SAFEGUARDS AND SUSTAINABILITY SERIES
Volume 1 - Issue 3

The African Development Bank's involuntary resettlement policy: Review of implementation

AFRICAN DEVELOPMENT BANK GROUP

Quality Assurance and Results Department
Compliance and Safeguards Division

ACKNOWLEDGEMENTS

The report on the implementation of the African Development Bank Involuntary Resettlement Policy of 2003 has been prepared by the Compliance and Safeguards Division (ORQR3) of the Bank with Technical Assistance from GIBB Africa Limited, Kenya. Annah M. Rutebuka, Principal Social Safeguard Officer, guided the review process and ensured a successful completion of this report under Dr. Anthony O. Nyong, Manager of Compliance and Safeguards Division in the Quality Assurance and Results Department , who provided overall technical guidance and highly proactive resourcefulness.

We acknowledge the technical contributions made by Diop Mbarack, Justus Kabyemera, Justin Ecaat, Aimee Bella- Corbin, Anouk Fouich, Rachel Aron, Uche Duru, Noel Kulemenka Elizabeth Ndinya, Karim Mhirsi, Rachael A. Aron, Awatef Siala Fourati, Pierre Jaigbé, Zerfu Tessema Mammo, Nguema-Ollo Jean-Baptiste and John Kanyarubona. The final document and the development of the project outputs are direct results of their dedication and valuable insights through the various stages of the assignment.

The preparation of the report also benefitted from comments and suggestions received directly and or indirectly from relevant Bank departments: OSAN, ORQR, OITC, GECL, ORPC, OPSM, ONRI and SEGL. Contributions were also received from members of the Bank's Environmental and Social Safeguards Network, from staff located in field offices, and from a wide range of stakeholders across the continent—governments, civil society organizations, and the private sector. Special mention is warranted for Kenya Cameroon, Ghana, Malawi and Tunisia the case studies countries for this report. In equal measure, we acknowledge thankfully all the respondents in the Bank and outside the Bank, who took out time to answer lengthy questionnaires.

The acknowledgement would remain incomplete without thanking Mr. Simon Mizrahi, Director of the Quality Assurance and Results Department under whose guidance this work was possible.

The contributions of ORQR support staff Inès Saanoun, Hamida Riahi and Samia Gharbi are duly acknowledged.

We are extremely confident that this report would go a long way in contributing to the Bank's effort of ensuring a humane, participative, informed and transparent process for land acquisition for development investments financed by its resources.

© 2015 African Development Bank Group

All rights reserved. Published February 2015.

African Development Bank Group
Safeguards and Sustainability Series: Assessment of the use of "Country Systems" for environmental and social safeguards and their implications for AfDB-financed operations in Africa

Note: In this report, "$" refers to US dollars. 1 UA = $1.53

African Development Bank Group

Immeuble CCIA, Avenue Jean Paul II
B.P. 1387 Abidjan 01, Côte D'Ivoire

www.afdb.org

Table of contents

DEFINITIONS OF TERMS VII

EXECUTIVE SUMMARY 1

INTRODUCTION 3

COMPARATIVE ANALYSIS OF IR POLICY FRAMEWORK 5

- Comparison of AfDB's IR Policy Framework with Other Organisations' Frameworks 5
- Harmonisation of the AfDB's IR Policy and Country Safeguards Systems 8
- Review of the Banks Involuntary Resettlement Experience and Lessons Learnt 8

REVIEW OF INVOLUNTARY RESETTLEMENT 15

- Magnitude of Involuntary Resettlement 15
- Distribution of Reviewed Resettlement Projects 15
- Availability of Baseline Data 16
- Effectiveness and Efficiency of IR Policy, Procedures and Guidelines 18
- Monitoring and Evaluation 22
- Feedback from Implementing Agencies 25
- Feedback from PAPs 26
- AfDB Financing Resettlement Activities 26

LESSONS LEARNT AND RECOMMENDATIONS 29

- Lessons Learnt 29
- Recommendations 30

BIBLIOGRAPHY 33

ANNEXES 35

Figures and tables

LIST OF TABLES

Table 1	Equivalence scores by section of the six study countries (averages)	16
Table 2	Availability of data on key data components by region	17
Table 3	Availability of data by sector	17
Table 4	Description of Project Case Studies	17

LIST OF FIGURES

Figure 1	Sectoral Distribution of AfDB Resettlement Projects	16

Acronyms and Abbreviations

ADB	Asian Development Bank
AfDB	African Development Bank
AIDS	Acquired immunodeficiency syndrome
ARAP	Abbreviated Resettlement Action Plan
BIC	Bank Information Centre
CSO	Civil society organisation
DAC	Development Assistance Committee
EBRD	European Bank for Reconstruction and Development
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
HIV	Human immunodeficiency virus
IA	Implementing agency
IDB	Inter-American Development Bank
IFC	International Finance Corporation
IP	Indigenous people
IR	Involuntary resettlement
IRM	Independent Review Mechanism
ISS	Integrated Safeguards System
JBIC	Japan Bank for International Cooperation
JICA	Japan International Cooperation Agency
MCC	Millennium Challenge Corporation
MDB	Multilateral development bank
NEMA	National Environment Management Authority
NLC	National Land Commission
OECD	Organisation for Economic Co-operation and Development
OP	Operational Policy
ORQR	Quality Assurance and Results Department
ORQR.3	Compliance and Safeguard Division
PAP	Project-affected person
RAP	Resettlement Action Pan
RMC	Regional member country
ROW	Right of Way
SPS	Safeguards Policy Statement
WB	World Bank

DEFINITIONS OF TERMS

Affected person or household	Person or household affected by project-related changes in the use of land, water or other natural resources.
Compensation	Money or payment in kind to which affected people are entitled in order to replace a lost asset, resource or income.
Compensation Principles	Any RAP should (ideally) have principles that will be adhered to during its implementation. For AfDB funded projects, it is expected that these principles should at the very least be based on the safeguards set by the IR Policy.
Cut-off date	Date of completion of the census and assets inventory of persons affected by a project. Persons occupying the project area after the cut-off date are not eligible for compensation or resettlement assistance.
Eligibility	The criteria for qualification to receive benefits under a resettlement programme.
Expropriation	Government's sovereign action in taking property or modifying property rights.
Entitlement	Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation that are due to affected people, depending on the nature of their losses, to restore their economic and social base.
Host population	Community residing in or near the area to which affected people are to be relocated.
Income restoration	Re-establishing the income sources and livelihoods of affected people.
Involuntary Resettlement	Necessity for people affected by a development project to relocate and to rebuild their lives, incomes and asset bases elsewhere.
Relocation	Rebuilding public infrastructure, housing, and assets, including productive land, in another location.
Rehabilitation	Re-establishing incomes, livelihoods, livings, and social systems
Replacement rates	Cost of replacing lost assets and incomes, including cost of transactions
Resettlement effect	Loss of physical and non-physical assets, including homes, communities, productive land, income-earning assets and sources, subsistence, resources, cultural sites, social structures, networks and ties, cultural identity, and mutual help mechanisms
Resettlement plan	A time-bound action plan, with budget, setting out resettlement strategy, objectives, entitlement, actions, responsibilities, and monitoring and evaluation measures. The resettlement plan is developed following a process of consultation with affected people, undertaken before key resettlement decisions are made, to build their capacity to deal with resettlement.
Vulnerable groups	Distinct groups of people who might suffer disproportionately from resettlement effects

EXECUTIVE SUMMARY

The primary goal of the involuntary resettlement policy of the African Development Bank (AfDB, or the Bank) is to ensure that when a Bank intervention requires people to be displaced, they are treated equitably and share in the benefits of the project that involves their resettlement, improving their living standards. The policy provides guidance to Bank staff and to borrowers, and sets up a mechanism for monitoring the performance of resettlement programmes. Most importantly, the policy requires that a Resettlement Action Plan (RAP) be prepared under a development approach that addresses the livelihoods and living standards of displaced persons as well as compensation for loss of assets, using a participatory approach at all stages of project design and implementation.

The objective of this study was to provide a critical review of the AfDB involuntary resettlement (IR) policy and its application, identifying areas of success as well as areas that need improvement to ensure that the policy meets the standards of internationally recognised best practices.

The study methodology included reviews, case studies, key informant interviews, and comparative analyses. A review of the available reports on the AfDB website indicates that in the last 10 years, about 97 projects—more than half of them in the area of infrastructure—had resettlement components distributed across Africa. This study reviewed 69 of those projects.

The AfDB IR policy compares well with the IR and compensation provisions of other multilateral development banks (MDBs). First, the policy strongly specifies that resettlement is to be avoided whenever possible, particularly if negative impacts on people will be severe or difficult to quantify. Second, the policy requires that displaced persons be informed about their options and rights pertaining to resettlement. Third, the policy has a broader definition of vulnerable groups and requires particular attention to the needs of disadvantaged groups. And finally, the policy defines the unit of compensation as including the family or household and has an explicit objective to minimise disruption to affected peoples' lives and livelihoods.

However, there are areas in which other MDBs' policies appear to be more comprehensive: avoidance of forced evictions and coverage of partial displacement, resettlement involving indigenous persons, resettlement in anticipation of Bank funding, environmental management at resettlement sites, benchmarking affected persons' livelihood improvements, financing of resettlement, and monitoring and evaluation.

The Bank's policy on IR is applied uniformly across all regional member countries (RMCs), but variations in RMCs' legal frameworks and policies on land management and administration affect land acquisition for projects and resettlement management.

Discussions with stakeholders in the case study countries revealed that there are inconsistencies between the Bank's IR policy requirements and national laws, and that most members of implementing committees were ignorant of IR policy requirements.

The study yielded some important lessons. Interpretation and execution of the compensation varies by country; vulnerable groups are mostly treated equally to other affected persons, without receiving special attention; and low priority is given to livelihood restoration programmes. The study also established that most RMCs lack supporting and compatible resettlement policies and legal frameworks. Another key lesson was that implementing agencies' and the Bank's inadequate capacity to monitor RAPs, along with inadequate and sporadic funding for resettlement, resulted in very weak or no resettlement supervision and monitoring and failure to provide the required documentation beyond the RAP. Lastly, it can be concluded from this study that some implementing agencies and most civil society organisations have very low or no awareness of the Bank's IR policy.

The study provides 11 key recommendations whose highlights are as follows:

- The Bank and the government could share the cost of compensation or in certain cases, the Bank should be able to finance compensation if it is included within the total project cost. For each project involving resettlement, the Bank should carry out a comprehensive analysis of the issue, taking into account the social, legal, economic and financial implications.
- There is need for enhanced efforts to collaborate with other financial institutions to adopt harmonised IR planning, including documentation, consultation, and disclosure requirements that satisfy all safeguard principles for projects that are co-funded.
- The Bank should train implementing agencies and other relevant government officials, as well as Consultants working on resettlement on its IR safeguard requirements. There is also a need to increase implementing agencies' capacity to implement, supervise and monitor IR programmes.
- Engaging CSOs from the earliest stages of RAP preparation and enhancing their capacity in social issues would help reduce implementing agencies' and RMCs' negative perceptions about them.
- The Bank should strengthen its field offices' supervision and monitoring of resettlement activities.

INTRODUCTION

Background and Study Objectives

The African Development Bank (AfDB) Group exists to contribute to poverty reduction in Africa by spurring sustainable economic development and social progress in its regional member countries (RMCs). The Bank Group is committed to avoiding or minimising adverse environmental and social impacts in its projects. As part of this effort, in 2003 it adopted its involuntary resettlement (IR) policy to cover any involuntary displacement and resettlement of people caused by a Bank-financed project. It applies when, because of a Bank project, people residing in the project area are compelled to relocate or they lose their shelter, their assets are lost or livelihoods affected, or their access to natural resources is restricted.

The primary goal of the IR policy is to ensure that when people must be displaced they are treated equitably and share in the benefits of the project that involves their resettlement. The policy aims to ensure that disruption to the livelihoods of people in the project area is avoided or at least minimised, and that the displaced persons receive resettlement assistance to improve their living standards. It provides guidance to Bank staff and borrowers, and sets up a mechanism for monitoring the performance of the resettlement programmes. Most importantly, it requires the preparation of a Resettlement Action Plan (RAP) under a development approach that addresses issues of the livelihood and living standards of the displaced persons as well as compensation for loss of assets, using a participatory approach at all stages of project design and implementation.

A compliance audit of Bank's projects identified non-payment of compensation as the single most important cause of delay in project implementation, especially contributing to the delay between project approval and first disbursement. It is also a major cause of complaints to the Bank's Independent Review Mechanism (IRM). Through the IRM, people who are adversely affected by a project financed by the AfDB can request the AfDB to comply with its own policies and procedures. Since its establishment in 2004 and became operational in 2006, the Independent Review Mechanism has registered five cases related to involuntary resettlement.

In view of the Bank's quest to improve its overall performance and specifically how it manages its operations, the Compliance and Safeguards Division (ORQR3) embarked on an assessment of the implementation of the Bank's Involuntary Resettlement Policy of 2003. This report reviews the implementation of the IR policy, identifying the challenges being experienced and the opportunities for improvement to meet the standards of internationally recognised best practices. The objectives of the study were to:

- Examine the effectiveness and efficiency of procedures and guidelines set by the Bank to guide the preparation and implementation of resettlement in Bank-financed projects, with special attention to the consultation framework, information disclosure, engagement of civil society organisations, conflict and grievance management mechanisms, and monitoring and evaluation of aspects of resettlement, with the aim of improving them.
- Examine the possibilities of the Bank financing resettlement activities following up on the clarification provided by the Vice Presidency for Operations and Regions to Senior Management in 2011.
- Make recommendations to enhance the implementation of the Bank's Involuntary Resettlement Policy.

Justification for the Study

The Bank's concern with involuntary resettlement derives from its core function as a development institution. The Bank recognises that the development projects it finances may have unavoidable environmental and social trade-offs—such as the displacement of people from their homes and sources of livelihood. Through a set of safeguards policies, the Bank strives to avoid, minimise, or manage the negative impacts of its projects.

The Bank adopted its IR policy in 2003 to guide the involuntary displacement and resettlement of people under Bank-financed operations. The policy applies when, because of a Bank project, people living in the project area are compelled to relocate or they lose their shelter, their assets or livelihoods, and their access to natural resources is restricted.

After a decade of implementing the policy, and the complaints that have arisen thereof, the Compliance and Safeguards Division (ORQR3) saw the need to carry out a critical assessment of its implementation. This assessment documents lessons learnt while taking into account the emerging issues on resettlement on the continent and the provisions other international financial institutions use to address the challenges of IR. The outcomes of this study have informed the development of the Bank's Integrated Safeguards System (ISS).

Scope and Methodology

The main focus of the study was on participatory approaches with institutional-level representatives, actual actors, and, where possible, project-affected persons (PAPs) in the resettlement process. The study adopted the following approaches:

- Desk studies
- Case studies
- Key informant interviews
- Comparative approaches
- Policy analysis

Desk study

The documents reviewed for this study are listed in *Appendix Erreur* ! Source du *renvoi introuvable*. The analysis and findings are discussed in Chapter 3 of this report.

Case study

One country in each of the five AfDB regions was selected as a case study country: Kenya (Eastern Africa Region), Tunisia (Northern Africa Region), Ghana (Western Africa Region), Cameroon (Central Africa Region), and Malawi (Southern Africa Region). The case studies were conducted by country experts with strong background and experience in environmental and social safeguards. In each country, projects were selected for particular attention if their resettlement and livelihood restoration were deemed to have succeeded or to have failed, or if the project was derailed or cancelled because of resettlement-related issues. Projects funded by other MDBs also provided insights to this study.

Key informant interviews

The team conducted interviews with staff of implementing agencies (IAs), Bank task managers, Bank staff at headquarters and in regional offices, and government officials in line ministries. Tailor-made structured interview guideline and questionnaires were used for country specialists and Bank staff.

Comparative approach

The team carried out comparative analysis of successful resettlement programmes in each of the five countries, examining such elements as social structure, access and influence, gender, culture, natural resources, environmental management, local economies, and relevant global economic trends.

Organisation of the Report

This report is organised in four chapters. Following this introductory chapter, Chapter 2 compares the AfDB's IR policy framework with the frameworks of other organisations and selected RMCs. Chapter 3 looks at the magnitude of IR in Bank-financed projects, assesses the effectiveness and efficiency of the IR policy on the projects reviewed, and discusses good practices including monitoring and evaluation. Chapter 4 provides lessons learnt and recommendations.

COMPARATIVE ANALYSIS OF IR POLICY FRAMEWORK

Comparison of AfDB's IR Policy Framework with Other Organisations' Frameworks

The study compared AfDB's IR policy with the following similar policies/guidelines of peer international institutions:

- World Bank Operational Policy (OP) 4.12 of December 2001, revised in April 2004;
- World Bank's Operational Policy on Indigenous Peoples (O P 4.10);
- International Finance Corporation's (IFC) Performance Standard 5-Land Acquisition and Involuntary Resettlement;
- International Finance Corporation's (IFC) Performance Standard 7-Indigenous Peoples
- Japanese Bank for International Cooperation Agency (JBIC). JBIC's Guidelines for Environmental and Social Considerations, April 2010, adopts the World Bank OP 4.12 to address IR.
- Asian Development Bank (ADB) provisions on IR in the Safeguards Policy Statement (SPS) and the Operations Manual.
- Inter-American Development Bank (IDB) OP 710.
- U.S. Millennium Challenge Corporation (MCC) applies the World Bank's OP 4.12 and provides additional guidance on the implementation of resettlement activities.
- European Bank for Reconstruction and Development (EBRD) Performance Requirement (PR) 5 in the Bank's Environmental and Social Policy.

Some of AfDB's peer institutions have either integrated their various safeguard policies or revised them to enhance their relevance and effectiveness: ADB adopted the SPS in 2009, and the World Bank is currently revising its safeguard policies, including its IR policy.

Comparative advantages of the AfDB's IR Policy

The AfDB's IR policy generally compares well with the policies of other organisations. For some safeguard elements, it has better provisions.

Avoidance of Involuntary Resettlement: All the policies reviewed stated that resettlement should be avoided, where possible. However, as opposed to the policies of other institutions (ADB and WB), AfDB's IR policy strongly specifies that avoidance of resettlement should be prioritised. It provides that in every case, the alternative to refrain from carrying out the project (the "non-action" alternative) should be seriously considered, particularly if negative impacts on affected people will be severe or difficult to quantify. Avoidance in this case does not necessarily mean to do nothing; it could also mean avoiding resettlement on certain sections of the project and minimising it where possible.

Adoption of rights-based approach to IR: AfDB's rights-based approach to IR—that displaced persons should be informed about their options and rights pertaining to resettlement—is lacking in the policies of some similar institutions like ADB. A rights-based approach empowers people to know and claim their rights and increases the accountability of individuals and institutions that are responsible for respecting, protecting and fulfilling rights. It gives people greater opportunities to participate in shaping the decisions that affect their human rights. It means increasing the ability of those with responsibility for fulfilling rights to recognise and know how to respect those rights, and making sure they can be held to account.

Stronger provisions for vulnerable groups: The AfDB's IR policy has a broader definition of vulnerable groups than do the policies of comparator institutions. For instance, it requires that particular attention be paid to the needs of disadvantaged groups, and it provides safeguards for land quantity, quality and tenure. Furthermore, it requires a full resettlement plan for any project that has adverse impacts on disadvantaged groups or ethnic, religious

and linguistic minorities, or that affects the poorest and most marginalised communities that do not have the capacity to absorb such impacts.

Unit of compensation: AfDB policy clearly defines the unit of compensation as including the family or household; it may include the entire community if the project affects communal resources.

Compensation cost: The AfDB IR policy highlights the procedures for expropriation and compensation at full replacement cost for land and property. It requires that compensation payments be independently monitored and accurate records of all transactions kept.

Policy gaps for possible enhancement in the AfDB IR Policy

There are also some areas in which the AfDB's IR policy does not compare well with other organisations' policies. These include:

Avoidance of forced evictions: In addition to avoiding IR where feasible, or minimising resettlement impacts where population displacement is unavoidable, and ensuring that displaced persons receive resettlement assistance, IFC (2012) includes avoidance of forced eviction as one of its safeguard objectives. This is in line with internationally recognised human rights (Bugalski and Pred, 2013). It operationalises the UN Basic Principles on Development-Based Eviction and Displacement, which define forced evictions as "acts and/or omissions involving the coerced or involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources that they occupied or depended upon, thus eliminating or limiting their ability to work or reside in a particular dwelling, residence or location, without the provision of, and access to appropriate forms of legal or other protection". *The IR policy should incorporate a clear statement that AfDB operations will not contribute directly or indirectly to forced evictions*.

Coverage of partial displacement: It is very clear that the Bank's IR policy covers both physical displacement (loss or relocation of land, shelter, and other fixed assets) and economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood), whether permanently or temporarily. However, the policy is silent on coverage of partial and indirect resettlement impacts—for example, when people have to relocate because of the environmental consequences of a project, even when it does not involve direct land acquisition. In such cases, Implementing Agencies and even Bank staff may limit the interpretation of the scope to persons living within the footprint of the project. The ADB safeguard is explicit that it covers both physical displacement and economic displacement, whether the displacement is full or partial, permanent or temporary. *The IR policy should clearly stipulate inclusion of all full, partial, direct, and indirect displacement impacts*.

Resettlement involving indigenous persons: In the AfDB's policy, special provisions for indigenous peoples (IPs) are few, and they are generalised with those of other vulnerable groups like ethnic, linguistic and religious minorities and pastoralists, for which the policy simply requires that special attention be given. The WB has an Indigenous Peoples' Policy that addresses all issues pertaining to IPs, including resettlement. JBIC, IFC, ADB and IDB have more specific provisions, *including requirements for specific instruments namely an Indigenous Peoples Plan and an Indigenous Peoples Framework*. Further, IDB requires that affected IPs give their free, prior, informed consent to the resettlement and compensation measures; and the IFC policy specifically requires that "where feasible, the relocated IPs should be able to return to their traditional or customary lands, should the reason for their relocation cease to exist". Free, prior, informed consent is an internationally recognised human right and is of particular importance to indigenous and tribal people (Levitt, 2007).

Resettlement in anticipation of Bank funding: AfDB policy is not clear on the need to undertake due diligence for projects it sponsors where the benefiting RMC could have resettled potential project-affected persons in anticipation of the Bank funding. Under such circumstances, the affected persons would likely miss out on the Bank's policy provisions and even suffer livelihood losses. Although the Bank may ultimately sponsor the triggering project, its objective of poverty reduction may never be realised under such circumstances. In realisation of such eventualities, peer institutions like EBRD require due diligence to identify (a) any gaps, and (b) the corrective actions that may be required, even retroactively, to ensure compliance with its Performance Requirements. *In the IR policy, AfDB should require due diligence where involuntary resettlement could have occurred before the Bank's involvement, and it should apply its IR policy retroactively in such situations*.

Environmental management at resettlement sites: The AfDB IR policy requires that the project brief be prepared at the project preparation stage, specifying the key environmental issues, including any resettlement impacts on the environment or environmental hazards to which the resettled communities might be exposed. However, it is ambiguous on similar reporting requirements at subsequent project stages. The World Bank and IDB, for

instance, clearly require a description of the boundaries of the relocation area; an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement); and incorporation of the RAP in the Environmental and Social Management Plan (ESMP). The AfDB policy should include straightforward provisions for environmental assessment of the relocation sites and correlation between the resulting ESMP and the RAP.

IR instruments: AfDB policy provides for only two involuntary resettlement instruments: RAP and Abbreviated Resettlement Action Plan (ARAP). WB and ADB use various additional instruments like Indigenous Peoples Plan as stipulated in their IP policies, Resettlement Policy Frameworks, Environmental and Social Management Frameworks, and Indigenous People Framework. These instruments can accommodate varying situations encountered in planning resettlement activities, especially where there is uncertainty about the number of PAPs before detailed project designs are completed. It is important to note that these instruments are not part of the IR policy, but of different policies.

Benchmarking PAPs' livelihood improvements: The AfDB policy highlights the aim of relocation and resettlement as improving displaced persons' former living standards, income-earning capacity and production levels. However, without specifying any minimum standards that must be met, the policy falls short of the other policies. Improvements realised through resettlement may be better than pre-displacement conditions but still below nationally and even internationally recognised standards. Peer institutions like IFC, ADB, IDB and EBRD explicitly stipulate the minimum standards against which the envisaged improvements would be considered. EBRD, for instance, has an explicit objective of improving the displaced persons' living conditions through provision of adequate housing with security of tenure at resettlement sites; and the IDB policy states that "housing service options when included will be appropriate for the social and cultural context and will, at the very least, meet minimum standards of shelter and access to basic services regardless of conditions prior to resettlement". *The IR policy should benchmark livelihood improvements to the best internationally and culturally acceptable standards while ensuring restoration to pre-displacement levels to PAPs who are already above the minimum standards*.

Financing of resettlement: AfDB's policy lacks clarity about the "eligible resettlement projects" it may finance. WB, by contrast, stipulates in its safeguard policy that it may finance either a component of the main investment causing displacement and requiring resettlement or a free-standing resettlement project with appropriate cross-conditionalities, processed and implemented in parallel with the investment that causes the displacement—that is, WB may finance resettlement even though it is not financing the main investment that necessitates it. The AfDB should be able to finance resettlement projects as it deems fit.

Resettlement monitoring and evaluation: The AfDB policy requires that the resettlement component be supervised throughout project implementation and that both the IA and the Bank's missions be staffed with appropriate technical expertise for this. However, the reporting requirements for monitoring and evaluation (M&E) are not very clear; the only reference is to including M&E results in the Project Completion Report. There are also no explicit policy requirements for M&E performance indicators. ADB, on the other hand, specifically calls for the resettlement component to be supervised and monitored throughout RAP implementation, with RAP monitoring reports being prepared and submitted to ADB. Additionally, it requires disclosure of IR monitoring reports. IDB requires that the resettlement component of an operation must be fully and specifically covered in the progress reports of the overall project.

While the AfDB policy only provides for independent supervision and multidisciplinary evaluation to the extent required by the complexity of the particular resettlement plan, independent external monitors are preferred as the best practice internationally. The WB policy, for instance, states that "Monitoring and evaluation reports are required, preferably from an external agency." *Specific requirements on reporting on RAP progress and evaluation need to be incorporated in the AfDB IR policy. Clear guiding principles may also be necessary for supervision monitoring and evaluation of resettlement impacts. The updated safeguard policy should highlight a set of RAP performance standards for both AfDB and IAs in terms of vulnerability assessment, public consultation, disclosure of information, and grievance redress*.

Harmonisation of the AfDB's IR Policy and Country Safeguards Systems

The need to harmonise development partners' safeguard policies with borrowers' systems has become a subject of broad international discussion. In the 2003 Rome Declaration on Harmonisation, the international community stressed the need for greater use of country safeguard systems; and in the 2005 Paris Declaration on Aid Effectiveness, donors including AfDB committed to "use country systems and procedures to the maximum extent possible." The Accra Agenda for Action, adopted in 2008, further emphasised the importance of using country systems (ADB, 2009).

Some international peers like ADB and WB have already begun efforts to strengthen client country systems. ADB has included specific clauses in its new SPS. The WB piloted the use of country safeguard systems in its operations in 12 developing countries around the world. It concluded that for IR, the gaps between the WB's policy and the country requirements are too substantial in most cases to be filled by project-specific measures. The report proposed that the initiative be incrementally scaled up from the project to the country level to engage borrowers and other development partners in applying a broader range of safeguards, thereby building borrower capacity on a more sustainable basis than is feasible at the project level. The ADB (1995), in reviewing its experience with resettlement, acknowledged that strong institutional commitments sometimes compensate for lack of resettlement legislation.

The Bank's policy on IR is applied uniformly across all RMCs; however, variations in RMCs' legal frameworks and policies can affect land acquisition for projects and management of resettlement. This section looks at the RMCs' systems relative to the AfDB IR policy, focusing on the case study countries.

Review of the Banks Involuntary Resettlement Experience and Lessons Learnt

The first African Development Bank Group Environmental Policy was approved in 1990. The overall objective of the policy was to ensure that environmental concerns are incorporated in all Banks' funded operations. To put this policy into action, Environmental Assessment Guidelines were prepared and adopted in 1992. Then, in 1995, the Bank released the Guidelines on Involuntary Displacement and Resettlement for Bank financed projects. The situation was later remedied in part by operationalising the new integrated Environmental and Social Impacts Assessment Procedures (ESAP 2001) in which social issues are explicitly covered. *However, these guidelines lacked clarity on policy related issues and requirements. The need to strengthen provisions on displacement and resettlement resulted into the development of the Bank's Involuntary Policy of 2003.*

One of the lessons learnt from the review was that the Bank Group experience on involuntary resettlement at the time was limited. It was related to projects involving agricultural and rural development such as irrigation schemes, transport projects such as the construction of road, port or airport, and large and medium sized infrastructure development projects such as dams for water storage or power generation. For these projects, resettlement issues were only assessed through Environmental and Social Impact Assessment studies.

The borrowing agency had the primary responsibility for planning, implementing and monitoring resettlement issues. This has remained the case in the Banks 2003 policy and the new ISS. Although, most Regional Member Countries (RMC) have laws and procedures for expropriation of lands, these laws often lack clarity and effectiveness. As a result, affected population may receive some form of compensation, yet they remain impoverished soon after the resettlement plan is carried out. From implementation of past resettlement programs for projects such as irrigation, infrastructure, public utilities, transport and protected area projects, Bank Group experience has shown that problems related to land based resources and economic activities have not been properly addressed.

The review also considered the experience of other Multilateral Development Banks. With respect to other Multilateral Development Banks (MDB), a large portfolio of development projects were being financed by multilateral and bilateral agencies with an extensive cumulative experience on involuntary resettlement. On some of these projects, resettlement had failed because the borrower did not prepare a proper resettlement plan but rather provided an undertaking to resettle the affected population. The borrowers in some cases failed to implement its own

policy or to comply with the lending agency's policy on involuntary resettlement.

Basic legal frameworks

Although the case study countries lack national policies on IR, they have constitutional and other legal provisions to guide the government in taking land for public interest purposes, including development projects, where no viable alternatives exist. The land laws require prompt compensation for any such land-taking at prevailing market rates (Kenya), the market value (Cameroon), or the replacement value (Ghana, Malawi). The costs of disturbance and incidental expenses or other damage suffered are to be considered as a proportion of the compensation awarded, usually between 7.5% and 15%. Some of the executing agencies in the RMCs, informed by the MDBs' experiences with implementing safeguard requirements, have formulated resettlement policy frameworks to guide resettlement; however, such frameworks are not anchored in the local laws.

Kenya — Kenya's Land Act, 2012, proposes improvements to the management of IR through a new institution, the National Land Commission (NLC). The Land Act, along with the law on Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities (Cap 56 of 2012), mandates that the NLC develop procedures for resettling internally displaced persons and standards applicable to such resettlement. However, greater improvements can be envisaged from full legislation under the constitution and operationalisation of the 2009 Land Policy. On this basis, AfDB should be easily able to coordinate the Bank's IR policy requirements with the provisions of the local laws while applying any specific AfDB safeguards and resettlement assistance for PAPs that may not be included in the local laws.

Ghana — The 1992 constitution upholds the principle of private ownership of land and provides safeguards against deprivation of private property rights. Article 20 of the constitution provides that under no circumstances should private properties be compulsorily taken, except on weighty and justifiable grounds that are in the public interest—"defense, public safety, public morality, public health, town and country planning or the development or utilization of property in such a manner as to promote public benefit". It further stipulates that "sufficient provision must be made for the prompt payment of fair and adequate compensation; and aggrieved persons must have right of access to the High Court for redress." Article 20(2) provides that when the compulsory acquisition involves the displacement of any inhabitants, the state shall resettle them on suitable alternative sites, with regard to their socio-cultural values and economic well-being.

An important provision in both Ghana and Kenya is that the state must give back the land to the owners when it is not used for the purpose for which was compulsorily acquired. The Ghana Lands Statutory Way Leaves Act (Act 186) of 1963 on compensation assessment is similar to the AfDB IR policy, especially the exemption from paying compensation when the land affected does not exceed 20 percent of the PAPs' total land holdings.

Tunisia — Similarly, the Tunisian law comes very close to requiring the preparation of a RAP. It provides for a report—known as Resettlement and Compensation Plan, a Land Acquisition Plan, or a Framework Document on Land Issues—that contains all the information relating to expropriation and compensation: project description, institutional and legal framework, impacts of the project, the list of affected people, and the consultation and information framework and implementation modalities.

Malawi — The Land Acquisition Act sets forth the protections guaranteed by the constitution when land is to be acquired by the government, individuals, or developers. The Land Act, 1965, provides that compensation for customary land shall be assessed in respect of disturbance only, while the Roads Act, 1967, provides for compensation entitlement.

Cameroon — Law 85/009 of July 4, 1985, sets out the dispositions related to expropriation for public utility and modalities for compensation.

Land tenure

Land tenure systems across the RMCs vary from traditional systems to legally recognisable modern ownership systems. In Ghana, for example, land is owned predominantly by customary authorities (stools, skins, clans and families) under allodia titles, customary freehold and customary tenancies. The common law rights include freehold, leasehold, licenses and easements. Customary lands are managed by a custodian (a chief or a head of family) with the principal elders of the community. Any decision taken by the custodian that affects rights and interests in the land, especially the disposition of any portion of the communal land to non-members of the landholding community, requires the concurrence of the principal elders. In Cameroon, by contrast, the state is the sole legal owner and keeper of land. In Kenya, land tenure systems have been characterized as private/modern, communal/customary, public/state and open access. Basically, in Kenya is owned by for different entities, namely; individual, government, county councils, individuals and groups. These diverse tenure systems have varying implications for the acquisition/transfer of land from private/communal to government/

public ownership as necessary for development projects involving IR.

The varying tenure systems pose litigation challenges in Kenya when land succession has not been completed for land held under customary rights. In Ghana, delays occur when traditional land rights are transferred to the government's ownership. Compensation for communally owned land is paid to the head of the landowning community, who is expected to compensate holders of customary rights such as the customary freehold. These procedures can contribute to delays in finalising land acquisition—for example, delays in the Awoshie-Pokuase road project in Ghana were attributed partly to complex chieftainship, where triple and even quadruple ownership is common.

Similarly, in Tunisia, the multiple forms of private land ownership with complex expropriation procedures have often resulted in long delays—for example, in the Mednine-Ras Jdir Highway Construction Project and Widening of the RN1 Highway and Enfidha Airport Development Project. In Malawi, the constitution provides that all public and customary lands are vested in perpetuity in the President of Republic.

Information disclosure, PAPs and CSO involvement

In all the RMCs reviewed, legal requirements for consultation with PAPs are limited to officially serving gazette notices to the PAPs identified as directly affected. Although this informs PAPs of upcoming projects and intended land acquisitions, it does not constitute meaningful consultation with all the displaced persons; such consultation is usually done once project designs have been finalised, so that the PAPs are not able to participate at the preliminary stages as envisioned in the AfDB policy. This is a critical limitation of these RMCs' laws: not much attention is accorded to public involvement in the acquisition process. Even so, IAs sometimes undertake some level of community-wide consultation with stakeholders, but the level of community participation remains generally low.

Civil society organisations (CSOs) are not engaged in the RAP process. Interviewees attributed this to the absence of cordial relationships between CSOs and the governments. For Ghana, some of the IAs argued that CSOs have no role to play in the process, since the handling of IR with transparent grievance management committees is perceived to provide a good accountability process. The study team learned that many CSOs are not aware of the Bank's IR policy, and in Cameroon CSOs focus mainly on cultural and psychological issues and have been left out by the government.

Identification and involvement of vulnerable groups

The RMC systems reviewed do not recognise or provide any form of special assistance/compensation for vulnerable groups, including squatters, affected by a development project. Though such groups are identified during project socioeconomic studies and census in line with the policy requirements for RAP preparation, the RMCs do not require that they receive special assistance/treatment.

In some RMCs—Ghana, for example—following the implementation of the AfDB and WB policies, PAPs without legally recognisable claims to land occupied before the cut-off dates are considered for compensation; this occurred in the Awoshie-Pokuase road project. Similarly, in Tunisia there are formal and informal ways to help vulnerable groups outside the land laws—for example, through the National Solidarity Fund. Yet these approaches still do not meet the AfDB's principle of addressing resettlement and rehabilitation as part of the project, which implies that it should be completed by the end of the project; PAPs are compensated and relocated during the project, but the government safety nets to ensure people's livelihoods are provided afterwards.

In the Kenyan system, the Ministry of Lands does not recognise squatters or other vulnerable groups of PAPs. Nevertheless, under the new laws, the NLC may consider paying illegal occupants of public land who are required to vacate such lands. The new law requires such occupants to be served with notices, with 60 days to respond. Squatters can also seek court redress to cancel the notice, change the terms of the notice, or change the amount of payment awarded by the NLC.

In Malawi, resettlement issues for all projects were addressed under the national regulations, which recognise only PAPs with land rights that can be traced to a particular chieftainship. In fact, the land law protects everyone equally, and women and children are not regarded as vulnerable. In this regard, the community provides safety nets to such people.

Cut-off dates, compensation and entitlement frameworks

Entitlement and compensation are legally defined in the RMCs' relevant laws. In Kenya, compensation is based on prevailing market rates at the time the notice of the government's intention to acquire land is gazetted, plus a markup of 15%. Ghana has the same provision but with a markup of 10% for "insurance". Both countries define the cut-off date as two years prior to the publication of the

gazette notice or issuance of the executive instrument, lest any improvements on affected land be deemed speculation. The Ghana Lands Act 1962 (Act 125) provides that in assessing compensation, account shall not be taken of improvements made within two years before the date of publication of the executive instrument, unless the improvement was made in good faith and not in contemplation of acquisition. Questions may arise as to how such determinations are made.

In Cameroon, the legally defined valuation criteria are fixed and very old, having been formulated in 1987; no compensation is awarded for old constructions, those in ruin or those built in infringement of the law. This often leaves PAPs dissatisfied with the compensation—as in the Bachuo Akagbe-Mamfé-Ekok Road and Kumba-Mamfe Road projects.

RMC governments do not fully recognise the claims of displaced persons who have no recognisable legal right or claim, as the AfDB's policy does. Implementation of the IR policy, which states that such PAPs are entitled to resettlement assistance in lieu of compensation for land to improve their former living standards, provided they occupied the project area prior to the cut-off date, is regularly a matter of dispute with most RMCs. In Tunisia, this category of affected persons is generally taken care of, albeit through informal mechanisms, whenever it suits the people responsible; the process is open to political actions that contribute to inequality and discrimination.

Gender mainstreaming

Under all the RMCs' legal systems, women and men are considered equal with respect to the right to land ownership and equal access to employment opportunities.

Previously, the Kenyan system did not legally recognise women as a disadvantaged gender in the resettlement process, but treated all PAPs equally. However, some IAs have been factoring gender into their RAP management. The new laws require taking into account the special needs of women, children and other persons. It particularly requires providing full information to those affected and engaging their effective participation in planning, defining suitable durable solutions, and managing the displacement.

Institutional and organisational framework

The RMCs' lack of specific IR policies or laws means that no national institutions are directly charged with managing IR, and, therefore, the IAs that are expected to implement the IR have few or no appropriate staff. Separate procurement of RAP consultants can lead to delays in project preparation.

In most cases—Ghana, Tunisia, Malawi and Cameroon—the valuation of affected properties has to be approved by the ministry, although in Kenya the IAs can sometimes approve valuations. The ministry is instrumental in shaping land policy documents. The officials of relevant ministries know little or nothing about the Bank's IR policy, although most of them are careful to follow their national laws.

These challenges not only limit appreciation of AfDB policy provisions on IR (e.g., in Kenya), but are also partly responsible for delays in preparing RAPs (e.g., in the Awoshie-Pokuase Road Project in Ghana) and for the failure to closely monitor RAP implementation, which many IAs mentioned during the study.

Grievance mechanisms

Combinations of traditional and formal legal processes are used to resolve disputes that arise during compensation procedures—for example, disputes about compensation awarded and land succession issues. When grievances involve compensation awarded to the PAPs, the legal systems in some RMCs (e.g., Kenya) allow the project to proceed while awaiting the court verdict. However, most such litigations have to be finalised before the project can continue.

In Tunisia, amicable mechanisms for the acquisition, transfer and exchange of land parcels are legally encouraged through a regional committee known as the Committee of Recognition and Reconciliation established by the laws of 14 April 2013. Compensation is determined by the courts if the expropriating agency and expropriated persons do not reach agreement, or if there is a dispute on the merits of the expropriation or the standing of the applicants.

Environmental management in resettlement

All RMCs have laws requiring the formulation and implementation of environmental management plans for new projects that are likely to have negative effects on the environment. Therefore, Environmental and Social Impact Assessments (ESIAs) are usually prepared for projects triggering IR, and compensation and resettlement are identified as mitigation measures. The agencies responsible for overseeing environmental matters sometimes (e.g., in Ghana) monitor RAP implementation as well, and they are able to ensure that associated environmental impacts are addressed. In most cases, however, specific relocation sites are not identified during the RAP preparation, so detailed environmental assessments of the sites are not carried out.

Monitoring and evaluation

In some RMCs, there is no follow-up on the impacts of resettlement on PAPs once compensation has been paid, other than statutory government audits of associated expenditure. It must be noted, however, that most of the projects involving resettlement are fairly recent (e.g., in Kenya), with either incomplete resettlement processes or ongoing construction works. This may imply that the outcome of the resettlement of PAPs is not yet due for evaluation.

In Tunisia, however, once the compensation is paid, the IA monitors the effective movement of the persons concerned and the release of the land and plantations for which the affected population has been compensated. Monitoring and evaluation indicators are used to measure the implementation of the various actions: types and number of expropriated properties, number of persons affected, financial amounts received, and amount of construction or equipment acquired with the funds received. The IA also reports on the situation of the vacated land and on the implementation of the resettlement and compensation plan.

Under the Bank's IR policy, IAs' failure to monitor RAP implementation adequately is attributable in many cases to their lack of both human and financial resources, and to the fact that more emphasis is placed on monitoring the physical progress of the project (e.g., the length of road/pipeline constructed) than on progress of the RAP. The policy's requirements related to RAP monitoring, documentation and reporting also seem to contribute to this. The policy requires that monitoring reports be included as part of project progress reports; but in most cases, when the project progress reports are prepared, it is usually assumed that resettlement issues have been closed out since they are handled before the civil works begin. In such situations, only resettlement issues that affect project progress may be captured.

IAs have been attempting to bridge some of the gaps between the RMCs' legal provisions for IR and the Bank's policy by formulating resettlement policy frameworks—for example, in Ghana, Cameroon and Kenya. This trend points to some level of convergence between the RMCs' systems and the AfDB's IR policy. It also raises the question of whether to align the AfDB's policy to the RMCs' systems, an issue raised by most of the IAs contacted during the study.

REVIEW OF INVOLUNTARY RESETTLEMENT

Magnitude of Involuntary Resettlement

A review of the literature and databases suggests that there are no precise data on the numbers of persons affected by development-induced displacement throughout the world. Unlike for refugees and internally displaced persons, there are no institutions or publications dedicated to tracking overall development-induced displaced persons at either the global or national level. Various estimates by the World Bank suggest that roughly 10 million people are displaced globally each year by development programmes. This shockingly high number still fails to account for the regional dispersal of large numbers of the displaced persons. The data challenges are particularly great in the context of AfDB projects in Africa. Comparative studies show that the extent of relative displacement in Africa could be much higher than in other regions. Nevertheless, the data used in such comparisons tend to be anecdotal and lacking in depth.

While countries like China and India lead the world in the number of persons displaced by development projects, the proportion of population and territory affected by even the largest projects in these countries is much lower than in some projects in African countries. For example, the Akosombo Dam in Ghana displaced 80,000 people, approximately 1 percent of the country's population, while the Narmada Sardar Sarovar Dam in India displaced 127,000 people, roughly 0.013 percent of the country's population[1].

In the last 10 years, AfDB has supported about 97 projects that have resettlement components, distributed across Africa. This chapter provides an overview of 69 of these projects: their scope, scale, sectors, and the lessons learnt in their implementation *(Appendix 1)* contains a complete list of all 69 projects).

Distribution of Reviewed Resettlement Projects

Figure 1 and Table1 show the sectoral and regional distribution of the 75 projects reviewed. Resettlements are more common in infrastructure projects. Therefore these constituted about 60% of the projects that were reviewed.

1 Jason Stanley (2004), Development Induced Displacement and Resettlement

FIGURE 1: SECTORAL DISTRIBUTION OF AfDB RESETTLEMENT PROJECTS

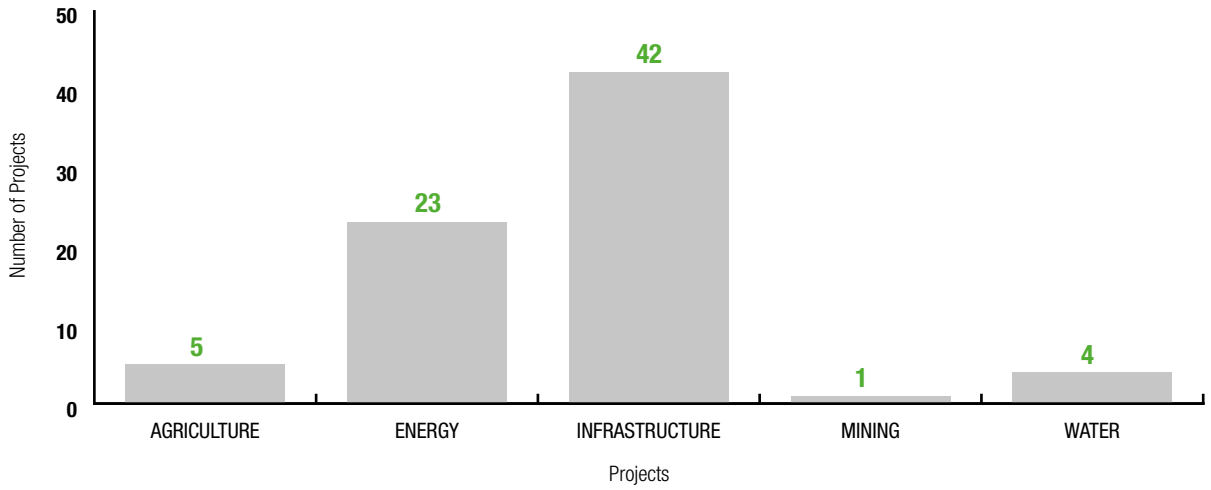

Table 1: Equivalence scores by section of the six study countries (averages)

Region	Agriculture	Energy	Infrastructure	Mining	Water
Central Africa	1	2	2	1	0
East Africa	1	10	18	..	2
North Africa	1	1	1	..	1
South Africa	1	4	8	..	..
West Africa	1	6	13	..	1
Total	**5**	**23**	**42**	**1**	**4**

Source: GIBB Desk Review Studies, 2013

Availability of Baseline Data

For all 69 projects, there are glaring gaps in the secondary data sources. The study team attempted to bridge the gaps through both the project IAs and the Bank. The study also found the following:

- IAs were unwilling to share data related to AfDB-financed projects. Although they were able to share their experience on how they handled the IR process, they were reluctant to share any reports for the projects they handled.
- AfDB has no comprehensive database on past projects and related documents.
- For most of the projects, monitoring reports were missing.

Table 2 summarises the availability of data on the key variables of the analysis—that is, for what proportion of projects each type of data was provided. Table 3 summarises data availability by sector.

At the country level, the data were provided through case studies in five countries (see Table 4). All projects are in the roads infrastructure sector, except the Strengthening and Extension of Transport and Distribution Electricity Networks Project in Cameroon, which is in the energy sector.

Table 2: Availability of data on key data components by region

Region	Year project Initiated	Year of RAP	Impl. Agencies	Number of PAPs	PAPs Compensation	Regional Total
Central Africa	60%	30%	70%	60%	40%	52%
East Africa	13.8%	20.7%	44.8%	65.5%	41.4%	32.5%
Northern Africa	50%	50%	25%	25%	25%	35%
Southern Africa	53.8%	7.7%	53.8%	53.8%	23.1%	38.5%
West Africa	29.4%	23.5%	64.7%	47.1%	17.6%	36.5%
Total	**32.9%**	**19.2%**	**47.9%**	**53.4%**	**32.9%**	39.2%

Source: GIBB Desk Review Studies, 2013

Table 3: Availability of data by sector

Sector	Year project initiated	Year of RAP	Implementing Agencies	Number of PAPs	PAPs compensation	Sector total
Agriculture	0%	20%	20%	40%	20%	20.0%
Energy	36.40%	18.20%	54.50%	54.50%	36.40%	40.0%
Infrastructure	35.70%	19%	50%	57.10%	35.70%	39.5%
Mining	100%	100%	100%	100%	0%	80.0%
Water	0%	33%	100%	33%	0%	33.0%
Total	**32.90%**	**19.20%**	**47.90%**	**53.40%**	**32.90%**	39.2%

Source: GIBB Desk Review Studies, 2013

Table 4: Description of Project Case Studies

Country	Project	No. PAPs	Compensation	Livelihoods Restoration Program
Cameroon	Strengthening and Extension of Transport and Distribution Electricity Networks	Not specified	AfDB financed this compensation with the 628 million FCFA (US$1 256 000). Community compensation to the village in relation to the village's natural resources. Contrary to other projects and also to the Cameroonian law, planned for the resettlement of 17 families whose houses were destroyed by the project.	None
	Bachuo Akagbe-Mamfé-Ekok Road Development	Not specified	PAP expropriations and compensations were made according to Cameroonian laws.	None
	Kumba-Mamfe Road Development.	Not specified	Amounts to be compensated were included in companies' contract.	None
Kenya	Nairobi-Thika Highway Improvement	Unknown	Cash: Inclusion of category 3 PAPs in the resettlement process was vague; compensation was limited to those with demonstrable legal rights to property.	None Not clear how the large number of hawkers and about 200 tree and flower nursery operators in the ROW were assisted to restore their livelihoods

Country	Project	No. PAPs	Compensation	Livelihoods Restoration Program
Ghana	Fufulso-Sawla Road	43: ARAP prepared	Cash compensation, the PAPs' preferred option.	None
	Awoshie-Pokuase Road	ARAP prepared	Cash compensation, the PAPs' preferred option.	None
	Ghana-Togo-Benin Interconnection	RAP prepared as part of the EIA	Cash compensation, the PAPs' preferred option.	None
Malawi	Mzuzu-Nkhatabay Road Rehabilitation	86	Cash compensation for individual losses, PAPs' preferred option.	None
	Lilongwe Western Bypass Road	Borehole, a church and approximately 15 households	Cash compensation.	Not indicated
	Trunk Road Rehabilitation (Blantyre-Zomba Road)	56 households, of which 38 resettled	Cash compensation.	Not indicated
Tunisia	Mednine - Ras Jdir Highway Construction and Widening of National Highway 1	No resettlement of persons as a result of the project	Cash compensation for individual losses, PAPs' preferred option	None
	Enfidha Airport Development	24 households.	Cash compensation	Assistance to disadvantaged and vulnerable groups.

Effectiveness and Efficiency of IR Policy, Procedures and Guidelines

Minimisation of displacement

In all the projects reviewed, both the Bank and the RMC agreed on the unavoidability of displacement and the consequent need for a RAP. Even though some of the project appraisal reports were not available to allow the team to review the project alternatives evaluated to minimise resettlement, the available reports indicate that such considerations were made. Additionally, in some draft resettlement instruments, it is clear that one of the guiding principles was to minimise resettlement impacts. It has never been reported that a project had to be abandoned because of unprecedented resettlement impacts.

Consultation framework

One of the AfDB's IR policy requirements is participation of both affected population and host communities, including Civil Society Organisations (CSOs), in the resettlement planning and implementation. Though all projects included consultations for PAPs at RAP planning, only one (Cameroon Kumba-Mamfe Road Project) involved the positive engagement of CSOs. The relationship between CSOs and IAs is not cordial, and in general government departments tend to ignore CSOs altogether. Where CSOs were involved—as in Ethiopia's Gibe III Power Project—it was late in the resettlement project cycle, when they helped to voice community concerns. Some interviewees noted as a drawback the short timelines IAs and consultants allow for undertaking studies and consultations with stakeholders. For proper consultation, the agenda should be communicated to the CSOs and other stakeholders in good time to allow for constructive engagement.

Public consultation often does not involve all interested parties, but concentrates on institutions with an interest in the particular sector. However, since a development intervention may affect the entire society, broader consultation is desirable. AfDB has no clear avenue for engaging the public through the country office, nor does it have a public consultation strategy in the field in which the project is being implemented.

PAPs with no recognisable legal property rights are usually not fully informed and effectively engaged in all stages of the project cycle. Many who are relocated receive only the information on the need to relocate but are not consulted thereafter.

Information disclosure

For Bank-financed projects involving IR, IAs are responsible for information disclosure during RAP planning and associated socioeconomic studies. In all the RMCs studied, PAPs and members of the broader community were informed through public meetings and household surveys. Draft RAP reports are also disclosed in line with the Bank's policy, both by the IAs and by the Bank through its website and BIC.

For the Fufulso-Sawla Road Project in Ghana, the IA held meetings with individual PAPs. Discussions centred on project impacts, including the road alignment, effects of the project on properties, environmental concerns for flora and fauna, effects on existing utilities, pedestrian-vehicle conflicts, historical and cultural areas of concern, the resettlement and compensation process, means of evaluation of compensation, and the grievance redress mechanism. The PAPs gave assurance that they would co-operate to ensure smooth project implementation, and they agreed on compensation. The IA disclosed the ARAP, making copies available at its head and regional offices and to PAPs through the District Assemblies, in addition to 21-day public advertisement by the environmental agency. AfDB also disclosed the ARAP electronically on its website. However, the PAPs were not involved in the implementation of the project.

The consultations failed to point out the economic benefits of both the road and the ancillary works that were part of the project.

AfDB guidelines require disclosure of RAP or environmental impact assessment reports 120 days before the Bank's Board meeting; this implies that the report should have been submitted by the time of appraisal. This requirement has limitations. In most cases across all RMCs, major design amendments take place following project approval. The result is that the initial information disclosure based on preliminary designs leaves the identified "potential PAPs" with expectations and anxieties that may be changed in revised designs.

The Bank should post full reports instead of executive summaries on its website, and it should also make them available at its Public Information Centres (PICs). However, not everyone has access to the Internet, and the Bank does not have PICs in all member states; therefore, it is important to use local resources to disseminate information about projects. CSOs can also play a role here, as they can publicise projects and help educate local communities. RAP reports could also be shared at local administrative offices for easier access by the public.

Compensation and relocation

Compensation: Implementation schedules are not realistic, and compensation is rarely timely. The implementation schedules included in the RAPs should be realistic and time-bound. There is a big discrepancy between estimated and actual numbers of PAPs, and therefore between the estimated and actual costs of resettlement/compensation. Some examples include:

- For Cameroon, AfDB financed the compensation for Lom-Pangar Hydroelectric Project, following Bank policy rather than country law. It is presumed that this is the only time that the Bank has financed acquisition of the Right of Way (ROW) for a project. Because no ex-post evaluation has been done, the exact circumstances surrounding this experience are unknown. For all the other countries, the compensation was financed by the government, either directly or through IAs.
- PAPs preferred cash to in-kind compensation in most instances.
- Various compensation criteria were applied, even though all projects claim to compensate PAPs at full cost.
- Information about those who were actually relocated or compensated is generally lacking or restricted as highly confidential.
- Delays in compensation are common across all RMCs, causing such uncertainty that PAPs cannot carry out domestic development activities/plans in anticipation of relocation. In Malawi's Mzuzu-Nkhatabay Road Rehabilitation Project, a cut-off date of 15 June 2012 was established; however, up to the time of this report no compensation had been given to the PAPs, and the PAPs did not know their entitlement. There was also no clarity about whether the structures would in fact be demolished and whether the value of the assets would be changed.

Choice and characteristics of relocation site: Most of the RMCs do not specify the criteria for choosing a relocation site; in Tunisia, however, the relocation site is apparently negotiated and agreed upon by the PAPs and the government. There are no set criteria for gauging the suitability of the site—for example, an EIA.

Special consideration of vulnerable groups

In all the RMCs, although disadvantaged groups are identified in the socioeconomic studies during RAP

preparation, all PAPs are treated equally and no special attention is given to any disadvantaged groups. In Tunisia, priority is sometimes given on humane grounds, resulting in informal social assistance or government mechanisms to provide disadvantaged groups with subsidies through the National Solidarity Fund. However, this happens only after resettlement and is not informed by the AfDB IR policy.

Livelihood restoration

None of the case study projects included a specific livelihood restoration programme as specified in the policy requirements. In a few cases the project implementation process attempted to incorporate some elements of livelihood restoration through ancillary works. For example, in Kenya, one roadside market along Timboroa-Eldoret Road and two markets along Isiolo-Merile Road were funded by the IA; and in Ghana, alongside the Fufulso-Sawla Road the Bank funded the construction of boreholes, the reconstruction of markets and lorry parks, and the building of community schools and clinics. In addition, in Cameroon's Strengthening and Extension of the Transport and Distribution Electricity Networks Project, villages within 12 km on each side of the transmission line are expected to benefit from free electrification. In general, the study team observed the following:

- There were no data on the PAPs' lives after cash compensation; once the PAPs were paid nobody followed up to ascertain their livelihoods.
- Many agencies do not treat livelihood restoration programmes properly; funding remains a challenge as livelihood restoration is not considered a government priority.

Grievance mechanism

Grievance redress mechanisms were often established both at the government and project management level, but in many cases their establishment could not be verified. These mechanisms had mixed results in addressing grievances in the resettlement process. In Ghana all the projects had Grievance Redress Committees that were able to solve most of the cases.

During the resettlement implementation for Malawi's Lilongwe Western By-pass Road Project, a community in Kabuluzi Village successfully lodged a formal complaint via their Traditional Authority Kalumba and District Council, about the road's alignment through a graveyard; the Roads Authority changed the alignment following the appeal. In Tunisia's Enfidha Airport Development Project, the court placed a much higher value on assets than the Committee of Recognition and Reconciliation had, to the benefit of concerned PAPs.

The Bank's IR policy is not clear on grievance management mechanisms, as it insists on informally constituted committees for resolution of disputes that arise during the compensation process. This is very different from RMCs, which have a formally constituted system involving law courts to settle disputes. Both ways have advantages and disadvantages. The RMCs' formal system mainly favours PAPs with legal titles to land over those who have no legal titles. The legal system also poses a bigger challenge for poor people, who may not receive proper justice because they lack proper legal representation. The IR policy needs to be explicit and to harmonise the informal and formal systems used by RMCs.

Monitoring and evaluation

Supervision and M&E are the weakest aspects of IR implementation in all the case study projects. For most of the projects, the team found follow-up only for the technical requirements (e.g., km of road constructed), but not for the treatment of PAPs and the impacts of resettlement on them. This can be attributed to lack of capacity by both the IAs and the Bank to supervise and conduct M&E on RAPs. Both IA and AfDB staff are closely involved in the preparation and finalisation of resettlement instruments before loan approval, but apparently they focus only on securing project loan approval.

Only in Ghana's Awoshie-Pokuase Road Project and Kenya's Yatta Dam Project was a progress report on compensation status available. These status reports explained challenges to meeting the then-impending deadlines.

The IR policy puts the onus of monitoring and evaluating the whole resettlement process on the borrower. This could lead to poor implementation of the IR policy, as the IAs/borrowers are not necessarily obliged to report to the Bank about the implementation of the resettlement.

The IR policy also requires that Project Completion Reports assess the project impacts. Interviewees indicated that RAP M&E information is not included in these reports. If resettlement impacts are not monitored, the socioeconomic data collected during the preparation of the RAP has very little relevance in the overall resettlement process and on livelihood restoration.

Joint-funded projects

In co-funded projects, there is poor coordination between various funding agencies. The team noted that

financiers concentrate only on the components they have sponsored. It also emerged that big variations between the requirements of different financiers is a source of disagreements between IAs and communities hosting projects funded by different agencies. Thus there is a need for closer partnerships in co-financed projects.

Impacts on PAPs' socioeconomic well-being

One of the guiding principles of the IR policy is that resettlement plans should be conceived and implemented as part of a development programme. Rehabilitation and livelihood restoration are intended to be part and parcel of RAPs. However, the study revealed that the most common form of compensation is cash payment, and once it is paid the process ends. Even where PAPs with no legal property rights are involved, no assistance has been offered to realise improvements on the PAPs' livelihoods as envisioned in the AfDB policy.

CSOs' involvement, constraints and opportunities

In general, the relationship between CSOs and IAs is not good. Agencies and consultants tend to view CSOs as activists that do not make valuable contributions to the resettlement process.

Most of the case study projects had little or no involvement by CSOs. When CSOs were involved, it tended to be late in the project cycle, helping to voice community concerns on the projects. Communities and CSOs could have a more positive impact if they were brought on board in the very initial stages, preferably at the time of public consultations on the EIA.

Participation of non-state actors is an important part of the AfDB policy, which requires engaging CSOs. CSOs can demand information from the government on particular issues during project implementation.

CSO involvement in resettlement projects is constrained by several factors: the negative attitudes of IAs and governments; lack of awareness of the AfDB's policy; inadequate and poorly timed information about projects; and financial resource constraints—they lack the financial resources to do wide consultations and sensitisation activities.

An enhanced role for CSOs in resettlement activities could be useful in a number of ways:

- Socioeconomic analysis of PAPs, using their local knowledge of areas in which projects are implemented.
- Independent monitors/advocacy roles in the resettlement process.
- Lobbying and influencing government policy on land and resettlement issues.
- Monitoring to help ensure the sustainability of resettlement activities; their comparative advantage is their understanding of local needs and longer presence in the communities.
- Sensitising PAPs and building their awareness.
- Ensuring accountability, providing external monitoring in RAPs, and giving better understanding of the local project areas.
- Engagement in some aspects of RAP planning and implementation—e.g., responsibility for identifying livelihood restoration projects, or conducting HIV/AIDS awareness and training.
- Developing sustainable restoration programmes.
- Serving as project social advisors and in areas of public consultation, where they can play a greater role in pushing for PAPs' rights, disseminating information at the grassroots level, and offering psychological assistance and support to PAPs.

Building the capacity of RMCs/ Implementing Agencies

Implementing Agencies are important in the planning and implementation of RAPs, but their institutional capacity for project implementation is not uniform. In Ghana and Kenya few IAs had well-established resettlement units for each project that were capable of overseeing the formulation and implementation of RAPs.

Although the Bank provided occasional assistance in developing terms of reference for RAP studies and reviewing draft resettlement instruments, there was no evidence that it had helped build the IAs' capacity through training. Only one IA in Kenya acknowledged that the Bank has encouraged sharing of experience between agencies engaged in the same services.

Wider positive impacts of the IR policy

Across all the case study RMCs, the IR policy has had the following positive impacts:

- The application of the policy has broadened some IAs' understanding of the social issues related to

development projects. For instance, having applied the policy over time, the Kenya National Highways Authority is now able to incorporate provisions for social facilities and services alongside its road development projects, regardless of who the project financier is.

- Difficulties in project monitoring have led to improvements in project baseline data collection. A number of IAs are now collecting socioeconomic baseline data separately from environmental baseline data for all new projects. In Ghana the IR policy has facilitated the collection of comprehensive socioeconomic data in the road sector, with the aim of helping in projects' supervision, implementation, and M&E, and assessing their long-term benefits can be assessed.

- In a few cases, the policy has prompted recognition of hitherto ignored squatters and landless people, who can be compensated for losses due to development-induced displacement if they meet the Bank's eligibility criteria. IAs and other stakeholders consider this to be development with a humane face, and it has enhanced goodwill among PAPs.

- Populations that are not directly affected by a project have also benefited from its implementation—for example, in Cameroon's Strengthening and Extension of the Transport and Distribution Electricity Networks Project, where villages within 12 km on each side of the transmission line will receive free electrification

- In general, some delays in relocation and resettlement have been reduced, thanks to the IR policy requirement to pay compensation before the project starts.

Monitoring and Evaluation

Introduction

The IR policy requires that the RAP and the loan agreement specify the M&E and reporting arrangements and the timing of all RAP activities. The purpose of monitoring is to establish whether the proposed mitigation measures are actually implemented, and to make adjustments in the project plan, design and implementation as needed. The policy requires that, to ensure transparency, the compensation and resettlement process be independently monitored. In addition, the policy requires that accurate records be kept for all transactions. Observations and adjustments resulting from the monitoring exercise should be summarised and presented in monitoring reports.

The RAP should therefore provide for the following:

- Arrangements for the IA to monitor resettlement activities;

- If necessary, independent monitors to ensure complete and objective information;

- Performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities.

Evaluations serve to assess the effectiveness of the mitigation measures that were recommended and implemented, and to derive lessons that can inform the planning for similar types of projects in the future. Evaluations compare the actual situation with the planned or predicted situation (including the number of people affected) and review the assumptions, the resettlement-induced and associated risks, and any problems encountered. The IR policy recommends independent supervision and multidisciplinary evaluation of more complex resettlement plans. It requires a final evaluation when implementation of the RAP is completed to determine whether the RAP objectives are achieved and whether additional resettlement/RAP activities should be undertaken.

Responsibility for M&E during RAP implementation rests with the borrower. For large-scale resettlement, the policy recommends that an independent monitoring body be established to supervise compensation provisions and provide regular feedback from the PAPs. According to the policy, monitoring activities should cover the grievance mechanisms and assess whether grievances have been addressed in a timely manner. In addition to monitoring the implementation of the RAP, borrowers are required to monitor the impact of compensation and resettlement.

The Bank, for its part, is required to supervise the implementation of the plan. Upon project completion, the Bank assesses the success of the resettlement plan in a Project Completion Report. The borrower and the Bank

should also carry out an independent ex-post evaluation, and the RAP should include sufficient budget for this.

Monitoring framework

In none of the five case study countries do the national laws make specific provision for monitoring the resettlement process. In Kenya, the National Land Policy provides for monitoring and assessing vulnerable groups, while the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities (Cap 56 of 2012) and Great Lakes Protocol stipulate monitoring and supervision during operational implementation; but these provisions apply primarily to persons who are internally displaced by conflict. In Ghana the line ministries and implementing agencies have directorates or units that are responsible for monitoring project progress, but it is not clear whether the IAs have mechanisms, procedures or guidelines for M&E. For example, on the Fufulso-Sawla Road, the Policy Planning and Monitoring and Evaluation Directorates of the Ministry of Roads and Highways coordinate monitoring activities, while the Ghana Highway Authority monitors the project management unit, supervised by the Ministry of Roads and Highways, Land Valuation Board, and Environmental Protection Agency. But only technical aspects are monitored.

In Tunisia, an M&E mechanism is in place for the resettlement and compensation plan, involving the implementing agency, line ministry, and regional and local authorities. Specific monitoring indicators are recommended (e.g., number and types of expropriated properties, number of people affected, amounts paid, amount of construction/equipment acquired with the money received). There are also guidelines for evaluating the resettlement and compensation plan, which require sample surveys and a detailed assessment, covering organisational arrangements, alignment of resources with plan objectives, socioeconomic conditions, commitments made, equity of compensation, and litigation risks.

However, in most cases, the Bank and IAs monitor only the project's technical and financial requirements, but not the handling of PAPs and the impact of resettlement on them. Tunisian law does not provide for M&E for the affected populations after resettlement/compensation, as it considers that once compensation has been paid, PAPs are free to manage their resources as they see fit, and that any investigation in this regard may be construed as interference and deprivation of liberty; indeed, PAPs sometimes complain about such monitoring.

National legislation in Cameroon does not mention monitoring and evaluation. However, during the resettlement process committees are set up to monitor whether the Property Observation and Assessment Commission has properly identified affected property and land, rights to land, and PAPs. Similarly, in Malawi the law makes no provision for monitoring of compensation and resettlement; responsibility for monitoring and evaluation lies with the IA. For example, for the Blantyre-Zomba Trunk Road Rehabilitation Project, the Roads Authority was responsible for monitoring implementation of the ARAP, but it was not clear whether evaluations were carried out, and if so by whom. However, the study team found that the IAs do not have the technical or financial capacity to monitor or evaluate the implementation of the RAP.

For this study, apart from Progress Reports on Kenya's Yatta Dam Project and Ghana's Awoshie-Pokuase Road Project, no monitoring or evaluation reports on the RAP process or Project Completion Reports by the Bank or the IAs were made available for review in any of the case study countries. The team had hoped that a review of M&E reports would help to develop some kind of index of success or failure of RAPs, highlighting weak policy areas for improvement. However, the feedback from the majority of the IAs points to little or no RAP monitoring by the Bank and the IAs, which is attributed to lack of capacity. Many of the IAs also noted that, unlike the World Bank, the AfDB does not have the capacity to undertake planned M&E.

Performance monitoring

The purpose of performance monitoring is to ensure that the RAP is implemented as described in the plan and in compliance with IR policy requirements.

The need for compensation and resettlement is identified during the ESIA study, and compensation and resettlement are effectively mitigation measures for an identified social impact. Thus for a project for which a RAP is prepared, the RAP is to be included in the project's ESMP, which specifies how to monitor and manage impacts by implementing the prescribed mitigation measures. The ESMP should also identify means for monitoring the RAP implementation and set out appropriate verifiable indicators to measure different outputs and outcomes of the RAP—for example, the number of meetings with particular stakeholder groups, number of people compensated, and number of grievances recorded.

This study found no link between ESMPs and RAPs. While RAP reports are submitted to environmental agencies for approval, those agencies play no part in monitoring the outputs and outcomes of RAP implementation. For example, the Nairobi Sewerage Improvement Project RAP describes how the RAP will be monitored, but interviews with the Water Services Board indicated that no monitoring

is carried out—whether by the IA, the Bank, the National Environmental Management Authority (NEMA) or the NLC. NEMA said that it does not have the mandate to monitor RAPs.

In many cases verifiable and SMART (specific, measurable, achievable, relevant and time-bound) monitoring indicators are not identified and adequate baselines are not developed, so the RAP process cannot be monitored against benchmarks or a baseline. Moreover, as mentioned above, performance monitoring by the IAs and the Bank focuses mainly on technical issues rather than on the social, socioeconomic or environmental aspects of the RAP. Monitoring is hindered by a lack of financial and staff resources and logistical provisions.

Impact monitoring

Impact monitoring refers to the impacts of the RAP after implementation. The IR policy provides that monitoring should include critical social and environmental impact indicators that are identified during project identification and preparation.

If there is little monitoring during the resettlement process, there is even less after resettlement is complete. While post-completion assessments may be scheduled for all phases of the project, the emphasis is again on technical follow-up rather than on the status of PAPs. In particular, the psychological impacts of resettlement are not evaluated. The reasons for this are again lack of institutional capacity and financial resources; but this situation also calls into question the commitment of the IAs, developers, or the Bank to ensure that the process is thorough and fair.

Reporting

The IR policy recommends quarterly reviews of large-scale resettlement operations and in-depth mid-term progress reviews. It stipulates that "the resettlement component of an operation must be fully and specifically covered in the reports on the progress of the overall project, and included in the logical framework of the operation." It suggests that these reviews be planned well in advance (i.e., at the project preparation stage) to allow both the Bank and IAs to make the necessary implementation and budgetary arrangements.

Neither M&E reports nor Project Completion Reports were available for review, and secondary data on the supervision of the RAP process by the Bank or the IA were not readily accessible. The only monitoring report available for review during the study was the Progress Report on Kenya's Yatta Dam Project. This report provides progress information in terms of how much land had been successfully acquired, and it also briefly highlights challenges. However, whether and how these difficulties were addressed is not known.

Although IAs shared their experiences on how they handle the IR process, they were reluctant to share any RAP-related reports for projects handled. This made it difficult to get detailed information on the project RAPs and to confirm whether the M&E of the RAP process was conducted in compliance with the IR policy requirements.

Evaluation

The evaluation methodology developed by the Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD-DAC) describes five key evaluation criteria: relevance, effectiveness, efficiency, impact and sustainability.

Since no record of RAP evaluation was available for review, it was not possible to assess whether these five criteria were addressed. Discussions with stakeholders in all the case study countries indicated that follow-ups cover only projects' technical requirements but not how PAPs were handled, what the impacts of resettlement were on them, or how compensation payments were used. Consequently it was not possible to evaluate whether the overall objectives of the RAPs were achieved or whether the RAP processes were in compliance with IR policy requirements.

The lack of thorough evaluations was attributed to a lack of capacity in both the IAs and the Bank, as well as to the prevailing feeling (at least in Kenya, Cameroon and Tunisia) that when PAPs are given monetary compensation, what they do with the money is "no one else's business".

Participatory monitoring and evaluation: The IR policy recognises that there is considerable scope for involving local people and CSOs in planning, implementing and monitoring resettlement. Involvement of PAPs in resettlement committees and monitoring teams is critical to facilitate their participation in planning, implementing and monitoring the RAP and in addressing grievances. However, discussions with IAs in all five case study countries indicate that involvement of stakeholders and CSOs in RAP implementation and monitoring is rare.

Environmental monitoring and evaluation: From available documentation, it appears that the environmental impacts of resettlement and relocation activities are not monitored. RAP monitoring indicators rarely include environmental indicators. Since monitoring reports for RAPs were not available, it was not possible to assess the environmental impacts of resettlement activities.

As mentioned above, except in Ghana, the environmental agencies of the case study countries do not monitor the implementation and impact of RAPs.

Consultations with roadside traders relocated for the expansion of Thika Road (Kenya) illustrate the kinds of environmental impacts relocation can cause. These traders were not recognised and were poorly consulted in the relocation process. After they made prolonged efforts to continue their businesses, the City Council of Nairobi and NEMA allowed them to sell their wares every Tuesday along the Nairobi River, which is undergoing rehabilitation. However, the area has no facilities for waste management, including sanitary conveniences, and the traders' activities conflict with the river rehabilitation programme.

Feedback from Implementing Agencies

Feedback from IAs was obtained in meetings with relevant staff from units/departments responsible for RAP preparation and implementation. In general, the IAs appreciate the IR policy and say that it has affected their handling of IR in development projects. They identified several areas that affect the effectiveness and efficiency of the policy implementation.

Policy awareness

Most IAs have low awareness of the AfDB's IR policy, even though they have undertaken projects under the Bank's sponsorship. In Ghana, where the IAs knew nothing about the AfDB IR policy, they used the World Bank's IR policy to formulate RAPs for AfDB-funded projects.

RAP timing

Preparation and submission of draft RAPs/ARAPs before loan approval is burdensome. Approval is usually based on preliminary designs; following approval, design changes lead to changes in the project and hence updates of RAPs. Some RAP updates even take place during construction works. This leads to increased project costs, especially in linear projects like roads, power lines and water reticulation lines. Expectations of RAPs are also raised through such early disclosure; with subsequent design amendments, PAPs often feel cheated. Early disclosure may also entice new squatters to the project area in anticipation of possible assistance at later stages.

Delays in RAP process

RAP implementation delays are occasioned by delays in counterpart funding, which may be due to the following:

- RMCs may think they should not meet some RAP costs—for example, those for assistance to PAPs with no recognisable claims to land.
- The fact that financing resettlement sometimes needs approval from the parliament can lead to delays if project planning is not aligned with the national government budgeting cycle.

Institutional capacities

Most IAs feel that their in-house capacities should be enhanced and that the Bank has done very little in this area. Most IAs also pointed out that the Bank's missions include insufficient staff to assist in RAP preparation and implementation follow-up.

Policy goals vs. means

Many IA representatives feel that the policy sets high goals that cannot be met with the low means the Bank provides, so that the RMCs are left to provide the funding. This is especially true for assistance to the PAPs, including special treatment for vulnerable groups and even squatters. Since RMCs' systems have no provisions for such treatment, it is nearly impossible for the governments to provide the necessary funds.

Feedback from PAPs

Only in rare cases did PAPs register satisfaction with the RAP planning and implementation process. The PAPs expressed the following concerns:

- Transparency in the compensation awards.
- Need for more participation in the valuation exercise.
- Cut-off dates are not clearly observed in some cases, and because there is no transparency when timelines change, the compensation process can be protracted.
- Because of delayed compensation and lack of transparency, some RMCs use old compensation rates; this makes compensation for crops and trees irrelevant in many instances.
- Handling of resettlement affecting customary sites like ritual sites, burial sites, and properties of sentimental value.
- Lack of coordination between various governments agencies involved in projects, which affected communication to PAPs.
- Need for more involvement of youth and women in the resettlement process.
- Uncertainty on the alignment and hence extent of displacement leaves PAPs unable to continue making decisions on their land use for fear of eventual resettlement.
- PAPs have no knowledge about various national land laws and even donor policies, including the AfDB IR policy, affecting involuntary land taking and compensation.
- Compensation for unexpected damages to property during actual project works—e.g., to houses near roads during road construction.
- Undue political influence on project timing and alleged cases of corruption by institutions involved in mapping out areas for compensation.

AfDB Financing Resettlement Activities

The AfDB already has some experience with financing resettlement activities in African countries such as Cameroon and Malawi. Other donors also fund resettlement activities, and lessons could be learnt from their experience. Problems have arisen when development partners have funded resettlement activities, such as: delays occasioned by lack of acceptable designs; underestimation of RAP implementation costs; lack of proper documentation of the resettlement activities by the beneficiary governments, making it difficult to evaluate impacts. In addition, dissatisfied PAPs have also expressed a lack of awareness of ways to register their complaints.

Several factors make it particularly compelling for the AfDB to apply the IR policy to all its relevant projects. The factors relate mainly to the experiences of different countries that could justify the financing resettlement activities by the AfDB. Some of these factors include:

- Elaborate project-specific RAP designs are overly expensive for loan recipients.
- The interpretation and execution of the "compensation principle" is highly arbitrary among different countries.
- There is therefore a distorted administrative application of the "compensation principle" and tools in many African countries where all PAPs are treated equally, without special attention to the vulnerable groups, and low priority is given to livelihood restoration programmes.
- Because most RMCs' laws do not recognise category 3 PAPs, IAs cannot legally justify any resettlement expenditure associated with them.

Poorly administered resettlement tends to impoverish PAPs, primarily because of the way compensation matters are executed—in direct contradiction with the poverty alleviation goals that AfDB development projects are intended to address.

CHANIA TRAVELLERS SACCO LTD.
NAIROBI • THIKA • NYERI
KBB 442T
PSV

LESSONS LEARNT AND RECOMMENDATIONS

Lessons Learnt

The AfDB IR policy is comparable to the policies of most peer institutions in its involuntary resettlement safeguard provisions. Through the policy the Bank has made some gains in achieving its development objectives, contributing to better payment of compensation for lost assets, providing infrastructure, and offering community facilities alongside projects involving IR. Many RMC governments and Implementing Agencies have improved their institutional capacity to be able to implement RAPs as required by the AfDB policy. Many have recognised the need to deal with vulnerable groups, particularly the poor and squatters; learned to value affected properties at full replacement cost; and improved their information disclosure and consultation practices. The following lessons stand out from this review of IR implementation:

- The interpretation and execution of the principle of full compensation vary greatly by country: some use rights to land as the basis for eligibility or entitlement, but in many practice tends to be selective, arbitrary, and subject to the whims of the administrative officials.
- All PAPs are generally treated equally, without special attention to vulnerable groups.
- Little or no priority is given to livelihood restoration programmes.

Unsuccessful implementation and noticeably limited impact of the IR policy in the overall resettlement process in RMCs raise some concerns. Among these are:

- Most RMCs lack supporting and compatible resettlement policies and legal frameworks.
- Both RMC IAs and the Bank suffer from inadequate technical capacity.
- Funding for resettlement activities is inadequate and sporadic.
- Resettlement supervision and monitoring is weak or entirely lacking; and most required documents, except for the RAP, are lacking.
- Some IAs and most CSOs have little or no awareness of the Bank's IR policy.

Discussions with stakeholders in the case study countries revealed that there are inconsistencies between the AfDB's IR policy requirements and national laws, and that while most members of implementing committees are familiar with the national laws, they are ignorant of the AfDB's IR policy requirements. This implies that national laws prevail over the Bank's IR policy requirements;

however, because the study team was unable to obtain monitoring reports or compliance audit reports, it could not corroborate this observation.

Feedback from interviewees in Uganda, Tanzania, and Ethiopia indicates that RAPs are indeed prepared to secure loans, but are subsequently implemented through the national legal requirements and frameworks for compensation and/or resettlement. One reason for this could be that when governments (as opposed to private sector enterprises) have to pay compensation, the implementing agency does not determine the value of the property; compensation values are set by the Chief Government Valuer (or a similar authority responsible for lands and settlement), and these values tend to be less than the market value, undermining the principle of fair compensation. Another factor may be that the Bank does not contribute to financing the resettlement/compensation process, and therefore at the implementation stage it has little influence over the process. By contrast, in MCC-funded projects, MCC requirements for RAP implementation are adhered to primarily because MCC has a team on the ground that continuously and consistently monitors project activities.

Recommendations

Based on this review, the recommendations to enhance the implementation of the AfDB's IR policy are proposed.

Better alignment of RAP process in the project cycle

When detailed designs for specific projects are not available, AfDB should not insist on having a specific RAP/ARAP at the project preparation/appraisal stage but should instead allow for a project-specific Resettlement Framework, or a Preliminary RAP. Development of a full RAP/ARAP should then be a condition in the loan agreement. Future updates of the IR policy will need to carefully consider the timing of the RAP in the project cycle.

Units should be set up in the Implementing Agencies that are in charge of the involuntary resettlement, to follow the process from start to completion.

Resettlement funding

The Bank and the government could share the cost of compensation to ensure that sufficient funding is available for the entire process, including post-completion evaluation. Where Bank's resources are not required, the Bank should ensure that the borrower's contribution to the project fully covers compensation expenses, to guarantee the availability of funds at the beginning of the implementation phase.

When financing resettlement costs as part of a loan, the Bank should carry out more comprehensive analysis of the issue, taking into account the social, legal, economic and financial implications. Appropriate control mechanisms should be established by the Bnk to ensure that this is not abused.

There should be transparency and equity in the expropriation payments and in compensation.

RMCs could create a fund for compensation. For example, it was suggested in Cameroon that an account could be opened—the Autonomous Sinking Fund—to which the government could contribute every year.

Co-financed projects

For projects in which various donors support different components, there is a need to collaborate with other financial institutions in a harmonised IR planning, including documentation, consultation, and disclosure requirements that satisfy all safeguard principles.

Capacity building

The Bank should train the IAs, other relevant government officials (especially in the ministries in charge of land), and RAP practitioners on its IR safeguard requirements. The Bank could even work with the ministry in charge of education to include RAP training in relevant courses offered in colleges. Because the World Bank, for instance, has provided a lot of training and awareness-raising, IAs clearly understand its policies.

The Bank should provide training not only on its own IR policies, but also on the causes, effects and impacts of resettlement. Training programmes should be country-specific and should deal with both country systems and AfDB systems, addressing similarities and differences between the two.

Higher priority should be accorded to training programmes for IA staff, as the payoff may be high in terms of improved resettlement operations.

The Bank needs capacity building on social issues to allow better RAP planning, implementation, and monitoring. For proper and well-monitored implementation, three parties should be involved in the implementing team: a government representative who oversees land acquisitions, a Bank representative to ensure compliance, and an independent implementing partner who should work on the ground with both the community and those involved in the actual work as the project progresses.

The Bank should also increase its in-house capacity for supervision: having fewer than 10 staff supervising Bank-funded projects in all of Africa is not a sustainable situation, and it compromises the Bank's ability to supervise projects. Moreover, project managers/task team leaders throughout the Bank should be made aware of the Bank's safeguard policies and their implications for specific sector activities, and of the need to synchronise the project cycle and the Bank's funding cycle.

CSO involvement

The Bank should do more to make CSOs aware of and understand its policies, and should prioritise capacity building for this purpose. The IR policy should require engaging CSOs at the early stages of project identification and preparation. In addition, the Bank should help CSOs strengthen their capacity in social issues to reduce the negative perceptions Implementing Agencies and RMC governments have of them.

CSOs can be engaged in some aspects of RAP planning and implementation—for example, identifying rehabilitation and livelihood restoration projects; conducting HIV/AIDS awareness and training; or reviewing the RAP implementation process for accountability and monitoring of development project impacts.

AfDB should clearly institutionalise the avenues of public/CSOs engagement even within the Bank's country offices.

To enhance accountability and transparency, both RMCs and AfDB should scale up the amount of information they make available to CSOs. The AfDB should begin with awareness creation and then carry out regular training.

Mainstreaming environmental protection

Compensation and resettlement are included in the ESIA as mitigation measures for an identified social impact, and the ESMP includes the need for a RAP and identifies ways to monitor its implementation.

There is a disconnect between the ESMP and RAP; in particular, environmental safeguards at resettlement sites are given little consideration unless the sites are identified before the approval of the ESIA. In addition, RMCs lack statutory institutions that are responsible for overseeing IR. Thus the environmental and social considerations are only weakly integrated into the resettlement process at the resettlement sites. In Kenya and Tanzania, for instance, the agency responsible for environmental permitting requires a copy of the RAP only as evidence that the mitigation measure has been developed; however, it cannot enforce and monitor the RAP's implementation as it does for environmental mitigation measures.

There is need to enforce the conduct of an ESIA study for any resettlement sites as one of the outputs of a livelihood restoration program.

Livelihood restoration

Most RMCs give no consideration to livelihood restoration in RAP implementation. Most compensation is in cash, partly because PAPs prefer it and partly because it is difficult to find resettlement sites that are acceptable to PAPs. However, little effort has been made to train PAPs in investing the compensation proceeds for sustainable livelihoods; the study team learned that PAPs often misuse the compensation packages and end up in poverty. Given the high preference for cash compensation, perhaps RAPs should emphasise training PAPs in entrepreneurship.

This report recommends that the Bank undertake a deeper analysis of the RAP implementation process in different countries to gain a better perspective on the issue of livelihood restoration.

Another approach would be to build, for each project, a socioeconomic database that includes quantified data and a qualitative description of all the systems of production and the diversity of livelihoods among PAPs—what the populations to be resettled do, and what their values and their lifestyles are, including their survival strategies and their safety nets in case of problems.

The IR policy should be clear on the need to create monitoring indicators from the feasibility stage to 5 years post-construction. This will give information on how livelihoods have improved over time. In addition, the AFDB should make M&E expertise available on the ground during the process to ensure that all impacts are adequately monitored.

Monitoring and evaluation

There is undoubtedly a need to strengthen the supervision and monitoring of resettlement activities by both IAs and the Bank.

AfDB's IR Policy needs to be more explicit in its requirements with regard to monitoring and evaluating the impacts of resettlement. The policy describes what has to be done in terms of monitoring, but is not clear as to how it can be done. The Bank should develop guidelines for IAs explaining AfDB M&E procedures and requirements, covering all stages of the RAP, including post-RAP. At the same time, the Bank should increase its staff resources and capacity in its field offices to carry out its supervision, oversight and monitoring responsibilities with regard to the implementation of the RAP.

The Bank should also consider building the capacity of the RMCs and IAs to monitor and evaluate Bank-financed projects. The use of technical assistance at this level is essential, not only for monitoring resettlement issues, but also to ensure the proper application of all components of the Bank's safeguard policies.

The Bank should develop good terms of reference for carrying out RAPs in accordance with the IR policy, including for independent external assessors to carry out monitoring/evaluation missions in relation to RAPs.

The Bank should encourage IAs to establish monitoring mechanisms to help PAPs restore their livelihoods and enjoy the benefits of the project to which they contributed. The policy should emphasise the role of CSOs in monitoring and evaluation.

On indigenous persons

The AfDB, like peer institutions (some of which have specific indigenous peoples policies), has encountered challenges in prescribing appropriate treatment for indigenous peoples because of the obvious variations in RMCs' history, cultures, demography, and politico-institutional frameworks. Countries' national legislation and any definitions of indigenous peoples they may have are rarely aligned with donor institutions' policies. ADB (2009), for example, reported that key challenges include recognition of indigenous peoples' cultural identity and rights to ancestral lands and resources; fair sharing of development benefits among affected indigenous communities and the rest of society; and meaningful and culturally appropriate consultation with indigenous peoples in planning and implementation of projects that are likely to affect them.

This review has shown that the AfDB's IR Policy, though relevant, has been less effective where Indigenous Peoples' are concerned. Although the AfDB does not have a standalone safeguards policy on Indigenous Peoples, it should make every effort to provide resettlement assistance wherever indigenous peoples are encountered among project affected populations, paying special attention to their peculiar circumstances.

RAP information and data management

The study team's difficulty in obtaining project data points to a need to improve on data management and disclosure. Both the ESIA and RAP policies should have specific information management requirements incorporating appropriate storage and easy retrieval. Perhaps it would be useful to have both a regional and a central RAP data repository to facilitate retrieval of information and hence more quantitative assessment of IR, both internally and externally.

BIBLIOGRAPHY

Asian Development Bank. 1995. Involuntary Resettlement.

— 2006. Involuntary Resettlement Safeguards Evaluation Study.

— 2009. Safeguard Policy Statement.

— 2012. Involuntary Resettlement Safeguards: A Planning and Implementation Good Practice Sourcebook – Draft Working Document.

African Development Bank Group. 2003. Involuntary resettlement policy.

— 2012. Integrated Safeguards System working progress. Strategic choices made in the design of the Integrated Safeguards System (ISS): Draft report on options for the ISS.

Bugalski, N., and D. Pred.

— 2013. Reforming the World Bank Policy on Involuntary Resettlement: Submission to the World Bank Safeguards Review.

Cernea, M. M.

— 2009. For a New Economics of Resettlement: A Sociological Critique of the Compensation Principle. Mimeo.

Cernea, M. M.

— 2000. “Risks, safeguards, and reconstruction: A model for population displacement and resettlement.” In Risks and Reconstruction: Experiences of Resettlers and Refugees, edited by M. M. Cernea and C. McDowell, Washington, DC: World Bank.

Clark, D.

— 2000. Resettlement: The World Bank’s Assault on the Poor. Center for International Environmental Law Brief.

European Bank for Reconstruction and Development.

— 2008. Environmental and Social Policy.

Ghana Highway Authority.

— 2007. Upgrading of N1 Highway between Tetteh Quarshie Interchange and Mallam Road Junction, Accra, Ghana. Resettlement Action Plan (RAP), Lot 2.

International Finance Corporation

— 2002. Handbook for preparing a resettlement action plan. Washington, DC: World Bank.

— 2006. Performance Standards on Social and Environmental Sustainability.

— 2013. Doing Business 2013. Washington, DC: World Bank.

— 2012. Performance Standards on Environment and Social Sustainability

Inter-American Development Bank.

Involuntary Resettlement Policy.

http://www.iadb.org/en/about-us/involuntary-resettlement.

Japan International Cooperation Agency.

— 2010. Guidelines for environmental and social considerations (translation of Japanese version).

Jason, S.

— 2004. Development Induced Displacement and Resettlement.
http://lnweb18.worldbank.org/ESSD/sdvext.nsf/65ParentDoc/InvoluntaryResettlement?Opendocument

Levitt, J.

— 2005. Comparative Analysis of the ADB Policy on Involuntary Resettlement, Policy Matrix
http://accproject.live.radicaldesigns.org/downloads/adb_companalysis.pdf

— 2007. The need for new approaches to involuntary resettlement: Lessons from Cambodia's Highway One Case, International Accountability Process.
http://accproject.live.radicaldesigns.org/.../Lessons%20from%20HW1.doc

OECD.

— 2003. DAC Guidelines and Reference Series Harmonising Donor Practices for Effective Aid Delivery.
http://www.oecd.org/development/effectiveness/20896122.pdf

Rosien, J.

— 2009. Understanding the Asian Development Bank's Safeguard Policy. Victoria Australia.

The Paris Declaration on Aid Effectiveness and the Accra Agenda for Action.
http://www.oecd.org/dac/effectiveness/34428351.pdf

USAID.

— 2012. Audit of the Millennium Challenge Corporation's Resettlement Activities (Ghana and El Salvador). Washington, DC: Office of the Inspector General.

— 2012. Audit of the Millennium Challenge Corporation's Resettlement Activities. Washington, DC; Office of the Inspector General

— 2013. Audit of MCC-funded Program in Senegal. Washington, DC: Office of the Inspector General.

World Bank.

OP 4.12, Involuntary Resettlement.
http://go.worldbank.org/GM0OEIY580.

ANNEXES

APPENDICES

Appendix 1: List of Projects Reviewed for the Study by Sector

Infrastructure projects

Cameroon
Kumba-Mafme Road Development Project

Cameroon
Bachuo Akagbe-Mamfé-Ekok Road

Gabon
County-Assistance Evaluation Gabon Road Program Phase

Ethiopia
Bedele-Metu Road Upgrading

Ethiopia
Jimma-Mizan Road Upgrading Project

Ethiopia
Greenfield Cement Project

Ethiopia & Kenya
Mombasa-Nairobi-Addis Ababa Road Corridor, Phase II

Kenya
Arusha-Mwatate-Voi Road

Kenya
El Nino Infrastructure Rehabilitation Project

Kenya
Nairobi-Thika Highway Improvement Project

Kenya
Timboroa-Eldoret Road Rehabilitation Project

Kenya & Tanzania
Arusha-Namanga-Athi River Road Development Project

Kenya & Uganda
Rift Valley Railways Project

Tanzania
Road Sector Support Project 1

Tanzania
Mangaka Tunduru

Tanzania & Kenya
Arusha-Holili/Taveta-Voi Road Project

Tanzania/Zanzibar
Zanzibar Roads Project

Uganda
Road Sector Support Project 4

Uganda
Road Sector Support Project 3: Nyakahita-Ibanda-Kamwenge Road

Uganda
Road Sector Support Project 2 (Fort Portal-Lamia road)

Tunisia
International Airport of Zine El Abidine Ben Ali

Tunisia
Mednine-Ras Jdir Highway Construction Project

Tunisia
Enfidha Airport Development Project

Botswana & Zambia
Kazungula Bridge

Malawi
Blantyre Zomba Trunk Road Rehabilitation Project

Malawi
Mzuzu Nkhatabay Road Rehabilitation Project

Mozambique
Nacala Transport Corridor Phase 3

Mozambique
Montepuez-Lichinga Road Project

Mozambique & Malawi
Nacala Corridor Rehabilitation Project

Swaziland
Eie-Mbabane Bypass

Zambia
Nacala Corridor Phase 2

Benin
Rehabilitation of Abidjan-Lagos Corridor

Burkina Faso & Togo
Road Rehabilitation and Transport Facilitation Project

Côte d'Ivoire
Riviera Marcory Bridge

Gambia & Senegal
Trans-Gambia Bridge and Cross-Border Improvement Phase 1

Ghana
Fufulso-Sawla Road Project

Ghana
Awashie-Pokuase Road Project

Guinea / Senegal
Conakry-Dakar Corridor Guinea

Senegal
Blaise Diagne International Airport

Senegal
Autoroute Dakar Diam Nadio

Sierra Leone
Lungi-Port Loko Road

Sierra Leone
Matotoka-Sefadu Road Rehab Project

Togo
Lome Container Terminal Project

Energy projects

Cameroon
Kribi Power Project

Cameroon
Lom-Pangar Hydroelectric Power Project

Cameroon
Dibamba Thermal Power Plant and Transmission Line Project

CAR-DRC
Boali Electrical System & the Interconnection Project

Congo
Congo Rural Electrification Project

Ethiopia
GIBE III Hydroelectric Power Project

Ethiopia
Ethiopia-Kenya Power Systems Interconnection Project

Kenya
Electricity Transmission Improvement

Kenya
Lake Turkana Wind Power Project

Kenya
Lake Turkana Windfarm–Access Road Rehabilitation

Kenya
Menengai Geothermal Power Project

Kenya
Thika Thermal Power Project

Kenya & Ethiopia
Kenya Power Systems Interconnection Project

Rwanda
KivuWatt Power Project

Tanzania
Iringa-Shinyanga Power Transmission Line Project

Egypt
Egypt Refining Company Resettlement Action Plan

Botswana
Morupule B Power Project

Mozambique
Sasol-Petroleum International Natural Gas Project

Zambia
Itezhi Tehzi Hydropower Project

Zambia
Victoria Falls-Katima Mulilo Project Performance Zambia Evaluation

Ghana-Togo-Benin
Power Interconnection Project

Senegal, Guinea, Gambia, Guinea Bissau
Multinational Energy Project

Sierra Leone
Addax Bio-Energy Project

Water projects

Kenya
Yatta Dam Project

Kenya
Small Towns Rural Water Supply and Sanitation Project

Gambia
Rural Water Supply and Sanitation Program

Morocco
Marrakech Region Drinking Water Supply Project

Agriculture projects

Gabon
Gabon Fertilizer Project

Tanzania
Bagamoyo Sugar Project

Algeria
Koudiat Dam Project

Mali
Markala Sugar Project

Swaziland
Lower Usutho Irrigation Development Project

Appendix 2. List of stakeholders consulted during the Review

	Name	Designation	Agency
Kenya			
1	Justin Ecaat	Principal Environmental and Safeguard Specialist	AfDB - East Africa Regional Centre (EARC)
2	Zerfu Tessema Mammo	Principal Transport Engineer (EARC)	AfDB - East Africa Regional Centre (EARC)
3	Daniel Kariuki Mbuteti	Land Surveyor	Kenya Highways Authority (KenHa)
4	Sarah Guya	Environmental and social Interests - Intern	Kenya Highways Authority (KenHa)
5	Walter Nyatwang'a	Manager-environmental and social interests	Kenya Highways Authority (KenHa)
6	Rose Oloo	Senior sociologist	Kenya Highways Authority (KenHa)KenHa
7	Francis Kaloki	Property officer	Kenya Power
8	Roseline Njeru	Socio-economist	Kenya Power
9	Jackson K. Peng'at	Way leaves officer	Kenya Power
10	Samuel Abaya	Socio-economist	Kenya Power
11	John Guda	Manager-Safety Health and Environment	Kenya Power
12	Eng. Vitalis Ong'ong'o	Project Engineer	Kenya Railways Corporation (KRC)
13	Joseph Murithi	Team Leader	Kenya Railways Corporation (KRC)
14	Seth Omondi Odero	Environment Manager	KURA
15	Ibrahim Oluoch	Environmentalist/WSPA	Lake Victoria North Water Services Board (LVNWSB)
16	Floice Wangwe	Senior Superintendent Water	Lake Victoria North Water Services Board (LVNWSB)
17	Ishmael Klanjima	Lawyer- Land Rights Coordinator (LRC)	Kenya Land Alliance (KLA)
18	Ogina Hillary	Communications officer	Kenya Land Alliance (KLA)
19	Eileen Wakesho	Women Officer	Kenya Land Alliance (KLA)
20	Justus Nyang'aya	Country Director	Amnesty International
21	Naomi Barasa	Campaigner	Amnesty International
22	Godwin Sakwa	Environment officer	Athi Water Serivices Board
23	Anthony M. Itui	Snr. Deputy Commissioner of Lands(Valuer)	Chief Government Valuers
24	Teresia W. Kimondui	Snr. Assistant Commissioner of Lands (Valuer)	Chief Government Valuers
25	Ikal Ang'elei	Director	Friends of Lake Turkana
26	Susan Emitundo	Community liaison officer	Rift Valley Railways (RVR)
27	Keziah Adhiambo	Environmental coordinator	Rift Valley Railways (RVR)
28	Mumbi Kamuri	SME and Linkages Manager	Rift Valley Railways (RVR)
29	Jack Wahome	EIA Officer	National Environmental Management Authority
30	Mildred Omenda	Social safeguards officer	KETRACO
31	Matilda Mwamburi	Social safeguards officer	KETRACO
32	Irene Muchoki	Environment Manager	PANAFCON Ltd
33	Samwel Kimani	Sociologist	National Irrigation Board
34	Zephenia Ouma	Environmental Officer	National Management Authority (NEMA)
35	James Ngugi	Environmentalist/WSPA	Lake Victoria North Water Services Board (LVNWSB)
36	Julius Mutua Ruchui	Resettlement Implementation Unit/MIDP	National Irrigation Board
37	Apondi Nyang'aya	Director	Kalausi CONSULT
38	Paul Daudi	Environmental Officer	TANATHI WATER SERVICE BOARD
Cameroon			
39	Diop Bamba	Environmental Specialist	AfDB - Cameroon Field Office
40	Judes Bissakonou	Social Development Specialist	AfDB - Cameroon Field Office

	Name	Designation	Agency
41	Ollo Nguema	Task manager Public Energy Sector	AfDB - Cameroon Field Office
42	Samuel Nguiffo	Secretary General	NGO Centre pour l'Environnement et le Dévelopement
43	Laurence Nkeangnyi	Divisional delegate	Manyu Divisional Delegation For Agriculture And Rural Development
44	Benjamin Tchoffo	Executive Director	Centre Of Applied Forestry Research And For Development (CARFAD)
45	Ewono E.Ndzana	Chief of Service, Economic, Financial and administrative service	Senior divisional office,Mamfe
46	Gregory Nguh Muluh	Coordinator	GP – DERUDEP
47	Besong Ntui Ogork	Coordinator	SOWEDA – Rumpi Project
48	Mirabeau Wowe	Coordinator	PAMOCCA Project
49	Clement Kana	Coordinator	SE/PARETFOP
50	Martial Mekaga	Coordinator	SE/PARETFOP
51	Salah Mengue	Coordinator,	EDC AfDB Unit (Lom-Pangar and PRERETD)
52	KIBOUM KOM Antoinnette	Environmentalist	EDC AfDB Unit (Lom-Pangar and PRERETD)
53	ETOGA Jean Marie	Socio-Environmentalist	EDC AfDB Unit (Lom-Pangar and PRERETD)
Ghana			
54	Samuel Turay	Country Programme Officer	AfDB
55	Lydie EHOUMAN	Transport Economist	AfDB
56	Sarah Antwi-Bosiako	Social Development and Gender Specialist	Ministry of Lands and Natural Resources (MoLNR)
57	Kwesi Bentsi-Enchill	Chief Valuer	Land Valuation Division (LVD)
58	John Ivan Fosu	Chief Environmental Officer	Ghana Highway Authority (GHA)
59	Nicolina N. Yembilah	Ag Procurement and Contract Manager	Volta River Authority (VRA)
60	Buniyamima Abdul-Kadir	Project Engineer	Volta River Authority (VRA)
61	J. Owusu Afriyie	Construction Manager	Volta River Authority (VRA)
62	Moses K. Ayaim	Principal Estate Assistant	Volta River Authority (VRA)
63	Fred Kyei – Dompreh	Estate Officer	Volta River Authority (VRA)
64	Michael Sandow Ali	Deputy Director, Mining Department	Environmental Protection Agency (EPA)
Malawi			
65	A. Mwaba	Resident Representative	AfDB -Malawi
66	B. Nkhoma	Principal Water and Sanitation Officer	AfDB -Malawi
67	K. Banda	Social Development Specialist	AfDB -Malawi
68	V. Kisyombe	Senior Agriculture Officer	AfDB -Malawi
69	D. Ngwira	Disbursement Assistant	AfDB -Malawi
70	E. Chisesa	Senior Procurement Officer	AfDB -Malawi
71	A. Nkosi	Manager	Centre For Social Concern
72	Mrs I. Luhanga	Secretary for Lands and Housing	Ministry Of Lands And Housing
73	K. Ngwira	Controller of Lands	Ministry Of Lands And Housing
74	O. Matope	Deputy Commissioner for Lands	Ministry Of Lands And Housing
75	P. Jimusole	Director of Planning and Development	Lilongwe District Council
76	J. Mwenda	District Lands Officer	Lilongwe District Council
77	B. Kapoteza	Director of Construction	Roads Authority
78	W. Chihana	Construction Engineer	Roads Authority
79	I Kunkeyani	Construction Engineer	Roads Authority
80	C. Mtawali	Senior Engineer	Roads Authority
81	S. Sbande	Transport Economist	Roads Authority

	Name	Designation	Agency
82	S. Sibande	Transport Economist	Roads Authority
83	F. Haiya	Head of Audit	Roads Fund Administration
84	A. Makhwatha	Head of Finance	Roads Fund Administration
85	Y. Mtupanyama	Director	Department of Environmental Affairs
86	S. Nyirenda	Environmental Officer	Department of Environmental Affairs
87	T. Mbale	Assistant Director (EIA and Pollution Control)	Department of Environmental Affairs
88	Dr. S. Khaila	Chair of the Law Commission on the Review of the Land-related Laws	Bunda College
89	J. Mwenda	Lands Officer	District Lands Officer
Tunisia			
90	Charaf Eddine	Country Programme Manager	AfDB - Tunisia : Regional Department for North Africa, ORNA
91	Ghazi Chrif	General Manager	Department of Bridges and Roads of the Ministry of Equipment
92	Samia Gharbia	Director of Land Operations	Department of Bridges and Roads of the Ministry of Equipment
93	Lilia Sifaoui	Assistant Director	Department of Bridges and Roads of the Ministry of Equipment
94	Mohamed Ali Soulem	Head of Cooperation and External Relations Department	Tunisian Company of Electricity and Gas
95	Thouraya Chkir	Head of the Legal Department	Tunisian Company of Electricity and Gas
96	Taoufik Hamzaoui	Servitude service	Tunisian Company of Electricity and Gas
97	Chedly Guizani	Director of Department of Planning and Management Control	National Society of Railways
98	Taoufik Abdelhédi	Director of Department of Dams and hydraulic works	Ministry of Agriculture
99	Sifi Elkhdhiri	Director	Regional Directorate of Equipment of Mannouba
100	Tarak Marzouk	President of the Association "TOUENSA"	Association "TOUENSA"
101	Bouazza Sihem	President of the Tunisian Association de Droit du Développement "ATDD"	ATDD
AfDB HQ Tunis			
102	Dr. Anthony Nyong Okon	Division Manager ORQR.3	AfDB - Tunisia : Department (ORQR3)
103	Muja Annah Rutebuka	Principal Social Safeguards Officer	AfDB - Tunisia :Department (ORQR3)
104	Noel Kulemeka	Chief Socio economist	Energy, Environment and Climate Change
105	Pierre Jaigbé	Senior Financial Analyst	AfDB - Tunisia : Energy, Environment and Climate Change Department
106	Awatef Siala Fourati	Principal Environmental Specialist	AfDB - Tunisia : Environment and Climate Change Division ONEC3
107	Rachael A. Aron	Senior Social Development Specialist	AfDB - Tunisia : Energy, Environment and Climate Change Department (ONEC)
108	Anouk Fouich	Principal Social Safeguards and compliance Officer,	AfDB - Tunisia: ORQR3.
109	Karim Mhirsi	Task Manager du projet de l'Aéroport à Enfidha	AfDB - Tunisia

AFRICAN DEVELOPMENT BANK GROUP

African Development Bank Group

Immeuble CCIA, Avenue Jean Paul II
B.P. 1387 Abidjan 01
Côte d'Ivoire

www.afdb.org

Design & layout: www.creondesign.net

AFRICAN DEVELOPMENT BANK GROUP