditions or specific RAP activities that need to be completed before commencement of physical works would be:

- Preparation of work plan based on the construction schedule given by civil works contractor for the various sectors;
- Issuance of signed entitlement certificates indicating compensation amounts;
- Payment of compensation for all affected assets including annual compensation to PAPs for loss of business for the number of weeks considered for the entitlement.

8.5 Witness NGO

The objective of a witness NGO is to have an independent observer to witness the whole compensation resettlement process for the duration of the Project, so as to verify the compliance of the RAP implementation with the PIU commitments. Witness NGOs will work independently during the process and will only be refunded for activity-related costs by the PIU.

The inclusion of a witness NGO to observe compensation payments provides a stamp of credibility for the implementation process. However, local NGOs involved in sustainable development at the community level were not found in the Project area during the RAP preparation process. The PIU may embark on a process of identifying active NGOs within and around Oyo State. A draft terms of reference is placed in Annex 9 of this report.

8.6 Prolonged Implementation Delays

Prolonged moving delays from the time of project identification to actual implementation of this RAP can also distort normal household patterns (for example, lack of investment, land divestiture, or inheritance). Upgrading the census surveys is useful in identifying children who have reached adulthood in the interim, as well as families within households who may have lost productive opportunities because of the project, but well before displacement.

If the project does not commence two (2) years after the census done as part of this RAP, the census will need to be updated before it can be implemented as required by OP 4.12

CHAPTER NINE: GRIEVANCE REDRESS

9.0 Introduction

The likelihood of dispute arising from implementation of the resettlement program described in this RAP is much reduced because the few affected persons due to the erosion control project have been meaningfully consulted during the project design and RAP preparation. Nevertheless, in the event that grievances arise this redress mechanism has been prepared. Already, the affected persons have been helped to appreciate that there are provisions for addressing any complaints or grievances. The grievance procedure will further be made available to the affected person through project implementation.

From the start, it should be understood that formal legal mechanisms for grievance resolution tends to be a lengthy, costly and acrimonious procedure. Hence non-judicial, dialogue-based approaches for preventing and addressing community grievances are advocated.

The Grievance mechanisms designed herewith has the objective of solving disputes at the earliest possible time, which is in the interest of all parties concerned; it thus implicitly discourages referring such matters to the law courts for resolution, which would take a considerably longer time.

9.1 Grievance Redress Process

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

- Receiving and registering a complaint.
- Screening and assessing the complaint.
- Formulating a response.
- Selecting a resolution approach.
- Implementing the approach.
- Announcing the result.
- Tracking and evaluating the results.
- Learning from the experience and communicate back to all parties involved.
- Preparing a timely report to management on the nature and resolution of grievances.

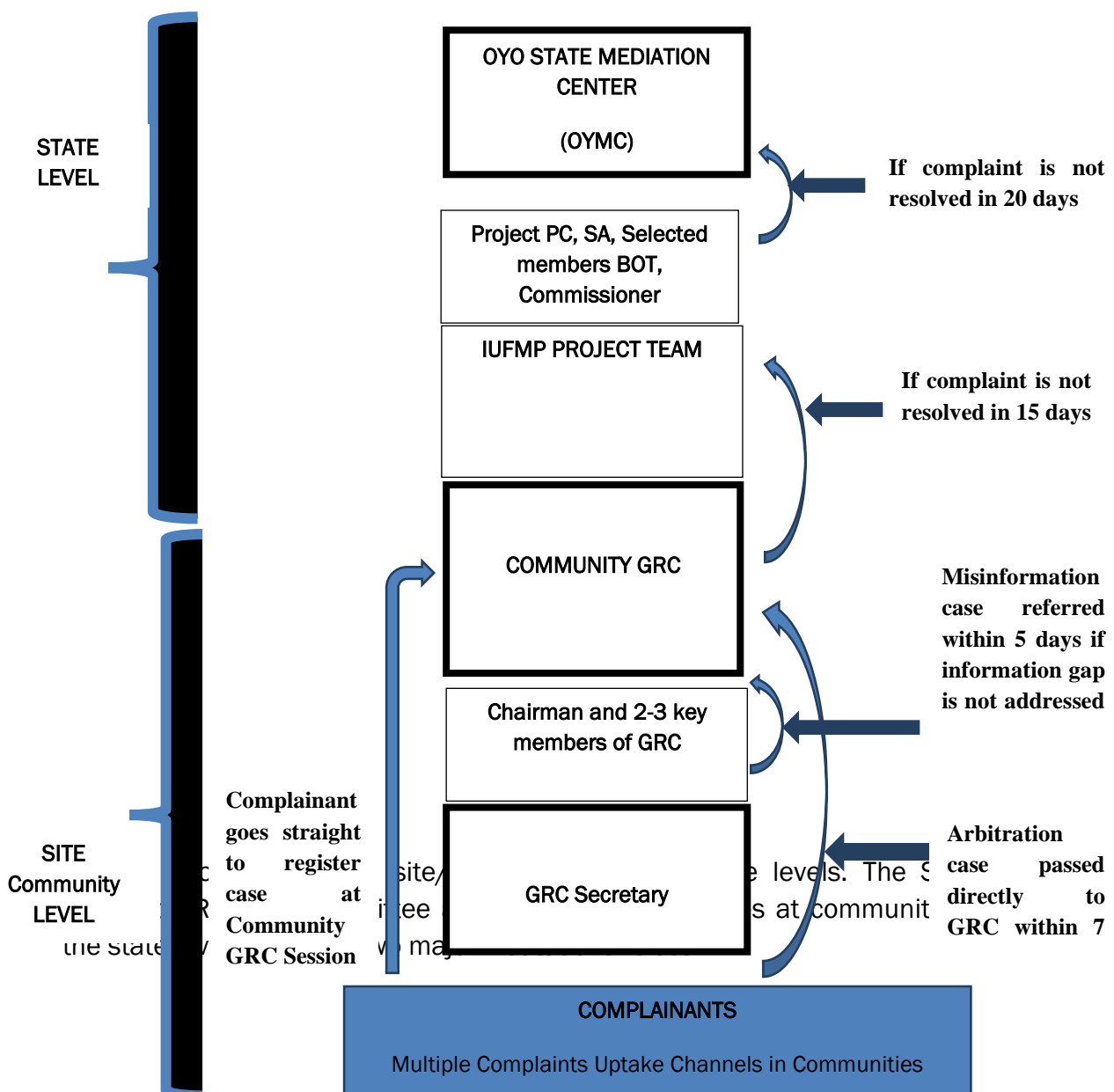
9.1.1 Expectations When Grievances Arise

When local people present a grievance, they expect to be heard and taken seriously. Therefore, the PIU and others such as the engineers involved in one aspect of the project

or other must convince people that they can voice grievances and work to resolve them without retaliation. It should be understood that all or any of the following is or are expected from the project management/channel of grievance resolution by the local people:

- acknowledgement of their problem,
- an honest response to questions/issues brought forward,
- modification of the conduct that caused the grievance and some other fair remedies

FIG 9.1- COMPLAINTS AND APPEALS LEVELS



9.2 Grievance Redress Procedures

A grievance redress mechanism has been designed for the entire project life, to ensure that Project affected persons and complainants have access to avenues to express their grievances and for delivering speedy, just and fair resolutions of their grievances, preferably at local and state levels. This mechanism is simple, easily accessible, flexible, and open to various proofs taking into cognizance the fact most people are illiterate. It has multiple complaints and appeals levels, as provided in Fig 9.1 above.

The two levels of Grievance Redress at state level are:

First level at state level: IUFMP PIU Community Relations Team, including the Social Safeguards officer as the key driver and the Environmental safeguards, Communications and M&E officers as members.

Second level at state level: Oyo State Mediation Centre (already existing, but to be extended)

PAPs shall be informed of the process for expressing dissatisfaction and seeking redress prior to the signing of the individual resettlement contracts. Four levels of appeal are provided to ensure that complainants can move to a higher level if they are not satisfied with the grievance redress suggested before going to the law courts as indicated in figure 9.1. These are:

Step 1:	Referral to GRC Secretary
Step 2:	Site GRC Mediation Session
Steps 3:	Referral to IUFMP Team
Step 4:	Oyo State Mediation Centre (OYMC)

9.2.1: Referral to GRC Secretary

Complaints arising from site /community level are directed to the secretary of the Site-Community GRC. Normally, issues of lack of information are resolved by the GRC secretary at this stage. However, if further confirmations are required, then the secretary will arrange for a meeting with the chairman and a minimum of two other members of the Community GRC within 7 days. However, if the issue goes beyond correcting misinformation or issues that cannot be resolved at this level or requires arbitration or the complainant is not satisfied with the resolution, the Community GRC secretary refers straight to the Community Mediation Session, involving the full GRC.

9.2.2: GRC Mediation Session

Step 2 is the treatment of the case by the Community GRC. The GRC mediation sessions are expected to resolve issues of exclusion claims before they escalate into full confrontation.

9.2.3: Referral to IUFMP Team

In the event that issues cannot be resolved at community level, the complaint is referred to the IUFMP within 20 days. The involvement of the Project PC, Special Advisers and members of the Board of Trustees could be necessary at this stage when there is a need

to get quick approvals and enforce contractor compliance in situations of contractor impunity and untouchability.

9.3.4: Oyo State Mediation Centre (OYMC)

Step 4 involves dispute resolution at the Oyo Mediation Centre in the event that the issue could not be resolved at IUFMP level. Referral to the law court follows, if the resolution of the Oyo State Mediation Centre unacceptable by the complainant.

9.3 Grievance Log and Response Time

The process of grievance redress will start with registration of the grievance/s to be addressed, for reference purposes and to enable progress updates of the cases. Thus, a Grievance Form will be filed with the Grievance Redress Committee by the person affected by the project. The Form/Log (Annex VII) should contain a record of the person responsible for an individual complaint, and records dates of (i) when the complaint was reported; and (ii) when the Grievance Log was uploaded onto the project database.

Table 9.1: A Typical Reporting Format for Grievance Redress

Community project & Name of Complainant	Type of Grievance				Grievance Resolution			
	Affected, but not informed about impacts and options	Disturbance paid is inadequate	Resettlement benefits awarded are not provided	other	Date of complaint	Date received	Pending	Case referred to the Court
Community Rep / Local Government Rep								
Complainant 1								
Complainant 2								
Complainant x								
TOTAL								

9.4 Monitoring Complaints

The Project Community Mobilisation Officer will be responsible for providing the IUFMP PMU with a weekly report detailing the number and status of complaints. Any outstanding issues to be addressed Monthly reports, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action.

CHAPTER TEN: MONITORING AND EVALUATION

10.0 Introduction

To establish the effectiveness of all the resettlement activities, this Monitoring and Evaluation (M&E) procedures for the RAP has been designed. With this, it is possible to readily identify problems and successes as early as possible. Monitoring involves periodic checking to ascertain whether activities are going according to the plan. It provides the feedback necessary for the project management to keep the programs on schedule. By contrast, evaluation is essentially a summing up, the end of the project assessment of whether those activities actually achieved their intended aims.

10.1 Purpose of Monitoring

The purpose of monitoring is to provide Project Management, and directly affected persons with timely, concise, indicative information on whether compensation, resettlement and other impact mitigation measures are on track to achieve sustainable restoration and improvement in the welfare of the affected people, or that adjustments are needed. In short, monitoring answers the question: *are project compensation, resettlement and other impact mitigation measures delivered in a timely manner and having the intended effects?*

Summarily, monitoring verifies that:

- Actions and commitments for compensation, resettlement, land access, and development in the RAP are implemented fully and on time
- Eligible project affected people receive their full compensation on time, prior to the start of the main project activities on the corridors;
- RAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards;
- Compensation and livelihood investments are achieving sustainable restoration and improvement in the welfare of Project-Affected Persons and communities
- Complaints and grievances are followed up with appropriate corrective action and, where necessary, appropriate corrective actions are taken and if necessary, changes in RAP procedure are made to improve delivery of entitlements to project affected people.
- Vulnerable persons are tracked and assisted as necessary

10.2 M & E Components

The key focus areas for M&E are

- (i) Input monitoring,
- (ii) Output/Outcome monitoring and
- (iii) Impact evaluation as enunciated below.

10.2.1 Input (Internal) Monitoring

Input monitoring seeks to oversee and guide effort appropriation to ensure adequate and compliant deployment of resources, staff, training, capacity building and other resource assets. Input or internal monitoring is the sole responsibility of the Project Management Team, and is structured in tune with the governance component of the IUFMP, along the lines of the state government and World Bank procurement and performance standards and oversight.

10.2.2 Outcome Monitoring (Internal and External)

Outcome monitoring is to ensure that resettlement measures are implemented as recommended in line to time and scale. This involves both internal and external monitoring activities. The internal monitoring activities are to be carried out by the IUFMP management, particularly the Social safeguards specialist and consultant, Project Monitoring and Evaluation officer and the Project Coordinator. On the other hand, external monitoring would require the use of external consultants for specified activities as shown in Table 9.1 below.

10.2.3 Impact Monitoring and Evaluation

Impact monitoring and evaluation are spot and final checks, to confirm that resettlement investments achieve their intermediate and final objectives. This will be carried out by independent M&E consultants.

10.2.4 M& E Framework

The M&E framework and performance indicators are provided in Table 10.1 below.

Table 10.1: M&E Framework

A. INPUT MONITORING FRAMEWORK AND INDICATORS					
A1. Resource deployment: Adequate staffing, training, capacity building and operational resources					
Domain /Sub-domain		Indicator	Method	Period	Manpower
A1.1	Staffing	Adequate Social safeguards officers	Project meetings	Quarterly	Internal. Project Management Team. World Bank
A1.2	Training and capacity building	Reports on training programmes	Staff evaluation		
A1.3	Operational resources (transportation, mobilization etc.)	Minutes and records of meetings	Staff interviews. One on one engagement		
B. OUTPUT MONITORING FRAMEWORK AND INDICATORS					
B1. Consultations/Notification/Agreement					
Domain /Sub-domain		Indicator	Method	Period	Manpower
B 1.1	Committees	Minutes and records of	Community meetings, Consultation forums	Monthly	Internal

		meetings			
B 1.2	PAPs	Signed agreement forms	One on one engagement	Weekly	Internal
B 1.3	Community	Minutes/Records of meetings	Community meetings, Consultation forums	Monthly	Internal
B2. Cash disbursement					
Domain /Sub-domain		Indicator	Method	Period	Manpower
B 2.1	Disbursement of cash assistance to PAPs	Number, % PAPs paid promptly. Payment delays, pending and closed out	Verification of payment records. Compensation dossier; signing of receipt documents, video recording of public/transparent disbursement events.	Monthly	Internal
			Complaints records	Monthly	Internal
B3. Alternative roads					
Domain /Sub-domain		Indicator	Method	Period	Manpower
B3.1	Alternative road	Number, % completed and functioning,	Contractor status reports, inspections, counts, NGO reports, Management reports, PAPs IDIs	Monthly	Internal
			Engineering consultant report	Monthly	External Social auditor
B4. Surveillance monitoring to action program					
Domain /Sub-domain		Indicator	Method	Period	Manpower
B 4.1	Hands-on monitoring to action	Dossiers on vulnerable persons	RAP implementation report	End of 3 months	Internal
C. IMPACT MONITORING FRAMEWORK AND INDICATORS					
C1. Restoration of lost income of PAP					
Domain /Sub-domain		Indicator	Method	Period	Manpower
C1.1	Restored income	Evidence of payment.	Outcome Survey	After 6 months	M&E consultant

10.3 Completion Audit

PIU shall commission an external party to undertake an evaluation of RAP's physical inputs to ensure and assess whether the outcome of RAP complies with the involuntary resettlement policy of the World Bank. The completion audit shall be undertaken after RAP inputs. The audit shall verify that all physical inputs committed in the RAP have been delivered and all services provided. It shall evaluate whether the mitigation measures prescribed in the RAP have achieved the desired effect. The completion audit should bring to closure PIU's liability for resettlement. The external M&E reports and Witness NGO end-line report will be tied into the completion audit to provide a holistic view of the extent of implementation of this RAP

10.4 Manpower for M&E

The manpower for tracking inputs outputs and outcomes of Resettlement Implementation will be sourced from both internal and external sources. Internal manpower assets for M&E will involve Safeguards and M&E units of the PIU. An external M&E consultant will be sourced competitively to carry out the outcome survey of RAP implementation.

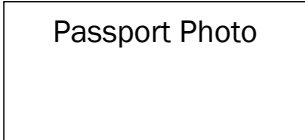
10.5 Monitoring of Vulnerable People

Hands-on Monitoring to Action shall be implemented to identify and dispense high value care to elderly PAPs identified in this RAP. Monitoring shall focus on the following potential vulnerabilities.

- ❖ Special health needs and support during implementation processes.
- ❖ Considering the vulnerable people for unanticipated complications arising from displacement impacts during the construction period.

Monitoring shall be implemented in collaboration with the Community Grievance Redress Committee and Witness NGOs. This intervention will focus on strengthening existing family and mutual help networks for vulnerable persons as well as facilitating linkages into existing programs of the state and local government rather than taking them on directly.

Annex 1: Questionnaire for PAPs



Name:	
Home address	
Duration of stay	How long have you been here?
Business address/GPS	
Telephone No.	
Gender:	
Age:	
Religion	Pls. tick: Christian Moslem..... Traditional worship
Ethnicity	Yoruba from where?..... Other ethnic group- specify:
Marital Status:	Pls. tick: Married...Polygamous setting.....Monogamy.....Single...Widow... Separated
	Female headed household(Pls describe circumstances):
Dependency	How many mouths feed in your home? Please specify, children, aged, sickly and other vulnerable persons that you support within your home
Heath status/Vulnerability	Do you have any health issue that is hampering your productive capacity?
Highest education attained	
Income sources	Employment? (Where) Type of business? (What do you sell? List as many items as possible) Money from rent?
Estimated weekly Income	From business: From remittances/ Husband? Children abroad? Children in Nigeria? Other?
Impacts of construction	How will construction improve your business:
	How will construction disturb business your business

Annex 1B: In-depth Interview Guide for PAPs

Q1: Are you aware of the project? Who informed you?

Q2: Are you pleased about the project? Why?

Q3: What displeases, or scares you about the project?

Explain resettlement plan as one of the mitigation measures, with specific focus on mitigating the impacts of economic and physical displacement. In addition, explain the procedures of Resettlement implementation.

Q4: Regarding the resettlement plan, what clarifications do you require?

Explain, the principles of avoidance of displacement and the need to gain inputs from potentially affected persons

Q5: What measures would you suggest to reduce the displacement impacts - disturbances to business etc?

Q6: What disadvantages do you think women may suffer, regarding the resettlement plan?

Q7: Regarding the resettlement plan, who is more vulnerable or disadvantaged than the other, with regards to the resettlement advantages and disadvantages?

- Land lord versus tenant? How?
- Women vs men? How?
- Youth? How? Illiterate /Literate? How?
- Elderly, physically challenged or sick persons? How?

Q8: What specific displacement impacts will you suffer?

Q9: How can this impact be ameliorated?

Q10: What is your preferred mitigation /compensation measure?

Annex 2: PAPsEntitlement Matrix

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 SPMU
	Loss of Structure or Business	Compensation at full replacement value not depreciated.	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 PMU
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 is done 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	None	Possible employment with civil works contractors, etc. and/or amount to be determined by PMU
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 PMU

RESETTLEMENT ACTION PLAN FOR ISOKUN OJOO ARULOGUN CULVERT AND ROADS

Annex 3: PAPs Register and Compensations

Category A1:	PAPs enlisted for temporary business disruption on account of denial of access to customers as a result of reconstruction of drains.
Category A2:	PAPs enlisted for loss of business capital for dismantling and moving shop extensions along Isokun Street and Ojoo- Arulogun road; including Union of Tipper and Quarry Employers needing to secure alternative location for operating for four months as a result of road construction
Category B:	PAPs impacted by total loss of property/asset/permanent structure encroaching within setback of Bridge

(Some content of this publicly disclosed version of the report have been suppressed due to the need to protect the privacy of persons and uphold confidentiality standards)

S/N	Name of PAP	M/F	Address/Telephone	Business Type	Age	Education	Compensations				Identification
							Cat A1	Cat A2	Cat B	Total	
PAPS ALONG ISOKUN STREET											
1.		F		Food seller/buka	43	SSSC	Yes	Yes			
2.		F		Foluwa Stores. Ready made clothes	56	NCE	Yes	Yes			
3.		F				SSC	Yes	Yes			
4.		M		Barbing	30	Pry 6	Yes	Yes			
5.		F		Hairdresser	35	Pry 6	Yes	Yes			
6.		F		Petty trade in provisions, Indomiie etc.	42	Pry 6	Yes	Yes			
7.		M		Viewing center	38	HND	Yes	Yes			
8.		F		Patent medicine stores	28	HND	Yes	Yes			
9.		M				SSSC	Yes	Yes			
10.		F		Petty trade in provisions, drinks, hair attachment	35	SSSC	Yes	Yes			
11.		F		Food vendor, (mobile)	45	Pry 6	Yes	Yes			
12.		M			30	SSSC	Yes	Yes			
13.		F		Petty trade infood stuff	50	SSSC	Yes	Yes			

RESETTLEMENT ACTION PLAN FOR ISOKUN OJOO ARULOGUN CULVERT AND ROADS

S/N	Name of PAP	M/F	Address/Telephone	Business Type	Age	Education	Compensations				Identification
							Cat A1	Cat A2	Cat B	Total	
14.		F		Food vendor, (mobile)	30	Pry 6	Yes	Yes			
15.		F		Petty trade in provisions, grinding machine,	48	SSSC	Yes	Yes			
16.		F		Chemist		Pry 6	Yes	Yes			
17.		F		Petty trade in food stuff	60	Pry 6	Yes	Yes			
18.		F		Petty trade in provisions	45	SSSC	Yes	Yes			
19.		F		Petty trade in provisions	42	Pry 6	Yes	Yes			
20.		M		Auto-mechanic /car	42	Pry 6	Yes				
21.		M		Welder at Inuogba Musa	58	Pry 6	Yes				
22.		M		Blacksmith at Inuogba Musa	30	Pry 6	Yes				
23.		M		Battery charger at Inuogba Musa	38	Pry 6	Yes				
24.		F		Car Wash	43	Bsc			Yes		
25.		F		Cement dealer. Need to move metal container close to the Arulogun junction	60	HND		Yes			
26.				Kiosk close to the Arulogun junction will be moved				Yes			
27.		F						Yes			
28.		M		Welder	29	SSSC	Yes				
29.		M		Engine oil seller	59	Pry 6	Yes				
30.		F		Boutique	38	NCE	Yes	Yes			
31.		F		Hairdresser	22	OND	Yes	Yes			

RESETTLEMENT ACTION PLAN FOR ISOKUN OJOO ARULOGUN CULVERT AND ROADS

S/N	Name of PAP	M/F	Address/Telephone	Business Type	Age	Education	Compensations				Identification
							Cat A1	Cat A2	Cat B	Total	
32.		F		Petty Trader	48	SSCE	Yes	Yes			
33.		F		Petty Trader	68	Primary School		Yes			
34.		F		Fashion Designer	26	OND	Yes	Yes			
35.		F		Soft Drinks and Foodstuff	52	Primary School	Yes	Yes			
36.		F		Petty Trader	32	SSCE	Yes	Yes			
37.		M		Furniture Making	50	SSCE	Yes	Yes			
38.		F		Fruit Seller	53	Primary School		Yes			
39.		F		Maize Dealere	40	SSCE		Yes			
40.		M		Motocycle Repair	30	Primary School		Yes	Yes		
41.		F		Petty Trader	46	Primary School		Yes			
42.		M		Carpenter				Yes	Yes		
43.		M		Chairman of the Association of Tipper Employers Garage	60	Pry 6		Yes			

Annex 4: Attendance at PAPs Consultation Forum

(This content has been removed in this version due to the need to protect sensitive personal details of people)

Annex 5: Photo- evidences of Meeting with PAPs





Annex 6: SAMPLE GRIEVANCE REGISTRATION FORM

IBADAN URBAN FLOOD MANAGEMENT PROJECT

COMPLAINT FORM

SECTION A: Details of grievance

1. Name of complainant (optional):.....
 2. Gender: Male female
 3. Telephone:..... 4. Email:.....

<p>5. Type of complainant (Select the most appropriate category)</p> <p style="text-align: right;">Affected person(s) <input type="checkbox"/></p> <p style="text-align: right;">Intermediary (on behalf of the AP) <input type="checkbox"/></p> <p style="text-align: right;">Civil Society Organization <input type="checkbox"/></p> <p style="text-align: right;">Others (specify)..... <input type="checkbox"/></p> <p>.....</p>	<p>6. Location of the problem/issue specified in the complaint:</p> <p>(a) LGA:.....</p> <p>(b) Project Site:.....</p> <p>(c) Community:.....</p>
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<p>7. Type of problem/grievance:</p> <p style="text-align: right;">Exclusion/Omission claim <input type="checkbox"/></p> <p style="text-align: right;">Conflict <input type="checkbox"/></p> <p style="text-align: right;">Violence <input type="checkbox"/></p> <p style="text-align: right;">Human rights or sexual abuse <input type="checkbox"/></p> <p style="text-align: right;">Land acquisition/ damage to property <input type="checkbox"/></p> <p style="text-align: right;">Compensation <input type="checkbox"/></p> <p style="text-align: right;">Construction <input type="checkbox"/></p> <p style="text-align: right;">Resettlement site <input type="checkbox"/></p> <p style="text-align: right;">Others (specify)..... <input type="checkbox"/></p> <p>.....</p>	<p>Short description of the complaint (use additional sheets if needed):</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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SECTION B: For use of site GRC

1. Name of GRC secretary:..... 2. Phone:.....
 3. Date complaint was received 4. Date treated:
 5. Did the committee do at least 1 GRC session? Yes No..... 6. Date of GRC session(s):
 7. Status of Complaint: Resolved Referred Withdrawn
 8. Description of outcome:

.....

.....

.....

.....

.....

.....

Signed
 Community GRC chairman

SECTION C: For IUFMP use

Name of receiving officer:..... Date received:

<p>Mode of receiving the grievance (Select the most appropriate category)</p> <p style="text-align: right;">Letter <input type="checkbox"/></p> <p style="text-align: right;">Paper Complaints form - direct <input type="checkbox"/></p> <p style="text-align: right;">PCF Referred <input type="checkbox"/></p>	<p>Person/agency responsible for the reported issues:</p> <p style="text-align: right;">Project <input type="checkbox"/></p> <p style="text-align: right;">APs/Community members <input type="checkbox"/></p> <p style="text-align: right;">Contractors <input type="checkbox"/></p>
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RESETTLEMENT ACTION PLAN FOR ISOKUN OJOO ARULOGUN CULVERT AND ROADS

Phone Call			Touts	
Email			CDA	
Web complaint form			Security personnel	
Verbal Complaint (walk-in)			Others (specify).....	
Complaint box			
Others (specify).....				
.....				

12. Previous action(s) taken by the complainant (if any):

13. Actions taken by the Receiving Office

.....

.....

.....

.....

INFORMATION ABOUT GRIEVANCE

Describe the Grievance:

INTERNAL USE ONLY: RECORDING AND RESPONSE

Grievance Reference Number:	Date logged in Grievance Log
Name of staff member recording the grievance:	Copies provided to: <input type="checkbox"/> Responsible party's office, (Original) <input type="checkbox"/> Person lodging grievance/ Complainant (Copy 1) <input type="checkbox"/> IUFMP (Copy 2)
Action required (to be updated as needed as the grievance is progressed):	

Deadline for reporting back to Complainant on progress (to be updated as necessary):Date:

SECTION D: Grievance Closure

Date:	Status of Grievance (add further rows as needed):	
Grievance Closed:	Date:	Signed off:
Summary of action taken		
Summary of outcome of the process		

ANNEX 7: Summary of Environmental and Social Screening of 14 priority sites

S/N	Name of priority site	Screening Category	Applicable World Bank safeguard policies triggered	Proposed Safeguard Instrument
1	Ebenezer Culvert – Alakia Isebo (Omi River);	B	OP 4.01	ESMP
2	Alaro Culvert – 7Up Road (Alaro River);	B	OP 4.01, OP 4.12	ESMP, RAP
3	Cele-Rainbow – Agara (Ona River)	B	OP 4.01	ESMP
4	Elere River Culvert – Egbeda Tuba Road. Elere (Ogbere River)	B	OP 4.01	ESMP
5	Foworogi Culvert – Egbeda Tuba Road. Foworogi (Ogbere River);	B	OP 4.01, OP 4.12	ESMP, RAP
6	Maje River – Maje , Idi Mango Road (Ogunpa River)	B	OP 4.01, OP 4.12	ESMP, RAP
7	Believers Stream – Odo ona Elewe Road – Oda Ona (Ona River)	A	OP 4.01; OP 4.12	ESIA; RAP
8	Ogbere Moradeyo – Ogbere Moradeyo Road – (Ogbere River)	A	OP 4.01	ESIA
9	Ola Adua Stream – Akufo Road – Ola Adua (Ona River)	B	OP 4.01	ESMP
10	Omiri Culvert –Omiri (Omi River)	B	OP 4.01; OP 4.12	ESMP; RAP
11	Saasa River Culvert – Apete Road –Osajin (Shasha River);	B	OP 4.01	ESMP
12	Ogbere Pegba – Egbeda Tuba Road, Pegba (Ogbere River);	A	OP 4.01	ESIA
13	Olorungunwa Culvert – Poat Area (Ogbere River)	B	OP 4.01, OP 4.12	ESMP, RAP
14	Alaro Poly Road – Sango Eleyele Road – Poly Ijokodo (Alaro River)	A	OP 4.01; OP 4.12	ESIA; RAP

ANNEX 8: Nigeria's Land Use Act, 1978

LAND	USE	ACT
An Act to Vest all Land comprised in the territory of each State (except land vested in the Federal government or its agencies) solely in the Governor of the State , who would hold such Land in trust for the people and would henceforth be responsible for allocation of land in all urban areas to individuals resident in the State and to organisations for residential, agriculture, commercial and other purposes while similar powers will with respect to non-urban areas are conferred on Local Governments.(27th March 1978) Commencement.		
[29th March 1978]	[Commencement]	

Part I

General

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 that 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.
2. (1) As from the commencement of this Act -
 - (a) all land in urban areas shall be under the control and management of the Governor of each State.And
 - (b) all other land shall, subject to this Act, be under the control and management of the Local Government, within the area of jurisdiction of which the land is situated.
- (2) There shall be established in each State a body to be known as "the Land Use and Allocation Committee" which shall have responsibility for:-
 - (a) advising the Governor on any matter connected with the management of land to which paragraph (a) of subsection (1) above relates;
 - (b) Advising the Governor on any matter connected with the resettlement of persons affected by the revocation of rights of occupancy on the ground of overriding public interest under this Act; and
 - (c) determining disputes as to the amount of compensation payable under this Act for improvements on land.
- (3) The Land Use and Allocation Committee shall consist of such number of persons as the Governor may determine and shall include in its membership:-
 - (a) not less than two persons possessing qualifications approved for appointment to the public service as estate surveyors or land officers and who have had such qualification for not less than five years; and
 - (b) a legal practitioner.
- (4) The Land Use and Allocation Committee shall be presided over by such one of its members as may be designated by the Governor and, subject to such directions as may be given in the regard by the Governor, shall have power to regulate its proceedings.
- (5) There shall also be established for each Local Government a body to be known as "the Land Allocation Advisory Committee" which shall consist of such persons as may be determined by the Governor acting after consultation with the Local Government and shall have responsibility for advising the Local Government on any matter connected with the management of land to which paragraph (b) of subsection (1) above relates.
3. Subject to such general conditions as may be specified in that behalf by the National Council of States, the Governor may for the purposes of this Act by order published in the State Gazette designate the parts of the area of the territory of the State constituting land in an urban area.
4. Until other provisions are made in that behalf and, subject to the provisions of this Act, land under the control and management of the Military Governor under this Act shall be administered –
 - (a) in the case of any State where the Land Tenure Law of the former Northern Nigeria applies; in accordance with the provisions of that law; and
 - (b) in every other case, in accordance with the provisions of the State Land Law applicable in respect of State Land in the State, and the provisions of the Land Tenure Law or the State Land Law, as the case may be, shall have effect with such modification as would bring those laws into conformity with this Act or its general intendment.

Part II

Principles of Land Tenure, Powers of Governor and Local Governments, and Rights of Occupiers

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;
 - (b) to grant easements appurtenant to statutory rights occupancy;
 - (c) to demand rental for any such land granted to any person.
 - (d) to revise the said rental -
 - (i) at such intervals as may be specified in the certificate of occupancy; or
 - (ii) where no intervals are specified in the certificate or occupancy at any time during the term of the statutory rights of occupancy;
 - (e) to impose a penal rent for a breach of any covenant in a certificate of occupancy requiring the holder to develop or effect improvements on the land the subject of the certificate of occupancy and to revise such penal rent as provided in section 19 of this Act

- (f) to impose a penal rent for a breach of any condition, express or implied, which precludes the holder of a statutory right of occupancy from alienating the right of or any part thereof by sale, mortgage, transfer or possession, sub-lease or request or otherwise howsoever without the prior consent of the Governor;
- (g) to waive, wholly or partially, except as otherwise prescribed; all or any of the covenant or conditions of which a statutory right of occupancy is subject where, owing to special circumstances, compliance therewith would be impossible or great hardship would be imposed upon the holder;
- (h) to extend except as otherwise prescribed, the time to the holder of a statutory right of occupancy for performing any of the conditions of the right of occupancy upon such terms and conditions as he may thing fit.
- (2) Upon the grant of a statutory right of occupancy under the provisions of subsection (1) of this section all existing rights to the use and occupation of the land which is the subject of the statutory right of occupancy shall be extinguished.
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 organisation for the use of land in the Local Government areas for agricultural residential and other purposes.
- (b) to grant customary right of occupancy to any person or organisation for the use of land for grazing purposes and such other purposes ancillary to agricultural purposes as may be customary in the Local Government area concerned.
- (2) No single customary right of occupancy shall be granted in respect of an area of land in excess of 500 hectares if granted for agricultural purposes, or 5,000 hectares if granted for grazing purposes, except with the consent of the Governor.
- (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 which is not
- (a) land within an area declared to be an urban area pursuant to Section 3 of this Act;
- (b) the subject of a statutory right of occupancy;
- (c) within any area compulsorily acquired by the Government of the Federal or of the State concerned;
- (d) the subject of any laws relating to minerals or mineral oils, and for the purpose to revoke any customary right of occupancy on any such land.
- (4) The Local Government shall have exclusive rights to the lands so occupied against all persons except the Governor.
- (5) The holder and the occupier according to their respective interests of any customary right of occupancy revoked under sub-section (2) shall be entitled to compensation for the value at the date of revocation of their un-exhausted improvements.
- (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.
- (7) If a Local Government refuses or neglects within a reasonable time to pay compensation to a holder and an according to their respective interests under the provisions of subsection (5), the Military Governor may proceed to the assessment of compensation under section 29 and direct the Local Government to pay the amount of such compensation to the holder and occupier according to their respective interests.
7. It shall not be lawful for the Governor to grant a statutory right of occupancy or consent to the assignment or subletting of a statutory right of occupancy to a person under the age of twenty-one years; Provided that –
- (a) Where a guardian or trustee for a person under the age of 21 has been duly appointed for such purpose the Governor may grant or consent to the assignment or subletting of a statutory right of occupancy to such guardian or trustee on behalf of such person under age;
- (b) a person under the age of twenty-one years upon whom a statutory right of occupancy devolves on the death of the holder shall have the same liabilities and obligations under and in respect of his right of occupancy as if he were of full age notwithstanding the fact that no guardian or trustee has been appointed for him.
8. Statutory right of occupancy granted under the provisions of section 5 (1) (a) of this Act shall be for a definite term and may be granted subject to the terms of any contract which may made by the Governor and the holder not being inconsistent with the provisions of this Act.
9. (1) It shall be lawful for the Governor—
- (a) when granting a statutory right of occupancy to any personal or
- (b) when any person is in occupation of land under a customary right of occupancy and applies in the prescribed manner; or
- (c) when any person is entitled to a statutory right of occupancy, to issue a certificate under his hand in evidence of such right of occupancy.
- (2) Such certificate shall be termed a certificate of occupancy and there shall be paid therefore by the person in whose name it is issued, such fee (if any) as may be prescribed.
- (3) If the person in whose name a certificate of occupancy is issued, without lawful excuse, refuses or neglects to accept and pay for the certificate, the Governor may cancel the certificate and recover from such person any expenses incidental thereto, and in the case of a certificate evidencing a statutory right of occupancy to be granted under paragraph (a) of subsection (1) the Governor may revoke the statutory right of occupancy.
- (4) The terms and conditions of a certificate of occupancy granted under this Act and which has been accepted by the holder shall be enforceable against the holder and his successors in title, notwithstanding that the acceptance of such terms and condition is not evidenced by the signature of the holder or is evidenced by the signature only of some person purporting to accept on behalf of the corporation.

10. Every certificate of occupancy shall be deemed to contain provisions to the following effect:-
- (a) that the holder binds himself to pay to the Governor the amount found to be payable in respect of any un-exhausted improvements existing on the land at the date of his entering into occupation;
 - (b) that the holder binds himself to pay to the Governor the rent fixed by the Governor and any rent which may be agreed or fixed on revision in accordance with the provisions of section 16 this Act.
11. The Governor or any public officer duly authorised by the Governor in that behalf shall have the power to enter upon and inspect the land comprised in any statutory right of occupancy or any improvements effected thereon at any reasonable houses in the day time and the occupier shall permit and give free access to the Governor or any such officer so to enter and inspect.
12. (1) It shall be lawful for the Governor to grant a licence to any person to enter upon any land which is not the subject of a statutory right of occupancy or of a mining lease, mining right or exclusive prospecting licence granted under the Minerals Act or any other enactment, and remove or extract there-from any stone, gravel, clay, sand or other similar substance (not being a mineral within the meaning assigned to that term in the Mineral Act) that may be required for building or for the manufacture of building materials.
- (2) Any such licence may be granted for such period and subject to such conditions as the Military Governor may think proper of as may be prescribed.
 - (3) No such licence shall be granted in respect of an area exceeding 400 hectare.
 - (4) It shall not be lawful for any licensee to transfer his licence in any manner whatsoever without the consent of the Governor first had and obtained, and any such transfer effected without the consent of the Governor shall be null and void.
 - (5) The Governor may cancel any such licence if the licensee fails to comply with any of the conditions of the licence.
13. (1) The Occupier of a statutory right of occupancy shall at all times maintain in good and substantial repair to the satisfaction of the Governor, or of such public officer as the Military Governor may appoint in that behalf, all beacons or other land marks by which the boundaries of the land comprised in the statutory right of occupancy are refined and in default of his so doing the Military Governor or such public officer as aforesaid may by notice in writing require the occupier to define the boundaries in the manner and within the time specified in such notice.
- (2) If the occupier of a statutory right of occupancy fails to comply with a notice served under subsection (1) of this section he shall be liable to pay the expenses (if any) incurred by the Governor in defining the boundaries which the occupier has neglected to define.
14. Subject to the other provision of this Act and of any laws relating to way leaves, to prospecting for minerals or mineral oils or to mining or to oil pipelines and subject to the terms and conditions of any contract made under section, the occupier shall have exclusive rights to the land the subject of the statutory right of occupancy against all persons other than the Governor.
15. During the term of a statutory right of occupancy the holder -
- (a) shall have the sole right to and absolute possession of all the improvements of the land;
 - (b) may, subject to the prior consent of the Governor, transferor, assign or mortgage any improvements on the land which have been effected pursuant to the terms and conditions of the certificate of occupancy relating to the land.
- Part III
Rents
16. In determining the amount of the original rent to be fixed for any particular land and the amount of the revised rent to be fixed on any subsequent revision of rent, the Governor-
- (a) Shall take into consideration rent previously fixed in respect of any other like land in the immediate neighbourhood, and shall have regard to all the circumstances of the case;
 - (b) shall not take into consideration any value due to capital expended upon the land by the same or any previous occupier during his term or terms of occupancy, or any increase in the value of the land the rental of which is under consideration, due to the employment of such capital.
17. (1) The Governor may grant a statutory right of occupancy free of rent or at a reduced rent in any case in which he is satisfied that it would be in the public interest to do so.
- (2) Where a statutory right of occupancy has been granted free of rent the Governor may, subject to the express provisions of the certificate of occupancy, nevertheless impose a rent in respect of the land the subject of the right of occupancy if and when he may think fit.
18. Subject to the provisions of sections 20 and 21, the acceptance by of or behalf of the Governor of any rent shall not operate as a waiver by the Governor of any forfeiture accruing by reason of the breach of any covenant or condition, express or implied, in any certificate of occupancy granted under this Act.
19. (1) When in any certificate of occupancy the holder has covenanted to develop or effect improvements on the land the subject of the certificate of occupancy and has committed a breach of such covenant the Governor may -
- (a) at the time of such breach or at any time thereafter so long as the breach remains un-remedied, fix a penal rent which shall be payable for twelve months from the date of such breach; and
 - (b) on the expiration of twelve months from the date of such breach and on the expiration of every subsequent twelve months so long as the breach continues revise the penal rent to be paid.
- (2) Such penal rent or any revision thereof shall be in addition to the rent reserved by the certificate of occupancy and shall be recoverable as rent:

Provided that the first penal rent fixed shall not exceed the rent so reserved and any revised penal rent shall not exceed double the penal rent payable in respect of the twelve months preceding the date of revision.

(3) If the Governor fixes or revises a penal rent he shall cause a notice in writing to be sent to the holder informing him of the amount thereof and the rent so fixed or revised shall commence to be payable one calendar month from the date of the receipt of such notice.

(4) If the breach for which a penal rent has been imposed is remedied before the expiration of the period for which such rent has been paid, the Governor may in his discretion refund such portion of the penal rent paid for such period as he may think fit.

(5) The fact that a penal rent or a revised penal rent has been imposed shall not preclude the Military Governor, in lieu of fixing a subsequent penal rent, from revoking the statutory right of occupancy provided that the statutory right of occupancy shall not be revoked during the period for which a penal rent has been paid.

20. (1) If there has been any breach of any of the provisions of section 22 or 23 the Governor may in lieu of revoking the statutory right of occupancy concerned demand that the holder shall pay an additional and penal rent for and in respect of each day during which the land subject of the statutory right of occupancy or any portion thereof or any building or other works erected thereon shall be or remain in the possession, control or occupation of any person whomsoever other than the holder.

(2) The acceptance by or on behalf of the Governor of any such additional and penal rent shall not operate as a waiver by the Governor of any breach of section 22 or 23 which may continue after the date up to and in respect of which such additional and penal rent has been paid or is due and owing and the Military Governor shall accordingly be entitled to exercise in respect of any such continuing breach all or any of the powers conferred upon him by this Act.

Part IV

Alienation and surrender of Rights of Occupancy

21. It shall not be lawful for any customary right of occupancy or any part thereof to be alienated by assignment, mortgage, transfer of possession, sublease or otherwise howsoever -

(a) Without the consent of the Governor in cases where the property is to be sold by or under the order of any court under the provisions of the applicable Sheriffs and Civil Process Law; or

(b) in other cases without the approval of the appropriate Local Government.

22. It shall not be lawful for the holder of a statutory right of occupancy granted by the Governor to alienate his right of occupancy or any part thereof by assignment, mortgage, transfer of possession, sublease or otherwise howsoever without the consent of the Governor first had and obtained:

(1) Provided that the consent of the Governor-

(a) shall not be required to the creation of a legal mortgage over a statutory right of occupancy in favour of a person in whose favour an equitable mortgage over the right of occupancy has already been created with the consent of the Governor:

(b) shall not be required to the re-conveyance or release by a mortgage to a holder or occupier of a statutory right of occupancy which that holder or occupier has mortgaged and that mortgage with the consent of the Governor:

(c) to the renewal of a sub-lease shall not be presumed by reason only of his having consented to the grant of a sub-lease containing an option to renew the same.

(2) The Governor when giving his consent to an assignment mortgage or sub-lease may require the holder of a statutory right of occupancy to submit an instrument executed in evidence of the assignment, mortgage or sub-lease and the holder shall when so required deliver the said instrument to the Governor in order that the consent given by the Governor under subsection (1) may be signified by endorsement thereon.

23. (1) A sub-lease of a statutory right of occupancy may with the prior consent of the Governor and with the approval of the holder of the statutory right of occupancy, demise by way of sub-underlease to another person the land comprised in the sub-lease held by him or any portion of the land.

(2) The provisions of subsection (2) shall apply mutatis mutandis to any transaction effected under subsection (1) of this section as if it were a sub-lease granted under section 22.

24. The devolution of the rights of an occupier upon death shall -

(a) in the case of a customary right of occupancy, (unless non customary law or any other customary law applies) be regulated by the customary law existing in the locality in which the land is situated; and

(b) in the case of a statutory right of occupancy (unless any non customary law or other customary law applies) be regulated by the customary law of the deceased occupier at the time of his death relating to the distribution of property of like nature to a right of occupancy:

Provided that -

(a) no customary law prohibiting, restricting or regulating the devolution on death to any particular class of persons or the right to occupy and land shall operate to deprive any person of any beneficial interest in such land (other than the right to occupy the same) or in the proceeds of sale thereof to which he may be entitled under the rule of inheritance of any other customary law;

(b) a statutory right of occupancy shall not be divided into two or more parts on devolution by the death of the occupier, except with the consent of the Governor.

25. In the case of the revocation or transfer of rights to which any non customary law applies, no deed or will shall operate to create any proprietary right over land except that of a plain transfer of the whole of the rights of occupation over the whole of the land.

26. Any transaction or any instrument which purports to confer on or vest in any person any interest or right over land other than in accordance with the provisions of this Act shall be null and void.

27. The Governor may accept on such terms and conditions as he may think proper the surrender of any statutory right of occupancy granted under this Act.

Part V

Revocation of Rights of Occupancy and compensation therefore

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

(2) Overriding public interest in the case of a statutory right of occupancy means--.

(a) the alienation by the occupier by assignment, mortgage, transfer of possession, sublease, or otherwise of any right of occupancy or part thereof contrary to the provisions of this Act or of any regulations made there-under;

(b) the requirement of the land by the Government of the State or by a Local Government in the State, in either case for public purposes within the State, or the requirement of the land by the Government of the Federation for public purposes of the Federation;

(c) the requirement of the land for mining purposes or oil pipelines or for any purpose connected therewith.

(3) Overriding public interest in the case of a customary right of occupancy means -

(a) the requirement of the land by the Government of the State or by a Local Government in the State in either case for public purpose within the State, or the requirement of the land by the government of the Federation for public purposes of the Federation.

(b) the requirement of the land for mining purposes or oil pipelines or for any purpose connected therewith;

(c) the requirement of the land for the extraction of building materials;

(d) the alienation by the occupier by sale, assignment, mortgage, transfer of possession, sublease, bequest or otherwise of the right of occupancy without the requisite consent or approval.

(4) The Governor shall revoke a right of occupancy in the event of the issue of a notice by or on behalf of the (Head of the Federal Military Government) if such notice declares such land to be required by the Government for public purposes.

(5) The Military Government may revoke a statutory right of occupancy on the ground of-

(a) a breach of any of the provisions which a certificate of occupancy is by section 10 deemed to contain;

(b) a breach of any term contained in the certificate of occupancy or in any special contract made under section 8;

(c) a refusal or neglect to accept and pay for a certificate which was issued in evidence of a right of occupancy but has been cancelled by the Military Governor under subsection (3) of section 10.

(6) The revocation of a right of occupancy shall be signified under the hand of a public officer duly authorised in that behalf by the Governor and notice thereof shall be given to the holder.

(7) The title of the holder of a right of occupancy shall be extinguished on receipt by him or a notice given under subsection (5) or on such later date as may be stated in the notice.

9. (1) If a right of occupancy is revoked for the cause set out in paragraph (b) of subsection (2) of section 28 or (c) of subsection (3) of the same section, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their un-exhausted improvements.

(2) If a right of occupancy is revoked for the cause set out in paragraph (c) of subsection (2) of section 28 or in paragraph (b) of subsection (3) of the same section the holder and the occupier shall be entitled to compensation under the appropriate provisions of the Minerals Act or the Mineral Oils Act or any legislation replacing the same.

(3) If the holder or the 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; or

(c) into some fund specified by the Governor for the purpose of being utilised or applied for the benefit of the community.

(4) Compensation under subsection (1) of this section shall be, as respects -

(a) the land, for an amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked;

(b) building, 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 interest 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 substantiated 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 a prescribed and determined by the appropriate officer.

(5) Where the land in respect of which a right of occupancy has been revoked forms part of a larger area the compensation payable shall be computed as in subsection (4) (a) above less a proportionate amount calculated in relation to that part of the area not affected by the revocation but of which the portion revoked forms a part and any interest payable shall be assessed and computed in like manner.

- (6) Where there is any building, installation or improvement or crops on the land to which subsection (5) applies, then compensation shall be computed as specified hereunder, that is a respects -
- (a) such land, on the basis specified in that subsection;
- (b) any building, installation or improvement or crops thereon (or any combination or two or all of those things) on the basis specified in that subsection and subsection (4) above, or so much of those provisions as are applicable, and any interest payable under those provisions shall be computed in like manner.
- (7) For the purposes of this section, "installation" means any mechanical apparatus set up or put in position for use or materials set up in or on land or other equipment, but excludes any fixture in or on any building.
30. 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.
31. The provisions of the Public Lands Acquisition (Miscellaneous Provisions) Act 1976 shall not apply in respect of any land vested in, or taken over by, the Governor or any Local Government pursuant to this Act or the right of occupancy to which is revoked under the provisions of this Act but shall continue to apply in respect of land compulsorily acquired before the commencement of this Act.
32. The revocation of a statutory right of occupancy shall not operate to extinguish any debt due to the Government under or in respect of such right of occupancy.
33. (1) Where a right of occupancy in respect of any developed land on which a residential building has 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).
- (2) Where the value of any alternative accommodation as determined by the appropriate officer of the Land Use and Allocation Committee is higher than the compensation payable under this Act the parties concerned may by agreement require that the excess in value in relation to the property concerned shall be treated as a loan which the person affected shall refund or repay to the Government in the prescribed manner.
- (3) Where a person accepts a resettlement pursuant to subsection (1) of this section his right to compensation shall be deemed to have been duly satisfied and no further compensation shall be payable to such person.

Part VI

Transitional and other related provisions

34. (1) The following provisions of this section shall have effect in respect of land in an urban area vested in any person immediately before the commencement of this Act.
- (2) Where the land is developed the land shall continue to be held by the person in whom it was vested immediately before the commencement of this Act as if the holder of the land was the holder of a statutory right of occupancy issued by the Governor under this Act.
- (3) In respect of land to which subsection (2) of this section applies there shall be issued by the Governor on application to him in the prescribed form a certificate of occupancy if the Governor is satisfied that the land was, immediately before the commencement of this Act, vested in that person.
- (4) Where the land to which subsection (2) of this section applies was subject to any mortgage, legal or equitable, or any encumbrance or interest valid in law such land shall continue to be so subject and the certificate of occupancy issued, shall indicate that the land is so subject, unless the continued operation of the encumbrance or interest would in the opinion of the Governor be inconsistent with the provisions, or general intendment of this Act.
- (5) Where on the commencement of this Act the land is undeveloped, then
- (a) one plot or portion of the land not exceeding half hectare in area shall subject to subsection (6) below, continue to be held by the person in whom the land was so vested as if the holder of the land was the holder of a statutory right of occupancy granted by the Governor in respect of the plot or portion as aforesaid under this Act; and
- (b) all the rights formerly vested in the holder in respect of the excess of the land shall in the commencement of this Act be extinguished and the excess of the land shall be taken over by the Governor and administered as provided in this Act.
- (6) Paragraph (a) of subsection (5) above shall not apply in the case of any person who on the commencement of this Act also the holder of any undeveloped land elsewhere in any urban area in the State and in respect of such a person all his holdings of undeveloped land in any urban area in State shall be considered together -
- (a) one plot or portion not exceeding 1/2 hectare in area shall continue to be held by such a person as if a right of occupancy had been granted to him by the Governor in respect of that plot or portion; and
- (b) the remainder of the land (so considered together) in excess of 1/2 hectare shall be taken over by the Governor and administered in accordance with this Act and the rights formerly vested in the holder in respect of such land shall be extinguished.
- (7) No land to which subsection (5) (a) or (6) above applies held by any person shall be further subdivided or laid out in plots and no such land shall be transferred to any person except with the prior consent in writing of the Governor.
- (8) Any instrument purporting to transfer any undeveloped land in contravention of subsection (7) above shall be void and of no effect whatsoever in law and any party to any such instrument shall be guilty of an offence and liable on conviction to imprisonment for one year or a fine of N5, 000.
- (9) In relation to land to which subsection (5) (a) or (6) (a) applies there shall be issued by the Military Governor on application therefore in the prescribed form a certificate of occupancy if the Military Governor is satisfied that the land was immediately before the commencement of this Act vested in that person.

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35. (1) Section 34 of this Act shall have effect notwithstanding that the land in question was held under a leasehold, whether customary or otherwise, and formed part of an estate laid out by any person, group or family in whom the leasehold interest or reversion in respect of the land was vested immediately before the commencement of this Act so however on, group of family in whom the leasehold interest or reversion was vested that if there has been any improvements on the land effected by the person; as aforesaid the Governor shall, in respect of the improvements, pay to that person, group or family compensation computed as specified in section 29 of this Act.

(2) There shall be deducted from the compensation payable under subsection (1) of this section any levy by way of development or similar charges paid in respect of the improvements on the land by the lessee to the person, group or family in whom the leasehold interest or reversion was vested and the amount to be deducted shall be determined by the Governor taking into consideration all the circumstances of the case.

36. (1) The following provisions of this section shall have effect in respect of land not in an urban area which was immediately before the commencement of this Act held or occupied by any person.

(2) Any occupier or holder of such land, whether under customary rights or otherwise howsoever, shall if that land was on the commencement of this Act being used for agricultural purposes continue to be entitled to possession of the land for use for agricultural purposes as if a customary right of occupancy had been granted to the occupier or holder thereof by the appropriate Local Government and the reference in this subsection to land being used for agricultural purposes includes land which is, in accordance with the custom of the locality concerned, allowed to lie fallow for purposes of recuperation of the soil.

(3) On the production to the Local Government by the occupier of such land, at his discretion, of a sketch or diagram or other sufficient description of the land in question and on application therefore in the prescribed form the Local Government shall if satisfied that the occupier or holder was entitled to the possession of such land whether under customary rights or otherwise howsoever, and that the land was being used for agricultural purposes at the commencement of this Act register the holder or occupier as one to whom a customary right of occupancy had been issued in respect of the land in question.

(4) Where the land is developed, the land shall continue to be held by the person to whom it was vested immediately before the commencement of this Act as if the holder of the land was the holder of a customary right of occupancy issued by the Local Government, and if the holder or occupier of such developed land, at his discretion, produces a sketch or diagram showing the area of the land so developed the Local Government shall if satisfied that that person immediately before the commencement of this Act has the land vested in him register the holder or occupier as one in respect of whom a customary right of occupancy has been granted by the Local Government.

(5) No land to which this section applies shall be sub-divided or laid out in plots and no such land shall be transferred to any person by the person in whom the land was vested as aforesaid.

(6) Any instrument purporting to transfer any land to which this section relates shall be void and of no effect whatsoever in law and every party to any such instrument shall be guilty of an offence and shall on conviction be liable to a fine N5, 000 or to imprisonment for 1 year.

37. If any person other than one in whom any land was lawfully vested immediately before the commencement of this Act enters any land in purported exercise of any right in relation to possession of the land or makes any false claim in respect of the land to the Military Government or any Local Government for any purpose under this section, he shall be guilty of an offence and liable on conviction to any imprisonment for one year or to a fine of N5, 000.

38. Nothing in this Part shall be construed as precluding the exercise by the Governor or as the case may be the Local Government concerned of the powers to revoke, in accordance with the applicable provisions of this Act, rights of occupancy, whether statutory or customary, in respect of any land to which this Part relates.

Part VII

Jurisdiction of High Courts and other Courts

39. (1) The High Court shall have exclusive original jurisdiction in respect of the following proceedings:-

(a) proceedings in respect of any land the subject of a statutory right of occupancy granted by the Governor or deemed to be granted by him under this Act; and for the purposes of this paragraph proceedings include proceedings for a declaration of title to a statutory right of occupancy.

(b) proceedings to determine any question as to the persons entitled to compensation payable for improvements on land under this Act.

(2) All laws, including rules of court, regulating the practice and procedure of the High Court shall apply in respect of proceedings to which this section relates and the laws shall have effect with such modifications as would enable effect to be given to the provisions of this section.

40. Where on the commencement of this Act proceedings had been commenced or were pending in any court or tribunal (whether at first instance or on appeal) in respect of any question concerning or pertaining to title to any land or interest therein such proceedings may be continued and be finally disposed of by the court concerned but any order or decision of the court shall only be as respects the entitlement of either of the parties to the proceedings to a right of occupancy, whether statutory or customary, in respect of such land as provide in this Act.

41. An area court or customary court or other court of equivalent jurisdiction in a State shall have jurisdiction in respect of proceedings in respect of a customary right of occupancy granted by a Local Government under this Act; and for the purposes of this paragraph proceedings include proceedings for a declaration of title to a customary right of occupancy

and all laws including rules of court regulating practice and procedure of such courts shall have effect with such modification as would enable effect to be given to this section.

42. (1) Proceedings for the recovery of rent payable in respect of any certificate of occupancy may be taken before a Magistrate Court of competent jurisdiction by and in the name of the Chief Lands Officer or by and in the name of any other officer appointed by the Governor in that behalf.

(2) Proceedings for the recovery of rent payable in respect of any customary right of occupancy may be taken by and in the name of the Local Government concerned in the area court or customary court or any court of equivalent jurisdiction.

Part VIII

Supplemental

43. (1) Save as permitted under Section 34 of this Act, as from the commencement of this Act no person shall in an urban area -

(a) erect any building, wall, fence or other structure upon; or

(b) enclose, obstruct, cultivate or do any act on or in relation to, any land which is not the subject of a right of occupancy or licence lawfully held by him or in respect of which he has not received the permission of the Governor to enter and erect improvements prior to the grant to him of a right of occupancy.

(2) Any person who contravenes any of the provisions of subsection (1) shall on being required by the Ministry Governor so to do any within the periods of obstruction, structure or thing which he may have caused to be placed on the land and he shall put the land in the same condition as nearly as may be in which it was before such contravention.

(3) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and liable on conviction to imprisonment for one year or to a fine of N5,000.

(4) Any person who fails or refuses to comply with a requirement made by the Governor under subsection (2) shall be guilty of an offence and liable on conviction to a fine of #100 for each day during which he makes default in complying with the requirement of the Governor.

44. Any notice required by this Act to be served on any person shall be effectively served on him

(a) by delivering it to the person on whom it is to be served: or

(b) by leaving at the usual or last known place of abode of that person: or

(c) by sending it in a prepaid registered letter addressed to that person at his usual or last known place of abode: or

(d) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at its registered or principal office or sending it in a prepaid registered letter addressed to the secretary or clerk of the company or body at that office.

(e) if it is not practicable after reasonable inquiry to ascertain the name or address of a holder or occupier of land on whom it should be served by addressing it to him by the description of "holder" or "occupier" of the premises (naming them) to which it relates, and by delivering it to some person on the premises or, if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

45. (1) The Governor may delegate to the State Commissioner all or any of the powers conferred on the Governor by this Act, subject to such restrictions, conditions and qualifications, not being inconsistent with the provisions, or general intentment, of this Act as the Governor may specify.

(2) Where the power to grant certificates has been delegated to the State Commissioner such certificates shall be expressed to be granted on behalf of the Governor.

46. (1) The National Council of States may make regulations for the purpose of carrying this Act into effect and particularly with regard to the following matters-

(a) the transfer by assignment or otherwise howsoever of any rights of occupancy, whether statutory or customary, including the conditions applicable to the transfer of such rights to persons who are not Nigerians:

(b) the terms and conditions upon which special contracts may be made under section 8:

(c) the grant of certificates of occupancy under section 9:

(d) the grant of temporary rights of occupancy;

(e) the method of assessment of compensation for the purposes of section 29 of this Act.

(2) the Governor may, subject to subsection (1) make regulations with regard to the following matters:-

(a) the method of application for any licence or permit and the terms and conditions under which licences may be granted;

(b) the procedure to be observed in revising rents;

(c) the fees to be paid for any matter or thing done under this Act.

(d) the forms to be used for any document or purposes.

47. (1) Act shall have effect notwithstanding anything to the contrary in any law or rule of law including the Constitution of the Federation or of a State and, without prejudice to the generality of the foregoing, no court shall have jurisdiction to inquire into:-

(a) any question concerning or pertaining to the vesting of all land in the Governor in accordance with the provisions of this Act: or

(b) any question concerning or pertaining to the right of the Military Governor to grant a statutory right of occupancy in accordance with the provisions of this Act; or

(c) any question concerning or pertaining to the right of a Local Government to grant a customary right of occupancy under this Act.

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(2) No court shall have jurisdiction to inquire into any question concerning or pertaining to the amount or adequacy of any compensation paid or to be paid under this Act.

48. All existing laws relating to the registration of title to, or interest in, land or the transfer of title to or any interest in land shall have effect subject to such modifications (whether by way of addition, alteration or omission) as will bring those laws into conformity with this Act or its general intentment.

49. (1) nothing in this Act shall affect any title to land whether developed or undeveloped held by the Federal Government or any agency of the Federal Government at the commencement of this Act and, accordingly, any such land shall continue to vest in the Federal Government or the agency concerned.

(2) In this section, "agency" includes any statutory corporation or any other statutory body (whether corporate or unincorporated) or any company wholly-owned by the Federal Government.

50. (1) notwithstanding anything to the contrary in this Act or any other enactment. All laws and subsidiary legislation made at any time between the commencement of this Act and 30th September 1979 by an Administrator (or former Governor) the Executive Council, a Commissioner or any other authority or any public officer of a State shall be deemed to have been validly made and shall have effect as if they have been under or pursuant to the Act and accordingly, shall hereafter continue have effect according to their tenor and intentment as if they were regulations made under or pursuant to section 46 of this Act.

(2) For the purposes of subsection (1) of this section

(a) all contracts and all executive and judicial acts, including acts pertaining to the establishment, membership and functions of any Land Use Allocation Committee or of any other authority or to the appointment of any person, shall be deemed to have been validly entered into or done and shall hereafter continue to have effect as provided in the said subsection; and

(b) any instrument or other evidence relating to the allocation of any land, whether or not expressed to have been made under this Act, shall be deemed to have been validly issued or given under or pursuant to this Act and shall continue to have effect according to its tenor and intentment accordingly.

51. (1) In this Act, unless the context otherwise requires: - "agricultural purposes" includes the planting of any crops of economic value:

"Appropriate officer" means the Chief Lands Officer of a state and in the case of the Federal Capital Territory means the Chief Federal Lands Officer;

"Customary right of occupancy" means the right of a person or community lawfully using or occupying land in accordance with customary law and includes a customary right of occupancy granted by a Local Government under this Act.

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

"Easement" means a right annexed to land to utilize other land in different holding in a particular manner (not involving the taking of any part of the natural produce of that land or of any part of its soil) or to prevent the holder of the other land from utilizing his land in a particular manner;

"Government" means the Government of the Federation or the Government of a State;

"Grazing purposes" includes only such agricultural operations as are required for growing fodder for livestock on the grazing area;

"High Court" means the High Court of the State concerned;

"Holder" in relation to a right of occupancy, means a person entitled to a right of occupancy and includes any person to whom a right of occupancy has been validly assigned or has validly passed on the death of a holder but does not include any person to whom a right of occupancy has been sold or transferred without a valid assignment, nor a mortgagee, sub lessee or sub-under lessee;

"Improvements" or "un-exhausted improvements" means anything of any quality permanently attached to the land, directly resulting from the expenditure of capital or labour by an 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, wells, roads and irrigation or reclamations works, but does not include the result of ordinary cultivation other than growing produce: "interest at the bank rate" means a simple interest payable at the rate per cent per annum at which the Central Bank of Nigeria will rediscount bills of exchange;

"Local Government" means the appropriate Local Government or any other body having or exercising the powers of a Local Government as provided by law in respect of the area where the land in question is situated;

"Governor" means the Governor of the State concerned;

"Mortgage" includes a second and subsequent mortgage and equitable mortgage;

"Occupier" means any person lawfully occupying land under customary law and a person using or occupying land in accordance with customary law and includes the sub-under lessee of a holder;

"Public purposes" includes:-

(a) for exclusive Government use or for general public use;

(b) for use by any body corporate directly established by law or by any body corporate registered under the Companies Act 1968 as respects which the Government owns shares, stocks or debentures;

(c) for or in connection with sanitary improvements of any kind;

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(d) for obtaining control over land contiguous to any part or over land the value of which will be enhanced by the construction of any railway, road or other public work or convenience about to be undertaken or provided by the Government;

(f) for obtaining control over land required for or in connection with mining purposes;

(g) for obtaining control over land required for or in connection with planned urban or rural development or settlement;

(h) for obtaining control over land required for or in connection with economic, industrial or agricultural development;

"Statutory right of occupancy" means a right of occupancy granted by the Governor under this Act;

"Urban area" means such area of the state as may be designated as such by the Governor pursuant to section 3 of this Act;

"Sub-lease" includes sub-underlesse.

(2) The powers of a Governor under this Act shall, in respect of land comprised in the Federal Capital Territory or any land held or vested in the Federal Government in any State, be exercisable by the Head of the Federal Military Government or any Federal Commissioner designated by him in that behalf and references in this Act to Governor shall be construed accordingly.

52. This Act may be cited as the Land Use Act 1978.

ANNEX 9: TERMS OF REFERENCE FOR INDEPENDENT WITNESS NON-GOVERNMENTAL ORGANISATION (NGO) FOR THE IMPLEMENTATION OF RESETTLEMENT ACTION PLANS (RAPs) ON SEVEN PRIORITY SITES UNDER IBADAN URBAN FLOOD MANAGEMENT PROJECT

1.0 Background

The World Bank is supporting the Oyo State Government to implement the Ibadan Urban Flood Management project (IUFMP) that aims to develop a long-term flood risk management framework by initiating risk assessment, community awareness, and providing enough flexibility in the project design to make changes based on learning. The project also supports capacity building for flood risk management in the city of Ibadan. IUFMP is also intended to reinforce Oyo State government's early warning and response capabilities and also leverage on existing World Bank projects in Oyo State.

Specifically, the Bank's support will finance some priority investments related to improve the infrastructure of Ibadan City, especially those destroyed by August 26, 2011 floods. The Bank's support will help Ibadan reduce flood risks, improve waste collection and treatment, while developing and improving the quality of existing infrastructural assets.

The Project Development Objective (PDO) is to *improve the capacity of Oyo State to manage flood risk and to respond effectively and promptly to flooding in the city of Ibadan.*

2.0 Safeguard requirements of IUFMP sub-projects

IUFMP activities involve medium-sized civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around the Ibadan city. These could result in environmental and social impacts which trigger the World Bank's Safeguard Policies including Environmental Assessment OP 4.01; Involuntary Resettlement OP4.12; Natural Habitats OP 4.04; Physical Cultural Resources OP 4.11, and Safety of Dams OP 4.37 and Public Disclosure OP 17.60.

The environmental and social safeguards concerns are being addressed through the national instrument already prepared under the project: an Environmental and Social Management Framework (ESMF) and a Resettlement Framework (RPF). The frameworks typically need to be translated into specific cost, measurable, and monitorable actions for specific intervention sites through the preparation of site-specific management and action plans. Specifically, the RPF applies when land acquisition leads to the temporary or permanent 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 due to project activities. It sets out the resettlement and compensation principles, organizational arrangements and design criteria to be applied to meet the needs of project-affected people, and specifies the contents of either a Resettlement Action Plan (RAP) or an Abbreviated Resettlement Action Plan (RAP) for each package of investments. A Resettlement Policy Framework (RPF), which serves as a practical tool during the programme formulation, design, implementation and monitoring, was prepared for IUFMP which serves as a guide for the present terms of reference.

2.1 Specific sites with Resettlement Impacts

Sequel to the preparation of the RPF and the effectiveness of IUFMP, specific sub-projects have been identified and appropriate instruments to mitigate the resettlement impact have been prepared as required by the World Bank OP 4.12. The principles and broad criteria established in the RPF have formed the basis for the preparation site-specific, time-bound, costed and monitorable instruments for mitigating resettlement impacts. Currently 6 RAPs covering seven (7) priority sites are being prepared and about to be implemented.

The sites for which Resettlement Action Plans are being prepared are the following:

- a. Foworogí Bridge and approach roads
- b. Omirin Culvert and approach road & Olorungunwa – Sekunderin culverts and roads (*A single RAP was prepared to cover these two project locations*)
- c. Alaro 7up Bridge
- d. Maje River culvert – Mango road
- e. Oki-Oke Ayo Tuntun culvert
- f. Isokun –Oke Aanu Culvert, Ojoo.

2.2 Description of project areas

2.2.1 Foworogi Bridge

The Foworogi/Pegba corridor is a contiguous stretch of road cutting across three communities as indicated above. The culvert is located in the Ifesowapo Idi-osan community in Ibadan; a sub urban community in Oluyole Local Government area of Oyo State. The site falls within the Ibadan Metropolis and lies between x and y coordinates N7.33088 and E3.94549 at an altitude of 189msl.

The stream in Foworogi channels water from River Ariyo to Fatusi. Existing Culvert is constructed on an earth road used by vehicles (heavy and light) and pedestrians. Culvert is not adequate for the area. Waterway is obstructed by water weeds. The low crossing has suffered severe structural damage and is now actively eroding. The topography of the project area of influence is a gentle slope and characterized by basement formation and sandy soils. Vegetation in the area is composed mainly of some trees, high shrubs, and grasses. However, the original vegetation has been undergoing modifications due to urban expansions and human activities. Human activities have impacted on the environment resulting in series of environmental and social concerns such aquatic weeds restricting flow of water, high sediment load in stream and lack of drainages on existing earth roads.



2.2.2 Omiri Culvert area

The Omiri Culvert – Omiran (Omi River) priority site is located in Egbeda Local Government Area. The site falls within the Ibadan Metropolis and lies between x and y coordinates N7.37441 and E3.9966 and at altitude 195msl.

Omiri River flowing through Adekola community is channeled by a dilapidated culvert with no protective barriers on both sides of the culvert. This is hazardous to users due to the height of the road. Drainages are blocked with domestic waste preventing free flow of water. The topography of the project area of influence is a gentle slope and characterized by igneous rock formations with sandy soils. The area receives surface water (upstream) from Omi River and discharges at Christ Power - Olode. Vegetation in the area is composed mainly of few trees, high shrubs and grasses. However, the original vegetation has been undergoing modifications due to urban expansions and human activities.

Human activities have impacted negatively on the environment resulting in series of environmental and social concerns such as existing drains are blocked with solid waste.



Collapsed culvert with debris
Collapsed culvert



2.2.3 Olorungunwa and Sekunderin culvert areas

The Olorungunwa Culvert – Poat Area (Omi River) priority site is located in Egbeda Local Government Area. The site falls within the Ibadan Metropolis and lies between x and y coordinates N7.36993 and E3.99749 and at an altitude of 190msl. The Sekunderin community is the location which Omirin/Olorungunwa stretch terminates. It is therefore expedient to conclude the road works there.

The existing inadequate Olorungunwa culvert constructed on an earth road has a flow of water from Olorungunwa stream to Omi River. The existing road has been damaged by erosion. There is excessive growth of weeds which obstructs the flow of water. Drainage exists on only one side of the road. The topography of the project area of influence is a gentle slope and characterized by igneous rock formations with sandy soils. The area receives surface water (upstream) from Olorungunwa stream/spring and discharges at Omi River. Vegetation in the area is composed mainly of few trees, high shrubs and grasses. However, the original vegetation has been undergoing modifications due to urban expansions and human activities. Human activities have impacted on the environment resulting in series of environmental and social concerns such as sheet erosion, presence of undercutting in roads/ erosion, No drainages on existing earth roads; Aquatic weeds restricting flow of water and high sediment load in stream.



Collapsed culvert



Collapsed culvert and road approaches without drainages

The proposed civil works include construction of appropriate road drainage to carry the significant flows that can be generated during intense storms and routing these flows through a new single cell box culvert under the road and into the natural channels.

2.2.4 Alaro Bridge Area

Alaro bridge is sited in a residential/industrial area on 7Up road in Ibadan South West Local Government Area. The site falls within the Ibadan Metropolis and lies between x and y coordinates N7.3541 and E3.84603 at an altitude of 162msl.

The existing culverts are undersized and capacity is further limited by frequent and severe debris. The complex nature of the upstream entrance to the culvert makes it easy for debris to collect and blind the entrance. Outflanking of the short training walls is also in evidence. There are no protective barriers on both sides of the culvert. Culvert is inadequate and needs to be replaced. Drainage also requires reconstruction. Blockage by natural and anthropogenic debris is a significant issue that further reduces the culvert capacity during times of flood.

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The topography is a flat and characterized by basement geology formations and sandy soils. Vegetation in the area is composed mainly of high shrubs and grasses. However, the original vegetation has been undergoing modifications due to urban expansions and human activities.



Upstream towards crossing



Natural and anthropogenic debris

Human activities have impacted on the environment resulting in series of environmental and social concerns such as Air pollution from Zartech poultry farm; Sheet erosion, debris blockage- including woody debris and anthropogenic waste.

2.2.5 Maje - Idi Mango Road Culvert area

The Maje River - Maje - Idi Mango Road (Ogunpa River) priority site is located in Oluyole Local Government Area. The site falls within the Ibadan metropolis and lies between x and y coordinates N7.31603 and E3.89197 at an altitude of 150msl.

Maje River flows through Maje/Idi-oro community in Oluyole LGA with culvert sited on Idi Mango road. The road crossing here is frequently overtopped, causing significant local disruption to social activities. In 2014 there have been several disruptions which have caused damage to properties. The culvert is damaged and water flow through drains is hampered by water weeds.

The topography of the project area of influence is a gentle slope and characterized by lateritic soils. The area receives surface water (upstream) from Ogbere River and flows to Ogunpa River. Vegetation in the area is composed mainly of high shrubs, grasses and water weeds. However, the original vegetation has been undergoing modifications due to urban expansions and human activities.

Human activities have impacted on the environment resulting in series of environmental and social concerns such aquatic weeds restricting flow of water; high sediment/solid waste load in stream.



Pipe culvert blocked by debris



High sediment/solid waste load in stream



2.2.7 Isokun – Ojoo Road Culvert Area

The site is located at about 2km from Ojoo, Arulogun junction in Akinyele Local Government Area. The site falls within the Ibadan Metropolis and lies between x and y coordinates N828917 and E603137

The situation at the existing culvert was aggravated through several flooding occurrences after the 2011 flood disaster; the collapsed culvert debris can be seen along the river bed. The single cell ring culvert had inadequate capacity to discharge flood water due to deep gull erosion that developed around the culvert thereby threatening the single carriage road and the adjoining area. The topography is a gentle slope and characterized by basement geology formations and sandy soils. The area receives surface water (upstream) from Ona River tributaries and discharges at Ona River. Vegetation in the area is sparse, mainly shrubs and grasses. However, the original vegetation has undergone modifications due to urban expansions and human activities. Human activities have impacted on the environment resulting in series of environmental and social concerns such as dilapidated drainages near damaged culvert and aquatic weeds restricting flow of water.



Upstream with aquatic weeds and

Eroded road almost parting of the road just after the culvert



3.0 Rationale for inclusion of Witness NGO in RAP Implementation

The broad objective of preparing and implementing mitigation instruments that cater for involuntary resettlement impacts covered under OP 4.12 is to ensure that people living and earning a livelihood within the area of influence of these priority flood control infrastructures are adequately protected from such impacts by the Oyo State Government.

RAP implementation has considerable institutional constraints. Non-governmental Organisations with requisite competencies and experience of the project area add value to the RAP implementation process. Specifically, NGOs add value to the process in the following ways;

- a. At the community level, local organizations, such as NGOs accepted by PAPs, often have a deeper understanding of local social and environmental conditions and may already enjoy the support of the affected population. Hence, NGOs are a repository of public trust and confidence. NGOs usually have more knowledge of, and experience with, the relevant legal frameworks than PAPs.
- b. As organizations with definite technical skills and established institutional procedures, NGOs usually know the best ways and approaches required to interact with public authorities and can advocate for the interests and positions of DPs.
- c. Based on OP 4.12, local institutions and representative organizations can be used to represent the interests of PAPs. Local NGOs often provide valuable assistance and ensure viable community participation during implementation processes

3.1 Current requirement for a witness NGO in IUFMP RAP implementation

The six resettlement action plans (RAPs) prepared for the seven sites are expected to be disclosed and implemented as soon as they are reviewed and cleared by the Oyo state Government and the World Bank. The inclusion of a witness NGO to observe compensation payments provides a stamp of credibility for the implementation process. However, local NGOs involved in sustainable development at the community level were not found in the Project area during the RAP preparation process. The PIU therefore embarked on a process of identifying active NGOs within Ibadan through reference lists and directories maintained by concerned MDAs such as Ministry of Women Affairs & Social Welfare and the State AIDS control Agency (OYSACA).

Through the process, a shortlist of NGOs to be reviewed will be drawn up and two NGOs will be selected to partner with IUFMP in independent observation of RAP implementation procedures.

NGOs working in contiguous areas can partner where possible by setting up partnership agreements that are mutually agreed and acceptable to the IUFMP.

The two NGOs will observe RAP implementation in the seven locations as distributed into two (2) clusters shown in the table below;

Cluster 1	Cluster 2
Omiri Culvert	Foworogi Bridge
Olorungunwa-Sekunderin Culvert	Maje Culvert
Oki Oke Ayo tuntun Culvert	Alaro 7Up Bridge
Isokun Ojoo Road Culvert	

4.0 Core tasks of the Independent Witness Non-Governmental Organization

The organisation will serve as an independent observer of all activities involved in the implementation of the resettlement action plan for all the sites where RAPs have been developed for the purpose of ensuring that the objective of the planned resettlement implementation activities and measures are fulfilled.

The specific tasks of the NGO are as follows;

1. The organization will observe all local activities to be carried out by the public entity responsible for RAP implementation (i.e IUFMP) during the implementation process. Within the context of the six (6) RAPs described in section 2.1 of this TOR, this will include but will however not be limited to;
 - a. Sensitization of PAPs on the implementation process
 - b. Disclosure of entitlements to PAPs
 - c. Verification and authentication of enumerated PAPs
 - d. Documentation of compensation entitlements
 - e. Registration and complaints and grievances related to compensation payouts
2. The organization will work with Community Resettlement Implementation Committees and other Community Associations Leaders to identify and consult with PAPs on compensation process and timetable
3. The organisation will also assist residents, affected persons and community groups to understand the provisions of the instruments as they have been prepared by the project implementing entity.
4. The organisation will identify persons requiring special assistance especially vulnerable persons to achieve effective participation in the resettlement activities and to derive optimal benefits of the process.
5. The organisation will provide feedback based on perspectives of project beneficiaries and affected persons in line with the World Bank policy on involuntary resettlement (OP 4.12) and the Resettlement Policy Framework (RPF) developed by the project implementing entity.
6. The Organisation will observe the performance of the Grievance Redress Process established in the site-specific RAPs for the purpose of providing feedback for improvement to the project implementing entity.
7. The organization will also independently monitor the endline conditions of PAPs within six (6) completion of the RAP implementation processes

5.0 Organisational Profile of the Witness NGO

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The project implementation entity desires to partner with NGOs with experience in carrying out community-based development work within the project area covered by the priority projects described in section 2.2 of this TOR.

Such organization must be able to demonstrate capacity to carry out the tasks related to the RAP implementation through the following:

1. Evidence of registration with Oyo State Government or any of the 11 LGAs within Ibadan metropolitan area.
2. Evidence of community based work in any part of the project area i.e Ibadan Metropolitan Area covering the 11 LGA and 14 LCDAs
3. Evidence of physical presence in the project area
4. Specific previous work experience as a non-state actor in the following areas of thematic focus is desirable
 - Good Governance, participatory democracy & human rights issues
 - Social Development within infrastructure projects
 - Household or Child Vulnerability programming
 - Community-Based financial services and livelihood support programming
 - Monitoring of local and community programmes or projects
 - Social protection
 - Household Economic Strengthening
5. Experience and Capacity of mobilising community volunteers in community-based projects

5.1 Key Personnel of Witness NGO

1. Senior Programme Officer:
 - Proven team leader in NGO sector within the context of the thematic area in section 5.0 (4) of this TOR with at least 5 years' experience.
 - Experience in community mobilisation will be essential
2. Programme Officer
 - Experienced in community-level programming. At least 2 years' experience
3. Monitoring & Evaluation Officer
 - Experienced personnel in monitoring of outputs and outcomes of household-focused community based interventions within the NGO sector.
 - At least 3 years' experience.
4. Programme Volunteers
 - Non-skilled community volunteers may be recruited to work under the supervision of the skilled core community programming team assembled by the NGO. A maximum of two (2) in each of the project areas will be desirable.

6.0 Working Arrangements

The Team Leader (Senior Programme Officer) of the NGO will report directly to the Project Coordinator of the PIU, IUFMP, Oyo State, Nigeria.

6.1 Deliverables

Generally, reports will be tied to the actual implementation of planned implementation activities. A strict adherence to a fixed time schedule will be expected as practically possible.

- **First Witness Report:** This will document independent observations of Witness Organization on **payment procedures** and **complaints management** carried out by the implementers. The report will report the adequacy of the processes adopted in line with the prepared instruments and the global RPF established for the project. It should synthesize the perspectives of PAPs on implemented processes and make recommendations on the next steps in the implementation program.
- **Final Witness Report:** The final witness report will document observations of the witness organization on the post-implementation living conditions of PAPs and households under the RAP implementation programme. It should synthesize the perspectives of PAPs on the resettlement programme implemented by the project sponsor highlighting strengths and weaknesses as well as articulating opportunities for improving future exercises and possible threats.

The witness organization is encouraged to use the findings of the reports for programming within the project communities subject to discussions with the PIU of the IUFMP.

7.0 Costs and Budget

The Witness organization is expected to have its own staff and resources so as to maintain its independent position. However the Project Implementing Entity will offer a honorarium for programme officers or volunteers of the Witness Organisation who participate in the implementation activities.