



**TAPPITA – TOE TOWN ROAD
(40KM)
DRAFT RAP REPORT**



**Resettlement Action Plan (RAP)
Rural Economic Transformation
Project (RETRAP)**

April 2021



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Definitions

| Term | Meaning |
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| Accessibility | Refers to the identification and elimination of obstacles and barriers to provide access to the physical environment, transportation, information and communications and other facilities and services. |
| Adaptive Management | A systematic approach for improving resource management by learning from management outcomes |
| Allowance | Cash paid to defray resettlement related expenses other than losses of immovable assets. For example, tenants can be provided with a cash <i>allowance</i> to support their effort to secure alternative housing. A moving <i>allowance</i> can be paid to people who have to relocate as a result of Project land acquisition. An <i>allowance</i> is distinguished from compensation, which reimburses the loss of an immovable asset or land |
| Asset | Any property owned by a person, group of persons or an institution/ agency. |
| Assistance | Additional support provided to Project Affected Persons (PAPs) under specific conditions who are losing assets (particularly productive assets), incomes, employment or sources of living, to supplement the compensation payment for acquired assets to achieve, at a minimum, the full restoration of living standards and quality of life. |
| Census | Means a field survey carried out to identify and determine the number of persons and assets affected by the project activities or displaced to leave land for civil works. The census provides basic information needed to determine the appropriate resettlement option including compensation. |
| Children | All persons under the age of 18 years according to international regulatory standard (Convention on the Rights of Child 2002). |
| Community | A group of individuals broader than the household, who identify themselves as a common unit due to recognized social, religious, economic or traditional government ties, or through a shared locality. |
| Compensation | Payment in cash or in kind for loss of land, or other assets given to a displaced person in exchange for the acquisition of land. It also includes all compensation paid for loss of |

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| | assets, infrastructure, livelihood and income. |
| Cost of disturbance | The reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land. This can either be determined and paid separately or factored into the valuation rate to be applied. |
| Cut-Off Date | The date that establishes eligibility for compensation for land acquisition. Best practice suggests using the date on which the census and assets inventory is started in a particular community or area. People moving into the project area after this date will not be eligible for compensation. |
| Disadvantaged or vulnerable | refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community or other individuals upon which they depend. |
| Economic displacement | Loss of assets (including land) or access to assets that leads to loss of income sources or means of livelihood as a result of project-related land acquisition or restriction of access to natural resources. People or enterprises may be economically displaced with or without experiencing physical displacement located in the project area. |
| Eligibility | The criteria for qualification to receive benefits under a resettlement program. |
| Entitlement | The benefits set out in the resettlement instrument (RPF, RAP), including financial compensation; the right to participate in livelihood restoration programs; housing, house sites and service provision; and, transport and other short-term assistance required to resettle or relocate |
| Female Headed Household | A household where a female is the principal earning member of the family. |
| Full Replacement cost | The method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs associated with asset replacement. In applying this method of valuation, depreciation of structures and assets are not be taken into account. |
| Grievance Procedures | The processes established under law, local regulations, or administrative decision to enable property owners and other affected and/or displaced persons to redress issues related to acquisition, compensation, or other aspects of resettlement. |
| Head of the Household | The eldest member of core family in the household, for the purpose of the project. |
| Household | A group of persons living together who share the same cooking and eating facilities, and form a basic socio-economic and decision-making unit. One or more households often occupy a homestead. |
| Income restoration | Livelihoods restoration refers to that compensation for PAPs who suffers loss of income sources or means of livelihoods to restore their income and living standards to the pre-displacement levels. |
| Inventory of Loss (IOL) | The process of tally, location, measurement and identification of replacement cost of all fixed assets that will be recovered or adversely affected by, or because of, the project. These include, (without limitation or being in an exhaustive list) lands used for residence, business, agriculture, ponds, dwelling, stalls and shops; other structures such as fences, tombs, and wells; trees with commercial value; and sources of income and livelihood. It also includes assessing the severity of the impacts on the PAPs affected land, property, assets livelihood and productive capacity. |
| Involuntary resettlement | Resettlement is involuntary when it occurs without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement. |

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| Land acquisition | Refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. |
| Livelihood | refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering. |
| Physical displacement | A loss of residential structures and related non-residential structures and physical assets because such structures/assets are located in the project area. |
| Private property owners | Persons who have legal title to structures, land or other assets and are accordingly entitled to compensation under the Land Act. In the case of a joint title deed, the replacement land or cash compensation will give to the joint holders who will be treated as a unit. |
| Project-Affected Person | Any person who, as a result of the project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily. |
| Relocation | A process through which physically displaced individuals or households or communities are provided with a one-time lump sum compensation payment for their existing residential structures and move from the Project Area. |
| Resettlement | A process through which physically displaced persons are provided with replacement plots and residential structures at a designated site. Resettlement includes initiatives to restore and improve the living standards of those being resettled. |
| Resettlement Action Plan (RAP) | A resettlement instrument to prepare when the location(s) of civil works are identified. RAPs contain specific and binding provisions to resettle and/or compensate the affected persons before implementation of the activities. Resettlement Action Plan outlines how resettlement will be managed to fulfil the objectives of WB ESF -ESS5. |
| Resettlement Assistance | Support provided to people who are physically displaced by a project. This may include transportation, food, shelter, and social services that are provided to affected people during their resettlement. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a new locale, such as moving expenses and lost workdays. |
| Resettlement Policy Framework (RPF) | Where a project or sub-project is not defined to such a level that a final footprint is available and or detailed data are missing, an RPF defines the principles with which any Resettlement Action Plan will accord and outlines the expected impacts and compensation, physical relocation and livelihood restoration programs. |
| Squatter | Squatters are landless households squatting on a public/private land for residential and/or business purposes. |
| Stakeholder | All Persons or groups, affected by the project directly or indirectly and/or with interests in the project and who may be able to influence its outcome either positively or negatively. |
| Vulnerable groups | Vulnerable or “at-risk” groups includes people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. The RPF therefore provides for supplemental assistance to assist each category of vulnerable persons during resettlement. |

Acronyms and Abbreviations

| Initial | Meaning |
|----------|--|
| COVID-19 | Corona Virus Disease 2019 |
| EPA | Environmental Protection Agency |
| ESIA | Environmental & Social Impact Assessment |
| ESMF | Environmental and Social Management Framework |
| ESS | Environmental and Social Standard |
| Ft | Feet |
| GBV | Gender-Based Violence |
| GM | Grievance Mechanism |
| GoL | Government of Liberia |
| GRC | Grievance Redress Committee |
| GRM | Grievance Redress Mechanism |
| IDA | International Development Association |
| IIU | Infrastructure Implementation Unit |
| KM | Kilometer |
| LLC | Liberia Land Commission |
| LRA | Liberia Revenue Authority |
| M | Meter |
| MIA | Ministry of Internal Affairs (MIA) |
| MOA | Ministry of Agriculture |
| MOFDP | Ministry of Finance and Development Planning |
| MME | Ministry of Mines and Energy |
| MPW | Ministry of Public Works |
| NGO | Nongovernmental Organization |
| PAD | Project Appraisal Document |
| PAPs | Project Affected Persons |
| PDO | Project Development Objective |
| PFMU | Project Financial Management Unit |
| PIU | Project Implementation Unit |
| PPA | Project Preparation Advance |
| RAP | Resettlement Action Plan |
| RETRAP | Rural Economic Transformation Project |
| RMMU | Road Maintenance Management Unit |
| RoW | Right-of-Way |
| RPF | Resettlement Policy Framework |
| SEA | Sexual Exploitation and Abuse |
| SECRAMP | South Eastern Corridor Road Asset Management Project |
| SEP | Stakeholder Engagement Plan |
| TOR | Terms of Reference |
| WB | World Bank |

Executive Summary

A. Project Background and Description

The Government of Liberia is seeking funding from the World Bank towards the implementation of the Rural Economic Transformation Project (RETRAP). The Project seeks to increase income of rural poor households through sustainable agricultural livelihood enhancements and improved rural access and agricultural marketing infrastructure services. As its focus, the project will support the value chains of cassava, Rubber, Poultry, Piggery and Vegetables. The project will be implemented in 11 of the 15 counties over a period of five years.

The project development objective is to improve productivity and market access for smallholder farmers and agri-enterprises for selected value chains in project participating counties. The project has four main components as follows:

- **Component 1: Improving The Enabling Environment For Agribusiness Development (IDA US\$6million):** This component seeks to improve the enabling environment for agribusiness development in Liberia through (i) building the capacity of public agribusiness services to deliver quality services to private investors, including smallholder farmers; (ii) enhancing value chain coordination and public-private dialogue; and (iii) supporting agricultural research and development (R&D) and extension. It has two subcomponents.
- **Component 2: Enhancing Competitiveness and Market Access through Productive Alliances (IDA US\$16.5 million):** The objective is to support smallholders and commercially oriented farmers to improve their capacity to operate competitively in selected value chains and establish a more reliable linkages with buyers.
- **Component 3: Agro-Marketing and Road Infrastructure Investments (IDA US\$31.5 million):** This component seeks to improve access to markets through the rehabilitation of existing roads, construction of short-span critical cross-drainage structures, and modernization of selected agri-markets. The component is designed to improve infrastructure along a major corridor to unlock productivity in the agricultural sector and provide logistics support to the private sector. The component is linked and in support of a bigger national road transportation agenda of Government of Liberia, aimed at reducing transportation costs, improve communications, and increase the commercial viability of agriculture.
- **Component 4. Project coordination and Management and Contingency Emergency Response (IDA US\$5 million):** The aim of this component is twofold: (i) establishing appropriate coordination, Monitoring and Evaluation (M&E), and communication regarding Project implementation; and (ii) ensuring that GoL is better equipped to respond to crises and emergencies. It has two subcomponents.

Subcomponent 3.1 Roads will support the rehabilitation of a 40km section of the 112km Tappita-Zwedru Road, commencing at the edge of Tappita in Nimba County and traversing through and terminating at approximately 4km beyond Toe Town in Gbarzon District, Grand Gedeh County.

According to a conceptual design carried out, the proposed design includes a full upgrade of the road to a two-lane carriageway with bituminous surfacing within the existing right-of-way of 150ft (75ft on either side of the centerline of the road) with possible limited realignments to improve design requirements..

The proposed road rehabilitation works under subcomponent 3.1 will adversely affect assets found within the RoW, as well as persons living and conducting livelihood activities therein. The potential adverse impacts of subcomponent 3.1 civil works activities necessitate the preparation of this Resettlement Action Plan (RAP) to minimize and mitigate the potential adverse social and economic impacts.

The RAP sets out the procedures and the actions to be undertaken by the Government to properly compensate PAPs. It includes a project implementation schedule, eligibility criteria for PAPs, legal and institutional framework, assets valuation methodology, entitlement and eligibility, unit rates, participation and consultation outcomes, overall cost estimates for RAP implementation and funding arrangements, grievance redress mechanisms, monitoring and evaluation and implementation arrangements.

A.1. The main objective of the resettlement plan

The main objective of this RAP is to identify persons to be affected by the subcomponent 3.1 activities, compensate them for their losses, and to assist them to restore their livelihoods to pre-project level or better. It aims to provide compensation and resettlement assistance to PAPs so that they can improve their income-earning capacity, production levels, and standards of living. As per the entitlement matrix, all persons affected by the project are entitled to compensation and resettlement assistance based on the eligibility classification stated in paragraph 10 of the ESS5.

A.2. Scope of Project Impacts on Affected Assets and Population

This RAP has been prepared for the proposed 40 km road upgrading works under subcomponent 3.1, and outlines the resettlement principles and procedures for identifying resettlement needs. The Infrastructure Implementation Unit of the Ministry of Public Works (IIU/MPW) will adopt and implement the procedures for resettlement, and potential loss of structures, economic crops and businesses and livelihoods activities in compliance with Liberian legal/institutional framework and the requirements of ESS5 of the World Bank Environmental and Social Framework.

A.3. Project Component with Resettlement Impacts

The Project has four main components, but Project Component 3 (Agro-logistics and Infrastructure Investments) and its subcomponent 3.1 (Road construction) give rise to physical and economic displacement. The proposed project under subcomponent 3.1 will be within the right of way to advance the proposed rehabilitation works in accordance with the Ministry of Public Works Zoning Regulations. This is directly linked with the preparation and implementation of this RAP. Road diversion requirements for subcomponent 3.1 activities are not currently known. This RAP has made provision for contingency amount of 20% of the total compensation cost, which is earmarked for addressing unforeseen factors. If impacts of diversion exceed the contingency allocation, addendum to this RAP will be required. Any land acquired by the contractor for workers' camps, storage sites, quarries and borrow areas, sites for batching plants will be at the expense of the contractor. The Contractor ESMP will adequately address those impacts relating to borrow pits, quarry sites, and site camps in accordance with the E&S impacts, risks and mitigation measures.

B. Socio-Economic Baseline Conditions of Project Affected Persons (PAPs)

A socioeconomic survey was conducted from February 6-10, 2021 to identify and establish the category, conditions and sociocultural characteristics of the population that will be affected by subcomponent 3.1 civil works activities. The project area is largely rural and comprises 4 main towns, and 24 small towns and villages. A total of 281 persons and entities were found within the project impact zone and will be adversely affected by subcomponent 3.1 civil works.

The 281 affected persons and entities will lose their properties and means of livelihoods. Their losses will be fully compensated. Compensation and resettlement assistances covers: i) 264 private structures, ii) 9 public structures, iii) 874 economic tree crops , iv) 106 small businesses, v) 9 graves, vi) 86 tenants, 86 landlords, and vii) assistances to 60 vulnerable people.

Each affected household has access to basic facilities and utilities such as improved drinking water, primary and secondary schools, basic healthcare (hospital (in Tappita) and clinics (Gbolordeala and Toe Town) a and religious facilities are located in the project area.

The Project affected population (281) is generally illiterate (76%) with only 24% having primary and secondary education as per their responses to the survey questionnaire. The census result indicates that the main source of income is subsistence agriculture (55%) followed by small businesses (38%).

C. Legal and Institutional Framework

The preparation of this Resettlement Action Plan (RAP) was carried out within the context and requirements of the relevant national regulatory and institutional framework, and the ESS5 of the World Bank Environmental and Social Framework (ESF). The Liberian legal/institutional framework within which this RAP has been prepared include the 1986 Constitution, land acts and policies, environmental management law, zoning regulations, etc., and the roles and responsibilities of the relevant institutions and agencies for its implementation. The World Bank social policies and standards, particularly ESS5 of the Environmental and Social Framework have been taken into account for the development and implementation of this RAP. Where there are disparities or gaps between the Liberian legal framework and the requirements of ESS5, the Government has committed itself to complying with the standards, policies deemed more stringent and will enhance the resettlement, and livelihood restoration assistance to project affected persons or households.

D. Entitlements and Eligibility

All assets and persons found within the project impact zone (the RoW) before the cut-off-date (February 5, 2021) are eligible and entitled to compensation and resettlement assistance to enable them at least to restore their affected assets and livelihoods to pre-project levels, or better. The combination of compensation measures and resettlement assistance offered to them has been determined based on the nature of the lost assets and the magnitude of the Project's impact as well as the social and economic vulnerability of the project affected persons. The compensation packages had been designed to reflect **full replacement costs** for all losses (economic trees crops, structures, businesses, and income

Prior to the Cut-Off-Date of February 5, 2021, public notices and announcements were aired on January 31 -February 5, 2021 through community radio stations, announcing the Government's intention to undertake census of potential assets to be affected by the subproject in the project-affected area.

E. Valuation of and Compensation for Losses

The assets valuation exercise, valuation methods and rates used to value the various categories of assets to be affected by the subcomponent 3.1 civil works activities (e.g. tree crops and structures) was determined using the **Full Replacement Costs approach**. This approach does not take into account depreciation of the existing asset, but the cost of the replacement structure or asset including transportation and transaction costs, based on prevailing costs of materials on the local market. Given the magnitude of the impacts on affected persons, the valuation methods used will yield compensation amounts that will enable PAPs to better improve their standards of living, or at least restore them to pre-project levels.

F. Stakeholders Consultation

The IIU/MPW conducted the first series of public consultations from February 10-11, 2021. The total of 206 people including PAPs, local authorities, women's groups and other stakeholders from the affected communities participated in the consultation. Participants received information about the project, resettlement processes/procedures, mitigation measures including compensation and special assistance packages, eligibility and entitlement, the project timeline (especially for subcomponent 3.1), and the importance and role of the Grievance Redress Mechanisms. Participants expressed their support for the road rehabilitation works, as well as sharing their concerns and suggestions regarding compensation for affected assets and the project implementation timeline.

Stakeholder consultations and information disclosure will be carried throughout the road rehabilitation period to keep all parties abreast of project implementation progress and challenges.

G. RAP Budget

The overall RAP compensation and implementation budget is estimated at US\$ 1,081,879.00 to be financed by the Government of Liberia. This amount includes: i) the US\$825,862 allocated for compensation and special assistances to be paid to PAPs and the US\$256,071 budgeted to cover training and sensitization, RAP audit, supervision and GRM and, contingency costs.

H. Grievance Redress Mechanisms

The Grievance Redress Mechanism has been established to apply to all subcomponent 3.1 road rehabilitation activities that will be financed by the Project. Potential GRM includes issues related to asset valuation, resettlement compensation and assistance, environmental and other social issues that will arise during project implementation.

The Grievance Redress Committees comprising representatives of project-affected persons (PAPs) will be setup at four different levels (project, district, county and national levels). Because of GRCs' proximity to PAPs, it is expected that most of the grievances/complaints that may be filed will be handled and resolved at the project (community) level more efficiently. Procedures for receiving, registering, resolving and complaints at each of the four levels are clearly laid out in the chapter on Grievance Redress Mechanism.

J. Monitoring and Evaluation

The IIU/MPW shall take the responsibility to ensure that effective M&E systems are maintained throughout the project period. The objective of regular monitoring is to enable the IIU/MPW to assess resettlement implementation progress and challenges, take corrective actions where and when necessary to ensure that the RAP is implemented as planned.

The evaluation will also assess to establish whether the compensation payment and other resettlement activities have been carried out in compliance with Liberian legal and institutional framework and the requirements of ESS5 of the World Bank Environmental and Social Framework. The IIU/MPW will produce monitoring and evaluation reports at regular intervals and share with the project stakeholders.

K. Arrangement for Adaptive Management.

Uncertain and changing circumstances within the project landscape and the wider socioeconomic environment prior to and during implementation of the RAP are likely to require adjustment to the original RAP. In order to quickly and effectively response to unforeseen changes, a chapter on Adaptive Management is provided in this RAP. These measures include rigorous and regular monitoring of implementation activities, provision in the contingency budget to address price inflation and legacy issues, and well-functioning Grievance Redress Mechanisms that will proactively handle and address complaints/grievances before such grievances lead to serious problems.

CHAPTER 1: INTRODUCTION

1.1: Background Understanding

The Government of Liberia through the Ministry of Agriculture is seeking funding from the World Bank towards the implementation of the Rural Economic Transformation Project (RETRAP). The Project seeks to increase income of rural poor households through sustainable agricultural livelihood enhancements and improved rural access and agricultural marketing infrastructure services. As its focus, the project will support the value chains of cassava, Rubber, Poultry, Piggery and Vegetables. The project will be implemented in 11 of the 15 counties over a period of five years. The Project Development Objective is to improve agriculture productivity and access to markets for selected value chains in the Project targeted areas.

Agriculture is the mainstay of the Liberian economy upon which over 70 percent of the population depend for their livelihood and income. Agriculture is a major contributor to the country's GDP and is one of the key pillars in the Government's five-year development plan – the Pro Poor Agenda for Prosperity and Development. Nonetheless, the development of a productive, viable and sustainable agriculture sector has been greatly constrained among other factors by poor road infrastructure. Farmers' ability to access valuable markets and improved inputs to increase production is limited by the poor quality of the country's network of roads. During the May–September rainy season, movement from rural areas is significantly restrained due to heavy rainfall, especially in lowland swamp areas. As a result, smallholders tend to sell produce in local markets where prices are relatively lower. Despite the government's current initiative to rehabilitate main roadways and some key feeder roads in productive areas, more work is needed to improve road and bridge infrastructure in remote rural areas.

This Project addresses important challenges for developing agri-food value chains in Liberia including improving rural access and agricultural marketing through upgrading of roads, constructing short-span critical cross-drainage structures, and improving agro-logistics centers. The project subcomponent 3.1: Roads will complement the planned road works financed as part of the South Eastern Corridor Road Asset Management Project (SECRAMP; P149279), under which a total of 100km length of road between Ganta and Tappita is to be rehabilitated. The Project will support the rehabilitation of a 40km section of the 112km Tappita-Zwedru Road, commencing at the edge of Tappita in Nimba County and traversing through and terminating at approximately 4km beyond Toe Town in Gbarzon District, Grand Gedeh County. According to a conceptual design carried out, the proposed design includes rehabilitation of the road to a two-lane carriageway with bituminous surfacing along the existing right-of-way of 150ft (75ft on either side from the center of the road) with realignments in certain sections to improve linear characteristics. Once rehabilitated to bituminous standard, it is expected that the road will play a significant role in enhancing market access for farmers, businesses, traders and agro-processors and transport service providers. This will constitute an essential part of an enabling environment that will contribute to unlocking the agricultural production potential of the south-eastern region as a whole.

While the road is expected to unlock the development potential of the region, implementing subcomponent 3.1 will involve road upgrading activities including: i) site clearing/grubbing, ii) earthworks, iii) drainage works, and v) road pavement activities. These civil work activities are expected to adversely impact private and public structures, economic crops, businesses, tenants and vulnerable groups whose livelihood activities are situated within the right-of-way (RoW) of the 40km road section and the diversions

that may be required during construction period. Other social risks include potential legacy issues (marked structures that have not been paid but which have collapsed and are still standing in very bad shapes, reimbursement of documents processing fees, income losses and etc) related to impacts of previous road rehabilitation activities on Project Affected People (PAP) and communities along the proposed road corridor to be rehabilitated. The census carried out as part of the preparation of this RAP identified a total of 628 Project Affected Persons. Of this number, 273 (43%) are private and public structures owners – these are community owned assets impacted by the project and compensated by the project to enable them reconstruct similar structure(s), 8 (1%) economic tree crops owners, 106 (17%) small businesses owners, 9 (1%) graves owners, 86 (14%) tenants (renters), 86 (14%) landlords and 60 (10%) vulnerable people to be affected by civil works activities.

The project is prepared under the World Bank Environmental and Social Framework (ESF). The potential adverse social impacts of the project required the preparation of this RAP and ESS5: Land Acquisition, Restriction on Land Use and Involuntary Resettlement is deemed applicable to the project.

1.2: Aim and Objectives of the RAP

The overall objective of the Resettlement Action Plan (RAP) is to identify the adverse impacts associated with the subcomponent 3.1 activities (road rehabilitation) and to put in place measures and actions to be taken to mitigate the adverse impacts on project affected persons (PAPs), ensuring that their standards of living are better, or at least restored to pre project levels. The specific objectives of the RAP are as follows:

- To establish eligibility criteria, and entitlement framework;
- To identify and estimate the number of Project Affected Persons and estimate the total compensation costs and mechanisms for effective delivery;
- To provide compensation for losses at replacement costs;
- To improve living conditions for vulnerable persons/groups who will be physically displaced, through provision of adequate resettlement assistance and support;
- To ensure that resettlement activities are planned and implemented with appropriate disclosures and through meaningful consultation with and the informed participation of project affected persons;
- To identify institutional responsibilities before and during project implementation; and
- To establish mechanisms for handling and resolving project related complaints/grievances involving PAPs and project affected communities,
- To take resettlement as development undertaking,

1.3: Justification for the preparation of a RAP

ESS5 recognizes that project-related land acquisition and involuntary resettlement can have adverse impacts on individuals, households and communities. Physical and economic displacement arising from land acquisition and/or restrictions on land use, if unmitigated, may give rise to severe economic, social and environmental risks; entire production systems may be dismantled; and, affected persons will face impoverishment if the resources or sources of income upon which they depend are lost.

This RAP is prepared to ensure that compensation and resettlement assistance to Project Affected Persons are provided in accordance with the requirements of the ESS5 to address losses arising from the project implementation. The RAP implementation will ensure that impacts are adequately mitigated through

compensation to the extent that standards of living of project affected persons are made higher or at least restored to pre-project levels. The mitigation measures, actions and procedures laid out in the RAP, when properly implemented, will also ensure that project implementation activities are carried out smoothly and on schedule.

This RAP will provide information on inter alia:

- The main RAP Objectives and Methodology;
- Findings of the Socio-Economic Baseline Assessment;
- Findings of an analysis of the Policy, legal and Regulatory Framework;
- Stakeholder Consultations;
- Entitlement and Eligibility and Cut-Off Date;
- The Valuation Methodology;
- Inventory of affected assets/structures in the project area;
- Findings of Census of Project Affected Persons (PAPs);
- Compensation and Resettlement Assistance to be provided;
- Analysis of Impacts and Income Restoration Measures for Vulnerable Group/PAPs;
- Grievance Redress Mechanism;
- Budget and Financing Arrangement;
- Procedure for Delivering of Entitlements;
- Institutional arrangement for RAP Implementation;
- Arrangements for RAP Monitoring and Evaluation; and
- Implementation Schedule covering all resettlement activities.

1.4: RAP Methodology

The approaches and methodology adopted in the preparation of this RAP document include the following:

1.4.1: Initial Project Meeting

The initial project meeting was held involving the GoL and the World Bank Team, at which time the socioeconomic survey questionnaire was developed. This was followed by field level consultations with PAPs and relevant agencies.

1.4.2: Literature Review

Preparation of the RAP included review of several documents including:

- RETRAP Concept Note
- RETRAP Project Appraisal Document
- Draft RETRAP Stakeholder Engagement Plan
- Draft RETRAP Environmental and Management Framework
- RETRAP Request for Project Preparation Advance (PPA)
- Draft RETRAP Resettlement Policy Framework
- Draft RETRAP Environmental and Social Management Framework
- Draft ESIA/ESMP prepared for the proposed 40 KM road section
- World Bank Environmental and Social Framework
- Approved SECRAMP RAP for Ganta to Tappita Road Section (100km)
- Liberia Household Income and Expenditure Survey 2016
- 1986 - Constitution of the Republic of Liberia and other relevant national laws

- Liberia Demographic and Health Survey 2019/20

1.4.3: Engagement and Training of Enumerators

The IIU engaged 12 enumerators (5 males and 7 females) who were trained on the use of the designed RAP survey instruments, which includes; data collection using the socioeconomic survey form, inventory and measurement of affected properties using tape measurement, photo taking and adherence to COVID-19 prevention.

The enumerators were engaged from communities along the road corridor due to their familiarity with the area, customs and other social norms as well as to provide temporary employment to the youths of the area. As part of the quality assurance measures, the minimum educational qualification of the enumerators was first-year level college education. The colleges in Nimba County nominated students who met the stated requirement and forwarded their names to the MPW Resident Engineer for interview. Following interview, the Resident Engineer forwarded the names of the 12 students to IIU/MPW and MOA teams for training and deployment.

1.4.4: Consultation with Communities and Stakeholders

The consultations with communities were carried out through town hall meetings, focus group discussions and key informant interviews, all of which created an opportunity to convey project information to community stakeholders, including the project benefits and adverse impacts and the measures to be taken to mitigate the impacts.

The consultations also provided an opportunity for PAPs and affected communities to voice their concerns and views which were documented and included in the preparation of this RAP.

Additional approaches carried out included:

- Administration of a structured questionnaire to collect socioeconomic information on PAPs and Project Affected Households (PAH);
- Physical marking and valuation of affected assets, during which cost related information on the affected assets was collected;
- Photographing of affected assets to show their entire dimensions; and
- Secondary information related to population and other demographic data were collected at district level to give a broader demographic and socioeconomic profile of the project affected districts (Tappita District in Nimba County, and Gbarzon District in Grand Gedeh County).

CHAPTER 2: DESCRIPTION OF THE PROJECT ENVIRONMENT AND BASELINE STUDIES

2.1: Description of the project Counties

While component 3.1 is mainly supporting the 40km road rehabilitation work in Nimba and Grand Gedeh Counties, the agriculture component of RETRAP will be implemented in 11 out of the 15 counties in Liberia covering Group 1: Bong, Sinoe, Lofa, Grand Bassa, Bomi, Grand Cape Mount, Margibi, Montserrado and Nimba, which offer comparative advantage for the production of cassava; (ii) Group 2: Nimba, Bong, Margibi, Maryland, Grand Bassa and Grand Cape Mount, with advantages for rubber production; and Group 3: Grand Cape Mount, Bomi, Montserrado, Bong, Grand Bassa, Nimba and Margibi for poultry/piggery production. The Project would give priority to counties where farmer organizations already exist, and where there are market opportunities (processing factories, close to urban areas, border-outlets, etc.), before moving to counties without any existing farmer organizations. While the agriculture components of RETRAP will finance agri-enterprises for selected value chains in project-participating counties, this RAP applies only to the rehabilitation of the 40km road sections (Tappita – Toe Town) to be supported by component 3.1.

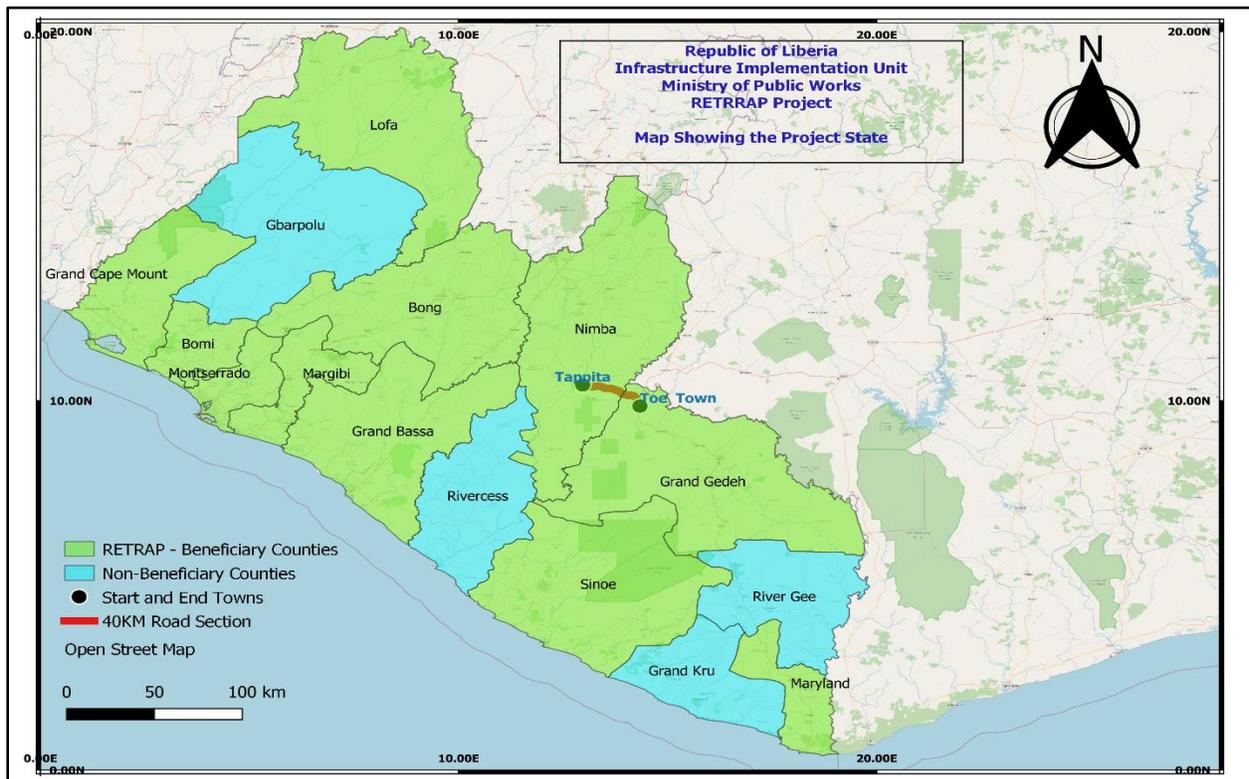


Figure 1: Map of Liberia showing the locations of the beneficiary Counties

Map Source: RMMU/IIU/MPW

- **Subcomponent 1.1: Improving public agribusiness services** aims at enhancing the capacity of selected public services that are critical for enabling agribusiness, principally the Ministry of Agriculture (MoA) and the Cooperative Development Agency (CDA).
- **Subcomponent 1.2: Enhancing value chain coordination and public-private dialogue** aims at enhancing value chain coordination and public-private dialogue in the value chains (VCs) to be included in the project, inter-professional organizations and associated PPDs existing in the country, but with varying levels of capacity, scope and activity.
- **Subcomponent 1.3: Support to agricultural R&D and extension** will strengthen the capacities of the Department of Regional Development, Research and Extension (DRDRE) of the MoA to carry out their mandates.

Component 2: Enhancing Competitiveness and Market Access through Productive Alliances. (IDA US\$ 12.5 Million) This component aims to support smallholders and commercially oriented farmers to improve their capacity to operate competitively in selected value chains and have strengthened and more reliable linkages with buyers.

- **Subcomponent 2.1: Pre-Investment Activities** will support pre-investment activities to: (i) promote the project concept and increase outreach to prospective beneficiaries (FBOs and their members, commercial partners, and private financing entities); (ii) identify opportunities for Productive Alliances among FBOs, agri-enterprises, processors, and commercial partners; (iii) identify potential business opportunities for the Productive Alliances; (iv) prepare business plans and proposals for investment subprojects reflecting the identified opportunities; (iv) build capacity among technical service providers to enhance the quality of the services provided to the Productive Alliances; and (v) support studies to evaluate the potential for investments in the selected value chains that will promote climate change mitigation, climate resilience, and the economic inclusion of marginalized groups.
- **Subcomponent 2.2: Investment Subprojects Supporting Productive Alliances** aims to enable smallholders to become more competitive producers, capable of meeting market demands, establishing sustainable linkages with buyers, and effectively integrating into the selected value chains. Under this component, the project will finance matching grants for FBOs, agribusinesses, processors, aggregators, and other participating partners to implement investment subprojects¹.

Component 3: Agri-marketing and Road Infrastructure Investments (IDA US\$ 31.5 Million). The objective of this component is to improve access to markets through the rehabilitation of existing roads, construction of short-span critical cross-drainage structures, and modernization of selected agri-markets. The component is designed to improve infrastructure along major corridors to unlock productivity in the agriculture sector and provide logistics support to the private sector. The component is linked to and supports a bigger national road transportation agenda of the Government of Liberia, aimed at reducing transportation costs, improving communication and making agriculture viable in Liberia.

- **Subcomponent 3.1: Roads construction will** complement the planned road works financed as part of the South Eastern Corridor Road Asset Management Project (SECRAMP, P149279), under which 100 km of road between Ganta and Tappita to be rehabilitated. The project will support

¹ A sub-project in the context of this project is defined a small project belonging to organizations of smallholders or other vulnerable group of about farmers / individual commercially oriented farmers or other partners in an alliance.

the rehabilitation of a 40-km segment of the 112-km Tappita–Zwedru road. This segment was selected for rehabilitation to facilitate the movement of agricultural goods and delivery of services (including the development of transport services), significantly improve access to the main market centers of the southeastern corridor, and foster greater interaction between farmers, businesses, traders, and agro-processors. It also complements on-going improvements elsewhere in the feeder road network, which will unlock the agricultural potential of the entire southeastern region.

- **Subcomponent 3.2: Modernization of selected agri-markets** will finance the modernization of selected existing agri-markets in rural areas; including the construction of: (i) a number of open market sheds and small storage and processing facilities; and (ii) basic market infrastructure such as internal market pathways, drainage infrastructure, and water and sanitation facilities, as well as selected facilities for specialized handling of agricultural produce.

Component 4: Project coordination and Management and Contingency Emergency Response (IDA US\$ 5 Million). The aim of this component is twofold: (i) establishing appropriate coordination, Monitoring and Evaluation (M&E), and communication regarding Project implementation; and (ii) ensuring that GoL is better equipped to respond to crises and emergencies.

CHAPTER 3: DESCRIPTION OF SUBCOMPONENT WITH RESETTLEMENT IMPACTS

3.1: General Description of the Project and Identification of the Project Area

The planned road works under subcomponent 3.1 lies between Tappita and Toe Town, starting at Coordinates -8.838287/6.495888 and ending at Coordinates -8.54504108/6.37377674. This 40km road runs through two Counties, namely, Nimba (Tappita District) and Grand Gedeh (Gbarzon District).

The existing road generally traverses a rolling terrain and sharp curves at some places. The condition of road drainage is generally poor. The condition of the road surface is bad especially during rainy seasons, impeding movement of traffic for long period of time. Some sharp curves also require improvements. Widening in narrow sections is required in several parts along the corridor. The proposed width of this road section is within the 45.72meters (150ft.) of the existing RoW and includes drainage. The proposed upgrading activities include rehabilitation, widening of road width from 6.5m to 10.5m within the existing 150ft ROW, filling embankment within the current RoW to achieve road gradient, sub-base and base over laying prior to bituminous wearing course, rehabilitation extension and construction of side drains and cross drainages within existing RoW.

Key settlements through which the project road passes include Gborlodeala, Poker Town and Toe Town, with the three towns combined accounting for 63% of the total 273 private and public structures to be affected by the project.

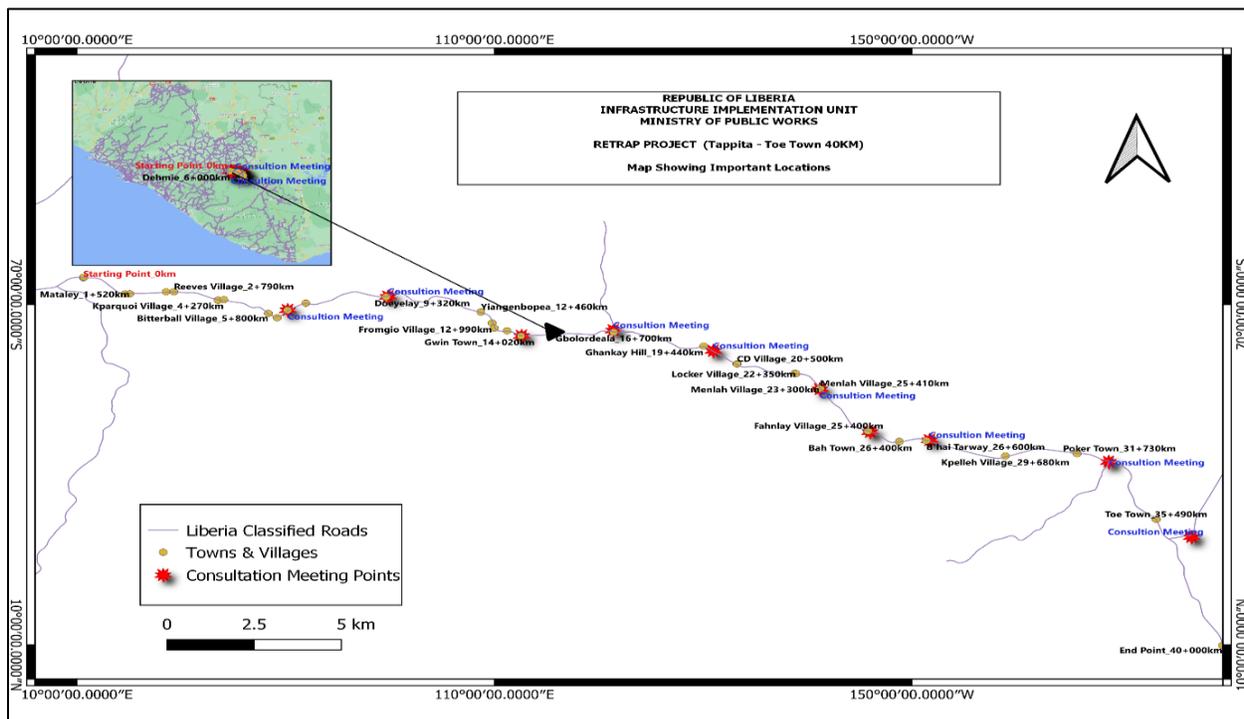


Figure 3: Map showing the Project Area

Map Source: RMMU/IIU/MPW

The proposed road rehabilitation is a critical link in the transportation network. The road is to complement the on-going feeder roads improvement by SIDA to achieve a greater level of accessibility. The selection of the project road (which is part of the primary road network) was based on several factors:

- a) Firstly, rehabilitation of the selected road segment supports the ongoing attempts by Government to improve the southeastern corridor to an all-weather standard. This road is critical to the effective transportation of agricultural goods. Currently, the road condition is poor and frequently impassable to transit during the rainy season. Over the years, repeated grading has lowered critical sections to below the original ground level. This has created an entrenched cycle of “ponding” on the carriageway, resulting in significant rutting under truck loads and further deterioration of the road. In the absence of improved backbone infrastructure, the main bottlenecks to improved transportation will persist, with inordinately longer travel times leading to increased post-harvest losses.
- b) Secondly there are government programs supported by donors that are investing in improvements in the feeder roads. As of now, SIDA is supporting 499km of feeder roads in the project area, connecting small-scale farmers to a functioning road network. The selection of this road segment enhances the efforts by government to improve the feeder road network to help meet service delivery requirements and will benefit inputs i.e. exchange of knowledge for sustainable operations and management through close collaboration with the donors who are already supporting the feeder roads.
- c) Thirdly, the road contributes significantly to market accessibility, in spite of its relatively short length. The Bank has financed the rehabilitation of the 253km Monrovia-Guinea Border road, which is one of the important transport links leading to the port of Monrovia. The planned improvements to the Ganta - Zwedru corridor will increase the mileage of the key transport infrastructure that provides the backbone for effective transportation.

The Project will support the rehabilitation of 40km section of the 112km long Tappita - Zwedru road.² According to a conceptual design carried out, the proposed design includes a rehabilitation of the road to a two-lane carriageway with bituminous surfacing along the existing right-of-way, with a 20-year design life. Once rehabilitated, it is expected that the road will play a key role in improving market access for farmers, businesses, traders and agro-processors and transport service companies and unlocking the agricultural potential of the entire south-eastern region.

Figure 4 and 5 below show the typical cross sections of the road design in towns/villages and rural areas respectively. The cross-sections consist of 3.75m lanes and 1.5m paved shoulders. In towns/villages it will be modified with the addition of 1.5m wide block paved pedestrian walkways on both sides of the road with parallel concrete side drain wherever possible.

² Currently, the Ganta -Tappita stretch, almost halfway to Zwedru, is under financing from from GoL, World Bank and Liberia Reconstruction Trust Fund (LRTF) sources (Ganta-Saglepie, 39km financed by GOL, and Saglepie-Tappita, 61km financed by WB/LRTF) under the South Eastern Corridor Road Asset Management Project (SECRAMP). The AfDB is also financing the paving of the stretch from Harper to the Ivorian Border in the South. A gap of about 85km is still under discussion for financing by donors in the next round of allocations.

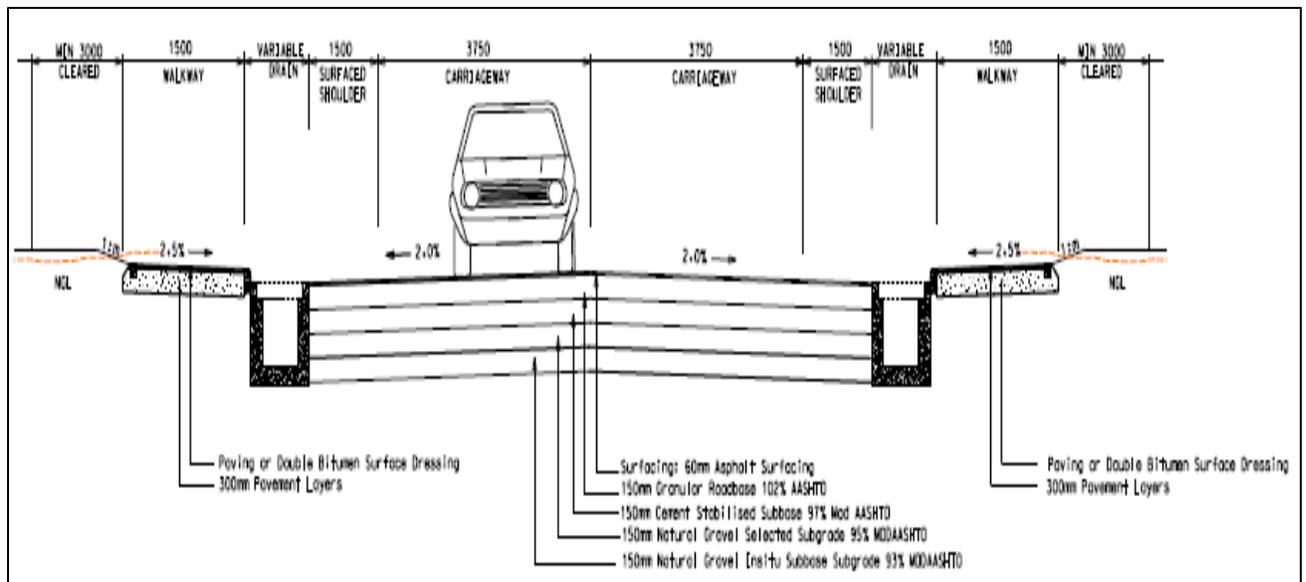


Figure 4: Typical cross-section in towns/villages

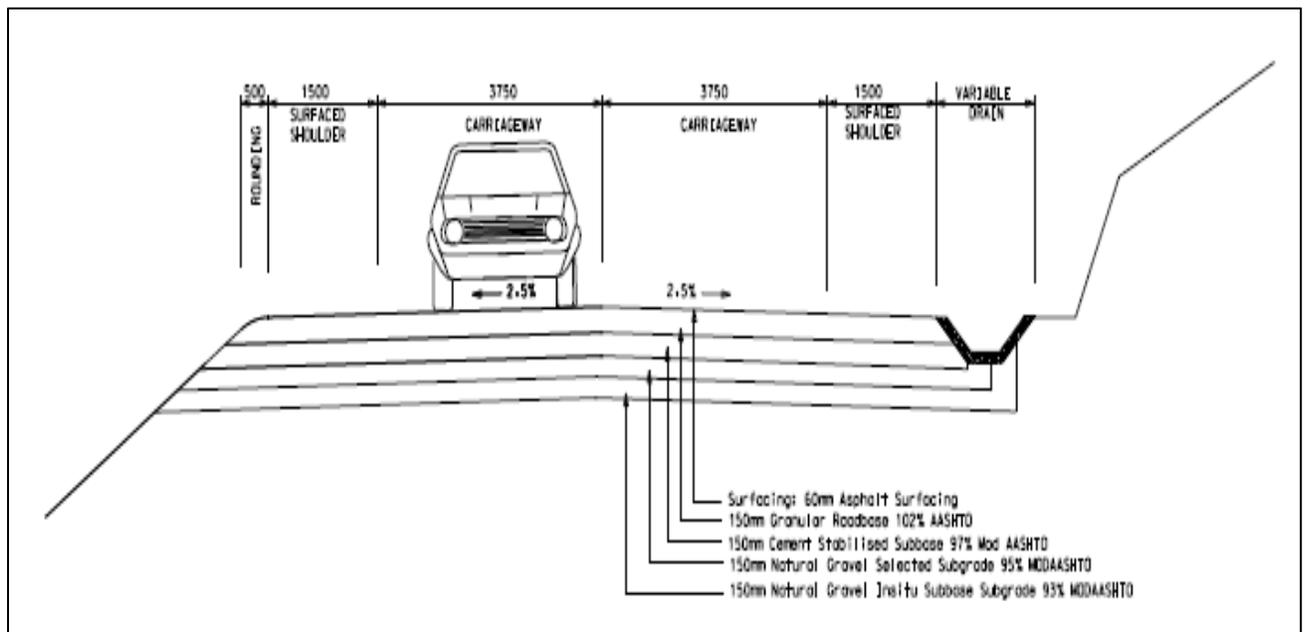


Figure 5: Typical cross-section in rural areas

CHAPTER 4: PROJECT POTENTIAL IMPACTS

This chapter provides details on project activities that give rise to involuntary physical and economic displacement, the zone of impact, the scope and scale of impacts on structures and other fixed assets, design alternatives considered to avoid or minimize displacement and mechanisms established to minimize displacement, to the extent possible during project implementation.

4.1: Project Component 1.3

Project subcomponent 3:1 will give rise to physical and economic displacement. The proposed project will require the existing right of way to advance the rehabilitation works in accordance with the Ministry of Public Works Zoning Regulations. This is directly linked with the preparation and implementation of this RAP. The specific activities to be carried out under component 3.1 are as follows:

- Identification and marking of the existing Right of Way of 150ft (75ft on both sides from the center of the existing road).
- Construction of the 10.5m two-lane carriageway with bituminous surfacing and a 3.0m paved shoulder.
- Construction of rectangular concrete channel at varying specifications from 1m to 1.5m.
- Construction of drainage channels and culverts at varying specifications from 0.9m to 1.2m.
- Construction of rectangular drainage channel of average width 1.2m and culvert diameter of 0.9m to 1.5m.

These activities will adversely impact private and public structures, economic tree crops, businesses, livelihood/income, and communities along the 40km road section.

4.2: Zone of Impact

Subcomponent 3.1 activities will affect twenty-two (22) villages/towns in Tappita District in Nimba and six (6) villages/towns in Gbarzon District in Grand Gedeh, with 63% of all structures to be impacted located in three towns: namely, Gbolordeala in Nimba; Pokor and Toe Towns in Grand Gedeh.

4.2.1: Scope and scale of Impacts on Structures and other Fixed Assets

The road rehabilitation including drainage work activities will be implemented in the existing RoW and no additional land acquisition is expected. However, the potential impacts on structures, and other fixed assets within the RoW is substantial.

4.2.2: Project-imposed restrictions on use of, or access to, land or natural resources

The project is not expected to cause any restrictions on access to assets, land use or natural resources.

4.3: Alternatives considered to avoid impacts and Impact Reduction Measures Undertaken

The MoA project proponent has undertaken several measures aimed at reducing the identified potential adverse impacts of subcomponent 3.1 activities on project affected persons. These measures include the following:

- I. Rehabilitation of the 40km road section will follow the existing alignment as closely as is technically feasible with only minor deviations anticipated;

- II. All civil works activities will be confined within the government reserved right-of-way of 75 feet (23 meters) on both sides of the road's centerline. This will avoid the acquisition of private land for this road upgrading works;
- III. Feasible design alternatives have been considered as part of the measures to drastically reduce the potential adverse impacts on individuals, households and communities within the project area of influence. The design options will continuously be reviewed and appropriately readjusted throughout the duration of civil works to ensure that impacts are kept at the minimum and within environmentally and socially acceptable limits; and
- IV. Regular and rigorous monitoring will be carried out to ensure that the contractor remains within the established RoW and carries out the works in accordance with the approved design.

4.4: Impacts on Structures and other Fixed Assets

4.4.1: Positive Social Impacts of the Project

Subcomponent 3.1 of the Project is expected to have several positive impacts during construction and operation phases, and these are:

- Creation of temporary jobs for Liberians, including youth, women and other categories of the population in the two counties during construction. Approximately 750 workers) are expected to be employed during the 3-year rehabilitation phase.
- Reduction in travel time and vehicle operating costs during the operation phase.
- Creation of income generating activities with greater movement of people and goods along the proposed road corridor.
- There will be improvement in the local economy through increased circulation of money from construction workers and vendors supplying goods and services.
- Improved market access for farmers, businesses, agro processors, transport service providers, road users; and enhanced access to social and other vital services.
- Increased sales through enhanced local and cross border traffic.
- Improved access to social services, including health and educational facilities

4.4.2: Negative Social Impacts

Subcomponent 3.1 and all its related civil works activities are expected to have several adverse social impacts that include:

- Loss of private and public structures – 273, 63% of which are situated in three towns in the road right of way (Gbolordeala in Nimba; Pokor and Toe Town in Grand Gedeh Counties);
- Loss of economic trees;
- Loss of Local people's livelihoods/businesses;
- Impact on vulnerable persons
- Loss of rental income;
- Loss of rented shelters; and
- Loss of cultural heritage.

Data on social and economic impacts was collected during the socioeconomic survey conducted in February 2021 along the proposed road corridor connected with subcomponent 3.1 civil works activities. It is estimated that a total of i) 264 private structures (253 fully affected and 11 partially affected) will be impacted; ii) 9 public structures (7 fully affected and 2 partially affected) will be impacted; iii) 874 economic trees will be affected; iv) 106 businesses will be fully affected; v) 60 vulnerable persons including the elderly, sick and female household heads will be affected; vi) 86 landlords will lose rental income, and 86 tenants will lose rental shelters; and, vii) 9 graves will be affected.

4.5: Mechanism to Minimize Resettlement during Project Implementation

During project implementation, the IJU of MPW would ensure that the contractor does not encroach beyond the right of way of the road corridor to avoid further displacement. The contractor's contract will include requirements to remain within the RoW and comply with the approved project design. Any land acquired by the contractor for workers' camps, quarries and borrow areas, sites for batching plants will be at the expense of the contractor.

4.6: Diversions

During construction, diversions may be required for motorist to continue to use the route while the road construction activities are ongoing. The normal practice in Liberia is for the contractor to make a temporary earth track close to the actual road alignment, to divert traffic for one to two months, while the embankment, road formation and surfacing are constructed. Long-term diversions may be required at culverts and bridge sites, and through towns, where concrete drains and walkways may be built. As a contractor has not been selected at this stage of preparation of the RAP, and diversions along the entire road is unknown but anticipated. This RAP has made provision for contingency amount of 20% of the total compensation cost, which is earmarked for addressing unforeseen factors. If impacts of diversion exceed the contingency allocation, addendum to this RAP will be required.

CHAPTER 5: OBJECTIVES OF THE RESETTLEMENT ACTION PLAN

5.1: The main objectives of the resettlement program

This RAP has been prepared with the ultimate goal of ensuring that all persons affected by subcomponent 3.1 activities, loss of permanent residential and commercial properties, livelihoods disruptions, loss of access, loss of temporary structures and loss of income, will be promptly compensated at full replacement cost (market value plus transaction costs) for their losses. In addition to compensation for their assets, they will be provided with additional assistance. The compensation amount and the additional assistances objectives are to position PAPs at least as well off as they would have been at pre-displacement level or better off. This RAP has been prepared to:

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

5.2: Scope of RAP

This RAP applies to permanent and temporary physical and economic displacement resulting from the impacts associated with subcomponent 3.1 activities in Nimba and Grand Gedeh Counties.

It covers impacts associated with loss of residential properties, structures, economic trees, and tenants' and landlords' income losses. It also includes communal property such as graves in the ROW of the road corridor, displacement of people as a result of project impacts that render their assets and structures inaccessible which have been considered in anticipation of, or in preparation for, the civil works.

5.3: Justification for the RAP

The nature of rehabilitation activities (e.g. site clearance, earth works etc.) will likely adversely impact PAPs livelihoods and if not mitigated properly, it could lead to displacement and social and economic hardship. Site screening exercise for the road corridor determined that civil works under subcomponent 3.1- Road Rehabilitation would impact livelihood in the affected catchment area - thereby justifying the preparation and implementation of this RAP. This Resettlement Action Plan (RAP) is prepared to mitigate those adverse social and economic impacts on PAPs. The RAP is also based on the project RPF which sets out the resettlement and compensation principles, organizational arrangements and design criteria to be applied to meet the needs of project-affected people and specifies the contents of a Resettlement Action Plan (RAP). An Environmental and Social Impact Assessment (ESIA) and Environment and Social Management Plan (ESMP) have been prepared as separate documents.

CHAPTER 6: CENSUS SURVEY AND BASELINE SOCIOECONOMIC STUDIES

6.1: Introduction

A household-level census identifying and enumerating affected persons, structures and other fixed assets, with the involvement of affected persons was conducted from the 6 – 10 of February 2021. The household-level census was conducted to:

- identify characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- gather information on vulnerable groups or persons for whom special provisions may have to be made;
- identify public or community infrastructure, property or services that may be affected;
- provide a basis for the design of, and budgeting for, the resettlement plan;
- Provide a basis for excluding ineligible people from compensation and resettlement assistance in conjunction with the established cutoff date, and
- establishing baseline conditions for monitoring and evaluation purposes.

6.2: Socio-Economic Baseline Conditions of Project Affected Persons (PAPs)

A socioeconomic survey was conducted from February 6-10, 2021 by a group of enumerators in the affected communities using structured survey questionnaires, through which the category, conditions, and sociocultural characteristics of the population that will be affected by subcomponent 3.1 civil works activities were identified and established. Most of the road rehabilitation activities will take place in the 40km of the rural areas along 4 towns and 24 small towns and villages. A total of 281 persons will be affected by subcomponent 3.1 civil works through the loss of assets and means of livelihood and income.

The main characteristics of the project-affected area is provided below:

Table 1: General Socio-Economic baselines of Nimba and Grand Gedeh Counties

| Variables | Description |
|------------|--|
| Population | Nimba County: 563, 939 (Male: 282,347; Female: 281,592); Sex ratio: 100.3 |
| | Grand Gedeh County: 152,887 (Male: 76,375; Female: 76,512); Sex ratio:99.8 |
| Households | Nimba County: Number of HH (119,173); Average Household Size (4.7) |
| | Grand Gedeh County: Number of HH (35,314); Average Household Size (4.3) |
| Age | Nimba County: 0-14 years (46.5 %); 15-64 years (49.8 %); 65+ years (3.6 %); 18+ years (47.3%); Age dependency ratio (100.6%). |
| | Grand Gedeh County: 0-14 years (47.4 %); 15-64 years (49.4 %); 65+ years (3.1 %); 18+ years (46.7%) Age dependency ratio (102.2 %) |

| | |
|---|---|
| Poverty | Nimba County: Absolute Poverty (66.5); Food Poverty (45.2); Extreme Poverty (20.6) |
| | Grand Gedeh County: Absolute Poverty (63.7); Food Poverty (47.8); Extreme Poverty (17.5) |
| Literacy rate | Nimba County: 59.8%; Grand Gedeh County: 68.5% |
| Employment | Nimba County: Informal employment (88.9%); vulnerable employment (91.7%); and unemployment (1.1%) |
| | Grand Gedeh County: Informal employment (84.6%); vulnerable employment (83.7%); and unemployment (2.8%) |
| Food vs. Non-food Consumption expenditure | Nimba County: Share of food (71.7%); Share of food non-food (28.3%) |
| | Grand Gedeh County: Share of food (67.9%); Share of food non-food (32.1%) |
| Housing/Dwelling structure (rural)-Nimba and Grand Gedeh Counties | Wall Type: Mud and Sticks (68.6%); Mud Bricks (24.9%); Zinc/Iron/Tin (0.4%); Stone/Clay Bricks (1.3%); Sand Crete/ Cement Blocks (4.1%); Other Materials (0.7%); Roof Type: Iron Sheets, Zinc/Tin (75.5%); Straw, Grass, Bamboo or Thatch (22.9%); Other Materials (1.6%). |
| Land area cultivated in hectares | Nimba County: Male-headed households (2.1); Female-headed Households (1.5); All households (1.9); Land cultivated per capita (0.5). |
| | Grand Gedeh County: Male-headed households (1.2); Female-headed Households (1.1); All households (1.2); Land cultivated per capita (0.3). |
| Distribution of land tenure by County (percent of farms) | Nimba County: Community land (26.1); Tribal land (10.2); Distributed by family (55.3); Privately owned (7.0); Rented (0.8); Farming as a tenant (0.7) |
| | Grand Gedeh County: Community land (34.5); Tribal land (21.3); Distributed by family (34.9); Privately owned (6.3); Rented (1.2); Farming as a tenant (1.9). |
| Labour utilization in farming | Nimba County: Share of HH using hired/Kuu labour ³ (93.0); Share of female labour (43.1%) |
| | Grand Gedeh County: Share of HH using hired/Kuu labour (86.2%); Share of female labour (46.3%) |
| Percent distribution of households that received different types of transfers by county | Nimba County: Money (35.2); Food goods (10.7); Non-food goods (7.1) |
| | Grand Gedeh County: Money (41.8); Food goods (6.5); Non-food goods (10.0) |

Source: Liberia Household Income and Expenditure Survey 2016

³ Kuu labour is a mutual labour system very common between Liberian farmers in which a group of men and women from within the community/town work for the farm of a household in the community. This activity is routinely distributed among farming households, food is the only source of payment and commitment for the days of work.

6.3: Socioeconomics Survey of PAPs

Structured questionnaire was used to collect socio-economic information on the affected people. The PAP census data obtained include:

- Characteristics of the Project Affected Persons (PAPs);
- Information on vulnerable groups or persons for whom special provisions may have to be made;
- Project Affected Household organization;
- Inventory of Affected Assets (structures and tree crops);
- Public or community infrastructure, property or services that may be affected;
- Patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

6.3.1: Characteristics of PAPs Household Organization and Labor

Gender

Of the total 281 PAPs interviewed, 193 (69%) are males, while 88 (31%) are females and 23 out of the 88 females are household head.

Table 2: Age Distribution of PAPs by Gender

| Gender | Age Range | | | | | | Total | % |
|--------|-----------|---------|---------|---------|---------|------------|-------|------|
| | 15 – 25 | 26 – 35 | 36 – 45 | 46 - 55 | 56 - 64 | 65 - above | | |
| Male | 28 | 31 | 52 | 48 | 25 | 9 | 193 | 69% |
| Female | 10 | 19 | 17 | 28 | 7 | 7 | 88 | 31% |
| TOTAL | 38 | 50 | 69 | 76 | 32 | 16 | 281 | 100% |

Marital Status

Of the total 281 PAPs, 125 (44%) are married, while 48 (17%) are singled, 7 (2%) are Divorced, 10 (4%) are window/er and 91 (32%) are in consensual Union.

Table 3: Marital Status by Gender

| Category | Sex of PAP | | Total | % |
|------------------|------------|--------|-------|------|
| | Male | Female | | |
| Married | 95 | 30 | 125 | 44% |
| Single | 22 | 26 | 48 | 17% |
| Divorced | 3 | 4 | 7 | 2% |
| Window/er | 2 | 8 | 10 | 4% |
| Consensual Union | 71 | 20 | 91 | 32% |
| Total | 193 | 88 | 281 | 100% |

Education

Of the total of 281 PAPs, about 24% of the PAPs have formal education and 35% are school dropout (from either elementary, junior high or high school), while 41% never entered school.

Table 4: Educational Status of PAPs by Gender

| Education Status | Gender | | Total | % |
|---------------------|------------|-----------|------------|-------------|
| | Male | Female | | |
| Never Attended | 67 | 48 | 115 | 41% |
| Drop Out | 70 | 29 | 99 | 35% |
| Secondary and Above | 56 | 11 | 67 | 24% |
| Total | 193 | 88 | 281 | 100% |

Religion

Majority of the PAPs are Christians (79.7%), followed by Muslims (18.5%) and traditional and other religions (1.8%).

Access to Electricity

About 52% of the affected structures (Toe Town and Gbolordeala) has access to electricity.

Access to drinking water

All of the affected communities have access to drinking water within about 10 – 100 meters radius.

Livelihoods

PAPs are engaged in variety of livelihood activities. Most of the PAPs along the project route are self-employed, evidenced by the majority commercial structures, especially in the major towns such as Toe Town, Poker Town, and Gborlodeala.

Findings from the socio-economic study revealed that 55% of the PAPs are subsistence farmers who are mainly engaged in the growing of rice, vegetable, plantains, groundnuts, rubber, and other cash crops as well as hunting activities.

Table 5: Livelihood activities of the PAPs by Gender

| Sources of Livelihood | Gender | | Total | % |
|-----------------------|------------|-----------|------------|-------------|
| | Male | Female | | |
| Farmer | 112 | 43 | 155 | 55% |
| Business Owner | 64 | 32 | 106 | 38% |
| Teacher | 6 | 0 | 6 | 2% |
| Employed | 4 | 0 | 4 | 1% |
| Unemployed | 7 | 3 | 10 | 4% |
| Total | 193 | 88 | 281 | 100% |

Income Levels

The local economy is mainly based on subsistence agriculture and small businesses (individual or family business) such as trading in dry goods, used clothing and staples like cassava, palm oil and vegetables. The

Socio-Economic survey questionnaire did not include specific questions on income level for affected households, only for businesses with regard to revenue, profit and operating expenses. However, based on the predominant economic activities of the area, majority are subsistence farmers and small business owners of low-income status.

6.4: Census Results

The objective of the census was to identify PAPs that will be negatively impacted by the project that may result to: i) loss of shelter, ii) loss of income source, and iii) loss of access to assets or income. With the goal of establishing the magnitude of the project's impacts on PAPs as well as their assets, the census undertook an inventory of assets that are likely to be impacted.

The census result indicated that farming and commercial activities (small businesses) are the main livelihood activities undertaken in the project area. The project will pass through 28 towns and villages. A total of 281 persons are identified as potential PAPs to be affected along the Tappita – Toe Town road section. Out of the 281 PAPs, a total of 60 persons are vulnerable people who will require special resettlement assistance.

All of the 281 PAPs who will be adversely impacted are those who have settled and carrying out livelihood activities within the road's RoW. Structures, shops, small scale businesses, market stalls, beauty salons, carpenter shops, gas stations, crops and other similar means of livelihood activities along the 40 km length will be impacted. The potentially affected persons have been carrying out livelihood activities within the RoW for an average period of over 5 - 10 years. Annex A1-A8 present the list of projects affected persons and their entitlements.

6.5: Other Studies

6.5.1: Land Tenure and Land Transfer System

It was gathered from the survey data that majority (79%) of the PAPs have occupied the land in the project area for 5 - 10 years. Majority (86%) of the PAPs in the project area claim to have ownership of the property they occupied. However, when asked about title deed for the property, few claimed to have title deeds for the properties they were claiming. Some claimed to have inherited their properties. During the consultation meetings with the affected communities, none of the PAPs presented title deed to substantiate their claims. It can therefore be concluded that majority of the project affected households may be considered as without genuine title deed to land they claim to be theirs.

6.5.2: Patterns of Social Interactions in Affected Communities

The communities along the Tappita to Toe Town Road Corridor enjoy communal and cordial relationships, little or no discrimination exist among resident households because of ethnic, social, religious, or cultural heritage. Inter-marriage and cohabitating between members of different ethnic groups are common. PAPs indicated membership of social groups, which served as a source of solidarity in times of financial and emotional needs.

Collective group and individual network exist in the area that will be affected by RETRAP. Generally, such interactions are used to promote and protect personal relationship and welfare. Different social groups such as the susu social group/club which is partially a social network/support group of small-scale businessmen and businesswomen and other interested investors coming together for saving and loan

purposes. The survey disclosed that social network or support systems like the susu promote trust, solidarity and foster greater cohesion within the communities in the road project areas. The project will not disrupt or impact these arrangements.

CHAPTER 7: POLICY, REGULATORY AND INSTITUTIONAL FRAMEWORK

The preparation of this Resettlement Action Plan (RAP) was carried out within the context and requirements of the relevant national regulatory and institutional framework, and the World Bank Environmental and Social Framework (ESF) governing project related Land Acquisition, Restrictions on Land Use and Involuntary Resettlement – ESS5.

This chapter begins with the review of the relevant Liberian laws, acts and policies on the expropriation of land for national development and security purposes. It then considers the Bank’s policies on land take under ESS5, noting points of convergence and divergence between the Liberian legal and regulatory framework and those of ESS5, with the aim of identifying gaps between the two and selecting the standards that are higher and more stringent in effectively and adequately addressing the adverse impacts of involuntary resettlement.

7.1: Liberian Legal/Regulatory Framework

The Constitution and other Liberian laws, acts and policies provide the basis for land expropriation that may result in the physical and economic displacement of affected individuals, households and communities. This section presents detailed description of the relevant legal/regulatory framework for expropriation of land for public interest projects and involuntary resettlement.

7.1.1: Land Rights Act, September 2018

The Land Rights Policy defines Public Land, Government Land, Customary Land and Private Land as well as Protected Areas that will be conserved for the benefits of all Liberians.

The formulation of the Policy was guided by the following principles: secure land rights, economic growth, equitable benefits, equal access, equal protection, environmental protection, and participation. More significantly, the policy was primarily developed to address historic inequalities by recommending that customary lands, like private lands, are given equal protection.

7.1.2: The Liberian Constitution 1986

Article 22 (a) and (b) of the Constitution vests in all individuals the right to own property either on individual basis or in conjunction with other individuals, if they are Liberian citizens. This right however does not extend to mineral resources on, or beneath the land.

Article 24 indicates that the state guarantees the inviolability of property rights but then provides for the expropriation of property for public purposes. It requires prompt payment of just compensation where this occurs. However, there is lack of procedural provisions.

Article 24 of the 1986 Liberian Constitution further provides the basis for compensation for acquired land. It states that expropriation may be authorized for national security issues or where the public health and safety are endangered, or for any other public purposes, provided:

- That reasons for such expropriation are given;
- That there is prompt payment of just compensation;

- That such expropriation or the compensation offered may be challenged freely by the owner of the property in a court of law with no penalty for having brought such action; and
- That when property taken for public use ceases to be so used, the republic shall accord the former owner, the right of first refusal to reacquire the property.

Article 65 also contains provision that the courts shall apply both statutory and customary laws in accordance with the standards enacted by the Legislature. This provides the constitutional basis for the application of the customary land tenure rules under which most rural based Liberians hold their land.

7.1.3: Aborigines Law of 1956

Chapter II of this law states that each tribe is entitled to the use of as much of the public land in the area inhabited by the tribe, as is required for farming and other enterprises essential to tribal necessities. It shall have the possession of such land as against any other person. It goes further to say that the omission of a tribe to have its territory so delimited shall not however, affect in any way its right to the use of the land.

7.1.4: Property law of 1976

This law established the conditions under which a Liberian can own real property and dispose of same. It states that one must hold title document for such land and when transferring same, it shall be done by title, duly registered.

7.1.5: Land Act 1856

Prior to independence, land acquisition and distribution were done based on relationship and class system. Opposition to this system of land tenure led to the establishment of a set of rules known as the 'digest of law to govern the affairs of the settlers in terms of land distribution'. This later culminated into the Land Distribution Act of 1856 which removed the restriction to land distribution based on citizenship. This Act was repealed by the 1950 Land Act which restricted land ownership to citizens and naturalized citizens, especially those of Negro descents.

7.1.6: County Act 1969

This Act officially distributed and demarcated land boundaries in Liberia. Prior to the Act, counties were created through political means. For instance, the three older counties in Liberia- Montserrado, Sinoe, and Maryland were all products of political events.

7.1.7: Revised Rules & Regulations Governing the Hinterland of Liberia (2001)

These rules are a successor to the earlier law and Regulations on the hinterland. These rules apply not only to the hinterland, but also to land in other counties, under the customary land tenure system. Articles 66 and 67 of the rules grant tribal people in the rural area the right to utilize land in their locale. And that any stranger wishing to utilize such land as against their usage, such stranger shall compensate for the use of the land.

Legal and policy requirements of Liberia, particularly those related to land acquisition and resettlement of persons affected by development projects, the different land regulations as outlined above provide guidance and steps to be taken. The Land Acquisition Act of 1929 lays out steps to be taken for land acquisition and payment of compensation to claim whether in cash or land for land. With civil works

activities of subcomponent 3.1 of the proposed RETRAP project planned to follow the existing road alignment and within the road's reserved RoW, no private lands are expected to be acquired.

Two other relevant laws that relate to the resettlement of people to be affected by infrastructure development are the Zoning Law and the Real Property Law. The Zoning Law prescribes designated sites for construction of specific structures. Construction of unauthorized structures is violation under this statute. Section 102 of the Law requires that Zoning Permit be obtained prior to construction of any structure. However, section 72 of the same statute also provide that a Temporary Permit could be obtained from the Zoning Council for a period not more than one year, to construct a non-conforming structure.

The Real Property Laws of Liberia are based upon the doctrine of Eminent Domain which holds that Government owns the land within the borders of Liberia and that the Government of Liberia is the original grantor of land in Liberia. Under the Real Property Laws of Liberia, the only instrument of Title is the Deed. Squatter Right is only intended as a temporary arrangement for accommodation. Originally, the Government of Liberia granted land to settlers and aborigines based upon the doctrine of pre-emption, the measure in which prior occupancy accompanied by improvement gives superiority in ownership to land.

7.1.8: Land Acquisition Act 1929

The Act lays down the procedure for obtaining rights to any piece of land in Liberia through purchase. The Act distinguishes land in Liberia into two categories: The Hinterland and the County areas. The procedures for obtaining land located in the Hinterland are as follows:

- Obtaining consent of Tribal Authority to have a parcel of land deeded to the individual by the Government,
- Pay a sum of money as a token of his intention to live peacefully with the tribesmen,
- Paramount or clan chief signs a certificate, which the purchaser forwards to the office of the City Commissioner (who also acts as the Land Commissioner for the area).
- The City Commissioner after satisfying himself that the land is not encumbered in anyway approves that the land be deeded to the applicant and issues a certificate to that effect.

The procedure for obtaining land located in the County Area is as follows:

- Apply to the Land Commissioner in the county in which the land is located.
- The Commissioner shall issue a certificate if he is satisfied that the land is unencumbered.

Upon completion of the above steps, the purchaser shall pay the Bureau of Revenues the value of the land valued at a minimum rate of fifty (50) cents per acre (Land article 24 of the 1986 Liberian Constitution). He shall obtain and submit a receipt to the president for an order to have the land surveyed. A deed will then be drawn up by the Land Commissioner, authenticated, and given to the purchaser.

7.1.9: National Environmental Policy (2003)

The National Environmental Policy aims at improving the physical environment, quality of life, and coordination and balancing economic development, growth, and sustainable management of natural resources.

Key objectives of the policy include:

- The systematic and logical framework with which to address environmental issues;
- Benchmarks for addressing environmental problems in the medium-to-long term;
- Context for Financial/Donor support to particular sectors and non-sector;
- The means for generating information and awareness on environmental problems; and
- To demonstrate Liberia's commitment to sustainable management of the environment.

7.2: World Bank ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

7.2.1: Objectives of ESS5

Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate mitigation measures and actions are properly planned and implemented. For these reasons, the overall objectives of the Bank's ESS 5 are as follows:

- a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable and feasible project design alternatives.
- b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and implemented as sustainable development programs, providing sufficient investment resources to enable PAPs displaced by the project to share in project benefits. Displaced PAPs should be meaningfully consulted and given the opportunity to participate in planning and implementing resettlement programs.
- c) Displaced PAPs should be assisted in their efforts to better improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

7.2.2: Impacts Covered

This World Bank ESS5 covers direct economic and social impacts that result from development activities supported under the Bank's Investment Project Financing, and are caused by:

- A. the involuntary taking of land resulting in
 - I. relocation or loss of shelter;
 - II. loss of assets or access to assets; or
 - III. loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- B. the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

7.3: Comparison of Liberian Legal/Regulatory Framework with Requirements of ESS5

The table below provides comparison between ESS5 requirements and the Liberian legal framework, highlighting major differences between the two as well as measures to bridge the policy gaps.

Table 6: Comparison between Liberian Legal framework on land acquisition and ESS5

| Theme | Liberian Legislation | World Bank ESS5 requirements | Measures to Bridge the Policy Gaps |
|---|--|---|---|
| Resettlement | There is no Liberian law mandating project proponent to develop a resettlement action plan. | The preparation of a resettlement plan cleared by the Bank prior to the implementation of the resettlement activities is required. | RAP will be prepared. In the absence of Liberian Laws to address involuntary resettlement, the Bank's ESS5 requirements shall prevail. Affected people should be offered various options for resettlements (not only one option) at least equivalent to the old property or site. |
| Land acquisition procedure | Liberian law has a provision on how private land is acquired for public interests which include providing: "private property owners with reasons for expropriation" | ESS5 provides guidelines on how to acquire land for public interest project | While the Liberian laws provide adequate basis for private land acquisition, the Bank's guidelines will be used to supplement the existing national procedure. |
| Categories of affected individuals | There is no distinction between affected individuals. Landowners, land tenants, land users, owners of buildings, and owners of perennial crops are all lumped together and treated likewise. There are no separate provisions for especially vulnerable classes of people. | There are three categories of affected people: (i) those who have formal legal rights; (ii) those who do not have formal legal rights to land at the time of the census, but have a claim to such land or assets; and (iii) those who have no recognizable legal right or claim to the land they are occupying. | RAP should be designed to distinguish between classes of affected individuals, and this should be taken into consideration in awarding compensation. |
| Vulnerable groups | No provision in Liberian Laws | Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, female head of household, people with disabilities, the sick and other marginalized groups. | The GoL shall pay special attention to vulnerable people in impact corridors. |
| Squatters | In Liberian law "Squatter Right" does not cover Title. Squatter's Right is only intended as a temporary arrangement for accommodation and a Title. | Under ESS5, squatters are to be provided resettlement assistance for structures constructed by themselves, or moving allowances (but no compensation for land). | Squatters will be provided resettlement assistance but not compensated for land. In the absence of provision for squatters in the Liberian Laws, |

| | | | |
|--|--|---|---|
| | | | <p>the Bank's ESS5 requirements shall prevail.</p> <p>The issue of squatters has to be clearly considered in any resettlement action plan and shall be offered options whether through alternative shelters or fair compensation that enables them to find other shelter.</p> |
| <p>Compensation and Participation</p> | <p>Affected persons are to be informed before possession of land. However, there is no provision on the notice period, neither is there a distinction between farm land, and developed land.</p> <p>Chapter 3 Article 17 of the Liberian Constitution (1986) provides the right to assemble and consult upon the common good...</p> <p>Section 1.4 (b, c, and d) of the Freedom of Information Act of Liberia states the principles which shall govern the construction, exercise, and protection of the right of access to information.</p> | <p>Affected persons should be:</p> <ul style="list-style-type: none"> • Informed in a timely manner on their options and right pertaining to resettlement; • Offered choices among, and provided with technically and economically feasible resettlement alternatives; and • Provided with timely and relevant information to host communities receiving re-settlers. | <p>Since common good is subject to different interpretations, it is important that land acquisition consultations conducted under Bank financed projects observe the principle of prior, informed and free consent.</p> <p>Affected groups should get access to full information about the resettlement process and options for compensation.</p> <p>Participatory planning and decision making should be applied in resettlement options and compensation.</p> |
| <p>Calculation of compensation</p> | <p>Article 24 (a) 1 Provision is made for prompt payment of just compensation. However, the provision is not very clear.</p> | <p>Full replacement cost: a method used to determine the amount sufficient to replace lost assets and cover transaction cost.</p> | <p>Full replacement cost will be used.</p> |
| <p>Timing of compensation payment</p> | <p>Prompt payment of just compensation</p> | <p>Prompt compensation payment prior to commencing construction or before acquiring land and assets</p> | <p>Follow ESS5 requirements to pay compensation prior to commencing construction or before acquiring the land and assets.</p> |
| <p>Grievances</p> | <p>Chapter 3 Article 17 of the Constitution of Liberia provides venue for grievances.</p> | <p>Appropriate and accessible grievance mechanisms to be established.</p> | <p>Grievance Redress Mechanisms (GRMs) shall be established at project, local community, county and national levels.</p> |
| <p>Monitoring and Evaluation</p> | <p>External evaluation is not required.</p> | <p>Internal monitoring and external evaluation are required.</p> | <p>Involve third party assessment of compensation and resettlement.</p> |

Comparison of the Liberian legal framework/regulation with the World Bank's ESS5; Land Acquisition, Restriction on Land Use and Involuntary Resettlement reveals that there are compensation and resettlement assistance policy gaps between the two. Where there are gaps between the Liberian legal framework and the World Bank's ESS5 requirements, the GoL will be required to fully comply and implement each gap filling measure stated in the above table where it is applicable, and take supplementary measures to ensure that the project complies with the standards set in EES5.

7.4: Institutional Framework

The institutions with a legal mandate and responsibility for the preparation and implementation of the RAP are listed below.

7.4.1: Environmental Protection Agency (EPA)

The EPA is mandated to set environmental quality standards and ensure compliance with pollution control and management measures. It is responsible for the development of guidelines for the preparation of Environment Assessments and Audits, and the evaluation of environmental permits. These may include certification procedure for landfill and other activities potentially dangerous to the environment.

The EPA is also established to coordinate, monitor, supervise and consult with relevant stakeholders on all activities related to the protection of the environment and the sustainable use of natural resources. It has an Inter-Governmental Steering Committee whose responsibility is to review, approve and clear the RAP. The Committee is comprised of: Environmental Protection Agency (EPA), Ministry of Mines and Energy (MME), Ministry of Finance and Development Planning (MoFDP), Ministry of Agriculture (MoA), Liberia Land Authority (LLA), Ministry of Health (MOH), with each Institution providing its expertise based on applicable Liberian Laws and international best practices.

7.4.2: Liberia Land Authority (LLA)

The Liberia Land Authority (LLA) was established with the passing of the LLA Act by the Legislature in October 2016. The LLA has the legal mandate for land administration in Liberia. The LLA will take on the responsibilities and functions executed by the erstwhile Department of Lands, Surveys and Cartography (DLSC) under the Ministry of Mines and Energy, as well as Deeds Registry and Archiving, currently within the Centre for National Documents and Records Agency (CNDRA).

The Land Authority controls and manages in the interest of equitable development, access to and use of Public and Government Land except for Reserves, Protected Areas, Proposed Protected Areas, and Diplomatic Missions.

The Land Authority functions include administering the deed registry and land registry systems; establishing standards and regulating survey and mapping services; administering public survey and mapping services, and the national cadastre, promoting and regulating the proper development of private surveying profession, and therefore under no condition shall a surveyor or other staff of the Authority engage in the survey of private land or in the survey of communal land in a private capacity; value land and buildings for the Authority's land registry system; implement programs in support of property rights, including those of customary land owing communities; and adjudicate disputes arising in the context of systematic land registration.

Land use and management functions include to promote, support and ensure the development of land use management plans and zoning schemes and their implementation through counties, districts and other local government structures (clans, etc.)

7.4.3: Ministry of Finance and Development Planning (MFDP)

The MFDP will sign off on Grant Agreement and oversee financial management services through its Project Financial Management Unit (PFMU). The MFDP will lead on project negotiation between the Government of Liberia and the World Bank.

The MFDP leads the implementation of the National Development programs and coordinates multilateral funding support to the Government of Liberia (GoL). The ministry is the principal authority on fiscal and development planning and executing agency of GoL development programs from the fiscal standpoint.

The MFDP houses the Project Financial Management Unit (PFMU), which is responsible for fiduciary management of World Bank-supported projects. It will support RETRAP to prepare a consolidated work plan and budget for the project on an annual basis. The work plans and budgets will include planned expenditures under each component. The PMT will be expected to coordinate and monitor the implementation progress against the work plan/budget. The PFMU will be part of the RAP pay team.

7.4.4: Liberia Revenue Authority (LRA)

For land and assets verification, the LRA will play critical role in verifying and confirming the value of project affected assets. Their continuous involvement to advance work related to land and property valuation and verification exercise is vital.

7.4.5: Ministry of Public Works (MPW)

The MPW is responsible for land-use zoning and will be engaged in site selection of subprojects. The Ministry of Public Works carries out the following broad functions:

- Provision of advice, technical services, planning, design, and construction of works projects for other Government Departments and Agencies.
- Management of works and maintenance programs associated with public buildings, roads, bridges, airfields, jetties, water supplies, sewerage, and rural electricity; and
- Maintenance and operation of facilities owned by the Government.

7.4.6: Ministry of Agriculture (MOA)

MOA's mission is to create an enabling environment for a more dynamic and vibrant agricultural sector to ensure sustainable food security and employment opportunities for all Liberians. In this role, MOA will support verification and validation of the replacement costs of economic crops that will be affected by the civil works activities of subcomponent 3.1 of the RETRAP.

7.4.7: Local Government Authorities (LGA)

The LGA oversees the operation of the local government system and implements policy in relation to local government structures, functions, human resources, and financing.

The LGAs are responsible for the local government administration, the maintenance of peace and healthy social relations and cultural heritage in the hinterland. As such, LGAs will be included on the Grievance Redress Committees at the district and county levels to help in the resolution of PAPs grievances, claims and complaints. The support of LGAs has proved critical in previous projects, and it is expected that their meaningful involvement will enhance the implementation of the project.

7.5: Land Tenure System

7.5.1: Customary Tenure

The Land Rights Law defines and delineates the different categories of land ownership and rights recognized in Liberia. It also prescribes how each of the categories of land may be acquired, used, transferred and otherwise managed. The Act further ensures that all communities, families, individuals and legal entities enjoy secure land rights free of fear that their land will be taken from them, except in accordance with due process of law; and confirms, declares and ensures equal access and equal protection with respect to land ownership, use and management, including ensuring that Customary Land and Private Land are given equal legal protection and that land ownership is provided for all Liberians, regardless of identity, custom, ethnicity, tribe, language, gender or otherwise.

The procedures for obtaining customary land are provided for in Article 49 of the Law.

Article 49: General Provisions Pertaining to Sale, Lease and Transfer of Customary Land

1. Customary land on which a Community Member(s) as his or her residence as at the effective date of this Act shall be automatically transferred to the Community Member and shall be owned by the Community Member in Fee Simple, consistent with the provisions of Section 2 of Article 36, Section 2 of Article 39, and Section 4 of Article 70.
2. The transfer of a Residential Area to a Community Member(s) shall be confirmed and formalized by a Deed to be issued by the CLDMC in the name of the Community Member after the establishment of the CLDMC, except that the absence of such Deed shall not affect or defeat the Community Member's ownership of his or her Residential Area if otherwise provable.
3. Except for transfers of Residential Area as provided in Section I of this Article, Customary Land shall not be sold or otherwise permanently alienated to a private person until after a period of fifty (50) years following the Effective Date of this Act.
4. A Customary Land may be leased on such terms and conditions as the Community may determine by and through its CLDMC for areas smaller than fifty (50) acres, and by consensus of the Community Membership for areas larger than fifty (50) acres. The total certain period of any lease of Customary Land shall not exceed fifty (50) years.
5. A lease agreement in respect of any Customary Land shall include payment of rent and equitable benefits to the community; an agreed payment schedule and a mechanism to ensure full and timely payment of rent and the performance of all obligations assumed by the lessee.
6. A lease of a Customary Land may not be made to any Person until:
 - i. the Community has organized and established a CLDMC; and,
 - ii. the lease or transfer is duly authorized in keeping with the provisions of Articles 35 and 36 of this Act.

7.5.2: Freehold Tenure

It derives its legality from the constitution and its incidents from the written law. It involves holding land in perpetuity or a term fixed by a condition and enables the holding to exercise, subject to the law, full powers of ownership.

7.5.3: Leasehold Tenure

This is created either by contract or by operation of the law; it is a form under which the landlord or lessor grants the tenant or lessor exclusive right of the land, usually for a specific period in return for a rent, granting the tenant security of tenure and a proprietary interest in the land.

7.5.4: Land Valuation System

Title to all land vests in the state. Thus, the GoL is the original grantor of land and the public are all grantees. One who obtains land from the state has a bona fide title and right to full possession and use of the land. However, the state has the right to revoke any previously granted title. Before such power can be exercised, the state through its institutions is statutorily obliged to first evaluate the current market value of the property to be acquired with the aim of providing just compensation to the affected owner. Where the land to be revoked is in public use, the state has the burden of replacing it with one of commensurate value.

In the case of public land, section 31 of the 1986 Liberian Code provides the procedure for determining the cost as follows:

- One dollar per acre for land on the margin of a river;
- Fifty cents per acre for land in the interior; and
- Thirty dollars per lot for town lots.

7.6: The Real Property Laws

The Real Property Laws of Liberia is based upon the doctrine of Eminent Domain which holds that Government owns the land within the borders of Liberia and that the Government of Liberia is the original granter of land in Liberia.

Under the Real Property Laws of Liberia, the only instrument of Title is the Deed.

Squatter Right does not cover Title. Squatter Right may be a city ordinance oriented and it is not a law. Squatter's Right is only intended as a temporary arrangement for accommodation and not a Title.

The Government of Liberia granted land to settlers and aborigines based upon the doctrine of pre-emption, the measure in which prior occupancy accompanied by improvement gives superiority in ownership to land.

Pre-emption has been abolished with the growth of population and now public land must be purchased from the Government in order to have Title.

Worth noting in passing is the fact that in 1948, the William V.S. Tubman Administration demarcated public land in the then Hinterland among the tribal settlers by city, clans, and towns, and made the tribal

settlers, trustees of the public land of their respective locales. This makes the acquisition of public land in the Hinterland, now county areas, easier by tribal land certificate from the tribal authority.

7.7: Zoning Law

The Zoning Law prescribes designated sites for construction of specific structure. Construction of unauthorized structures is violation under this statute. Section 102 of the Law requires that Zoning Permit be obtained prior to construction of any structure. However, section 72 of the same statute also provide that a Temporary Permit could be obtained from the Zoning Council for a period not more than one year, to construct a non-conforming structure.

7.8: Methods of Acquiring Land

There are four ways of acquiring land:

- **Mutual agreement**-This is where two or more parties having claim to a land mutually agreed to be used for a particular purpose.
- **Eminent Domain**- This occurs when government decides to forcibly take a private land for development purpose in the sole interest of the state and provide just compensation to the landowner.
- **Donation**- As the name denotes, this is when a private land is voluntarily given to government or an individual for use without payment.
- **Reversion**- When a land is bought wrongly, and aggrieved party go to court and get power to own back such land.

7.9: Compensation

Article 24 of the 1986 Liberian Constitution provides the basis for compensation for acquired land. It states that, “expropriation may be authorized for national security issues or where the public health and safety are endangered, or for any other public purposes, provided”. For the expropriation to be successful, the following issues need to be addressed:

- Prompt payment of just compensation.
- That such expropriation or the compensation offered may be challenged freely by the owner of the property in a court of law with no penalty for having brought such action; and
- That when property taken for public use ceases to be used for the intended purpose, the Republic shall accord the former owner the right of first refusal to reacquire the property.

7.10: Liberian Freedom of Information Act of 2010

The Freedom of Information Act Section 1.4 (b, c and d) states as follows:

- Everyone has a right of access to information generated, received and/or held by public bodies, subject only to such limitations as are necessary and narrowly established for reasons of an equally or more compelling public interest.
- The right of access to information includes both a right to request and receive information, and an obligation on the part of public bodies and officials to disseminate essential information that the public would generally want to know, including their core functions and key activities.

- The right of access to information applies to private entities that receive public resources and benefits, engage in public functions, and/or provide public services, particularly in respect of information relating to the public resources, benefits, functions, or services.

7.11: Environmental and Social Standard 5

If the negative impacts are not mitigated properly, Project Affected Persons (PAPs) will face difficult economic, social, and environmental risks. Thus, ESS5 suggests avoiding, if it cannot be avoided then minimize the acquisition and those risks and adverse impacts on PAPs and their livelihoods. The impacts must be mitigated or managed in the way that improve the condition of PAPs from their pre-project condition and if not improved, then at least restore it to the level of their pre-conditions.

The Bank requires the Government of Liberia (GoL) through MOA/MPW-IIU to comply with the ESS5 provisions when carrying out components' activities entailing involuntary land acquisition and land restriction. Hence, this Resettlement Action Plan along with the ESS5 is to be applied during Project preparation and implementation phases.

No civil works will start until compensation measures are fully implemented. Furthermore:

- Structural demolition that would cause physical relocation of households or businesses will be avoided as much as possible;
- Without any regard to land registration and ownership, PAPs will receive compensation or appropriate support in accordance with the Bank ESS5 and applicable Liberian legislations;
- PAPs will be informed about their rights and choices;
- PAPs will be consulted on, offered choices and provided with technically and economically feasible resettlement alternatives and packages;
- PAPs will be offered effective compensation at full replacement cost for losses of assets;
- PAPs will be offered additional support in case impact is considered to be severe, to support their livelihood during the transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and living standards to pre-project level or better;
- Special attention will be paid to the needs of the most vulnerable groups of the PAPs including women, the elderly, disabled, etc.; and
- A fair and accessible grievance redress mechanism will be developed.

CHAPTER 8: INSTITUTIONAL ARRANGEMENTS- ROLES AND RESPONSIBILITIES

8.1: Introduction

This chapter discusses the institutional framework required to effectively plan and coordinate RAP preparation and implementation activities, as well as the organizational procedures for delivery of entitlements, including line ministries, dependents, units, committees, and the IIU/MPW.

In order to ensure efficient resettlement activities preparation and implementation, as well as compliance with the Bank's ESS5 and the relevant Liberian legal provisions and policies on involuntary resettlement, the following institutional arrangements shall be used to connect and mobilize resources and capabilities of all relevant organizations who will be involved in the preparation and implementation of the RAP associated with subcomponent 3.1 activities.

8.2: Roles and Responsibilities of Agencies

8.2.1: Project Implementation Unit (PIU)

The Ministry of Public Works is responsible for infrastructure development (road, bridges, buildings, railway etc.) and zoning regulation in Liberia. The MPW will approve all drawings for civil works and issue construction licenses to works contractors under this project.

The IIU, located in the MPW, will execute subcomponent 3.1. activities, with its Program Manager taking full responsibility for the implementation, coordination and oversight of the Resettlement activities. The MPW through IIU will liaise with the MOA to secure funding from the Ministry of Finance and Development Planning to pay compensation to PAPs and will be responsible for overseeing and ensuring the preparation and implementation of this RAP.

8.2.2: IIU's Environmental/Social Safeguard Officer

The Environmental/Social Safeguard Officer who is a staff of the IIU will be part of and shall be embedded in the day-to-day implementation of the RETRAP subcomponent 3.1 activities. Under the overall supervision of the Program Manager, he/she will be responsible for overseeing the preparation and implementation of E&S instruments/social safeguard instruments as well as supervising the broader social development works for RETRAP subcomponent 3.1. Major responsibilities to be performed by the Environmental/Social Safeguard Officer include:

- managing all social development aspects of subcomponent 3.1 activities;
- ensuring highest standard of quality in social impact assessment and mitigation activities related to subcomponent 3.1 in accordance with the ESMF and the RPF;
- ensure continuous engagement of all stakeholders throughout implementation;
- disclosure of relevant social safeguard instruments;
- grievance management;
- overseeing resettlement compensation and livelihood restoration plans and measures and, providing guidance to consultants involved in resettlement implementation of the requirements of the RAP and ESMPs for the road component;

- Ensuring that RETRAP subcomponent 3.1 activities are in full compliance with ESS5 requirements and objectives;
- Ensuring that sub-project design and site selection includes all considerations and option to avoid and minimize land acquisition;
- conduct a socioeconomic study targeting potential PAPs as well as carryout a census surveys where avoidance is not possible particularly when road diversions will be needed during construction to: a) identify Project Affected Persons (PAPs) in the affected area, b) establish characteristics and typology of affected households, d) provide information on vulnerable groups and people, e) determine the magnitude of potential losses – partial or full and, f) establish communication systems to ensure two way communication channel from PAPs to the components and from RETRAP subcomponent 3.1 activities to PAPs, and g) carry out consultations;
- Ensure that compensation and resettlement assistance cover all permanent and temporary physical and economic displacement resulting from land acquisition or restrictions on land use in connection with the RETRAP subcomponent 3.1 activities;
- Prepare, with the assistance of IIU and consultants, Resettlement Action Plans (RAPs) and ensuring their clearances and disclosures whenever required;
- Ensuring that funding for RAPs is made available and deposited in a special and separate account and track and maintain compensation and resettlement assistance payments;
- Ensuring prompt compensation and resettlement assistance payments to PAPs are made well ahead of civil work commencement;
- Ensuring all PAP are fully compensated prior to taking of land and assets and the start of civil works;
- Monitoring and overseeing RAP implementation and the performance Grievance Redress Committee (GRCs);
- Work on the broader social issues including ensuring that contractors’ workers are fully sensitized on HIV/AIDS, STDs, GBV/SEA and are following the Code of Conduct (CoC) they signed; and
- Preparing monthly and consolidated quarterly RAP implementation reports and social safeguards performance reports.

8.2.3: Ministry of Finance and Development Planning (MFDP)

The MFDP will sign off on Grant and Loan Agreements and oversee financial management services through its Project Financial Management Unit (PFMU). The MFDP will lead on project negotiation between the Government of Liberia and the World Bank.

The Ministry is the principal authority on fiscal and development planning and executing agency of GoL development programs from the fiscal standpoint. The MFDP will secure funding to implement the RAP prior to commencement of civil works. The MFDP houses the Project Financial Management Unit (PFMU), which is responsible for fiduciary management of the RAP. The PFMU and project management team will be expected to coordinate and monitor the implementation progress against the work plan/budget.

8.2.4: Environmental Protection Agency (EPA)

The EPA will oversee all environmental and social impact assessments of the project to ensure basic compliance regarding all environmental protocols during the project implementation. The EPA will issue environmental compliance certificate to construction contractors under the project. The EPA is the main authority for the management of the environment, and mandated to coordinate, monitor, supervise, and consult with the relevant stakeholders on all activities in the protection of the environment and sustainable use of natural resources. The Agency promotes environmental awareness and implements the national environmental policy and the EMPL. The EPA oversees the implementation of international environment related conventions. The EPA will issue construction permits and be involved in field monitoring to ensure compliance with construction permits and ESIA requirements.

8.2.5: Liberia Revenue Authority (LRA)

For the verification of land and structures/buildings, the LRA will play critical role in verifying and confirming the value of these project affected assets. Their continuous involvement to advance work related to land and property valuation and verification exercise is vital for this works.

8.2.6: Ministry of Agriculture (MOA)

Ministry of Agriculture (MOA) is the key implementing agency for this Project. Staff of MOA will be part of the RAP implementation team and will assist with crops valuation and verification exercise which is part of their mandate. Involvement of agricultural extension officers at the local level will be sought to support PAPs whose livelihoods focus on agricultural produce and products to restore their livelihoods. In circumstances where farmers are substantially affected by the project, the agricultural extension officers would work closely with IIU to assist and track progress of the affected farmers.

8.2.7: Ministry of Internal Affairs (MIA)

The role of the Ministry of Internal Affairs (MIA) at the local level has been and will continue to be very vital in advancing social safeguard works at district and community levels. Relationship with local authorities has been very pleasant and their contribution will continue to enhance the IIU/MPW's work. Furthermore, their guidance and involvement in conflict resolution and reaching amicable solutions would remain very critical while handling compensation and resettlement related issues. Thus, coordination and close partnership with MIA local authorities will be strengthened during the implementation of RETRAP.

8.2.8: Liberia Land Authority (LLA)

The LLA, subsumes land functions that were performed by several agencies of the Government, including the key land administration agencies - Department of Lands, Survey and Cartography of the former Ministry of Lands, Mines and Energy (MLME), now the Ministry of Mines and Energy, the Deeds and Titles Registry of the Center for National Documents Records Agency (CNDRA), and functions of County Land Commissioners from the Ministry of Internal Affairs. The LLA will assist with the settlement of land disputes and validation of land deeds and titles. As the one-stop-shop for land matters in Liberia, the Act,

provides LLA with three key functions – land governance, land administration and land use and management.

In instances where private land is acquired and compensation payment needs to be made, the main role and responsibility of the LLA will be to scrutinize and validate the authenticity of land deeds provided by PAPs and signs off on them. Payment will only be made for lands whose titles or deeds are validated by the LLA. Agencies included in this implementation arrangements shall meet periodically to review and assess implementation progress and challenges, and agree on measures and actions that may be required to address challenges encountered and to accelerate progress.

8.2.9: NGOs

NGOs might be responsible for resettlement services such as the implementation of socioeconomic surveys, education and awareness, construction of resettlement housing, promotion of development initiatives, or the monitoring of RAP implementation.

8.2.10: GRM Committees

The overall role of the grievance mechanism is to deploy a reliable, effective and timely process for capturing and responding to the concerns and grievances of Project Affected Persons. A well-functioning grievance mechanism is one which addresses concerns in a transparent manner that is culturally appropriate and readily accessible to all segments of the affected communities, at no cost and without retribution. The GRM is therefore a part of the institutional arrangement for the effective implementation of this RAP.

8.2.11: Resettlement Implementation Committee

Resettlement Implementation Committee comprising of Project Sponsor, relevant government line and administrative departments, community-based organization and NGO involved in support of resettlement activities and representatives of communities by the project. Their role shall include; 1) ensuring the regular exchange of information 2) coordinating and serving as a channel for redressing grievances between communities and project implementation unit.

8.2.12: Contractor

The contractor role will include the execution of the civil works in accordance with the project Environmental and Social Management Framework, the Environmental and Social Impact Assessment and Environmental and Social Management Plan. The Contractor will prepare Environmental and Social Management Plan based on these instruments to mitigate the risks and impact, and the impacts reduction measure laid out in this RAP.

8.2.13: Institutional Capacity and Role

The RAP implementation will involve various agencies; however, the overall responsibility lies with the Infrastructure Implementation Unit of the Ministry of Public Works (IIU/MPW). While a well define organizational structure exists within the MPW, there is a strong need to strengthen RAP implementation and supervision capacity of the IIU. Equally, the level of awareness and understanding about the World Bank ESS5 by line ministries is extremely low. Sensitization and awareness workshops on the Bank's ESS5, on RAP preparation and implementation processes for these line ministries are very critical and should be

undertaken as soon as possible. Policy makers, planning and technical departments, districts, and local level officials as well as MPW resident engineers, property valuers and contractors should be targeted. In order to strengthen existing weak capacity, it is also strongly recommended that third party monitoring and evaluation arrangement is considered – such as the involvement of local NGOs.

CHAPTER 9: ELIGIBILITY

This section deals with definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.

9.1: Definition of PAPs

PAPs under this RAP are defined as:

- I. Those who are residing along the 40km section spanning from Tappita to Toe Town and found within the defined RoW of 150ft (75ft from the center on either side of the road) in densely and sparsely populated areas;
- II. Those who will suffer direct economic and social impacts as a result of subcomponent 3.1 civil works activities;
- III. Those vulnerable groups in the project area whose livelihood and living conditions will be worsen through the direct impacts of the project; and
- IV. Those who are qualified for special assistances or packages as it may be appropriate, such as tenants and landlords.

9.2: Eligibility Criteria

The World Bank ESS-5 classifies affected persons as persons:

- a) Who have formal legal rights to land or assets;
- b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- c) Who have no recognizable legal right or claim to the land or assets they occupy or use.

Category (a): Affected persons who have formal legal rights to land or assets are those who have formal documentation under national law to prove their rights or are specifically recognized in national law as not requiring documentation. In the simplest case, the land is registered in the name of individuals or communities. In other cases, persons may have a lease on the land and therefore have legal rights.

Category (b): Affected persons who do not have formal rights to land or assets, but who have a recognized or recognizable claim under national law can fall into several groups. They may have been using the land for generations without formal documentation under customary or traditional tenure arrangements that are accepted by the community and recognized by national law. In other cases, they may have never been provided formal title or their documents may be incomplete or lost.

Category (c): Affected persons who have no recognizable legal right or claim to the land or assets they occupy, or use are eligible for assistance under ESS5. Under this RAP, these are persons occupying the Right of Way in violation of applicable laws. Affected persons in these groups are not eligible for compensation for land but are eligible for resettlement and livelihood assistance and compensation for assets.

Category (d): Persons covered under (a) and (b) above are to be provided compensation (at full replacement value) for the land and assets they lose, and other assistance in accordance with the entitlement matrix provided below in Table 7. Likewise, persons in category (c) are compensated for loss of economic resources in accordance with the entitlement matrix. Persons in category (d) are to be provided with resettlement assistance in lieu of compensation for the land they use/occupy, as well as

other assistance as necessary, if they have occupied the area prior to an agreed cut-off date for entitlements. All persons included in categories (a), (b), (c) and (d) are to be provided with compensation for loss of assets other than land (including those attached to land such as structures, crops, improvements, etc.).

Eligible affected people were individually consulted and given the opportunity to participate in the resettlement preparation process and determination of their entitlements. Their resettlement and compensation are designed to maintain or improve their condition to pre-project level or better. The Project will monitor the RAP implementation to ensure that affected persons, especially vulnerable women, youth, elderly and persons with disability are given adequate assistance and are made to participate in decisions concerning their lives within a reasonable timeframe and pre-project livelihoods are indeed maintained or improved.

9.2.1: Vulnerable Groups

Vulnerable groups under this RAP are those at risk of becoming more impoverished due to the displacement, compensation, and resettlement process. Vulnerable people include, but not limited to:

- Persons with disabilities;
- The elderly, above 60 years;
- Widows/ers;
- Children and orphans;
- Internally Displaced Persons; and
- Female household heads.

9.2.2: Assistance to Vulnerable Persons

Assistance may take the following forms, depending upon vulnerable persons' requests and needs:

- Assistance in the compensation payment procedure (e.g., going to the bank with the person to cash the compensation cheque).
- Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery.
- Assistance in moving from project impacted area in the form of providing vehicle, driver and assistance at the moving stage.
- Assistance in building new structures by providing materials, workforce, or building new houses entirely; and
- Health care if required at critical periods during the transition period and the stage of moving from the project impacted area.

9.3: Entitlement

The entitlement matrix below defines the criteria for qualification to receive compensation for assets and means of livelihoods affected by component 3.1 of RETRAP. It outlines:

- I. the category of assets to be affected,
- II. number of assets to be impacted,
- III. the type of impact, and
- IV. entitlements to which PAPS are qualified under each category of impacts.

Table 7: Entitlement Matrix for PAPs

| Category of Impacts | No. of Assets or Means of livelihoods impacted | Type of Impacts | Entitlement |
|------------------------------|---|---|---|
| Private Properties | 264 – Affected 253 - Fully Affected 11 - Partially Affected | Full losses of structures/properties Partial losses of structures/properties | Full Replacement Cost |
| Public Properties | 9 – Affected 7- Fully Affected 2 - Partially Affected | Full losses of structures/properties Partial losses of structures/properties | Full Replacement Cost |
| Economic Tree Crops | 8 Farms (874 Trees) | Partial Loss of income | Compensated value for each affected economic tree crop |
| Business | 106 | Full Loss of income | Three months compensated income for each affected business on the basis of monthly net profit |
| Vulnerable groups | 60 | Disturbance | Three-month rental, living and other supplementary allowances at a rate of USD100 per persons per month for a three months transition period, as well as priority access to health and other public services. |
| Tenants and Landlords | 172 | Disturbance | Three months rental allowance on the basis of rent amount paid for a place occupied before the project. |
| Graves | 9 | Full loss of structures | Full Replacement Cost |

The 281 PAPs (264 private property owners, 9 public entities, 8 farmers) will lose their structures and tree crop. Losses resulted from losses of their assets and means of livelihoods (273 structures, 874 trees, 106 business income losses, 60 vulnerable people, 172 rental shelters and rental incomes, 9 graves) will be fully compensated.

9.4: Cut-off Date

The cut-off-date for the RETRAP RAP preparation was on February 5, 2021. Prior to the cut-off date, public notices and community radio announcement announcing the government intention to undertake census of potential assets to be affected by the project in the project-affected area had been made.

CHAPTER 10: VALUATION METHODS

10.1: Introduction

This chapter reviews the assets valuation exercise and valuation methods and rates used to value the various categories of assets to be affected by the subcomponent 3.1 civil works activities (e.g. tree crops and structures). This approach does not take into account depreciation of the existing asset, but the cost of the replacement structure or asset including transportation and transaction costs, based on prevailing costs of materials on the local market. Given the magnitude of the impacts on affected persons, the valuation methods used will yield compensation amounts that will enable PAPs to better improve their standards of living, or at least restore them to pre-project levels.

10.2: Valuation Responsibility

The governmental agency tasked with assessing real properties is the Division of Real Estate within the Liberia Revenue Authority (LRA). The Division has a Real Estate Valuation Guideline that estimates the values of real properties based on set criteria. The guideline distinguishes real properties based on residential, commercial, commercial-residential, and industrial categories. It further defines real properties in these categories based on the size, basic condition, and materials used for construction. Valuation of Assets was conducted by the IIU/MPW using the Real Estate Valuation Guidelines.

10.3: Valuation Principles

The valuation of assets to be affected by the subcomponent 3.1 civil works activities was determined using the full replacement cost. The valuation methodology employed the full replacement cost principles in determining affected properties values necessary to achieve i) replacement cost for lost assets, ii) investment method, and iii) direct comparison method.

10.4: Valuation Methodology

The valuation was guided by the various assets valuation methods and rates currently used by the Liberia Revenue Authority, Ministry of Public Works, the Ministry of Agriculture and that of Real Estate Surveyor (property valuator) for the various categories of assets to be affected by subcomponent 3.1 civil works activities (e.g. tree crops and structures). Where the Liberian legal provision does not meet the principle of full replacement cost, provision has been made to supplement the values to achieve the principle of the World Bank ESS5 of full replacement of any property that will be affected. Given the magnitude of the impacts on affected persons, the valuation methods used will yield compensation amounts that will enable PAPs to better improve their standards of living, or at least restore them to pre-project levels. The method of valuing assets was based on full replacement cost approach.

10.4.1: Full Replacement Cost Approach

The valuation of assets to be affected by the subcomponent 3.1 road rehabilitation activities were determined using the full replacement cost² necessary to achieve replacement of the lost assets. The method of valuation of assets that helps determine the amount sufficient to replace lost assets and

transaction costs associated with asset replacement. In applying this method of valuation, depreciation of structures and assets were not taken into account.

10.4.2: Investment Method

This method treats assets like any other investment in the market, where the main factors influencing investment decisions are security of principal, adequate yield, security of income, administrative costs, and capital growth.

10.4.3: Technical Analysis for Residential and Commercial Flats

Structure types were categorized, and values were determined by the prevailing market prices of materials used, including labor and transportation costs necessary for construction. The unit of rate per structure type was based on structure kind, roof, wall, floor, story, unit cost in US\$ per ft².

The project team calculated compensation amounts based on prevailing construction cost estimates for a given area. The assessed value of affected structures was estimated using the valuation guidelines of the Real Estate Division of the Liberia Revenue Authority (LRA) and the Ministry of Agriculture guidelines for tree crops valuation.

10.5: Valuation for Easements

Easements shall use market value or net present value as explained above. Where easement agreements allow future use of land for cultivation of low crops, compensation shall consider rental fees for the use of properties temporarily affected. This compensation value is distinct from compensation for any trees or other crops that would be destroyed by initial use of an easement for construction. These crops would be compensated at full value. Compensation for easement agreements will address land value lost because of the temporary restriction of future uses during the construction phase of the project.

10.6: Valuation and Compensation of Buildings and Structures

The valuation considered the entire buildings and related structures such as houses, toilets, kitchens, bathrooms, and temporary structures made of wood along the proposed 40km route based on the principle of "Full Replacement Cost" in accordance with ESS5.

For houses and other structures, the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, the cost of transporting building materials to the construction site, plus the cost of labor and/or contractors' fees were considered. No deduction for depreciation and transaction costs was applied.

For the partial impact, where the loss is less than 20%, the valuation considered payment for the repair of the remaining affected structure. Uncompleted structures were valued based on full replacement cost of materials.

The current rates are based on rates received from the Liberia Revenue Authority (LRA), which was revised in November of 2017 by the Ministry of Public Works for its specific use and adjusted to account for inflation. This was used to calculate the compensation amount to be paid for affected structures using the

principle of full replacement cost. See Table 8 showing old and revised Unit Rate per Structure Type. Details in Annex B (1&2).

Table 8: Rates used for the Full Replacement Cost

| Structure Types | Roof | Wall | Floor | Storey | Old Rates | | Revised Rates | |
|-----------------|--------|------------|-----------|--------|--------------------------------------|--|--------------------------------------|--|
| | | | | | Unit cost per ft ² (US\$) | Average range per ft ² (US\$) | Unit cost per ft ² (US\$) | Average range per ft ² (US\$) |
| Concrete Flat | Zinc | Concrete | Concrete | Single | 15.00 | 10:00-20:00 | 25.00 | 20.00-30.00 |
| Mud Bricks | Zinc | Mud-brick | Concrete | Single | 6.00 | 4:00-8:00 | 11.00 | 10.00-12.00 |
| Mud Bricks | Thatch | Mud-brick | None/soil | Single | 4.50 | 4:00-5:00 | 7.00 | 6.00-8.00 |
| Mud-Dub | Zinc | Mud-Dub | None/soil | Single | 4.25 | 4:00-4:50 | 6.00 | 5.00-7.00 |
| Mud-Dub | Thatch | Mud-Dub | None/soil | Single | 3.50 | 3:00-4:00 | 4.50 | 4.00-5.00 |
| Wooden frame | Zinc | Round Pole | None/soil | Single | 3.50 | 3:00-4:00 | 3.00 | 2.50-3.50 |
| Wooden frame | Thatch | Round Pole | None/soil | Single | 2.50 | 3:00-4:00 | 3.00 | 2.50-3.50 |
| Container | None | None | None | None | None moveable | None moveable | None moveable | None moveable |

Source: Approved MPW Rates, November 2017

10.7: Valuation and Compensation of Economic Crops and Trees

For agricultural crops and trees, it is the pre-project or pre-displacement value, whichever is higher, that is considered. Economic Crops affected by the project were valued for compensation based on the rates provided by MOA. Trees were valued based on its age, type and productive value.

The MOA pricing guidelines make provision for the valuation of trees according to different methodologies depending on whether the tree lost is a wood tree or a productive tree. Wood trees are valued based on age category (a. seedling; b. medium growth and full growth) and timber value and volume according to market references. Fruit/productive trees are valued based on age (a. seedling; b. adult-not fruit bearing; and c. fruit bearing). Stage (a) and (b) trees are compensated based on the value of the investment made; stage (c) trees are compensated at net market value of 1-year income times the number of years needed to grow a new fully productive tree. See Figure 6 showing rates applied for economic crops. Details Annex-A3, C1 & C2 on Economic Trees Crops.

10.8: Assistance for Income losses

Income losses from business is calculated based on monthly net income loss. Affected business owner will be provided with assistance for the total of three months of income loss as well as moving allowances.

10.8.1: Assistance to Vulnerable People

Assistance to this group of vulnerable people is calculated bases on three months special package allowance to cover rental, living expenses during the three months transition period.

Figure 6:Economic Crops Rates

11: COMPENSATION AND RESETTLEMENT ASSISTANCES

Compensation and resettlement assistance to PAPs covers: i) private properties, ii) public properties, iii) economic crops, iv) businesses, v) tenants, vi) landlords and, vii) vulnerable groups.

11.1: Summary of Compensation Packages

The total compensation and assistance packages for mitigating impacts associated with the project amount to USD 827,061.56. Table 9 below presents a summary of the packages and assistance to be provided.

Table 9: Summary of Compensation packages by category of impacts on various assets

| Compensation Packages | | | | | | | |
|-----------------------|---|-------------------|--------------------|--------------------|---------------------------|----------------|---------------|
| No. | Categories of Affected Assets | Fully Affected | Partially Affected | Income Loss (US\$) | Special Assistance (US\$) | Total (US\$) | Percentage |
| | | Structures | Structures | | | | |
| 1 | Private Structures | 654,381.02 | 30,773.68 | | | 685,154.70 | 82.8% |
| 2 | Public Structures | 22,641.82 | 3,798.28 | | | 26,440.10 | 3.2% |
| 3 | Economic Crops | | | 20,976.00 | | 20,976.00 | 2.5% |
| 4 | Business Income Losses | | | 54,970.76 | | 54,970.76 | 6.6% |
| 5 | Renter and Landlords | | | 1,545.00 | 1,545.00 | 3,090.00 | 0.4% |
| 6 | Special Assistance for Vulnerable Persons | | | | 18,000.00 | 18,000.00 | 2.2% |
| 7 | Graves | 8,800.00 | | | | 8,800.00 | 1.1% |
| 8 | Transaction Fees Refunds | | | | 8,430.00 | 8,430.00 | 1.0% |
| | Total Compensation | 685,822.84 | 34,571.96 | 77,491.76 | 29,175.00 | 825,862 | 100.0% |

11.2: Private Properties

A total of 264 privately owned structures will be affected by the project. The compensation cost for the private structures is US\$ 685,155 (See Annex- A1 for details on private Structure.).

Compensation for the entire private structures along the project route was valued based on the principle of "Full Replacement Cost." As discussed earlier, the 40km road section passes through 28 towns and villages. Of these towns and villages, the largest impact on private properties will be 94 structures in Toe Town, 48 structures in Gbolordeala and, 27 structures in Poker Town. Of the overall 264 private structures to be impacted, 63% of the structures are in Gbolordeala, Poker Town and Toe Town, while the remaining 37% are in small towns and villages respectively. 96% of the private structures will be fully affected and the remaining 4% will be partially affected.

Table 10: Private Properties to be affected

| No. | Locations/Towns | Fully Impacted | Partially Impacted | Total | Total US\$ |
|-----|-----------------|----------------|--------------------|----------|--------------|
| | | (A) | (B) | C= (A+B) | |
| 1 | Tappita | 1 | 0 | 1 | \$ 70,028.00 |
| 2 | Worwoe Village | 1 | 0 | 1 | \$ 1,015.00 |
| 3 | Mataley Village | 1 | 0 | 1 | \$ 3,312.50 |

| | | | | | |
|----|-----------------------|------------|-----------|------------|----------------------|
| 4 | Gberow Village | 1 | 0 | 1 | \$ 1,306.40 |
| 5 | Reeves Village | 1 | 0 | 1 | \$ 690.39 |
| 6 | Jeremiah Village | 1 | 0 | 1 | \$ 900.00 |
| 7 | Kparquoi Village | 4 | 0 | 4 | \$ 10,450.93 |
| 8 | Konseh Village | 3 | 0 | 3 | \$ 1,616.00 |
| 9 | Bitterball Village | 1 | 0 | 1 | \$ 2,310.00 |
| 10 | Doeyelay Village | 7 | 0 | 7 | \$ 11,233.91 |
| 11 | Yianguenbopea Village | 2 | 0 | 2 | \$ 4,252.80 |
| 12 | Fromgoi Village | 1 | 0 | 1 | \$ 758.50 |
| 13 | Beh Village | 1 | 0 | 1 | \$ 1,442.20 |
| 14 | Fireman Village | 2 | 0 | 2 | \$ 1,402.50 |
| 15 | Gwin Town | 6 | 0 | 6 | \$ 9,872.83 |
| 16 | Gbolordeala Town | 43 | 5 | 48 | \$ 95,616.64 |
| 17 | Ghankay Hill | 10 | 0 | 10 | \$ 5,681.51 |
| 18 | C D Village | 2 | 0 | 0 | \$ 1,904.00 |
| 19 | King Village | 1 | 0 | 1 | \$ 376.43 |
| 20 | Locker Village | 5 | 0 | 5 | \$ 6,117.92 |
| 21 | Menlah Village | 4 | 0 | 4 | \$ 4,671.44 |
| 22 | Fahnley Village | 10 | 0 | 10 | \$ 10,918.95 |
| 23 | Cestor River | 1 | 0 | 1 | \$ 900.00 |
| 24 | Bah Town | 11 | 0 | 11 | \$ 13,985.57 |
| 25 | B'Hai Tarway | 11 | 0 | 11 | \$ 18,459.86 |
| 26 | Kpelleh Village | 10 | 0 | 10 | \$ 9,466.70 |
| 27 | Poker Town | 24 | 1 | 25 | \$ 136,186.52 |
| 28 | Toe Town | 89 | 5 | 94 | \$ 260,277.34 |
| | Total | 253 | 11 | 264 | \$ 685,154.84 |

Source: RETRAP RAP Field Survey Data (February 2021)

Of the total private structures to be impacted 95.8% will be fully impacted, while 4.2% will be partially impacted.

Mitigation Measures

To mitigate social and economic risks associated with loss of private structures, the project will compensate PAPs with full replacement cost for the affected properties. Payment for all structures will be completed prior to commencing civil work in each of the impact corridors.

11.3: Public Properties

A total of 9 public structures in the project area are expected to be affected by the project. Public Structures to be impacted include wells, hand pumps, market stalls and Meeting Centers. Compensation for public structures followed the principle of "Full Replacement Cost." The compensation amount was calculated using market cost of the materials to build a replacement public structure with an area and quality similar to or better than that affected by the project, or to repair partially affected public structure,

plus the cost of transporting replacement materials to the new site, plus the cost of any labor and contractors' fees. The total cost of restoring these public structures is US\$26,440 (See Annex- A2 for details on public Structure.)

Table 11:Public Properties to be Affected

| Public Properties to be affected | | | | | |
|----------------------------------|------------------|-----------------|--------------------|----------|--------------|
| No. | Locations/Towns | Fully Impacted. | Partially Impacted | Total | Total US\$ |
| | | (A) | (B) | C= (A+B) | |
| 1 | Kparquoi Village | 1 | 0 | 1 | \$ 1,941.84 |
| 2 | Gbolordeala Town | 0 | 1 | 1 | \$ 2,548.26 |
| 3 | Fahnley Village | 1 | 0 | 1 | \$ 2,700.00 |
| 4 | Bah Town | 1 | 0 | 1 | \$ 3,600.00 |
| 5 | Poker Town | 2 | 0 | 2 | \$ 7,200.00 |
| 6 | Toe Town | 2 | 1 | 3 | \$ 8,450.00 |
| | Total | 8 | 1 | 9 | \$ 26,440.10 |

Source: RETRAP RAP Field Survey Data (February 2021)

Of the total public structures to be impacted 77.8% will be fully impacted while 22.2% will be partially impacted.

Mitigation Measures

To mitigate risks and impacts associated, the project will compensate each affected entity with full replacement cost of the affected public properties. Payment for all structures will be completed prior to commencing civil work in each of the impact corridors.

11.4: Businesses

A total of 106 formal and informal small businesses belonging to 64 males and 42 females are found along the Tappita-Toe Town road corridor. These small businesses provide sources of income and means of livelihood for PAPs in the project affected area and are likely to be affected by civil works activities. Compensation for losses of income to businesses is determined by multiplying the monthly net profit of each business by three months to arrive at the total business transitional allowance for each business owner. The total compensation to be paid for affected businesses is US\$ 54,971. The table below provides information on business income losses by location and gender. Annex - A4 provides further details on affected Businesses.

Table 12:Business Income Losses by Location and by Gender

| No. | Location | No, PAPs | | Income Loss by gender | | Total Income Loss |
|-----|----------------|----------|--------|-----------------------|-----------|-------------------|
| | Towns/Villages | Male | Female | Male | Female | |
| 1 | Tappita | 1 | | N/A | | \$ - |
| 2 | Reeves Village | 1 | | \$ 123.53 | | \$ 123.53 |
| 3 | Doeyelay | 2 | 1 | \$ 388.24 | \$ 176.47 | \$ 564.71 |

| | | | | | | |
|--------------|----------------|-----------|-----------|---------------------|--------------------|--------------------|
| 4 | Gwin Town | 1 | | \$ 7.06 | | \$ 7.06 |
| 5 | Gbolordeala | 14 | 9 | \$ 2,077.65 | \$ 830.00 | \$ 2,907.65 |
| 6 | Menlah Village | 2 | | \$ 197.65 | | \$ 197.65 |
| 7 | Bah Town | | 1 | | \$ 70.59 | \$ 70.59 |
| 8 | B'hai Tarway | 1 | 1 | \$ 30.00 | \$ 15.00 | \$ 45.00 |
| 9 | Poker Town | 1 | | \$ 50.00 | | \$ 50.00 |
| 10 | Fahnlay | | 1 | | \$ 15.00 | \$ 15.00 |
| 11 | Toe Town | 40 | 30 | \$ 7,198.28 | \$ 7,144.09 | \$14,342.37 |
| Total | | 63 | 43 | \$ 10,072.41 | \$ 8,251.15 | \$18,323.56 |

Of the total business to be impacted 59.4% of the business are owned by male while 40.6% are owned by female.

Mitigation Measures:

To mitigate social and economic risks associated with loss of small businesses and income interruption, the project will compensate each small business owner/petty trader the value of the business’ monthly net profit for a total of three months’ transition period. The monthly net profit reported by each business owner is used to arrive at the value to be paid to each small business owner/petty trader as transitional allowance. Payment to all small business owners/petty traders shall be completed prior to commencing civil works in each of the impact corridors.

11.5: Economic Tree Crops

There are eight (8) partially affected farm owners (7 males and 1 female) who will be affected by the road project. A total of 874 economic trees along the road corridor between Tappita and Toe Town will likely be affected, and the total value of the affected economic tree crops is estimated to be US\$ 20,976. The type of crops to be affected are rubber trees. Table 13 provide more information on economic trees.

Table 13:Economic Tree Crops

| Road Name: Tappita- Toe Town Road Section | | |
|---|--|-------------------------------------|
| Type of Crops | Number of Affected Economic Tree Crops | Value of Economic Tree Crops (US\$) |
| Rubber Farm | 874 | \$ 20,976.00 |
| Total | 874 | \$ 20,976.00 |

Mitigation Measures:

To mitigate social and economic risks associated with losses of economic tree crops, the project will compensate each affected person or farmer for the value of his/her economic trees. The unit rates provided by the Ministry of Agriculture (MoA), for each category of economic crops, have been used to calculate compensation amount to be paid to each PAP or farmer. Payment for all economic crops will be completed prior to commencing civil work in each of the impact corridors.

11.6: Vulnerable Groups

A total of 60 potential PAPs within the project area are considered as vulnerable people. The group of vulnerable PAPs includes: i) elderly, ii) disabled, iii) sick and iv) female household heads. This group of vulnerable people will be qualified for special packages that shall be designed and geared toward assisting them. The total special package for vulnerable people is estimated to be US\$ 19,200. The special package covers living costs for a transition period of three months. These vulnerable people are spread in 6 towns and 10 villages.

Table 14: Categories of Vulnerable People

| Category | Gender | | | Total Assistance allocated |
|------------------------|-----------|-----------|-----------|----------------------------|
| | M | F | Total | |
| Elderly | 9 | 7 | 16 | \$4,800 |
| Disable | 10 | 6 | 16 | \$4,800 |
| The Sick | 6 | 2 | 8 | \$2,400 |
| Female household heads | 0 | 20 | 20 | \$6,000 |
| TOTAL | 25 | 35 | 60 | \$18,000 |

Of the total vulnerable people to be impacted 58.3% are female while 41.7% are male.

Mitigation Measures:

In order to mitigate vulnerability risks associated with disturbance, permanent and temporary displacement, the project shall give special attention to the wellbeing of the elderly, the sick, the disabled and female household heads. Payment to all vulnerable groups shall be completed prior to commencing civil works in each of the impact corridors.

11.7: Tenants and Landlords

The project will impact a total of 86 tenants and 86 landlords. Landlords will lose their rental incomes while tenants will lose their rental shelters. A total of US\$ 3,090 is allocated in this RAP to offset impacts associated with rental incomes and shelters lost. The table below presents consolidated picture of rental allowances both to landlords and tenants by locations. Further detail is provided by Annex -A6 & A7 showing tables of affected Tenants and Landlords.

Table 15: Rental Income Losses and Rental Allowances by Location and by Gender

| No. | Location | No, PAPs | Total Allowances |
|-----|----------|----------|------------------|
|-----|----------|----------|------------------|

| | | Male | Female | Total | Landlords |
|-----------------------------|--------------------|-----------|-----------|-----------|--------------------|
| 1 | Reeves Village | 3 | | 3 | \$ 45.00 |
| 2 | Yiangubopea | 2 | | 2 | \$ 30.00 |
| 3 | Beh Village | 1 | | 1 | \$ 15.00 |
| 4 | Gwin Town | 5 | | 5 | \$ 75.00 |
| 5 | Gbolordeala | 15 | 2 | 17 | \$ 255.00 |
| 6 | Ghankay Hill | 1 | 1 | 2 | \$ 30.00 |
| 7 | CD Village | 1 | | 1 | \$ 15.00 |
| 8 | Locker Village | 1 | | 1 | \$ 15.00 |
| 9 | Menlah Village | 3 | | 3 | \$ 45.00 |
| 10 | Bah Town | 2 | 4 | 6 | \$ 90.00 |
| 11 | Poker Town | 7 | 6 | 13 | \$ 195.00 |
| 12 | Toe Town | 12 | 5 | 17 | \$ 510.00 |
| 13 | Mataley | | 2 | 2 | \$ 30.00 |
| 14 | Gberow | | 1 | 1 | \$ 15.00 |
| 15 | Kparquoi Village | | 2 | 2 | \$ 30.00 |
| 16 | Konseh Village | | 2 | 2 | \$ 30.00 |
| 17 | Bitterball Village | | 2 | 2 | \$ 30.00 |
| 18 | Doeyelay | | 3 | 3 | \$ 45.00 |
| 19 | B'hai Tarway | | 3 | 3 | \$ 45.00 |
| Sub Total (Landlord) | | 53 | 33 | 86 | \$ 1,545.00 |
| No. | Location | No, PAPs | | | Total Allowances |
| | | Male | Female | Total | Tenants |
| 1 | Mataley | 2 | | 2 | \$ 30.00 |
| 2 | Reeves Village | 2 | 1 | 3 | \$ 45.00 |
| 3 | Kparquoi Village | 1 | 1 | 2 | \$ 30.00 |
| 4 | Konseh Village | 2 | | 2 | \$ 30.00 |
| 5 | Bitterball Village | 1 | 1 | 2 | \$ 30.00 |
| 6 | Doeyelay | 1 | 2 | 3 | \$ 45.00 |
| 7 | Yiangubopea | 1 | 1 | 2 | \$ 30.00 |
| 8 | Beh Village | 1 | | 1 | \$ 15.00 |
| 9 | Gwin Town | 4 | 1 | 5 | \$ 75.00 |
| 10 | Gbolordeala | 12 | 5 | 17 | \$ 255.00 |
| 11 | Ghankay Hill | 1 | 1 | 2 | \$ 30.00 |
| 12 | Menlah Village | 3 | | 3 | \$ 45.00 |
| 13 | Bah Town | 1 | 5 | 6 | \$ 90.00 |
| 14 | Poker Town | 4 | 9 | 13 | \$ 195.00 |
| 15 | Toe Town | 10 | 7 | 17 | \$ 510.00 |
| 16 | Gberow | | 1 | 1 | \$ 15.00 |
| 17 | CD Village | | 1 | 1 | \$ 15.00 |
| 18 | Locker Village | | 1 | 1 | \$ 15.00 |
| 19 | B'hai Tarway | | 3 | 3 | \$ 45.00 |

| | | | | | |
|--------------------------------------|-----------|-----------|------------|-----------|-----------------|
| Sub Total (Tenant) | 46 | 40 | 86 | \$ | 1,545.00 |
| Total (Landlord & Tenant) | 99 | 73 | 172 | \$ | 3,090.00 |

Of the total tenants to be impacted 46.5% are female while 53.5% are male. total landlords to be impacted 38.4% are female while 61.6% are male

Mitigation Measure

To mitigate adverse impacts associated with incomes and permanent shelter losses, the project will pay PAPs transition allowances for a period of three months. A total of US\$ 3,090 is allocated in this RAP to offset impacts associated with rental incomes and shelter losses.

11.8: Graves

A total of 9 Graves in the project area are expected to be affected by the project. Compensation for Graves followed the principle of Full Replacement Cost by type. The compensation amount covers the cost of materials to reconstruct, consultations and cost of relocating the Graves to be affected by the project. Table 16 shows the number of Graves to be affected.

The IIU of MPW in consultation with the contractor shall give special attention to avoid these graves as relocation of graves and graveyards are always sensitive to communities or families whose loved ones have to be relocated. Where avoidance is not possible, the IIU of MPW will engage community, religious leaders and families and next of kin of those affected and the EPA on the acceptability of disturbing and relocating the graves and seek their permission and guidance on necessary precautions and rituals to be performed at the old and new site. An amount of USD 8,800.00 has been provided in this RAP to address these impacts.

Table 16: Affected Graves

| Impacts on Graves, Coordinates and Costs | | | | | | |
|--|--------------------|----------------------------|---------------|-------------|------------|-----------------|
| No. | Grave /Name | Location | Chainage (KM) | Coordinate | | Cost (US\$) |
| | | | | X | Y | |
| 1 | Arthur Nyudeh | Jeremiah Village | 4+100 | -8.80349267 | 6.48806138 | 900.00 |
| 2 | Enrson Russell | Fahnlay Village | 25+730 | -8.63049854 | 6.43977017 | 500.00 |
| 3 | William Lloyd | Cestos River (Check Point) | 26+130 | -8.6277037 | 6.4400323 | 900.00 |
| 4 | Amos Kraty | Bah Town | 26+430 | -8.62764885 | 6.44011138 | 500.00 |
| 5 | Lerance Gaye | B'hai Tarway | 27+420 | -8.619672 | 6.44006 | 900.00 |
| 6 | Jason Nyanty | Poker Town | 31+730 | -8.58167912 | 6.43537049 | 1500.00 |
| 7 | Alvin Karr | Poker Town | 32+470 | -8.57533569 | 6.43365983 | 900.00 |
| 8 | Alvin Karr | Poker Town | 32+480 | -8.55771937 | 6.4072234 | 900.00 |
| 9 | Derick P. Barshell | Toe Town | 36+220 | -8.55903631 | 6.40811459 | 1,800.00 |
| Total budgeted (US\$) | | | | | | 8,800.00 |

11.9: Legacy Issues

Legacy issues that has not been addressed since the inception of SECRAMP include those properties that have been marked and have not been paid, reimbursement of documents processing fees and disintegration of shelters due to lack of maintenances as a result of conditions posed by the original RAP 2017 (Cut-off Date). The costs of addressing these legacy issues are included in the 20% contingency allotted in the RAP budget.

11.10: Inflation Consideration to the Valuation/Budget

The exchange rate for asset valuation was based on inter-bank exchange rate in Liberia as at February 9, 2021, LRD \$171 per US \$1. This valuation was however based on 171LRD/USD in order to capture monetary instability shock (inflation) that may occur between now and the time of RAP implementation envisaged to take place within 12 months of RAP report preparation. See Annex -D1 showing Central Bank Exchange rate for the month of February 2021.

The value stated in this RAP will be assessed and revalued at the time of compensation payments, if it is established that affected properties values has appreciated over a period of time.

CHAPTER 12: STAKEHOLDERS CONSULTATION

12.1: Introduction

In accordance with national regulations and requirements as provided for in the Constitution and the Freedom of Information Act of Liberia, the World Bank's policy on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, the project proponent (GOL) took the necessary measures to inform individuals, households and communities likely to be affected by the project as well as other relevant stakeholders.

The main objectives of the consultations were to:

- Inform PAPs about their rights and choices;
- Disseminate information about the RETRAP, particularly subcomponent 3.1 civil works activities to PAPs and other stakeholders;
- Notify project affected persons and communities about the project set up and development objectives;
- Establish and maintain a two-way process of dialogue and understanding between the project and its stakeholders;
- Obtain the input of the PAPs in the RAP preparation process and to seek feedback on how to ensure their active participation in the preparation and implementation process in order to create ownership; and
- Elicit broader inputs and suggestions that will ensure project sustainability and success in the long term.

A total of 9 stakeholder consultation meetings were held at village/town levels across the project impact area during the socioeconomic survey, asset marking and inventory of losses stage of the RAP preparation. Information provided to stakeholders on the project included on: i) the project description, objectives and activities – especially the civil works activities to be implemented under subcomponent 3.1; ii) the positive and negative impacts associated with the proposed works; iii) the actions and measures including compensation and resettlement assistance payments that will be put in place to mitigate and offset the project's direct social and economic adverse impacts related to land acquisitions and RoW clearing; and, iv) the establishment of grievance redress mechanisms to address project related grievances/complaints throughout the implementation period.

The consultation meetings were held from the 10th - 11th of February 2021 at various locations (as indicated in Table 17 below) and targeted the appropriate levels of local government (commissioners, city majors), community and opinion leaders (town/village chiefs and elders), PAPs, and the affected communities in the villages/towns along the project impact corridor. The table below shows the total number of people attended the various stakeholders' meetings. Annex E1-E4 provide the list of stakeholders consulted in project communities.

Table 17: Total Number of PAPs Attended Consultations by Locations

| No. | Locations | Number of Attendees | | | Day of the Consultation | Time of the Consultation |
|-----|---------------|---------------------|-----------|------------|-------------------------|--------------------------|
| | | Male | Female | Total | | |
| 1. | Poker Town | 25 | 17 | 42 | Feb. 10, 2021 | 7AM -9:30AM |
| 2. | Toe Town | 42 | 28 | 70 | Feb. 10, 2021 | 10:52am -12:00 Noon |
| 3. | B'hai Tarway | 22 | 6 | 28 | Feb. 10, 2021 | 5:00pm - 6:30pm |
| 4. | Fahnlay | 8 | 6 | 14 | Feb. 11, 2021 | 9:22am - 10:30am |
| 5. | Menlah | 5 | 3 | 8 | Feb. 11, 2021 | 11:09am - 11:35am |
| 6. | Ghankay Hill | 8 | 5 | 13 | Feb. 11, 2021 | 11:49am - 12:25pm |
| 7. | Gbolordeala | 16 | 12 | 28 | Feb. 11, 2021 | 12:50PM - 1:55 PM |
| 8. | Gwin Town | 11 | 6 | 17 | Feb. 11, 2021 | 2:15pm - 3:30pm |
| 9. | Doeyelay Town | 10 | 4 | 14 | Feb. 11, 2021 | 4:35PM - 5:15PM |
| | Total | 125 | 81 | 206 | | |

Of the total PAPs attended consultations 39.3% are female while 60.7% are male.

12.2: Active Stakeholder Participation

Stakeholders, particularly PAPs, actively participated in the consultations. During the interactive meetings, PAPs expressed several concerns one of which was about the asset marking and valuation carried out under SECRAMP, the project previously proposed for implementation, but about which they were told has either been cancelled, or would be implemented under new and different arrangements.

“After marking our houses over three years ago, the people from MPW told us to obtain a paper from the court to prove that we own the affected properties. We spent a lot of money to get that court paper, including transportation expenses. Now that the project has been cancelled, will we get our money back?” they asked.

It was explained to them that the reason why the project proponent demanded PAPs to obtain a proof of ownership (attestation) of the affected properties from the court was to avoid making compensation payments to the wrong people. In the past, some people had tried impersonating as owners of properties they did not own. As a result, some PAPs have suffered unduly through that process. As lessons learn, going forward under this compensation payment, measures would be put in place to ensure that the rightful PAPs are paid their compensation without having to go to the court for attestation. The measures or arrangements would involve the use of credible town/village leadership and the grievance redress committees that will be established to vet and certify PAPs for payment, if needed. These leaders will

then monitor to ensure that only PAPs who have been vetted and certified by them are paid during compensation. Such arrangements, once in place, would eliminate the need for PAPs to go to the court for proof of ownership as a requirement for receiving their compensation.

12.3: Stakeholders' Knowledge about the Road Project

From the socioeconomic survey and the stakeholder consultations conducted, it is established that information about the proposed road project is widely disseminated in communities along the project impact corridor and even beyond. In all consultation meetings, PAPs and other stakeholders confirmed that they have heard about the pending road project. Thus, while concerns have been expressed about aspects of the project that are related to displacement and resettlement, the overwhelming majority of individuals (including PAPs), households and the wider communities in the project area warmly welcome the project as a development they have long waited for and which, when implemented, will relieve them of the enormous travel difficulties they currently face. They said the upgraded road will enhance their access to markets and vital social services and will open up the region for social and economic development that will contribute to improvement in their standards of living.

12.4: Consultation Methods

Consultations were conducted using these methods: i) Focus Group Discussions, ii) Key Informant Interviews, and iii) Town hall meetings. During these consultations, care was taken to ensure that everyone's voice was heard, responded to and recorded.

12.4.1: Focus Groups Discussions:

Consultations were held at various locations with chiefs and elders, youths, women, businesspeople, farmers, and road users (drivers and passengers). From each of these groups, important information was collected and used in the preparation of the RAP.

12.4.2: Key Informant Interview:

In addition to focus group discussions, information was also collected through interviews with knowledgeable individual PAPs, opinion leaders and interested individuals. The interviews with individual PAPs also provided an opportunity to clarify to each PAP misinformation he/she had received about the project from unofficial sources, including rumors.

12.4.3: Public/Community Consultation:

Town hall meetings were the main method used to convey the project information to entire communities. The answers provided to questions raised and concerns expressed by PAPs and other stakeholders got disseminated to the wider village/town population in a short space of time. To that extent, town hall meetings were an effective platform for disseminating the project information to the wider community audience, as well as listening to the concerns and views of community members, especially the PAPs.

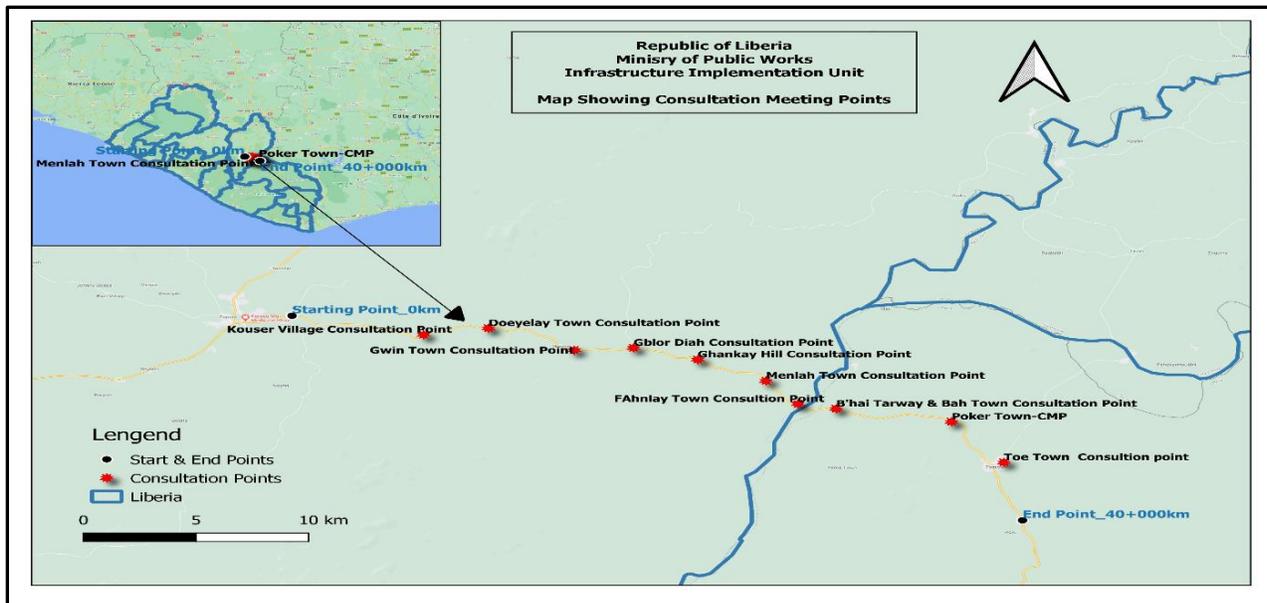


Figure 7: Map of Liberia showing the locations of Consultation Meeting Points

Map Source: RMMU/IIU/MPW

12.5: PAPs Rights and Choices

Throughout the consultation meetings – town hall, focus groups and key informant interviews – PAPs were informed about the rights and choices available to them under the Resettlement Plan. They were told that it was their right to be consulted and to participate in all resettlement decisions that affect them; that they have the right to accept or reject the value of their affected assets when disclosed to them, and can demand revaluation; and that they have the choice to request cash or in-kind compensation for their affected assets.

12.6: Summary of Views/Concerns Expressed by PAPs

Table 18: Summary of Main Concerns and Views expressed during first series of stakeholder consultations

| Issues/Concerns | Responses/Countermeasures |
|---|---|
| <p>SECRAMP: expenses incurred to obtain attestation from the court</p> <p>✚ Now that this project has been cancelled, will we get a refund of the money we spent to obtain attestation from the court, including transportation expenses under the initial project- SECRAMP?</p> | <p>For affected structures that are still standing and which have been remarked and revaluated for compensation and demolition under the new project, the cost of attestation that may be required for the payment of compensation will be reimbursed by the new project. So, PAPs qualified for compensation payment under the new project will get back money they will spend to obtain new attestations, if required.</p> |
| <p>SECRAMP: previously marked structures that have broken down</p> <p>✚ What happens to our structures that were marked but have broken down? We obtain attestations for them from the court, so will they be</p> | <p>Previously marked structures that have broken down are a legacy issue and allowance has been made in the contingency budget to compensate those structure owners. Thus, both marked structures that have collapsed and those still standing and have been re-marked in the RoW prior to the cut-off date of February 5, 2021 will be considered for compensation under the new Project. Without adding new development, all PAPs are advised to maintain their structures until they are compensated. Photographs of all</p> |

| | |
|---|--|
| included in the new marking for compensation payment? | affected structures and ground condition are provided in Annex – A1, A2, A3 G1 & G2. |
| Adequacy of compensation amount ✚ Will the compensation amount be sufficient to help us rebuild our affected structures and livelihoods? | All assets will be compensated based on the full replacement cost approach – that is, how much it costs to rebuild the same structure today, including the costs of materials, labor, transportation and transactional cost. The mode of payment was also discussed with PAPs during the consultations and most PAPs expressed cash payment over in-kind payments. |
| Time given to relocate ✚ Our structures have been marked for demolition, so should we move out of them now? | No, the owners of all marked (affected) structures should continue to live in or use them until they receive their compensation. During compensation, PAPs will be informed about the time they are to move out of the affected structures for demolition to be carried out. Once paid, PAPs can even do their own demolition, taking whatever materials (doors, windows, and zinc sheets, wood) they can reuse. Demolition and other information about the various stages of the RAP implementation will be disseminated to PAPs and the project affected communities at regular intervals. This will be done through community radio stations, local authorities and town criers. |
| Tenants’ concerns about refund of advance rental money paid ✚ If the structure we are renting is demolished, will we get back our money for the remaining unused time? | Both tenants and the landlords will be compensated separately. Each tenant will receive a three-month rental allowance to enable him/her find accommodation in another rental shelter. The amount of the rental allowance will be calculated based on the amount currently paid by tenants, or the amount currently being charged for similar rental shelters or room sizes in the community. Tenants will be required to present receipts of previous rental payments as evidence. Tenants who have paid more than 3 months’ rent advance will be captured during the verification process, in order not to lose their rent advance and adjustment will be made accordingly. |
| Local materials extracted and used by the contractor ✚ Will the contractor pay us for materials (rock, laterite) they extract from our community? | If any materials will be extracted from a community, the contractor and the community people ow owners of the resource will negotiate and agree on the type and amount of benefits the contractor will provide to the community. Such negotiations will be witnessed and documented by the relevant local authorities, the supervision engineer and the IIU/MPW. The Contractor ESMP will adequately address those impacts relating to borrow pits, quarry sites, and site camps; in accordance with the E&S impacts, risks and mitigation measures. |
| Construction damages to unmarked/unaffected properties ✚ What happens if the contractor damages properties that were not marked for demolition? Will they pay for the damaged properties? | Yes, if a property was not captured and marked for demolition but got damaged by the contractor during construction, the contractor or the project proponent (MPW) will assess and pay for the damaged property based on full replacement cost. |
| Vulnerable groups ✚ What will be done to help old and sick people whose structures are affected and have to move? | The elderly – 60 years and above, the sick, people with disabilities, female household heads/single mothers who will lose shelters and/or sources of livelihood on account of the project will be provided special resettlement assistance and support. E.g. This group of vulnerable people will be provided with three months special package allowance to cover rental, living expenses during the three months transition period. |
| Relocation of affected graves ✚ How will we move the affected graves? | The IIU of MPW in consultation with the contractor shall give special attention to avoid relocation of graves. Where avoidance is not possible, all graves within the ROW will be compensated and relocated to a proposed and approved site by the grave’s owners in consultation with the county and local traditional authorities, religious leaders and EPA. |

| | |
|--|---|
| <p>Rental/lease of land within the RoW</p> <p>✚ I constructed the structure, but it is Zuaplay who gave me the land for rental/lease and I have been paying him the agreed rental money. Now he wants to get the money for the affected structure, but I'm the one who built it. So, who will receive the compensation/payment?</p> | <p>Compensation will be made only to the person or party that invested their money and other resources to build the structure.</p> <p>If the land were a private land with a title (deed), then the market value of the land will be assessed separately and payment made to the landowner.</p> |
| <p>Payment for single fruit trees in the RoW.</p> <p>✚ Will single fruit trees (orange, plum, etc.) in the RoW be paid for?</p> | <p>No, payment will not be made for one, one (single) fruit trees. If they are many (at least 10 or 15 fruit trees) – to the extent that they make up a small farm, and then they can be valued and paid for. However, payment will not be made for one plum tree here, one orange tree there.</p> |
| <p>Death of a PAP prior to compensation</p> <p>✚ What if a PAP dies before the payment of compensation? Who will receive it?</p> | <p>Compensation will be made to the dead person's family (recognized spouse, child or children, next of kin, or legal representative), based on submission of all relevant legal documents (death certificate, written will if available, etc.) backed by attestation from local authority to substantiate their claims of ownership.</p> |
| <p>Compensation payment procedures</p> <p>✚ How will the payment be made?</p> | <p>Payment will be made by bank cheque to each person whose structure, economic tree crops and/or business has been affected by the road upgrading works. The pay team will go from house to house to make the payment. Each PAP will receive and sign for his/her cheque, and will hold that cheque to his/her chest and be photographed as evidence of receipt of your payment.</p> |
| <p>Collapse of marked structure prior to compensation</p> <p>✚ What if a marked structure gets broken down prior to compensation? Will compensation be made for it? If not, why?</p> | <p>Collapsed structure owners will be paid if payment will be carried out by the same project under which the marking and valuation has been done. However, all affected structure owners are encouraged to do all they can to maintain the structures in their current state, without adding new development to them. The people who are coming to pay will like to see the structures for which they will be making the payment. If they do not see a structure, they will find it hard to believe that it was not there in the first place.</p> |
| <p>Commencement of civil works</p> <p>✚ How soon will the project start and end?</p> | <p>Well, that is hard to answer because the government is still trying to secure the money from donors, particularly the World Bank. Therefore, if the government is able to secure the money this year, then the work could start sometime early next year. Notwithstanding, all affected persons will be informed about the commencement of the project and will receive their payment and given time to relocate prior to commencement of the construction works. Approximately, the construction phase is expected to last for about 3-years.</p> |

Note: Responses to PAPs concerns and questions are contained in the Stakeholder Consultation Table in Annex - E2.

12.7: Community Level GRMs Established

During the stakeholder consultations, community level grievance redress committees (CGRCs) were constituted and set up in nine towns/villages (3 in Grand Gedeh and 6 in Nimba) across the project impact corridor. The GRCs are charged with the responsibility to handle and address project related grievances/complaints that may be filed by PAPs and other community members during the construction phase of the project. The CGRCs will operate in accordance with the grievance redress procedures laid out in the chapter on Grievance Redress Mechanisms.

Each CGRC consists of a chair, co-chair, secretary and members. The details of each established CGRC including the names and contact phone numbers of members are found in Annex – E3.

12.8: Second Series of Consultations

The second series of stakeholder consultations will be carried out during disclosure of the findings of the RAP report. The focus of the second series of consultations will, inter alia, be on disclosure of the estimated values of affected assets to individual PAPs, payment procedures and requirements, and the time the compensation payment will be made. PAPs will have the right to ask and obtain clarity on any of these.

A joint team comprised of staff from the PFMU/MFDP, and the IIU/MPW will conduct the next series of consultations under IIU leadership. Consultations with stakeholders is vital for the effective and smooth implementation of the RAP, and the project as a whole. Thus, consultations with PAPs and other stakeholders shall be conducted throughout the construction period.

CHAPTER 13: IMPLEMENTATION SCHEDULE

13.1: RAP Preparation and Implementation Timeline

The objective of the RAP preparation and implementation schedule is to ensure that all RAP- related activities are fully completed before commencement of civil works. This RAP was prepared under exceptionally condensed process. The exceptional approach was taken to assist the project to meet its board date and appraisal requirements. The preparation of the RAP occurred between February to March 2021. The RAP implementation activities provide the tasks to be carried out before and during implementation involving disclosure of the RAP, verification of valuated assets, preparation of compensation and resettlement assistance packages, and payment of compensation to PAPs.

The IIU/MPW will be required to complete all tasks listed under activity columns when implementing the RAP. No civil work shall commence unless these steps are completed, and compensation is paid to PAPs in full. Indicative implementation schedule for the RAP is given in Table 19 below. This is however tentative as delays in approval processes may affect the duration allocated herein. The IIU/MPW will ensure that there is a clear linkage between RAP implementation and civil works commencement.

| No | Item | Month-1 | | | | Month-2 | | | | Month-3 | | | | Month-4 | | | | Month-5 | | | | Month-6 | | | | Month-7 | | | | Month-8 | | | | | | | |
|----|----------------------|---------|----|----|----|---------|----|----|----|---------|-----|-----|-----|---------|-----|-----|-----|---------|-----|-----|-----|---------|-----|-----|-----|---------|-----|-----|-----|---------|-----|-----|-----|--|--|--|--|
| | | W1 | W2 | W3 | W4 | W5 | W6 | W7 | W8 | W9 | W10 | W11 | W12 | W13 | W14 | W15 | W16 | W17 | W18 | W19 | W20 | W21 | W22 | W23 | W24 | W25 | W26 | W27 | W28 | W29 | W30 | W31 | W32 | | | | |
| 12 | RAP completion audit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

CHAPTER 14: COSTS AND BUDGET

14.1: Introduction

This Chapter provides a detailed budget for compensation and other rehabilitation entitlements. The budget is prepared based on inventory and valuation of affected assets, income loss and special assistance to project affected persons as well as implementation support cost. This chapter provides information relating to the cost estimates for all resettlement activities, allowances for inflation and other contingencies, financing plan indicating the sources of funds and arrangements for timely flow of funds.

14.2: RAP Budget

The overall RAP compensation and implementation budget is estimated at One Million and Eighty One Thousand and Eight Hundred Seventy-nine United States Dollars (US\$ 1, 081,879.00). The amount includes the following:

- The compensation to be paid to PAPs for their affected Private properties at full replacement cost is US\$685,155.00.
- The compensation to be paid to PAPs for their affected Public properties at full replacement cost is US\$26,440.00.
- The compensation to be paid to PAPs for their affected Economic crops at full replacement cost is US\$20,976.00.
- The compensation to be paid to PAPs for three months Business Income Loss is US\$54,971.00.
- The compensation to be paid to PAPs/Landlords for three months for the loss of rental income is US\$1,545.00.
- The compensation to be paid to PAPs/Tenants for three months for the loss of rental shelter is US\$1,545.00.
- The compensation to be paid to PAPs/Vulnerable persons as special assistance is US\$18, 000.00.
- The compensation to be paid to PAPs for affected graves relocation is US\$8,800.00.
- Amount allocated to support PAPs (affected structure and economic tree crop owners only) as reimbursement for costs related to obtaining proof of ownership document (attestation) including transportation is US\$8,430.00.
- Provision for RAP implementation support activities is US\$41,293.00. This amount represents 5% of the total compensation cost which is earmarked for supporting RAP implementation and GRMs activities.
- Contingency allocation of US\$165, 172.00. This amount represents 20% of the compensation cost which is earmarked for addressing unforeseen factors such as price inflation, PAPs claims, “chance finds,” etc.

- Allocation for Post RAP Compensation and Implementation Audit is US\$8, 259. This amount represents 1% of the total compensation cost, which is earmarked for executing Post RAP Audit.
- Training for IIU social safeguard staff and sensitization is US\$41,293.00. This amount represents 5%, which is allocated for building the capacity of IIU and its relevant staff - including trainings outside Liberia as well as to increase social safeguards awareness for policy level and technical staffs.

Table 20: The RAP Budget

| Item N° | Budget Item | Direct Impacts Cost (US\$) | Indirect Impacts Cost (US\$) | Total US\$ |
|---------|---|----------------------------|------------------------------|------------------|
| A | COMPENSATION AND SPECIAL ASSISTANCES: | | | |
| A.1 | Private Properties | 685,155 | 0 | 685,155 |
| A.2 | Public Properties | 26,440 | 0 | 26,440 |
| A.3 | Economic crops | 20,976 | 0 | 20,976 |
| A.4 | Businesses/Loss of Income | 54,971 | 0 | 54,971 |
| A.5 | Tenants/Landlords | 1,545 | 0 | 1,545 |
| A.6 | Landlords | 1,545 | 0 | 1,545 |
| A.7 | Special Assistance to Vulnerable Groups | 18,000 | 0 | 18,000 |
| A.8 | Graves | 8,800 | 0 | 8,800 |
| A.9 | Refund to PAPs for processing attestation document | 8,430 | 0 | 8,430 |
| A | Sub Total (A1+A2+A3+A4+A5+A6+A7+A8+A9) | 825,862 | 0 | 825,862 |
| B | Allocations for Social Safeguards Training and Sensitization (5%) | 0 | 41,293 | 41,293 |
| C | Post RAP Compensation and Implementation Audit (1%) | 0 | 8,259 | 8,259 |
| D | TOTAL RAP IMPLEMENTATION (Supervision, monitoring and GRMs 5%) | 0 | 41,293 | 41,293 |
| E | CONTIGENCIES 20% | 0 | 165,172 | 165,172 |
| | Sub Total (B+C+D+E) | | | 256,017 |
| | GRAND TOTAL (A+B+C+D+E) | | | 1,081,879 |

14.3: Financing plan

The Government of Liberia has committed to provide the estimated overall RAP implementation costs of US\$ **1,081,879.00** to finance the resettlement related costs for the 40km Tappita to Toe Town road section under RETRAP. The MOA will liaise with the Ministry of Finance and Development Planning to secure funding to manage implementation of the RAP in a timely manner, while the Project Financial Management Unit at the Ministry of Finance and Development Planning will perform the financial management role. The MOA will deposit the overall RAP implementation budget of the

US\$1,081,879.00 in the RAP designated account six months prior to mobilization of contractors. The total RAP implementation cost will be reflected in the overall project costs. The MoA and IIU of MPW will not mobilize contractors without completing payments to 95% of the PAPs, without submitting to the Bank compensation and resettlement assistance payments completion reports and, without obtaining the Bank's clearance.

CHAPTER 15: GRIEVANCE REDRESS MECHANISMS

15.1: Introduction

The potential adverse impacts associated with subcomponent 3.1 of the RETRAP are substantial and, if not properly managed and mitigated, will give rise to conflicts among the affected population. Grievance Redress Mechanisms are essential tools for allowing affected people to voice their concerns and grievances arising from project implementation, often related but not limited to resettlement and compensation issues. These mechanisms are fundamental to addressing and resolving project affected persons' concerns, claims and grievances outside of the judicial system (the court), as well as helping to prevent disruption of project implementation activities through violence demonstration by aggrieved PAPs.

This RAP has incorporated some members (male and female) of the existing community structures into the GRM set up to resolve resettlement related complaints (See Annex – E3). This chapter seeks to set out procedures for receiving, handling and resolving PAP's grievances/conflicts in a transparent, fair and timely manner throughout the project implementation period, particularly the civil works component which in accordance with the RPF and ESS5.

15.2: Objective of the Grievance Redress /Complaint procedure

The objective of this mechanism is to provide an easily accessible platform for PAPs to file and seek redress for their concerns, claims, grievances/complaints arising from the implementation of the project.

15.3: Scope of the Grievance Redress Mechanisms

The proposed grievance redress mechanism will apply to all subcomponent 3.1 activities that will be financed by the project. It includes issues related to asset valuation, resettlement compensation and assistance, environmental and other social issues that will arise during project implementation.

The Grievance Mechanism will be established in a number of projects affected communities and at four different levels (project, district, county and national levels) to make it easy for PAPs to access without incurring additional cost through long distance travel. Because of its proximity to PAPs, it is expected that most of the grievances/complaints that may be filed will be handled and resolved at the project level.

15.4: Levels of the GRM

Many grievances/complaints are originated from misunderstanding of compensation issues and procedures. Grievance Redress Mechanisms (GRMs) at various levels will be established. Allocation for the requisite funding in order to offset its operational and administrative cost is catered for in this RAP. A grievance redress mechanism committee of knowledgeable persons experienced in the area of conflict resolution will be identified and established at various levels. The Ministry of Public Works and its Infrastructure Implementation Unit (MPW/IIU) in collaboration with PAPs will be responsible for establishing the GRMs as described below:

15.4.1: Community Level Grievance Redress Committee (GRC)

A community level GRM is a system of dispute resolution that shall be established at the impact corridor/location. Its objective is to bring the GRM closer to PAPs. First instance dispute/grievances shall be handled at the project level where the impact area is. All effort shall be made to resolve issues at the first instance.

The community level GRM shall have the following members:

- The Monitoring Consultant, Chairperson
- The County’s Resident Engineer, member
- The Contracting Entity, member
- Town/Village Chief, member
- Representative of PAPs – Female, member
- Representative of PAPs – Male, member

The Community level GRM committee shall resolve or reach a decision five (5) days from the date the complaint is received. The chairperson of the GRM committee shall communicate the committee’s decision to the aggrieved PAPs in writing and keep record of all decisions related to each case.

15.4.2: District Level Grievance Redress Committee (GRC)

The objective of the district level GRM is to resolve complaints that the project level GRM is unable to handle. The District level GRM shall comprise of the following members:

- District Commissioner, Chairperson
- City Mayor, member
- District Magistrate/Circuit, member
- Clan Chief, member
- Project/Community Level GRM Chairperson
- PAPs’ representative (male)
- PAPs’ representative (female)

District level GRM shall do everything possible to resolve issues within fifteen (15) days from the date the case has been transferred to it from the project level GRM. The chairperson of the GRM committee shall communicate the committee’s decision to the aggrieved (PAPs) in writing and keep record of all decisions related to each case.

15.4.3: County Level Grievance Redress Committee (GRC)

A committee of knowledgeable persons, experienced in the subject area, shall be constituted at the county level to handle complaints that have not been addressed or resolved at the district level in the project area.

The county level GRM shall be composed of the following members:

- County Superintendent, Chairperson
- Project/Community Level GRM Chairperson Land Commissioner, Member
- County Inspector, Member
- County Engineer, member
- PAPs’ representative (male)
- PAPs’ representative (female)

The county level GRM shall do everything possible to resolve issues within fifteen (15) days from the date the case has been transferred to it from the District level GRM Committee. The chair of the committee

shall communicate the committee's decision to the aggrieved project affected persons (PAPs) in writing and keep record of all decisions related to each case.

15.5.4: IIU/MPW Level Grievance Redress Committee

A committee of knowledgeable persons, experience in the subject area, shall be constituted at the IIU/MPW to handle complaints that have not been addressed or resolved at the county level in the project impact area or corridor. The IIU/MPW level GRM shall be comprised of the following members:

- Deputy Minister for Administration, MPW, Chairperson
- MPW Legal Counsel, Member
- IIU Safeguard Officer, Member
- Property Valuator (MPW), Member
- Internal Audit, Member
- PAPs' representative (male)
- PAPs' representative (female)

The IIU MPW level Grievance redress Mechanism committee shall do everything possible to resolve issues within fifteen (15) days from the date the case has been transferred to it from the county level GRM committee. The chairperson of the committee shall communicate the committee's decision to the aggrieved PAP(s) in writing. The decision reached at the IIU/MPW GRM committee level will be the final decision. The committee shall keep record of all decisions related to each case.

15.5: Grievance Procedures

The following procedures shall be followed while filing and processing complains:

Grievance Register Book: A grievance register book shall be opened and kept in the office of each GRM committee. All grievances shall be registered when and upon the receipt of complaints from the aggrieved. The book shall have: i) case reference number, ii) the aggrieved name, iii) the date the case is received, iv) the date the case is resolved and, v) a remarks column.

- **Responsibility for Registering Complain:** The Monitoring Consultant in the project area shall register in the Grievance Register Book all written complaints received.
- **Case Receipt:** Within 24 hours of receiving complaints, the monitoring consultant shall issue a letter to the aggrieved acknowledging receipt of the case and providing a date when the case will be reviewed as well as the venue.
- **Public Access to the book:** The book shall be accessible to the public.
- **PAPs:** All PAPs who have issues with their compensation and assistances are required to submit written complaints to the appropriate level of GRMs.
- **Mediation meetings and outcomes:** Mediation meetings and outcomes will be recorded and kept in safe places at each of the Grievance Redress Mechanism Committee's locations.

15.6: Determining and Implementing the Redress Action

The project will encourage the grievance redress setups in the local Government (Project and District levels) to determine the redress action in consultation with the complainant if necessary. The proposed redress action and the timeframe in which it is to be implemented should be discussed within 1 week of receipt of the grievance. The grievance issue should be resolved within 2 weeks of receipt of complaints, unless it requires further investigation, which could go to 4 weeks.

15.7: Verifying the Redress Action

The Grievance Redress Committee will visit the affected property site or get in touch with the complainant to confirm that the redress action is carried out. If the complainant is not satisfied with the outcome of the redress action, additional steps may be taken to resolve the issue or reach an amicable agreement. Verification should be completed within one week of the redress action being taken. The Grievance Redress Committee will issue a Grievance Redress Form (GRF) to the complainant confirming resolution of grievance.

15.8: Appeal to the Court

The court of law will be a “last resort” option if all mediation efforts to resolve the complaint(s) at the four GRM levels fail. As per the Constitution of the Republic of Liberia, any aggrieved person has the right to take his/her case to the court of law.

CHAPTER 16: MONITORING AND EVALUATION

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

Monitoring and Evaluation (M&E) shall constitute key components of this RAP implementation. As such, the IIU/MPW shall take the responsibility to ensure that effective M&E systems are maintained throughout the project period. Regular monitoring will enable the IIU/MPW to assess resettlement implementation progress and challenges, take corrective actions where and when necessary to keep the project on course, and to ensure achievement of the stated resettlement objectives.

16.1: Internal Monitoring

An Internal Monitoring and Evaluation body comprising representatives of the Ministry of Public Works/IIU, the Ministry of Agriculture, and the Ministry of Finance and Development Planning/PFMU will carry out the Internal Monitoring and Evaluation. The purpose of monitoring and evaluating will be to ensure that the implementation of compensation is carried out as per plan and to take necessary and immediate corrective measures where there are lapses.

The Internal Monitoring and Evaluating Committee will ensure appropriate social screening process as well as coordination of the overall implementation of the RAP with regards to the processes of financial compensation. This Committee will carry out the following tasks:

- Collection and verification of title deeds for properties, (if applicable) and attestation document;
- Registration of legal owners of affected structures;
- Registration of affected persons indicated in the RAP;
- Preparation of cheques to beneficiaries; and
- Maintenance of appropriate financial records for all payments.

The Internal Monitoring and Evaluation Committee will be led by the IIU/MPW - Social/Environmental Safeguards officers in collaboration the M&E Officer at the MOA.

The Internal Monitoring and Evaluation Committee basic indicators that the Program Manager of IIU/MPW shall consider in monitoring will include:

- RAP Implementation timetable/schedule for structures demolition;
- Number of legal documents presented and verified;
- Number of beneficiaries on the census rooster;
- Number and category of PAPs compensated;
- Accuracy and soundness of financial records; and
- Number of complaint/grievance cases filed/resolved.

An internal progress monitoring report reflecting the resettlement process will be prepared for onward submission to the IIU/MPW and the World Bank. A final report will also be prepared after completion of the resettlement exercise and submitted to both the IIU/MPW and the World Bank. The final report shall indicate:

- Project context and resettlement issues,
- Detailed description of the resettlement process,
- Types of different Impacts: Structures demolished or relocated, livelihood, restriction of access etc.,
- The values of affected structures,
- Statistics of affected people,
- Status of Payment of compensation,
- Highlights of challenges and difficulties encountered in implementation of the resettlement plan, and workable solutions employed, and
- Lessons Learnt from the RAP preparation, implementation and M&E exercise.

16.2: Independent Monitoring

An Independent or External Monitoring and Evaluation body comprising of a third party or hired consultant shall be appointed to ensure that the appropriate social screening processes as well as coordination of the overall RAP activities with regards to the processes of financial compensation are implemented as planned.

The objectives of external monitoring are as follows: i) to provide a source of independent evaluation and advice during the implementation of resettlement and compensation activities; ii) verify compliance of the implementation with the requirements of the RAP, Liberian Laws and the World Bank ESS5 requirements and standards; and, iii) to conduct and prepare the RAP completion audit from a global perspective with a view to drawing lessons that can be used for future RAPs.

The following issues will be monitored by the independent consultant that IIU will appoint for this task:

- (i) Compensation must be paid in full to the affected/displaced persons before the demolition of affected assets;
- (ii) The amount of the compensation must be sufficient to replace the affected assets;
- (iii) Compensation for affected buildings shall be equivalent to the cost of replacement of materials and labor including transaction costs at current prices;
- (iv) No deduction shall be made for the depreciation of the building or the value of recoverable materials;
- (v) The payment procedure must be transparent and the PAPs correctly informed of the procedure and their possibilities of appeal; and
- (vi) conduct periodic external assessments of resettlement progress.

The IIU Social/Environmental Safeguards Specialists and the MOA-M&E Officer will develop a detailed monitoring work plan for the terms of reference, based on the resettlement plan submitted to and approved by the World Bank. IIU will select a firm with extensive experience in social survey and resettlement monitoring for this work. IIU will review and approve the questionnaires and inventory forms

developed by the external monitoring consultant, as well as the research methods, analytic techniques, and reporting formats proposed by the external monitoring consultant.

The aim of this independent monitoring is to provide verification of key concerns in resettlement, such as compliance with resettlement policies, implementation progress, the extent of effective consultation and participation of local populations, and the direction and extent of changes of income and livelihood among displaced persons. Careful attention to monitoring matters such as these will help ensure equitable benefits for every displaced person.

16.3: Monitoring Indicators

Monitoring also encompasses regular consultation with and feedback from PAPs and other stakeholders regarding resettlement implementation progress or the lack thereof. Some techniques for stakeholder engagement and consultation will include one-on-one meetings/interviews, community meetings/group interviews, and focused group discussions. IIU/MPW shall be responsible for incorporating and tracking progress on these indicators. These indicators measure inputs, outputs, and outcomes relative to the resettlement activities. Key resettlement monitoring indicators shall include the followings:

- Number of PAPs relocated/resettled;
- Number of vulnerable people assisted;
- Type of support provided during transitional period;
- Type of assistance provided to PAPs;
- Number and nature of complaints filed by PAPs;
- Number of complaints amicably resolved;
- Number of complaints unresolved/pending;
- Existence and functioning of the GRM;
- PAPs access to the GRM;
- Compensation payment processing and delivery time;
- Number of PAPs who are better off because of the resettlement assistance;
- Number of PAPs who are worse off because of the project; and
- Status of resettlement plan implementation.

| No. | Monitoring | Specific Indicator | Frequency |
|-----|--|--|-----------|
| 1 | Social and economic monitoring | Provide number of PAPs: i) whose livelihoods have been restored to pre project level, ii) whose livelihoods have improved beyond pre-project level, iii) whose livelihoods are worse than pre-project level | Annually |
| 2 | Private structures | Provide number of PAPs: i) whose livelihood have been restored to pre project level, ii) whose livelihoods improved beyond pre-project level, iii) whose livelihood are worse than pre-project level | Monthly |
| 3 | Public Structures | Provide number of PAPs: i) whose livelihoods have been restored to pre project level, ii) whose livelihoods have improved beyond pre-project level, iii) whose livelihoods are worse than pre-project level | Monthly |
| 4 | Economic Crops | Track progress on: i) number and type of economic crops replanted by affected farmers, ii) number of farmers who have restored their income to pre-project level, iii) number of farmers who have not restored their income to pre project level, iv) number of farmer whose income has been restored beyond pre-project level, v) number of affected farmers who have changed their livelihoods from farming to other livelihood activities, | Monthly |
| 5 | Assistance to Businesses | Track progress on: i) number of affected businesses that have resumed business operation, ii) number of businesses that have restored their net income to pre-project level, iii) number of businesses that have restored their net income beyond pre-project level, iv) number of affected businesses that have not resume operations. | Monthly |
| 6 | Vulnerable Groups | Provide number of vulnerable PAPs: i) whose livelihoods have been restored to pre project level, ii) whose livelihoods have improved beyond pre-project level, iii) whose livelihoods are worse than pre-project level, iv) who have received assistance from the special package, v) who are sick and who benefited from health service in the project area, vi) number of disable friendly facilitates constructed by the project such as access ramp from main road to their living quarters or neighborhood, | Monthly |
| 7 | Tenants | Provide number of affected tenants: i) who have found new rental places, ii) who reported that the rental allowance is inadequate, iii) who showed satisfaction over their new rental places compared to the ones they occupied before the project, iv) number of tenants who have not yet found rental places. | Monthly |
| 8 | Grievances and grievance management system | Track grievances and report: i) number of cases at each impact location, ii) the number of cases resolved, iii) number of cases pending, iv) reasons for pending cases, v) frequency of GRMs meetings, vi) description of compliance to GRM procedures. | Monthly |
| 9 | Post RAP Compensation Payment Audit | On the basis of the census and entitlement matrix, the post RAP compensation payment audit exercise will verify and confirm: i) overall total number of PAPs paid full compensation) total number of private structure owners (PAPs) paid full compensation ; iii) total number of public structures (fences and signboards) paid full compensation iv) total number of economic crops (rubber trees, oil palm trees and sugar cane) paid; v) total number of business owners (loss of income/revenue) paid compensation ; vi) total number of tenants paid three months rental assistance on ; vii) total number of landlords paid three months rental losses viii) total number of vulnerable people paid full special assistance (3 months rental, living and transitional allowances); ix) number of PAPs who are not paid full compensation ; x) compensation cases disputed channelled to GRMs and status of each case; xi) potential and actual residual social risks and proposed mitigation measures. | Annually |

Figure 8: RAP Monitoring Indicators

16.4: RAP Evaluation/ Completion Audit

The ESS5 requirement under planning and implementation, paragraph 24 states “...For all projects with significant involuntary resettlement impacts, the Borrower will commission an external completion audit of the plan when all mitigation measures have been substantially completed. The completion audit will be undertaken by competent resettlement professionals, will assess whether livelihoods and living standards have been improved or at least restored and, as necessary, will propose corrective actions to meet objectives not yet achieved. Paragraph 33 under the requirements for economic displacement also states “...The mitigation of economic displacement will be considered complete when the completion audit concludes that affected persons or communities have received all of the compensation and other assistance for which they are eligible, and have been provided with adequate opportunity to relocate and to re-establish their livelihoods.

In adherence and fulfillment of the above requirements, an Independent or External Monitoring and Evaluation body comprising of a third-party consultant shall be appointed to carry out the audit. The objectives of the audit shall include the following:

- (i) General assessment of the compliance of the implementation of the Resettlement Action Plan with general objectives and methods as set out in this document.
- (ii) Assessment of the compliance of the implementation of the Resettlement Action Plan with laws of Liberia and other regulations and safeguard policies, in particular those of the World Bank.
- (iii) Assessment of the consultation procedures that took place at community level, together with the involvement of the relevant local community institution and the Project Team.
- (iv) Assessment of fair, adequate and prompt compensation as they have been implemented.
- (v) Evaluation of the impact of the compensation on income and standard of living.
- (vi) Identification of actions as part of the on-going monitoring to improve the positive impact of the project and mitigate any possible negative impact, if any.

CHAPTER 17: ARRANGEMENTS FOR ADAPTIVE MANAGEMENT

17.1: Introduction

Preceding chapters of this resettlement plan have identified and established the adverse impacts associated with subcomponent 3.1 civil works activities, and clearly laid out measures and actions to be carried out to reduce/minimize and mitigate the potential impacts on various categories of the population living and/or conducting livelihood activities within the project impact zone. However, the successful implementation of this resettlement plan and the satisfactory attainment of its expected outcomes is largely contingent on a number of factors operating in the project and the wider socioeconomic environment. Unanticipated global and/or national economic slowdown or changes in local market prices may undermine assumptions regarding the measures laid out in this RAP to mitigate the impact on PAPs. Other developments including government programs may induce unanticipated changes in the area; political or legal changes can promote influx or other changes in local economy. Such unforeseen changes and circumstances underscore the need for adaptive management arrangements to support the effective implementation of this RAP and the achievement of its agreed outcomes.

17.2: Objectives

The objective of this chapter is to put in place measures/provisions for adapting the RAP implementation in response to unexpected changes in project conditions or the wider socioeconomic, political and physical environments that may preclude or significantly diminish achievement of the stated RAP objectives and outcomes.

17.3: Measures/Provisions for adapting the RAP Implementation

In accordance with the above objective, this chapter considers and elaborates on the following measures intended to promote the RAP implementation adaptability under changing conditions: i) contingency allocation in the budget, ii) rigorous implementation monitoring, iii) well-functioning Grievance Redress Mechanisms, and v) establishment of Early Warning Systems.

17.3.1: Contingency Allocation in the Budget

Contingency allocation is a major provision made in the budget to adapt the RAP implementation to uncertain and changing conditions and circumstances. The contingency allocation, which constitute 20% of the total compensation to PAPs, is intended to help address the following:

- i) inflation, particularly changes in local market prices during or prior to implementation of the resettlement plan which, if not addressed, may undermine attainment of the agreed objectives and outcomes;
- ii) claims from PAPs related to legacy issues and, under valuation of assets,
- iii) “Chance finds”- the unexpected discovery of earthen graves and other properties of cultural significance within the impact zone during construction.

17.3.2: Rigorous Implementation Monitoring

Consistent and rigorous monitoring of the RAP implementation is key to identifying problems early and taking the actions necessary to ensure that the implementation continues as planned, or is appropriately readjusted to achieve the intended objectives while there is still time. While monitoring may not be the panacea for all implementation problems, without it much can go wrong in terms of achieving the stated

objectives. Thus, well planned and carried out, implementation monitoring is one of the main measures for adapting the implementation of this resettlement plan to uncertain and changing conditions.

The details of the plan for monitoring and evaluating this RAP implementation are well laid out in chapter 15: Monitoring and Evaluation. The challenge is to implement the RAP in accordance with the established Monitoring and Evaluation Framework.

17.3.4: Effective Grievance Redress Mechanisms

Grievance Redress Mechanisms provide the means for addressing unusual circumstances. A well-functioning grievance redress mechanism can also serve as a form of arrangement for adaptive management. Where unanticipated impacts or circumstances arise during resettlement implementation process, the grievance redress mechanism contained in chapter-14 provides an opportunity for formulating a response satisfactory to those affected. The GRCs will be provided financial support from the supervision, monitoring and GRM allocation to support their running costs associated with administrative and operational activities.

17.3.5: Early Warning System

Combined, the above measures serve as an early warning system that will help to support the adaptive management of this resettlement plan implementation in response to unpredictable and changing conditions and circumstances – in both the project and the broader socioeconomic environment.

Prior to and during the RAP implementation, the IIU/MPW and collaborating agencies will continue to review and consider other adaptive management measures deemed appropriate for enhancing the implementation and outcomes of the resettlement plan.

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ANNEXES

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ANNEX H. Census and Socioeconomic Baseline Survey Questionnaire

- H1: Census and Socioeconomic Baseline Survey Questionnaire