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MINISTRY OF INFORMATION AND COMMUNICATION TECHNOLOGY (MICT)

EASTERN AFRICA REGIONAL DIGITAL INTEGRATION PROJECT (EA-RDIP)

PROJECT IMPLEMENTATION UNIT

(Project ID. P176181)

RESETTLEMENT POLICY FRAMEWORK (RPF)

SEPTEMBER 2025

TABLE OF CONTENTS

ABBREVIATIONS & ACRONYMS		5
1	INTRODUCTION	1
1.1	Project Information	1
1.2	Purpose for Preparing Resettlement Policy Framework (RPF)	2
1.3	Development of the Resettlement Policy Framework (RPF)	3
2	PRINCIPLES, OBJECTIVES OF THE RESETTLEMENT POLICY FRAMEWORK	5
2.1	Overview	5
2.2	Guiding Principles	5
2.3	Objectives of the RPF	6
3	PREPARATION OF RESETTLEMENT ACTION PLANS	8
3.1	Preparation of RAPs	8
3.2	Consultation Strategy in Security and Conflict Environment	9
3.3	Census of PAPs and Cutoff Dates	10
4	LEGAL AND REGULATORY FRAMEWORK	12
4.1	National Context	12
4.2	The World Bank Environment and Social Framework (ESF)	13
4.3	Gaps between National requirements and the World Bank Standards	14
5	GENERAL CATEGORIES OF PROJECT IMPACTS	18
5.1	Potential Positive Impacts	18
5.2	Direct and indirect negative impacts	18
6	ELIGIBILITY AND ENTITLEMENT	21
6.1	Eligibility	21
6.2	Categories of PAPs	21
Vulnerable Groups		22
6.3	Eligibility Criteria	23
7	METHODOLOGY FOR ASSET VALUATION AND COMPENSATION	30
7.1	Overview	30
7.2	Land and Structures	30
7.3	Valuation of Compensation for Floricultural, Timber and Fruit trees	31
7.4	Valuation of economic impacts	31
8	VOLUNTARY LAND DONATION	32
9.	IMPLEMENTATION ARRANGEMENTS	34
10	PREPARATION AND IMPLEMENTATION OF RAPS	36
10.1	RAP Preparation and Approval	36
10.2	RAP Implementation	36
11	MEASURES TO ADDRESS VULNERABLE GROUPS	38
12	GRIEVANCE REDRESS	40
12.1	Customary Law and Existing Dispute Resolution Mechanisms	40
12.2	The Project Grievance Redress Mechanism (GRM)	41
12.3	GRM Core Principles	42
12.4	GRM Value Chain	42
12.5	Institutional Framework and Composition of GRM Committee	43
12.6	Management of Resettlement Related Grievances	43
12.7	Guidelines and Tools for Reporting and Processing Grievances	44
12.8	Monitoring and Reporting	46
12.9	WB's Grievance Redress Service (GRS	46
12.10	World Bank Inspection Panel	47

13 FUNDING ARRANGEMENTS 48
14 STAKEHOLDER CONSULTATION, PARTICIPATION AND DISCLOSURE 50
15 MONITORING AND EVALUATION 51
16 Appendices 53
a. Terms and Definitions 53
b. RAP Template 55
c. Sample Asset Inspection Tool 63
d. Sample Socio Economic Questionnaire 65
e. Sample Grievance Redress Form 73
f. Sample GRM Resolution Form 75

LIST OF TABLES

Table 4.1: Gap analysis including proposed project mitigation measures 15
Table 5-1: Project Positive Impacts 18
Table 6-1: Entitlement Matrix 24
Table 9-1: Institutions Roles and Responsibilities 34
Table 12-1: Existing GRM Resolution and their Limitations 40
Table 13-1: Cost of Implementing RPF 49

LIST OF FIGURES

Figure 10-1: RAP Preparation and Approval Process 36
Figure 12-1: Grievance Process 45

ABBREVIATIONS & ACRONYMS

EA-RDIP	East Africa Regional Digital Integration Project
ESF	Environment and Social Framework
ESS	Environment and Social Standard
GoSL	Government of Somaliland
GBV	Gender based Violence
GIIP	Good International Industry Practice
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
IDP	Internally Displaced Person
IP	Implementing Partner
IVA	Independent Verification Agency
LGH	Local Government of Hargeisa
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
MIS	Management Information System
MICT	Ministry of Information Communication and Technology
OCHA	Office for the Coordination of Humanitarian Affairs
OE	Owners Engineer
OHS	Occupational Health and Safety
PAP	Project Affected Person
PIU	Project Implementing Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SDF	Somaliland Development Fund
SEA/SH	Sexual Exploitation & Abuse / Sexual Harassment
SEP	Stakeholder Engagement Plan

SME	Small and Medium Enterprise
SNA	Somaliland National Army
SOP	Series of Project
TPMA	Third Party Monitoring Agent
UN	United Nations
VAC	Violence Against Children
VLD	Voluntary Land Donation
VMG	Vulnerable and Marginalized Group

EXECUTIVE SUMMARY

PROJECT BACKGROUND

The World Bank proposes to engage and support the Government of Somaliland as part of the Eastern Africa Regional Digital Integration Project (EA-RDIP) which aims to advance regional digital market integration through increasing access to broadband connectivity and strengthening the enabling environment for digital service delivery. EA-RDIP's objective is to promote the establishment of an integrated marketplace for the Eastern Africa region by increasing the cross-border movement of broadband, data traffic, and digital services. The project also aims to advance regional digital market integration through increasing access to broadband connectivity and strengthening the enabling environment for digital service delivery.

The project is designed around the following four integrated and mutually reinforcing components, which reflect the distinct but interconnected layers of an integrated regional digital market:

- **Component 1** Connectivity Market Development and Integration: will bridge existing network coverage and access gaps through catalytic infrastructure financing and support for an enhanced enabling environment to develop the regional connectivity market.
- **Component 2** Data Market Development and Integration: seeks to foster the development of a regional data market by enabling more affordable, secure, and seamless data management and sharing across borders.
- **Component 3** Online Market Development and Integration; aims to build the regional online market by removing barriers to cross-border trade, payments, and develop digital service enablers of infrastructure and skills.
- **Component 4** will support Project Management and Implementation Support.

RESETTLEMENT POLICY FRAMEWORK (RPF) PRINCIPLES

This RPF is intended to ensure that any possible adverse land-related impacts of subproject activities under the components above are addressed through appropriate mitigation measures. The overarching objective regarding resettlement in the implementation of EA-RDIP is to avoid, and where avoidance is not possible, to minimize as fully as possible the extent of land acquisition and land- use change and to entirely mitigate the adverse impacts of all unavoidably necessary land acquisition and involuntary resettlement. Minimization of resettlement and mitigation of its unavoidable consequences requires careful planning and conscientious implementation. When the details of land acquisition and involuntary resettlement are fully known, a Resettlement Action Plan (RAP) will be prepared and implemented to address project-specific resettlement/land-acquisition issues.

RESETTLEMENT ACTION PLANS (RAPS) PREPARATION

The preparation and implementation of subproject-specific RAPs will be carried out by the PIU, and led by the PIU's social safeguard specialist, who, may rely on outside consultants for technical assistance, where needed._The schedule will be prepared based on the principles of this RPF, and must be agreed between the PIU, relevant municipality and/or other government jurisdiction, and affected project-affected parties (PAPs) as outlined in the Somali laws and World Bank standards. The schedule for the implementation of individual RAPs will be determined once subproject sites have been identified and finalized.

The RAPs will be prepared by the consultants hired by the PIU, with assistance from the PIU at MICT. The RAPs will be reviewed and approved by the PIU and the World Bank. The Social Specialist of the PIU will be responsible for supervising the preparation of the RAPs, as well as for the monitoring and supervision of its implementation. The PIUs will be responsible for project management and timely transfer of activity funds**,** including the identification, confirmation, obtaining, and disbursement of adequate budgetary resources to fully comply with all provisions of this RPF and the subsequent RAPs, in line with Somaliland law and the World Bank ESF.

DISPLACEMENT IMPACTS AND CATEGORIES OF IMPACT

Loss of land due to land take: Physical and/ or economic displacement because of land take for fixed line components, access road and other fixed infrastructure under Component 1 and data centers under Component 2. The required land will be acquired permanently, but will be compensated before project commencement. The access roads are important for delivery of construction material during the construction period and for movement of maintenance trucks during the Operation and Maintenance phase. For these reasons, a number of structures (both permanent and temporary) will be affected by the Project. A detailed breakdown of the land take for the project will be done in the project specific RAP and shall be implemented by Somaliland. The RPF estimates that many Project Affected Households (PAHs) will be affected under this category in both rural and urban centres.

Loss of livelihood due to impact to trees, standing crops, other properties (including businesses), perennial and non-perennial crops. Further, Component 2. Works at the nearshore associated with long distance fiber optic cables landing stations may impact on livelihoods such as fishing (grounds and landing sites) and physical displacement. the ESIA will assess and determine the exact number of affected PAHs, but, currently the expectation is that many livelihoods will be affected.

Impact on tenants: Tenants residing in the affected residential house occurring within the project areas of direct influence may be forced to look for the alternative residential houses. These tenants will be negatively affected though for short while as they look for the alternative residential houses. the exact number is unknown at this stage, but the ESIA will provide this information later.

Impact on social and cultural resources: The activities of the civil works with regard to the preparation of Trenches, horizontal directional drilling, and installation of manholes and champers, horizontal directional

drilling, duct laying, fiber cable pulling and blowing, splicing and jointing, testing, may encounter physical cultural resources and or burial sites and shrines or other non-visible and cultural resources that would be affected by the project. Any project activities that would involve the application of Free, Prior and Informed Consent (FPIC) will not be eligible for World Bank funding.

Impacts on the vulnerable groups. Vulnerable Groups is a term given to individuals, households, or groups of people that may be disproportionately affected by the resettlement process based on their specific status. Emphasis, however, should be put on ensuring that the needs of vulnerable persons are identified and addressed during RAP implementation. While vulnerable groups differ from project to project, it is important that they are identified and profiled as summarized below.

Summary of identified vulnerable groups in Somaliland

Group	**Key Characteristics**
Women and girls	Vulnerable Group
Vulnerable Households	Vulnerable Group
Youth	Vulnerable Group
IDPs and Returnees	Vulnerable Group
Ethnic minority groups	Vulnerable Group
Persons with disabilities	Vulnerable Group

ENTITLEMENT AND ELIGIBILITY

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, an area 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.

Affected persons **who do not have formal rights** to land or assets, but who have a recognized or recognizable claim under national law. 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. They may have a claim for adverse possession if they have occupied land for a certain period of time as defined by national law, without the formal owner contesting the occupation. In such cases, national law often has legal procedures by which such claims can become recognized.

Affected persons who have **no recognizable legal right or claim** to the land or assets they occupy or use are eligible for **compensation under ESS5**. Affected persons in these groups are not eligible for compensation for land, but are eligible for resettlement and livelihood assistance and compensation for assets and improvements to the land.

All potential PAP's need to be identified and defined in terms of eligibility arising from both physical and economic displacement. This will apply also to vulnerable PAPs In line with ESS 5, criteria for affected persons that are eligible to receive assistance under this Project are as follows:

1. Those with formal legal rights to land (including customary and traditional rights recognized under the laws of the country).

2.Those who do not have formal legal rights to land at the time of census, but have a claim that is recognized under the laws of the country

3. Those who have no recognizable legal right or claim to the land they are occupying.

4. Those without legal title to land, including squatters and encroachers, are eligible for only limited protection under Somali laws and policies

The type of assistance may hereby vary based on the type of PAP and ownership status.

LEGAL AND POLICY PROVISION

The key laws in Somaliland relevant to resettlement include: Law Number 17 of 2001. Presidential Decree number 363 of 09/09/2008 and Article 12 of the Constitution of Somaliland addresses Public Assets, Natural Resources and Indigenous production. Further, the RPF is prepared in line with the provision of ESS 5, and the overall objectives of the World Bank's ESS 5 are to avoid land acquisition and involuntary resettlement where feasible, or to minimize resettlement while exploring all viable alternatives. Where it is not possible to avoid resettlement, activities will be conceived and executed as sustainable development programs, providing sufficient investment to enable the persons displaced by the project to share in the project benefits. ESS5 applies to permanent or temporary physical and economic displacement resulting from land acquisition, or restrictions on land use undertaken or imposed in connection with project implementation.

METHOD OF VALUATION OF AFFECTED ASSETS

As provided by ESS5, compensation for lost assets will be calculated at replacement cost, the process used for determining compensation values should be transparent and easily comprehensible to project-affected persons. Information about compensation standards, formulas, and rates will be provided in a transparent and consistent manner. Where compensation for land or assets (including crops) is calculated according to formulas or rates set out in documents, these are made available and explained to affected persons. PAPs have the right to request additional clarification / explanation on how each asset has been valued. During negotiations and individual household discussions, the PAPs will be presented with the concrete values of cash compensation they are entitled to or land offered for compensation for their consideration and endorsement before the individual agreements are signed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

VOLUNTARY LAND DONATION

The Voluntary Land Donation Guidelines will be adjusted pending the final menu of projects and what kind of land requirements emerge, as provided by ESS5 para 4(g) and footer 10. In some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis

without payment of full compensation, subject to prior World Bank approval. Voluntary land donations will only be authorized by the Bank for activities if they can clearly document the following:

- The potential donor or donors have been appropriately informed and consulted about the project and the options available to them,
- Potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation,
- The amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels,
- No household relocation is involved,
- The donor is expected to benefit directly from the project, and
- For community or collective land, donation can only occur with the consent of individuals using of occupying the land.

RAP IMPLEMENTATION ARRANGEMENT

The PIU will have project management responsibility, coordinate the overall project implementation, ensure the timely availability of fund transfer to PAPs implement the relevant safeguard instruments including the RPF and RAPs, ensure regular community outreach and consultation, monitoring and evaluating program implementation and impacts, develop and implement the GRM and report results to various stakeholders. No work is allowed to be tendered on sites where RAP implementation has not been undertaken and compensation completed.

For each site-specific activity, an implementation schedule will be prepared and included in the RAP to ensure the right sequence between the commencement of the activity and the resettlement or compensation process. This schedule will show each activity from the initial baseline and preparation to the actual relocation and commencement of civil works, as well as economic and social activities after relocation. The schedule will contain a date defining when benefits for eligible PAPs will be provided; and it will contain a monitoring and supervision schedule for the PIU to follow. It will set target dates for the achievement of benefits to resettled PAPs and hosts, as well as for the provision of other benefits.

MEASURES TO ADDRESS VULNERABLE GROUPS

Vulnerable groups refer to those individuals or groups who, by virtue of, for example, their age, gender, race, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, 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.

People with physical and/or mental disabilities may be disproportionally affected and have more difficulties in coping and adjusting to the effects of physical resettlement and economic displacement. Households with members which fall into any or all of these categories are thus considered to be more vulnerable to the impacts of resettlement. In the context of involuntary resettlement in this project, vulnerability is assessed based upon the following indicators identified through the socioeconomic baseline: type of tenure, livelihood dependence on project-affected land, presence of elderly PAPs in household, single-parent households with children, households with a person with a disability, and household income under poverty threshold.

ESS5 places particular emphasis on addressing the resettlement impacts experienced by poor and vulnerable populations. Physical and economic displacement should be especially avoided where people are vulnerable. Vulnerable groups often have different land needs in comparison to other groups, or resettlement poses particularly adverse impacts on them. Specific groups identified during the social assessments/baselines conducted for each of the subproject RAPs will determine the types of vulnerable individuals/groups present in the area and include measures to support and improve their living conditions, based on their specific needs. As provided under Section 6.1 on Entitlement, this RPF provides the following measures as extra support to the Vulnerable Groups.

- Priority in physical mobilization and transfer to resettlement plot identified for the vulnerable PAP.
- A preference for in-kind compensation.
- Additional monitoring.
- Relocation, if feasible, near to kin and former neighbors to maintain informal support networks.
- Special assisted transit to resettlement plot.
- Additional moving, loading and unloading assistance, if necessary.
- Assistance from support case workers during the transit process.
- Assistance in the compensation payment procedure, including guidance on required documentation, support in opening bank accounts where necessary, ensuring timely processing of payments, and providing information in a language and manner understandable to the affected persons..
- Other specific support related to the moving process (e.g. medical assistance) identified by support case workers.

GRIEVANCE REDRESS MECHANIMS

The World Bank ESF requires that projects facilitate mechanisms that address concerns and grievances that arise in connection with a project. One of the key objectives of ESS 10 (Stakeholder Engagement and Information Disclosure) is "to provide PAPs with accessible and inclusive means to raise issues and grievances and allow borrowers to respond and manage such grievances"[1]. Understanding the drawbacks and limitations of the traditional mechanisms as well as the requirements of the ESF, the project has established a GRM which is outlined in the project's Stakeholder Engagement Plan (SEP).

EA-RDIP will provide mechanisms to receive and facilitate resolutions to such concerns. The Grievance Redress Mechanism to be followed under the Project will:

- Respond to the complaints of PAPs in a timely and transparent manner.
- Ensure that complaints are properly registered, tracked and documented, with due regard for confidentiality.
- Provide a mechanism for appeal; this can result in approaching civil courts if other options fail.
- Allow for anonymous complaints should this be requested by the complainant.

[1] World Bank, Environmental and Social Framework, 2018, p. 131

The primary purpose of the project GRM is to hear and address the complaints or address the concerns of aggrieved parties to a fair extent and in a timely manner. Dissatisfaction can cause an aggrieved party to act negatively, which would culminate in some unforeseen repercussions that would affect project implementation and hinder the progress of the project.

STAKEHOLDER CONSULTATIONS

The Project will ensure inclusivity of all targeted PAPs at all levels. PAPs will be consulted through a variety of means, as described in the SEP and in line with the RAP. Furthermore, all information about the activity that triggers the preparation of an RAP and compensation will be publicly disclosed, following the modalities of disclosure laid out in the SEP. This is to ensure that all persons, and vulnerable groups in specific, have the opportunity to participate in the decision-making process and to raise their concerns where applicable.

Most crucial is that during the implementation phase of the RAP, all PAPs have access to all relevant information, including their rights to resettlement, compensation, payment and RAP activity schedules, identity of leading authorities and implementers etc. They must be given the opportunity to provide their inputs and feedback on the planned activities. Furthermore, they must receive all information in regard to the Project GRM, and the GRM must be available to all PAPs to file potential complaints. Engagements and consultation on the project design and the planned activities and implementation arrangements are presented in the SEP which as prepared as a separate safeguard document.

FUNDING OF RESETTLEMENT PROCESSES

Budgeting and financing are critical steps in the resettlement planning and implementation process. Specific RAPs prepared for the EA-RDIP project must therefore provide an indicative budget which should clearly specify all activities in the resettlement implementation process, their estimated costs as well as the source of funds. It is expected that the budget for resettlement will be prepared for each of the subprojects and will be determined during the RAP preparation exercise after the base line data is collected and all potential impacts have been identified. Availability of funds for resettlement compensation will weigh as a condition for subproject selection.

The budgets will cover resettlement activities (including compensation costs for affected assets such as structures, fruit trees, crops), economic displacement and restrictions on land use, as well as other resettlement or transitional assistance. Funds for the preparation and implementation of the RAP will be provided through project financing while funding for compensation will be provided by the subproject implementing agencies (IP). Adequate budget for stakeholder engagement will be also allocated from the overall project cost, which will include cost for organizing meetings, workshops and training, hiring of staff, field visits to subproject locations, translation and printing of relevant materials and operating GRMs.

1 INTRODUCTION

1.1 Project Information

Somaliland, with a total population of about 5.7 million in 2021 and one of the highest rates of urbanization in Africa, has long sought to make advances in digital economy. At the start of 2022, 56 percent of Somaliland's population live in urban centers, while 44 percent live in rural areas. Somaliland's gross domestic product (GDP) per capita has consistently been ranked among the five lowest in the world throughout the last decade: in 2020 it was the second lowest in the world (only Burundi had a lower GDP per capita in 2020). The World Bank estimated GDP per capita for 2021 was 446 US dollars. This translates into well below the international poverty line of 1.90 US dollar a day and the target for SDG1: eradicate extreme poverty. Through East Africa Regional Digital Integration Project (EA-RDIP), the Government of Somaliland will benefit from USD 13.5 million to support a series of projects towards regional connectivity market, regional data market, and regional online and digital market. The Project Components are summarized in **Table 1.1** below.

Table 1.1: Project Components

Component	Sub-component	Description
Component 1: Connectivity market development and integration	Sub-component 1.1: Cross-border and backbone network connectivity	This subcomponent will support the deployment of key missing cross-border and backbone fiber links to improve the resilience, coverage, and integration of regional and national connectivity networks. It will support the deployment of up to 1287 km of new fiber along prioritized backbone network routes, including connecting the Berbera to major population centers, as well as establishing new cross-border links to Somalia, Kenya and Ethiopia. The fiber is likely to be deployed in phases, starting in the north. Gap financing will be provided for the deployment of related routes, using a range of modalities to crowd in private sector financing. Commercial providers are expected to co-finance, design, build, and operate network infrastructure deployed on an open access basis and at reasonable rates to support affordable service expansion and competition.
	Sub-component 1.2: Last mile connectivity including in borderland areas	This sub-component will providing catalytic funding to unlock further infrastructure deployment in unserved or underserved areas, which are highly correlated with higher poverty levels and climate vulnerability (including in refugee/IDP camps and their host communities, located in rural and borderland areas) and to connect public institutions along fiber route. Infrastructure financed will be deployed using a range of modalities, including reverse auctions, bulk purchase of capacity81 and/or licensing arrangements, that aim to maximize private sector financing.
	Sub-component 1.3: Enabling legal, regulatory and institutional ICT environment	This subcomponent will strengthen existing ICT frameworks and boost regulatory maturity to effectively spearhead the connectivity agenda and universal services targets through the development of new strategic, policy and regulatory instruments.
Component 2: Data market development and integration	Sub-component 2.1: Cybersecurity frameworks, infrastructure and capacity	This sub-component will strengthen local capacity to effectively detect, respond to and mitigate evolving cyber threats and cybercrimes as well as support implementation of forthcoming cybersecurity legal and strategic frameworks.

	Sub-component 2.2: Data exchange, governance and protection	This subcomponent will support investments in enabling data infrastructure and governance frameworks that facilitate cost-effective and secure data storage, processing and sharing.
Component 3: E-service market development and integration	Sub-component 3.1: Digital cross-border trade, payment and service enablers.	This subcomponent aims to enhance readiness to expand digitally enabled cross-border trade and service delivery, by introducing key enablers.
	Sub-component 3.2: Regional research and education networks (RENs), and training for digital skills.	This subcomponent will support the development of the digital skills base through support for SomaliREN, and new digital skills training programs.
Component 4: Project Management and Implementation Support	n/a	This component will finance key project management functions, including procurement, FM, M&E, communications as well as ESF compliance, with a particular emphasis on addressing the high security- and GBV-related risks associated with the deployment of infrastructure and civil works, including. It will finance the establishment and operations of (i) the main Project implementation Unit (PIU) at MICT; and (iii) coordination with the regional PIU at IGAD level.

1.2 Purpose for Preparing Resettlement Policy Framework (RPF)

The purpose of the resettlement framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation as provided under ESS5 para 25. At a later stage once the subproject or individual project components are defined and the necessary information becomes available, the framework will be expanded into a specific plan proportionate to potential risks and impacts. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been finalized and approved by the Bank, and compensation paid to the PAPs.

For the EA-RDIP, physical and/ or economic displacement is likely because of land take for fixed line components, access road and other fixed infrastructure under Component 1 and data centers under Component 2, among other sub-projects to be financed in the project, may be subject to change as they are currently not known. Once the subproject or individual project components are defined and the necessary information becomes available, the RPF further detailed into specific resettlement action plans (RAPs) as needed. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been implemented successfully and compensation paid to the PAPs.

1.3 Development of the Resettlement Policy Framework (RPF)

The RPF was prepared through literature review and preliminary stakeholder discussions at SEP preparation stage. The consultant reviewed and analyzed the Project Appraisal Document (EA-RDIP), the

SEP and other relevant project documents, as well as a review and analysis of national legislation concerning land acquisition, policies, and guidelines, and the World Bank Environment and Social Standards (ESS) related to this Project.

Considering the importance of resettlement issues in this project, this Resettlement Framework (RF) is being developed before project effectiveness, consulted upon and disclosed before identification of sub-project sites to detail measures to avoid, minimize, manage and compensate for risks and impacts associated with land acquisition (physical and or economic displacement), restriction to land use and resettlement.

This RPF is prepared from reference material shared by the World Bank and from the consultations conducted during stakeholder engagement workshops on the October 21st and 22nd 2024, 30th October 2024 and 20th February 2025 which informed the RPF. The workshops included relevant government and institutional leadership, and the consultations targeted Key MDAs at national level, Private sector represented by Telecoms and Education Sector represented by Somaliland higher education and Local Communities including Women, Youth, IDP's and CBO's.

Further consultations will be organized following the development of this RPF to obtain broader and more inclusive feedback from the relevant stakeholders (government, civil society and general population, paying special attention to vulnerable/marginalized groups) on the proposed entitlements and compensation methodology proposed in this framework. Information from these activities will be incorporated into the subsequent revisions of this RPF as well as in the resulting RAPs.

2 PRINCIPLES, OBJECTIVES OF THE RESETTLEMENT POLICY FRAMEWORK

2.1 Overview

This RPF is intended to ensure that any possible adverse land-related impacts of project activities are addressed through appropriate mitigation measures. The overarching objective regarding resettlement in the implementation of EA-RDIP is to avoid, and where avoidance is not possible, to minimize as fully as possible the extent of land acquisition and land- use change and to mitigate the adverse impacts of any unavoidably necessary land acquisition and involuntary resettlement. Minimization of resettlement and mitigation of its unavoidable consequences requires careful planning and conscientious implementation. When the details of land acquisition and involuntary resettlement are fully known, a RAP will be prepared and implemented to address project- specific resettlement/land-acquisition issues.

The resettlement/land acquisition risks and impacts will be avoided or minimized by:

- Avoiding involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- Avoiding forced evictions.
- Mitigating unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost; and (b) assisting displaced persons in their efforts to improve, or at least restore their livelihoods and living standards in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- Paying special attention, through effective, participatory, informed and inclusive, consultation and information disclosure with project affected persons, to the specific needs and interests of members of vulnerable/marginalized groups.

2.2 Guiding Principles

The following are key principles that will guide the implementation of this RPF and the subsequent RAPs:

- The policy applies to displaced or impacted persons regardless of the total number involved, severity of the impact, the socio-economic status of affected persons, whether or not they have legal right or claim to the land they are occupying, including those who may not be protected through the national and state level compensation legislation.
- Where feasible, involuntary resettlement and land acquisition should be avoided or minimized by exploring all viable alternatives.
- Physical displacement (relocation or loss of shelter) will be considered only on an exceptional basis where the timely compensation and assistance pursuant to this RPF is feasible.
- Where relocation or loss of shelter is considered, measures to assist displaced persons should be implemented.

- The planning and implementation of the resettlement process should be conducted in a consultative manner with all PAPs and stakeholders.
- Absence of legal title to land will not be a basis for denying compensation and Resettlement assistance. All eligible PAPs will be compensated for losses resulting from project interventions.
- Displacement or restriction to access should not occur before necessary measures for resettlement are in place and compensation has been paid. Apart from compensation, these measures will include provision of other assistance required for relocation, prior to displacement, and preparation and provision of settlement sites with adequate basic facilities.
- The displaced should be relocated to areas with social infrastructure and basic amenities like schools, potable water, health facilities, etc, and they should be consulted on the location of the resettlement sites.
- All eligible PAPs must be assisted to restore their incomes and livelihood sources to at least pre-resettlement levels. Particular attention will be paid to the needs of vulnerable groups.
- Wherever possible, those impacted by involuntary resettlement will be considered for employment in various project activities including construction works and provision of other services.
- Vulnerable groups may need further support in addition to compensation entitlement.
- Compensation for loss of assets will be calculated at replacement value (which includes any transaction costs) .
- There will be no deduction of depreciation and salvage value from compensation for assets.
- Voluntary land donation will be accepted, in such circumstances voluntary land donation protocols will be adopted.
- A Grievance Redress Mechanism will be fully accessible to all PAPs.

2.3 Objectives of the RPF

The objective of this RPF, in line with ESS5, is to cover the following elements and establish a guiding framework for the development of subsequent subproject specific RAPs. This document will cover the following aspects:

- A brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement policy framework rather than a resettlement plan is being prepared;
- Principles and objectives governing resettlement preparation and implementation
- A description of the process for preparing and approving resettlement plans;
- Estimated displacement impacts and estimated numbers and categories of displaced persons, to the extent feasible;
- Eligibility criteria for defining various categories of displaced persons, paying particular attention to needs and interests of vulnerable/marginalized persons subject to the displacement
- A legal framework reviewing and analyzing gaps between Somaliland national laws and regulations and Bank policy requirements and proposing measures to bridge the gaps;
- Methods of valuing affected assets;

- Organizational procedures for delivery of compensation and other resettlement assistance, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;
- A description of the implementation process, linking resettlement implementation to civil works;
- A description of grievance redress mechanisms;
- A description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements, including confirmation of an adequate budget to cover all resettlement/land acquisition activities
- A description of mechanisms for inclusive, participatory, and effective consultations and information disclosure with, and participation of, displaced persons in planning, implementation, and monitoring; paying special attention to displaced persons who are members of vulnerable groups, and
- Arrangements for monitoring by the implementing agency and, if required, by third-party monitors.

3 PREPARATION OF RESETTLEMENT ACTION PLANS

3.1 Preparation of RAPs

The preparation and implementation of subproject-specific RAPs will be carried out by the PIU, and led by the PIU's safeguard specialist, who, may rely on outside consultants for technical assistance, where needed._The schedule will be prepared based on the principles of this RPF, and must be agreed between the PIU, relevant municipality and/or other government jurisdiction, and affected PAPs as outlined in the Somaliland laws and World Bank ESF. The schedule for the implementation of individual RAPs will be determined once subproject sites have been identified and finalized.

The RAPs will be reviewed and approved by the PIU and the World Bank. The Social Specialist of the PIU will be responsible for supervising the preparation of the RAPs, as well as for the monitoring and supervision of its implementation. The PIUs will be responsible for project management and timely transfer of activity funds**,** including the identification, confirmation, obtaining, and disbursement of adequate budgetary resources to fully comply with all provisions of this RPF and the subsequent RAPs, in line with Somaliland law and the World Bank ESF.

The timeline for implementing the RAP will ensure that no individual or affected household will be displaced (economically or physically) due to civil works activity before compensation and other entitlements are fully paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected as per the RAP. The project will ensure compliance with the following provisions:

- Once designs are completed and locations of project sites are finalized, the census and socio-economic survey will commence as the first step towards the preparation of the RAP.
- Identify all stakeholders; Inform local government, village leaders, and local community organizations of the plan for the project as soon as feasible and ask them to inform their constituents. This will include information on the established cut-off-date
- Project information will be translated into local dialects/languages and indigenous languages and broadcast through media and other forms of communications that are accessible to literate and non-literate PAPs, paying special attention to the needs of persons with disabilities and other vulnerable persons (through radio, television, mobile video broadcasting, public notice board, newspapers, leaflets and flyers, town crier, and door-to-door canvassing). The project will ensure the undertaking of special efforts, including door-to-door visits/meetings with vulnerable groups lacking access to public media and information exchange.

3.2 Consultation Strategy in Security and Conflict Environment

The security situation in Somaliland remains stable and characterized by less terrorist attacks, but the Terrorists are very likely to carry out attacks. The Security Risk Assessment (SRA) provides an overview understanding of the current situation across Somaliland form a political and security perspective. The main risks discussed in this report revolve around issues related to (i) Armed militia groups (ii) Political Instability (iii) Clan Conflicts (iv) Conflicts over pasture and water (v) Calamities such as Flooding and (vi) Border Dispute

Therefore, to address the situation and to balance (i) the need to support development benefits with (ii) managing the significant security risks, the Security Risks Assessment Management Framework (SRAMF) has provided a threefold approach in managing the situation:

- Screening out extremely high-risk areas, with a phased approach allowing reassessments and potential integration of areas where the situation improves over time;
- Risk management measures for moderate to substantial risk areas which remain volatile.
- Measures to scale down and/or delay interventions in volatile areas with increasing risks informed by reassessments.

The following phased approach in managing security risks is proposed

- The Somaliland government, and in consultation with design risk engineers, will determine balancing of the security risks with the potential development benefits in high risk areas.
- Project activities will initially focus on deploying links in sub-regions with a moderate security threat profile, and gradually deploy additional links in more insecure areas, as and when the security context evolves positively and provides a more permissible operating environment.
- Site-specific assessments in the sub-regions will be required prior to the commencement of the infrastructure works through support from security risk management firms;
- Only for acceptable risk levels, a no objection to commence works for specific sites will be provided by the Bank.
- Further protocol details and holding point structures will be included in the Project Operation Manual. This will include a procedure to include management views on World Bank no objection to launch new phases of network deployment or initiating contracts in previously higher risk areas.

Further additional measures are provided below.

- For areas where works are at acceptable risk level, basic risk management approaches will be outlined in the site-specific Security Management Plans (SMP). Training workers on-site on basic security elements, response to and reporting incidents among others will also be undertaken.

- In addition, capacity strengthening measures including security advisors in the PIUs are required from the client in this case Ministry of Information and communication Technology MICT
- The task team will work with procurement to ensure flexibility in contracting and budgeting in need for a 'security premium' for contractors needing to hire additional security; while a militarized approach to security will be avoided.
- Specialized security risk management firms may be hired to support assessments as needed.

Therefore, RAP consultations will only be undertaken in areas that have been evaluated and determined to be safe as provided in the above protocol, further consultations will be undertaken in other areas as the security situation improves and as advised by the security team of the project.

3.3 Census of PAPs and Cutoff Dates

In line with national law and the provisions of ESS5, a census of PAPs will be conducted of the required land or area as per the proposed design for the sub- project to determine their number and record their socio-economic profile to be included in the RAP prior to the award of civil works contract. This information will be used to measure the magnitude of the impacts on PAPs and for future monitoring.

A cut-off date for eligibility will be publicly announced to indicate the beginning of the census. The cut-off date will be announced in community centers; posters will be displayed in visible congregation areas (subject to overriding security concerns); and will be published in local newspapers. Information to be collected will include at a minimum: personal details of PAPs including family members and the monthly income generated from the ongoing economic activities before the census. Further, active, culturally appropriate and continuous communication will be maintained as part of the process to fairly enforce the cut-off date.

Further, as provided by ESS5, Annex 1 paras. 5, where land acquisition or restrictions on land use are unavoidable, as part of the environmental and social assessment, the PIU will conduct a census that will determine below listed;

- Identify the persons, community infrastructure, property or services who may be affected by the project,
- Establish an inventory of land and assets to be affected,
- Determine who will be eligible for compensation and assistance.
- Discourage ineligible persons, such as opportunistic settlers, from claiming benefits.

The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, a cut-off date will be established for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that people settling in the project area after the cut-off date will not be compensated.

The cut-off date is the date of commencement of the census of PAPs within the sub-project area boundaries. Cut-off dates are essential in the process of drawing up lists to ensure that ineligible persons do not take the opportunity to claim eligibility. Those who encroach on the project area after cut-off date are not eligible for compensation and assistance under this RPF, provided that the cut-off date has been clearly established and made public.

After completion of census and the public notice of the eligibility cut-off date, The Social Specialist will assist the government in issuing a formal notice prohibiting the construction or approval of new buildings or capital improvements in areas that will be affected by the project.
Keeping PAPs fully informed of their rights and responsibilities is crucial to the success of resettlement planning. The project will prepare an illustrated resettlement information booklet providing details on eligibility, rates of compensation and other entitlements, a timetable for implementation and all applicable grievance procedures, prepare and issue regular resettlement information updates.

The resulting information from the socio-economic census will be the basis for the development of the sub-project specific RAPs (including tailored support such as what is required for livelihood restoration) in line with the general framework outlined in this RPF. The site-specific conditions will be taken into account at this point as well as the results from discussions with affected persons. This process will ensure that PAPs are:

- Informed about their options and rights pertaining to resettlement.
- Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives; and
- Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the Sub-project(s), and that
- Living conditions of poor or vulnerable persons who are physically displaced are improved through provision of adequate housing, access to services and facilities, and security of tenure.

For linear projects traversing through different regions, cut-off dates will vary depending on the date of commencement of census as announced and declared during public and stakeholder consultation forums.

4 LEGAL AND REGULATORY FRAMEWORK

4.1 Somaliland Context

In Somaliland, land matters are addressed in the Constitution, Law Number 17 of 2001 and Presidential Decree number 363 of 09/09/2008.

Article 12 of the Constitution of Somaliland addresses Public Assets, Natural Resources and Indigenous production with the following key provisions

- The land is a public property commonly owned by the nation, and the state is responsible for it.
- The care and safeguarding of property, endowments and public assets is the responsibility of the state and all citizens; and shall be determined by law.

Article 20 declares that any structures, whether permanent or temporarily constructed without being in accordance with the land allocation process will be considered to be illegal.

Article 21 addresses eviction and demolition of illegal property. Section 1 of this article indicates "The Municipal government while implementing the city urban plan will have the authority to demolish illegally constructed structures be, they temporary or permanent". In Section 2 of this article eviction from temporary structures can arise if the said land is part of a plan in which it is set aside and it is needed for purposes other than residential use and in which case the evicted parties will be settled in a suitable land and their eviction and settlement costs will be covered by the local government. As per Section 3 "Illegal structures cannot be constructed for the purpose of acquiring land and eviction of such structures will not be due for compensation". Section 4 mentions that "Parties affected by eviction or demolition of single structures or whole estates will have priority in any land allocation resulting from such activity".

Article 22 addresses demolition of legal property stating "When the demolition of a legal property results from needs arising due to City Planning, the following will apply:

- The affected party will be compensated for the value of their property.
- The affected party will be allocated with land not less than size to his evicted land and will be offered legal documents.

Article 23 addresses expropriation of land for the purpose of common good pointing out: Following consultation with the permanent national planning committee and having gained their approval, the Mayor will have the authority to issue an order to take over legally allocated built land or otherwise for the purpose of common good. b) Any party affected by section 1 above will have a right to the following: I) compensation in value similar to the said property and II) be provided with similar property that is equal in value and size to the said property.

Article 28 of Law No. 17 establishes the Land Dispute Tribunals: quasi- judicial administrative bodies composed of seven members with knowledge and experience in land issues nominated by various ministries and appointed by the Minister of Interior. Article 31 of the Somaliland Constitution: The Right to Own Private Property, has the following provisions:

- Every person shall have the right to own private property, provided that it is acquired lawfully.
- Private property acquired lawfully shall not be expropriated except for reasons of public interest and provided that proper compensation is paid.

- The law shall determine matters that are within the public interest, which may bring about the expropriation of private proper

4.2 The World Bank Environment and Social Framework (ESF)

The Environment and Social Standards (ESSs) are technical reference documents which guide the proponent on their application with general and industry-specific examples of Good International Industry Practice (GIIP). These guidelines are designed to be used together with various good practice notes, industry specific technical references, as well as general guidelines which are included in the World Bank Group Environmental Health and Safety (EHS) Guidelines. These Guidelines are considered for the implementation of EA-RDIP interventions that trigger physical and/ or economic displacement because of land take for fixed line components, access road and other fixed infrastructure under Component 1 and data centers under Component 2.

The overall objectives of the World Bank's ESS 5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement) are to avoid land acquisition and involuntary resettlement where feasible, or to minimize resettlement while exploring all viable alternatives. Where it is not possible to avoid resettlement, activities will be conceived and executed as sustainable development programs, providing sufficient investment to enable the persons displaced by the project to share in the project benefits.

ESS5 applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation.

- Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
- Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project-specific cut-off date;
- Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project

The PIU will assess fund availability at the time of preparation of RAP, to ensure timely disbursement of the land compensation and other resettlement entitlements. The project PIU Social Safeguards specialist will be responsible for the supervision of the implementation of the RAP that shall be done by the Implementing

Agency. Complete implementation of RAP, including compensation payment, will be done before signing of civil works contracts.

Grievance Redress Mechanisms will be put in place as early as possible; these shall be done utilizing existing formal or informal mechanisms suitable for project purposes, supplemented by with project- specific arrangements as necessary.

4.3 Gaps between National requirements and the World Bank Standards

This section compares the different laws for the Somaliland, with ESS5. Specifically addressed are consultation requirements, eligibility for compensation, valuation method, grievance redress mechanism, disclosure of information and the timing of compensation payments. For the EA-RDIP, the Bank's ESS5 will take precedence over any of these other laws, except where national law would provide greater protection to PAPs than ESS5. **Table 4.1** below presents gap analysis including proposed project mitigation measures.

Table 4.1: Gap analysis including proposed project mitigation measures

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
Consultation	Somaliland Constitution 2001 article 45 provides for meetings of the House of Representatives to deliberate on matters development.	Project Affected Persons (PAPs) facing physical or economic displacement persons must be meaningfully consulted to express their concerns and discuss ways to minimize impacts on affected communities. PAPs also should have opportunities to participate in planning and implementing resettlement programs	Somaliland consultation mechanisms appear to prioritize house of representatives, and may not adequately involve PAPs	Consultation and participation activities will be carried out with all relevant stakeholders with a focus on those that are directly affected by the project. General guidance will be outlined in the project's Stakeholder Engagement Plans and subsequent RAPs for each of the subprojects. Given the land tenure systems, the project, where required, shall frame engagement (with households and clan leaders) to ensure households with land use rights are not excluded from stakeholder engagement and project benefits, hence mitigating the potential risk of elite capture.
Eligibility	Somaliland Constitution 2001 provides that Article 12: Public Assets, Natural Resources and Indigenous Production, under this article the constitution provides for below listed The land is public property commonly owned by the nation, and the state is responsible for it. The care and safeguarding of property, endowments and public assets is the responsibility of the state and all citizens;	World Bank recognizes three classes of PAPs eligible for compensation: 1. Those with formal legal rights to land or assets 2. Those who do not have formal legal rights to land or assets at the time of census, but have a claim that is recognized under the laws of the country (including customary and traditional rights recognized under the laws of the country) 3. Those who have no recognizable legal right or claim to the land or assets they are occupying (e.g., squatters, encroachers).	Those without legal title to land, including squatters and encroachers, face less protection under Somaliland laws and policies	Eligibility will be in line with the 3 categories of potential PAPs as described in ESS5. Determination on the level of ownership / councils etc. will be defined in each of the subproject specific RAPs. Implementing municipalities will sign Memorandum of Understanding (MoUs) with the PIU committing to adhering to provisions of Project/ESS5/RPF

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
	and shall be determined by law. The Government shall have the power to own and possess movable and immovable property; and to purchase, sell, rent, lease, exchange on equivalent Compensation is only provided for occupants of temporary structures. Affected persons are to be settled in suitable land and their eviction and settlement costs be paid for by the local government.	Types of losses to be compensated include physical and economic displacement and cover land, residential or commercial structures, and lost income caused by temporary or permanent economic displacement		
Valuation Methods	According to all reviewed Somaliland laws, eligible PAPs have a right to be compensated with the same value of the affected property. It is unclear how this value is set or determined by government agencies.	The World Bank requires full replacement cost for all lost assets.	The Government methods may not ensure full replacement value in line with the WB definition.	In line with the principles outlined in this RPF, each of the RAPs will incorporate specific mechanisms to ensure that PAPs receive the equivalent of the replacement cost for each of their impacted assets as well as other resettlement entitlements as prescribed in ESS 5.

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
Grievance Redress	Somaliland legislation mentions the right of the PAP to file their grievances with law courts, however, there is no clear redress mechanism.	World Bank policy calls for project-level grievance redress mechanism (GRM) to cover resettlement and related compensation matters, construction phase grievances and operations phase grievances.	Law courts may be cumbersome, costly or intimidating remedy, especially for those with no formal land titles, IDPs, refugees, those unable to read or write, etc. Ideally, should be used only as last resort.	Traditional dispute resolution mechanisms will be employed as well as a free and accessible project GRM that will be established for the project. The details of which are outlined in the GRM Manual, GRM action plan, SEP and RAPs (which could also include subproject specific GRMs).
Information Disclosure	No specific requirement for disclosure of information is discussed under Somaliland Constitution 2001 and subsequent laws	World Bank requires disclosure by Bank at external website and simultaneous public disclosure in-country disclosure by clients' line ministries websites or other readily accessible public disclosure means available in their jurisdiction. Information disclosed in language(s) understood by the PAPs and other stakeholders.	Somaliland /policy provides insufficient measures to protect PAPs	World Bank ESS5, ESS10 and RAP guidelines to be followed
Compensation Payment Schedule and Cut-off date	Not addressed in Somaliland or policies	Cut-off date to be established at the start of the census and asset survey Compensation to be provided at replacement cost prior to taking over of assets or relocation.	Somaliland law / policy provides insufficient information guidelines on compensation schedule and establishment of a cut-off date.	For each of the subprojects, the RAP will outline the census schedule which will include a cutoff date, which is at the start of the census and asset survey.. Details on when the cut off date is established and disseminated in line with the roll out of the census for each of the subprojects will be provided as part of each of RAP process.
Vulnerable groups	Somaliland Constitution 2001 under Article 19: The Care of the Vulnerable of the Society. The state shall be responsible for the health, care, development and education of the mother, the child, the disabled who have no one to care for	The objective of World Bank ESS5 is to improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.	Somaliland constitution article 19 provides for care of vulnerable but there are no subsequent laws to implement this provision.	Additional measures to support vulnerable groups will be considered as part of the RAP development following consultations for each of the subprojects. Project impacts on land tenure could differentially affect vulnerable groups, notably traditional local communities, as well as women, people living with disabilities, and those with smaller land plots or with informal rights to the land they use. Thus, the project will make sure to recognize those PAPs, address their situation and ensure the inclusion in the eligibility list.

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
	them, and the mentally handicapped persons who are not able and have no one to care for them			

5 GENERAL CATEGORIES OF PROJECT IMPACTS

The project activities will trigger physical and/ or economic displacement because of land take for fixed line components, access roads and other fixed infrastructure under Component 1 and data centers under Component 2. The project may need to manage past issues around unsettled/multiple claims to land and assets proposed for sub-project level investments inside or outside the existing facilities occupied by private or public service providers.

5.1 Potential Positive Impacts

The potential positive impacts include, but are not limited to the ones listed in **Table 5-1** below:

Table 5-1: Project Positive Impacts

Components	Positive Impacts / Outputs
Component 1: Connectivity market development and integration	● Increased population covered by 3G network ● Additional fiber optic cables deployed ● Additional internet access points established including borderland areas (connected government offices, refugee camps, schools, hospitals, agriculture cooperatives) ● Guidelines for greening digital infrastructure including leveraging renewable energy resources and e waste management adopted **a.** Private sector resources mobilised under the Project
Component 2: Data market development and integration	● National or / and Sectoral Computer Emergency Team (CERP) operational ● Regional and National Cyber Security Standards compliance and audit framework developed ● Internet exchange points established ● Guidelines on cloud computing and options for government data hosting and regional and national level formulated ● Regional mechanisms procedures and agreements for cross border data flows established
Component 3: E-service market development and integration	● Regional and national e-commerce strategy and / or protocols established ● Business participating in workshops on adoption of e-commerce ● Regional guidelines on harmonisation and interoperability of payment systems issued ● Preparation of government enterprise architecture and interoperability framework for government IT infrastructure ● National digital skills training institute operationalized ● University and TVET institutes connected to high speed internet

5.2 Direct and indirect negative impacts

Loss of land due to land take and loss of Housing structures: Physical and/ or economic displacement due to land take for fixed line components, access road and other fixed infrastructure under Component 1 and data centers under Component 2. The required land will be acquired permanently, and this land will be compensated before project commencement. The access roads are important for delivery of construction material during the construction period and for movement of maintenance trucks during the Operation and Maintenance phase. For these reasons, a number of structures, (both permanent and temporary) will be affected by the Project. A detailed breakdown of the land take for the project will be done in the project specific RAP, and shall be implemented by Somaliland. The RPF estimates that more than 200 Project Affected Households (PAHs) will be affected under this category in both rural and urban centres.

Loss of livelihood due to impact to trees, standing crops, other properties (including businesses), perennial and non-perennial crops. Further, Component 2. Works at the nearshore associated with long distance fiber optic cables landing stations may impact on livelihoods such as fishing (grounds and landing sites) and physical displacement. The ESIA will assess and determine the exact number of affected PAHs, but, currently the expectation is that many livelihoods will be affected.

Impact on tenants: Tenants residing in the affected residential house occurring within the project areas of direct influence may be forced to look for the alternative residential houses. These tenants will be negatively affected though for short while as they look for the alternative residential houses. The RPF estimates that many Project Affected Households (PAHs) will be affected under this category in urban centers.

Impact on social and cultural resources: The activities of the civil works with regard to the preparation of the Trenches, horizontal directional drilling, and installation of manholes and champers, road crossings, horizontal directional drilling, duct laying, fiber cable pulling and blowing, splicing and jointing, testing, may encounter physical cultural resources and or burial sites and shrines or other non-visible and cultural resources that would be affected by the project. Any project activities that would involve the application of Free, Prior and Informed Consent (FPIC) will not be eligible for World Bank funding, see exclusion list attached to the screening template in appendices.

Impacts on the vulnerable groups. Vulnerable Groups[2] is a term given to individuals, households, or groups of people that may be disproportionately affected by the resettlement process based on their specific status. Emphasis, however, should be put on ensuring that the needs of vulnerable persons are identified and addressed during the RAP process. While vulnerable groups differ from project to project, it is important that they are identified and profiled as summarized below.

- **Sexual violence, along with other violence, is normalized in Somaliland**. This apparent normalization appears to be the result of sustained exposure to elevated levels of sexual violence over past decades compounded by the lack of national and community-level communication, discussion and dialogue about sexual violence and other forms of GBV.[3] This combination of high levels of exposure ad low levels of public and private discourse have created an environment which not only enables violence against women and girls to continue, but also curbs national and community-level awareness, commitment and action to do something about it, compensation funds sharing might exacerbate this situation.
- **<u>Vulnerability and Social Exclusion:</u>** Internal Displacement: In 2023, NDRA reported 65,000 HH IDPs in Somaliland[4], due to disaster and conflict among other issues.. The RAPs socio economic profile will include this category of people under vulnerable categories.

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[2] 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

[3] International Alert/CISP 2015.

[4] NDRS, Somaliland Sectoral Displacement Assessment (SSDA), 2023.

- **Clan Dynamics and Minority Groups**- The traditional clan system, while evolving, remains a central and defining factor shaping political and socioeconomic realities in Somaliland. Clan affiliation is both a force that has influenced conflict and violence as well as a mechanism for protection and dispute resolution. Customary traditions and conventions help define rights and obligations among kin, clans, and sub-clans, with an emphasis on the preservation of social stability over individual rights in communities and families. At the local level, clan arbitration through the customary system known as xeer has helped regulate access to shared resources, such as grazing areas and water.
- **Internal Displacement and Refugees in Somaliland:** Since 1988 and the civil war in 1994, millions of Somalilanders have fled their homes to escape fighting between different warring groups. During this period, conflict and generalized violence has resulted in large-scale internal and external displacement in the country, and many citizens have fled across the borders of Somaliland to become refugees. Also, the recurrent severe droughts left hundreds of thousands of people displaced across the country. The RAPs socio economic profile will include this category of people under vulnerable categories.

6 ELIGIBILITY AND ENTITLEMENT

6.1 Eligibility

Affected groups under sub-project investments in this RPF may include:

- 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, an area 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.
- Affected persons **who do not have formal rights** to land or assets, but who have a recognized or recognizable claim under national law. 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. They may have a claim for adverse possession if they have occupied land for a certain period of time as defined by national law, without the formal owner contesting the occupation. In such cases, national law often has legal procedures by which such claims can become recognized.
- 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**. Affected persons in these groups are not eligible for compensation for land, but are eligible for resettlement and livelihood assistance and compensation for assets and improvements to the land.

The method of assigning the degree/formality of ownership for each of the land and assets impacted will be established through available records of ownership (ex. through taxation records, deeds of sale) and also to be confirmed by the GRC which is comprised of community members including elders. Other mechanisms to determine ownership may be identified and outlined in the subproject specific RAPs based on the specific circumstances in the project affected areas.

6.2 Categories of PAPs

The likely displaced persons (economically or physically) under various Project investments are categorized into three groups namely:-

- **Project affected persons (PAPs)** are individuals whose assets may be lost and/or affected, including land, property, other assets, livelihoods, and/or access to natural and/or economic resources as a result of activities related to a given investment under EA-RDIP.
- **Project affected households** are groups of PAPs in one household and where one or more of its members are directly affected by a given investment/project under EA-RDIP. These include members like the head of household, male, and female members, dependent relatives and members, tenants, etc.
- **Vulnerable groups** who could be a member of affected households. The investment/ project will separately identify the vulnerable members, such as those who are too old or too ill; children; those stricken with HIV/AIDS; women; unemployed youth, and orphans; child-headed households; single

parents with dependents; elderly headed households; households headed by women that depend on sons, brothers, and others needing support and are especially vulnerable.

The categories given above may not cover all types of affected persons. In addition, the categories are not mutually exclusive. The Project will have well prepared and comprehensive RAPs that would be specific and comprehensive enough, listing all affected groups and people and the impacts

Affected local community – A community is affected if project activities affect their socio-economic and/or social-cultural relationships or cohesion. In addition, the investments under the Sub Projects can cause breakdown of communities and social networks due to physical separation as a result of the investment specific infrastructures if not mitigated.

Vulnerable Groups

Vulnerable groups are special and need special attention. There will be several categories of vulnerability identified sub-projects. Each category of vulnerability indicates some type of circumstance by which the PAP would need special consideration and additional assistance. Details will be provided in the specific census survey that will be used to classify certain PAPs as vulnerable and to sub-categorize them based on the reasons for vulnerability.

The following are definitions of possible categories vulnerable heads of household:

- ***Child-Headed Household****: these are households headed by young children, usually 18 years of age or younger, with no social support;*
- ***Single Parent (Female or male) with Dependent Children****: these are households headed by women or male, where there is no husband or wife or partner present (e.g. widows widowers , unmarried women or men, others) and no other form of support present;*
- ***Elderly-Headed Households with No Support System****: these are households headed by an elderly male or female, aged 55 or above, or in some cases, less than 55 but with a lack of any social support services;*
- ***Disabled-Headed Households****: these are households where the head (male or female) have a physical* ***or mental*** *disability;*
- ***Extreme Poor****: these are households where the PAPs do not have a sustainable living and/or access to income generation options, and do not have assets or income sources.*
- ***HIV/AID/ Chronically-ill****: Those who HIV positive or chronically ill will also be classified as vulnerable.*

Under this Project, vulnerable PAPs will be eligible for additional support which will help them to manage the resettlement process. Support to PAPs who are identified as vulnerable under. Additional monetary compensation for vulnerable PAPs will be included in project specific RAPs.

The use of gender-friendly technologies during construction will be important to consider and this will be done in close consultation with affected communities. Both men and women will be concerned about the safety of their children during the construction phase and the risk of accidents that may arise from the infrastructure construction activities and vehicular safety among others. Therefore, construction methods used will have to factor in these views and ensure that the risks are minimized.

Project Implementation Units (PIUs) within the project area, NGOs, Community Liaison Officers, and/or other stakeholders locally available will be used to provide support to vulnerable PAPs.

The exact assistance provided to each PAP will vary on a case-by-case basis to ensure that vulnerable people can access their benefits and use them for the intended purpose and to the intended effect. Monitoring the treatment of identified vulnerable people during the compensation and resettlement process will be done as a special and focused activity. This monitoring is to ensure that requirements are met, and that any shortfalls are identified and covered.

6.3 Eligibility Criteria

All potential PAP's need to be identified and defined in terms of eligibility arising from both physical and economical displacement. In line with ESS 5, criteria for affected persons that are eligible to receive assistance under this Project are as follows. The type of assistance may hereby vary based on the type of Project Affected Person and ownership as indicated in the entitlement matrix below

It is important to note that those who encroach on the project area after cut-off date are not eligible for compensation and assistance under the sub-project RAP, provided that the cut-off date has been clearly established and made public.

Table 6-1: Entitlement Matrix[5]

Type of Loss/Impact:	Category of Affected Person	Proposed Entitlements / Mitigation – Resettlement, Compensation and Assistance	Eligibility
Dwelling used as primary residence	Owners who live in the affected house and structures	Option 1: Cash compensation for all structures at replacement cost, based on professional valuation. Statutory Disturbance Allowance of 15% of compensation amount. Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition. OR Option 2: In kind Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use at location of owner's own choice but within a **defined project area**. Choice of standardized replacement house designs that comply with building/ planning standards and that take spatial and cultural function into consideration. House constructed from durable wall and floor materials and with permanent roof. Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition. Allowance for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure. OR Option 3: In kind- Replacement house of equivalent size (measured floor area or number of rooms) with	All affected people must prove ownership which is established through the final asset surveys. Option 1: Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys. Options 2 and 3: owners will be allocated a new built house for the **primary residence*** if the affected structure is complete and present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys. *indicated as primary residence in the asset survey

[5] To compliment the compensation for the lost asset as described above, the Livelihood restoration program will be developed to assist in the re- establishment of pre project income levels. These interventions will be tailored within each of the subprojects based on the needs, nature of losses, profile of PAPs and discussion with affected parties.

Type of Loss/Impact:	Category of Affected Person	Proposed Entitlements / Mitigation – Resettlement, Compensation and Assistance	Eligibility
		consideration of functional spatial use but in host resettlement areas identified. Choice of standardized replacement house designs that comply with building/planning standards and that take spatial and cultural function into consideration. House constructed from durable wall and floor materials and with permanent roof. Materials may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition. Allowances for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.	
Dwellings used for secondary purposes (rental houses, free accommodation for relatives, etc.)	Owner of residential structure	Cash compensation for all structures at replacement cost, based on professional valuation. Statutory Disturbance Allowance of 15% of compensation amount. Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.	Ownership established through final asset surveys. Cash option is available to owners of affected structures that are present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys. The owner must indicate that the dwelling is not his/her primary residence in the asset survey.
	Renter of structures used for both residential and business	Relocation allowance to cater for transport costs to new place and expenses of looking for new structures	The owner will identify their tenants
Sanitation facilities (Pit latrines & bath shelters).	Owners of buildings (residential)	Cash compensation for all structures at replacement cost, based on professional valuation. Statutory Disturbance Allowance of 15% of compensation amount. Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.	Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.

Type of Loss/Impact:	Category of Affected Person	Proposed Entitlements / Mitigation – Resettlement, Compensation and Assistance	Eligibility
		NB: Owners already awarded a replacement house that already includes these facilities will not receive additional cash compensation.	
Moveable and other structures such as fences, livestock enclosures, livestock water points, etc.	Owner of structures	Cash compensation for all structures at replacement cost, based on professional valuation. Statutory Disturbance Allowance of 15% of compensation amount. Materials may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.	Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.
Incomplete buildings and structures	Owners of incomplete structures	Cash compensation for all structures at replacement cost, based on professional valuation. Statutory Disturbance Allowance of 15% of compensation amount. Materials may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.	Cash option is available to owners of affected structures that are present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.
Land for Primary Residential Plot – permanent loss	Registered owner or claimants of customary held land on which complete immoveable housing structure is established for Primary residence.	Option 1: Owner identifies and negotiates the purchase of a residential plot not exceeding the replacement value and within the defined project area. The project buys the new land for the owner. All transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure. OR Option 2: The Grievance and Resettlement Planning Committee (GRPC) identifies and negotiates replacement land for a new Resettlement Village.	All affected people must prove ownership which is established through the final asset surveys and legal due diligence surveys. Squatters and land users without legal rights are eligible for improvements on land described rows (1 to 5) of this matrix Owner must identify residential plot for use as **primary residence*** and demarcated within the boundaries of the site at the cut-off date. *indicated as primary residence in the asset survey

Type of Loss/Impact:	Category of Affected Person	Proposed Entitlements / Mitigation – Resettlement, Compensation and Assistance	Eligibility
		All transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure. NB: Owners already awarded a replacement house will not receive additional compensation for loss of residential plot.	
Permanent loss of agricultural land (crop) land	Registered owners or claimants of customary held lands	Option 1: Owner identifies and negotiates the purchase of replacement land at replacement cost and within agreed area. The project buys the new land for the owner. Provision of support registration cost and required formalities to ensure security of tenure. OR Option 2: Cash compensation for land, at replacement cost. Statutory Disturbance Allowance of 15% of compensation amount.	Persons must prove ownership (not necessarily through title) at the time of final asset surveys.
Permanent loss of agricultural land (crop) land	Land Renters	Cash compensation for loss of crops and trees Sufficient notice to vacate land Access to Livelihood Restoration Program	Persons to prove land renting by confirming with land owner.
Permanent loss of grazing land and other communal assets such schools, clinics, religious buildings,	Registered owners or claimants of customary held lands and communal assets	Registered owners or claimants: Cash compensation of the value of the land or communal assets at replacement cost. Statutory Disturbance Allowance of 15% of compensation amount. Other users - Provision for Livelihood Restoration support.	For cash compensation, persons must prove ownership and interest (not necessarily through title) at the time of final asset surveys.
Annual Crops	Owners of crops on farm land	Where project gives at least 90 days' notice to farmers to harvest their annual crops: owner still receives compensation. Where insufficient notice period was given (less than 90 days) Crop Owners receive:	Crops in place (rooted) at cut-off date and identified through final surveys. Compensation according to defined growth stage or size categories. Crop owners identified through final asset surveys

Type of Loss/Impact:	Category of Affected Person	Proposed Entitlements / Mitigation – Resettlement, Compensation and Assistance	Eligibility
		Cash: damaged crops will be compensated in cash as mature crops at agreed rates determined annually based on replacement cost determined by formal market studies. Statutory Disturbance Allowance of 15% of compensation amount. Access to Livelihood Restoration Program.	
Perennial Crops (Including fruit and economic trees)	Owners of crops on farm land	Option 1. Cash compensation at replacement cost at agreed rates determined annually based on replacement cost determined by formal market studies. Statutory Disturbance Allowance of 15% of compensation amount. Access to Livelihood Restoration Program. OR Option 2. Where cash compensation is not preferred for fruit and economic tree, two (2) replacement saplings for every damaged tree of a crop variety suitable for the identified replacement farm land. NB: Only applicable to fruit and economic trees. No replacement fruit and economic tree saplings will be planted within infrastructure corridor with land-use restrictions. Access to Livelihood Restoration Program.	Crops or trees in place (rooted) at cut-off date and identified through final surveys. Compensation according to defined growth stage or size categories. Crop and tree owners identified through final asset surveys
Loss of Business income	Business owners	Cash grant equivalent to 3-month average income. One time shifting Allowance equivalent to 1 month income to enable relocation of business 3 month rent for the new location to re-establish the business	Identified through final census survey
Vulnerable Support Programme	Vulnerable individuals and families who may	Transitional hardship assistance program appropriate to specific cases and based on Project assessment, including: ● Priority in physical mobilisation and transfer to	Identified through final census survey based on agreed vulnerability criteria relevant to Project.

Type of Loss/Impact:	Category of Affected Person	Proposed Entitlements / Mitigation – Resettlement, Compensation and Assistance	Eligibility
	find it difficult to cope with the transition.	resettlement plot identified for the vulnerable PAP; ● A preference for in-kind compensation. ● Additional monitoring ● Relocation if feasible near to kin and former neighbours to maintain informal support networks ● Special assisted transit to resettlement plot; ● Additional moving, loading and unloading assistance, if necessary; ● Assistance from support case workers during transit process; ● Assistance in the compensation payment procedure ● Other specific support related to moving process (e.g. medical assistance) identified by support case workers.	
Graves	Family and community members	Complete relocation of graves (exhumation, transportation and reburial) in designated cemetery around the project area or replacement land at agreed rates per grave (in accordance with national legislation). Provision of in kind agreed customary ceremonial assistance per family.	Familial graves identified during asset Surveys and/or confirmed through the Cultural Heritage survey. Unmarked graves identified through chance-find do not qualify for ceremonial assistance and will be dealt with in accordance with the Chance Finds Procedure in the Cultural Heritage Management Plan.

7 METHODOLOGY FOR ASSET VALUATION AND COMPENSATION

7.1 Overview

As provided by ESS5, compensation for lost assets will be calculated at replacement cost. The process used for determining compensation values should be transparent and easily comprehensible to project-affected persons. With regard to land and assets, the calculation of replacement costs takes into account the following:

- **Agricultural (including fallow) land or pastureland:** Land of equal productive use or potential, located in the vicinity of the affected land or the new housing site, plus the cost of preparation to levels similar to or better than those of the affected land, and transaction costs such as registration and transfer taxes or customary fees.
- **Land in urban areas:** The market value of land of equivalent area and use, with similar or improved infrastructure and services, preferably located in the vicinity of the affected land, plus transaction costs such as registration and transfer taxes.
- **Houses and other structures (**including public structures such as schools, clinics, and religious buildings): The cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better than those of the affected structure; or of repairing a partially affected structure, including labour and contractors fees; and transaction costs, such as registration, transfer taxes, and moving costs.
- **Loss of access to natural resources**: The market value of the natural resources, which may include, among others, wild medicinal plants, firewood, and other non-timber forest products, meat, or fish.

Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Unit rates will be agreed, established and disclosed. Compensation rates may be subject to upward adjustment where negotiation strategies are employed and shall be implemented to all PAPs with the same type of loss of loss consistently. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

Information about compensation standards, formulas, and rates should be provided in a transparent and consistent manner. Where compensation for land or assets (including crops) is calculated according to formulas or rates set out in documents, these are made available and explained to affected persons. PAPs have the right to request additional clarification / explanation on how each asset has been valued. During negotiations and individual household discussions, the PAPs will be presented with the concrete values of cash compensation they are entitled to or land offered for compensation for their consideration and endorsement before the individual agreements are signed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

7.2 Land and Structures

Where functioning markets exist (possibly in the case of urban areas), replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as

calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs.
In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable quality and safety standards. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.

Where applicable, valuation exercise on lands and assets will be done to assess the loss to the affected persons. In addition to that, negotiations with the affected persons will be crucial to ensure consensus agreement are attained, with proper documentation of the negotiation process including the negotiation minutes with pictures and notary papers are also needed. This can be guided by the RAPs.

Replacement cost for agricultural land is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes.

Where specialized asset valuations may be necessary, a valuation expert may be contracted by the respective IP through the PIUs at the sub-project outset to develop a standardized procedure for asset valuation, which can then be applied in each subproject, and incorporated into the RAP. Such procedure would necessarily be developed using legally acceptable valuation procedures accepted by World Bank for purposes of fairness and consistency (where functioning legal framework exists).

For property valuation, the set values will be representative of the market rates at that particular time. For loss of income, rates will be based on daily profit averages for a particular type of business derived from random sampling in the Project areas.

See the matrix of entitlements **(Table 6-1)** for different types of resettlement or loss of incomes or assets.

7.3 Valuation of Compensation for Floricultural, Timber and Fruit trees

The market valuation method must be adopted. This goes for all tree-based crops including trees of nutritional, medicinal and other significant economic value. Given their significance to the local subsistence economy, fruit trees will be compensated on a combined replacement value. Fruit trees used for commercial purposes will be compensated at replacement value based on historical production records. If the households are physically resettled, they will be compensated for the labor invested in the trees they leave behind, because they will continue to own the trees left behind under customary rights. It is not uncommon for individuals to own trees in other villages in which they formally lived and, in some cases, to continue to harvest fruit from those trees for subsistence purposes and/or sale to traders. If a household/individual chooses to transfer ownership of the trees, transfer costs will be paid in addition to labor costs. The compensation rate will be based on information obtained from the socio-economic survey.

7.4 Valuation of economic impacts

For loss of income, rates will be based on daily profit averages for a particular type of business derived from information provided in the socio-economic survey questionnaire as well as any available reference values. Loss of income compensation will depend on the number of days that access will be restricted or denied or until livelihood is restored in line with the measures outlined in the RAP as well as the incomes lost as a result of the project.

8 VOLUNTARY LAND DONATION

The Voluntary Land Donation Guidelines will be adjusted pending the final menu of projects and what kind of land requirements emerge. A limit of voluntary land donations will be included. As individual land ownership and respective land titling is not widely established, the Project will consider any household using lands prior to disclose activity commencement as having legitimate land use rights and such rights can be donated freely to the project according to the above provisions, if noted land is considered necessary for subproject implementation. Thus, in the following paragraphs "owner" refers to the owner of land-use-rights.

As provided by ESS5 para 4(g) and footer 10. In some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis without payment of full compensation. Subject to prior Bank approval. Voluntary land donations will only be authorized by the bank for activities if they can clearly document

- The potential donor or donors have been appropriately informed and consulted about the project and the options available to them,
- Potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation,
- The amount of land being donated is minor (not more than 10%) and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels,
- No household relocation is involved,
- The donor is expected to benefit directly from the project, and
- For community or collective land, donation can only occur with the consent of individuals using of occupying the land.

Procedures must be put into place to ensure that the donation is indeed voluntary, that the donor is the legitimate owner of land-use-rights on such lands, and that the donor is fully informed of the purpose of the donation and of the implications of donating the property. If the land is donated on a conditional basis, the terms and conditions for the temporary use of the property must be clearly documented. Land acquisitions on a "willing buyer/willing seller" basis should also be properly documented in order to ensure that fair compensation has been paid and to avoid future conflicts over land due to lack of transparency. These transactions are only valid if the seller was given a genuine opportunity to retain the land and refuse to sell it. If there are occupants of the land, other than the seller, they qualify for involuntary displacement when the seller sells the land (see RPF).

Voluntary land donation is strictly defined in international practice as the ceding of a property by an owner who is: a) fully informed; and b) can exercise free will, i.e., can refuse to sell or to donate. "Fully informed" means that the owner has complete information regarding the proposed activity and its impacts, its land requirements and its alternate activity sites, as well as his or her rights to compensation. The owner has also been provided with sufficient time to consider his or her disposition of the property, and the owner has knowingly rejected the right to renege on his or her initial decision. "Free will" means that the owner can reject the possibility of giving up his or her land, because: a) there are viable alternatives available (such as rerouting of a water main if an owner refuses access to his or property), or b) where no viable alternatives are available,

the donation will be to his or her benefit (such as a road rehabilitation project that will also benefit the owner of a small piece of land to be donated for the road works).

Factors to be applied during Voluntary Land Donation

Requirements for voluntary land donation	Commentary
The potential donor or donors have been appropriately informed and consulted about the project and the choices available to them;	
Potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation;	
The amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels;	
No household relocation is involved;	
The donor is expected to benefit directly from the project;	
For community or collective land, donation can only occur with the consent of individuals using or occupying the land.	
Land to be donated must be identified by the community through a participatory approach	
Impacts of proposed activities on donated land must be fully explained to the community	
The potential donor community is aware that refusal is an option, and that right of refusal is specified in the donation document the donor will sign	
The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities	
The donor may request monetary or non-monetary benefits or incentives as a condition for donation	
The proportion of land that may be donated cannot exceed the area required to maintain the donor's livelihood or that of his/her household	
Donation of land cannot occur if it requires any household relocation	
For community or collective land, donation can only occur with the consent of individuals using or occupying the land	
Verification must be obtained from each person donating land (either through proper documentation or through confirmation by at least two witnesses)	
The implementing agency establishes that the land to be donated is free of encumbrances or encroachment and registers the donated land in an official land registry.	
Any donated land that is not used for its agreed purpose is returned to the donor	

9. IMPLEMENTATION ARRANGEMENTS

EA-RDIP will be implemented by the PIUs established at Ministry of Information Communication and Technology (MICT). The PIU will be staffed with Project Coordinators, Procurement Specialists, Finance Specialists, Project Engineers, Environment and Social Safeguard Specialists and M&E Specialists. The Social Specialist will take the lead in management of resettlement issues. A general outline of institutional roles and responsibilities for resettlement activities are found in the **Table 9-1** below and shall be later adjusted/refined within the subproject specific RAPs.

Table 9-1: Institutions Roles and Responsibilities

Institution	Responsibility
Somaliland	• Overall management and supervision • Payment of compensation
World Bank	• Oversight role during implementation and monitoring / supervision as well as any issues brought to the WB offices (GRS, IP etc.) • Capacity support to the PIUs in safeguards implementation and monitoring
PIU at MICT	• Assistance to RAP preparation consultants in the preparation of screening processes, assessments and preparation of RAPs; approval of RAPs; general reporting on RAPs to the World Bank as part of E&S reporting requirements. • Ensuring that the RAP processes are followed adequately in line with the country's legislation and this RPF, • Overall coordination, monitoring and supervision, • Stakeholder engagement • GRM • Payment Compensation facilitation
Local Governments	• Municipalities will take the lead in valuation of assets, project land acquisition, land dispute resolutions and also receiving and supporting to address project- level grievances within their jurisdiction. • Local governments will be responsible for ensuring that RAP implementation is in line with land use plans in the district and the towns • Where relevant the municipality and district authorities will use their technical departments to address specific issues emanating from the compensation process especially related to replacement agricultural land. • Municipal Land Committee is an ad hoc institution established and mandated to solve land disputes. It's chaired by the Mayor and members mainly comprise of municipal authorities (the Land Department, the District Police Office) and traditional leaders
RCs in each municipality	• Implementing municipalities will sign Memorandum of Understanding (MoUs) with the PIU committing to adhering to provisions of Project/ESS5/RPF • Determination of asset or income losses incurred by PAPs and their valuation • Designing strategies for restoration and development of livelihood strategies • Resolve manageable disputes that may arise among the PAPs relating to resettlement and compensation process. If it is unable to resolve, refer such grievances to the PIU grievance redress system
Grievance Redress Committees (GRCs)	• Responsible for receiving and addressing project-level grievances, except for those under appeal or needing specific PIU intervention. • Reporting back to PIU and community on GRM performance • GRC will undertake mandate of resolving grievances as detailed in section 12.6 and 12.7 of this report
Formal Courts	• Shall adjudicate cases involving developed houses, stores, houses, farms and so on that may be escalated after the laid down GRM has failed to resolve as discussed in Table 12.1

Informal Elder Courts	• Will be responsible mostly to resolve escalated cases involving undeveloped lands i.e., conflicts over grabbed lands and land dispute over the ownership as discussed in Table 12.1.
Informal or Qadi or Sheikh Courts	• Will be responsible to resolve the resettlement issues escalated as a after involving developed lands, especially those related inheritance and or with written will as discussed in Table 12.1.
Independent Verification Agency (IVA)	• Independent verification on the preparation and implementation of the RAPs to be hired by the PIU. • Once the IVA is deployed, a monitoring schedule for the RAPs will be developed jointly with the PIU that assesses whether the goals and compensation plan of the RAPs are met. • Tasks to be verified by the IVA are detailed in section 15 of this report
Third party monitoring agent/auditor	• External Monitoring & Evaluation of resettlement and compensation activities including the preparation of completion audit. • Tasks to be verified by the IVA are detailed in section 15 of this report

10 PREPARATION AND IMPLEMENTATION OF RAPS

10.1 RAP Preparation and Approval

This section outlines the screening process to determine whether sub-project investments may cause physical or economic displacement. Screening will be undertaken during the early design stage, using tools such as environmental and social screening checklists, field visits, stakeholder consultations, and a review of land tenure and land-use conditions. The screening will identify the type and scale of potential impacts, including temporary and permanent land acquisition, loss of access to resources, or disruption of livelihoods. If the screening confirms that displacement impacts are likely, the section then details the steps, processes, and methodologies for preparing a Resettlement Action Plan (RAP) in accordance with ESS5..

The screening exercise main objective will be to avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives. The PIU at design stage will evaluate project designs with an aim of identifying feasible design alternative with the least resettlement Impact. The resettlement impacts identified after design alternative analysis trigger preparation of RAP in accordance with this RPF as summarized in **figure 10-1** below

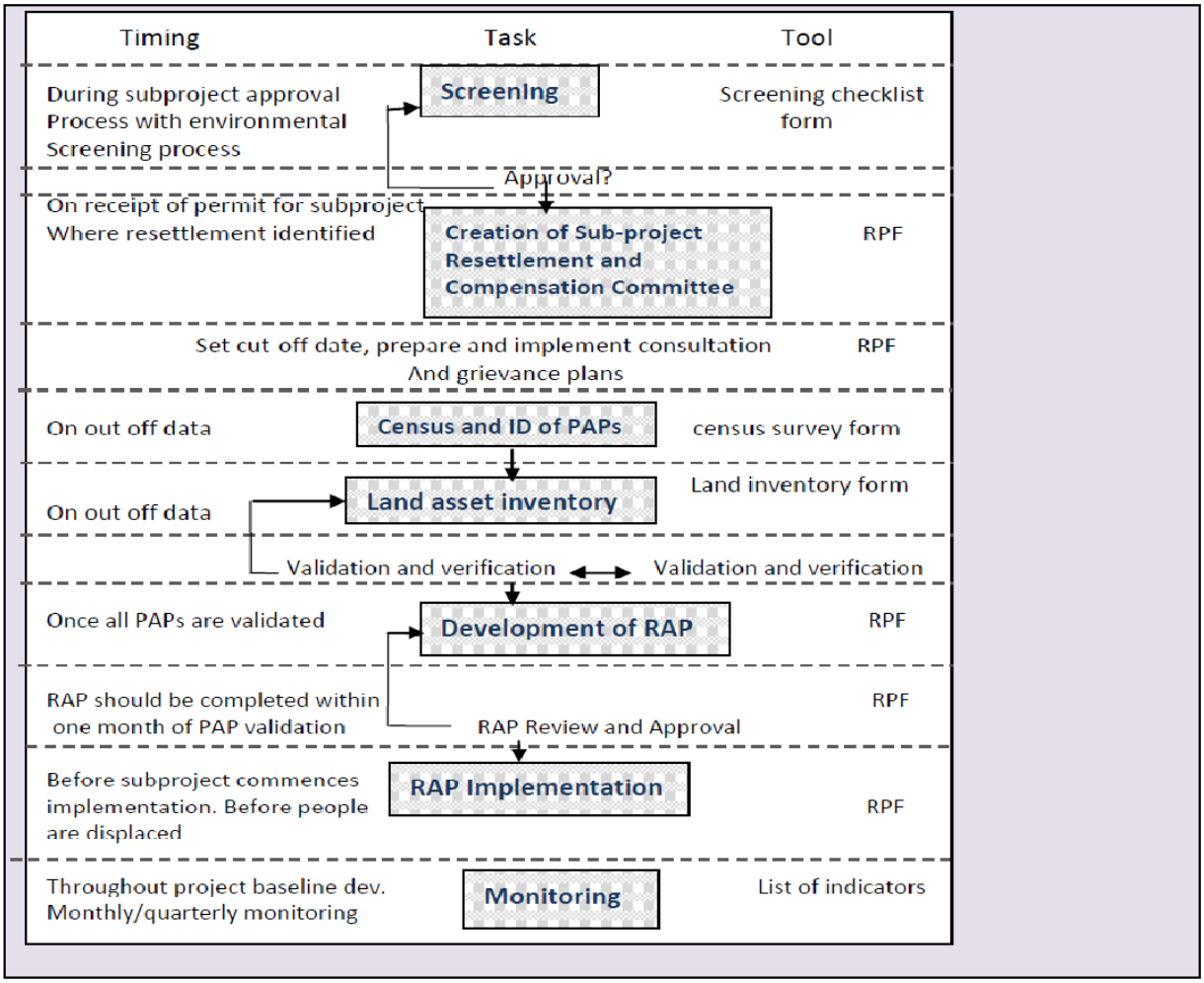

Figure 10-1: RAP Preparation and Approval Process

10.2 RAP Implementation

The PIU will have project management responsibility, coordinating overall project implementation, ensuring the timely availability of compensation funds, implementing the relevant safeguard instruments including the RPF and RAPs and ensuring continuous community outreach and consultation, monitoring and evaluating program implementation and impacts, developing and implementing the GRM and reporting results to various stakeholders. No civil works are allowed to be tendered on sites where RAP implementation has not been undertaken and completed.

For each site-specific activity, an implementation schedule will be prepared and included in the RAP to ensure the right sequence between the commencement of the activity and the resettlement or compensation process. This schedule will show each activity – from the initial baseline and preparation to the actual relocation and commencement of civil works, as well as economic and social activities after relocation. The schedule will contain a date defining when benefits for eligible PAPs will be provided; and it will contain a monitoring and supervision schedule for the PIU to follow. It will set target dates for the achievement of benefits to resettled PAPs and hosts, as well as for the provision of other benefits.

11 MEASURES TO ADDRESS VULNERABLE GROUPS

Vulnerable groups refer to those individuals or groups who, by virtue of, for example, their age, gender, race, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, 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. In the context of this Project, several vulnerable groups have been identified as being relevant.

People with physical and/or mental disabilities may be disproportionally affected and have more difficulties in coping and adjusting to the effects of physical resettlement and economic displacement. The households with members which fall into any or all of these categories are thus considered to be more vulnerable to the impacts of resettlement. In the context of involuntary resettlement in this project, vulnerability is assessed based upon the following indicators identified through the socioeconomic baseline: type of tenure, livelihood dependence upon landfill resources, presence of elderly PAPs in household, single-parent households with children, households with a person with a disability, and household income under poverty threshold.

ESS 5 emphasizes resettlement impacts on poor and vulnerable populations. Physical and economic displacement should be especially avoided where people are vulnerable. Vulnerable groups often have different land needs in comparison to other groups, or resettlement poses particularly adverse impacts on them. Specific groups identified during the social assessments/baselines done for each of the subproject RAPs will determine the types of vulnerable individuals/groups present in the area and include measures to support based on their specific needs.

It is therefore important that the nature of vulnerability is assessed specifically for each site-specific activity. Activity-specific Resettlement Action Plans (RAP) need to be based on rigorous socio-economic and vulnerability assessments, which help determine the particular vulnerable groups and Project Affected People (PAPs) of a specific area and activity. Considerations in the development of project specific activities and the RAPs:

- Socio-economic situation of different population groups, in particular those defined as vulnerable.
- Language and traditional information dissemination mechanisms should be considered.
- Understanding limitations of specific groups in participation in project activities (mothers taking care of children, agriculturists working the fields, employees and jobs etc.).
- Establish clear communication and feedback mechanisms to allow for these groups to participate in project design, decision making and activities resulting in physical or economic displacement.
- The establishment of a GRM with uptake channels at different levels and utilizing both traditional and modern means

All vulnerable groups, identified here and specific other groups identified in the respective assessments should be entitled to additional assistance for finding replacement land, housing, places of business and for moving

(temporarily or permanently); additional assistance for new land to be cleared or structures to be built; additional livelihood restoration support; and, consultation and participation of PAPs.

As provided under 6.1 on Entitlement, this RPF provides below listed measures as extra support to the Vulnerable Groups.

- Priority in physical mobilization and transfer to resettlement plot identified for the vulnerable PAP;
- A preference for in-kind compensation.
- Additional monitoring
- Relocation if feasible near to kin and former neighbors to maintain informal support networks
- Special assisted transit to resettlement plot;
- Additional moving, loading and unloading assistance, if necessary;
- Assistance from support case workers during transit process;
- Assistance in the compensation payment procedure
- Other specific support related to moving process (e.g. medical assistance) identified by support case workers

12 GRIEVANCE REDRESS

12.1 Customary Law and Existing Dispute Resolution Mechanisms

Large portions of land cases of land disputes are solved through mechanisms of Somaliland customary law (xeer). For any disputes or grievances related to the urban areas (within the municipality boundaries), the formal courts are usually resorted to handle such cases. But where a conflict falls under the private property aspects the disputes is then referred to the district Court. On the other hand, informal elder courts and informal Qadi or Islamic Courts are preferred to the land disputes especially on inheritance and land situated outside the municipality, as this has no formal registrations within the district or the municipality land registry. Table 12.1 below presents existing GRM Resolution and their Limitations.

Table 12-1: Existing GRM Resolution and their Limitations

Institution	Nature of Conflict	Applied Laws	Limitations
Formal Courts	Mostly they adjudicate cases involving houses developed, stores, houses, farms and so on	-- State level Laws - Shari'a	There might be lack of confidence due to allegations of corruption and lack of enforcement.
Informal Elder Courts	Mostly they resolve cases involving undeveloped lands, i.e., conflicts over stolen lands	Somaliland Xeer	*Xeer* can disadvantage certain groups and has not always kept up with changes in Somali society. For example, outcomes under *xeer* law depend on the negotiating power of clans and thus weaker clans are often not afforded the protections that would prevail between equally matched groups. No gender considerations
Informal or Qadi or Sheikh Courts	Mostly they resolve cases involving developed lands, especially those related inheritance and will	Shari'a Law , specifically Shafi'a school of jurisprudence	First, It is n-codified and sometimes tend to erroneous interpretations that might discriminate against women. Second, most texts are those written before centuries and hence outdated in terms of some contemporary issues whose judgments need to refer the most updated Muslim jurist texts and well trained judges who have capacity of research and case analysis and reasoning techniques.
Municipality committee for Land Conflict Resolution	Mostly they involve in resolution of undeveloped lands	- Somaliland law in 1973 and 1980s - Shari'a	Low confidence by the community due to allegations of corruption, nepotism, poor capacity and low enforcement of decisions and no gender considerations and representations.

12.2 The Project Grievance Redress Mechanism (GRM)

The World Bank ESF requires that projects facilitate mechanisms that address concerns and grievances that arise in connection with a project. One of the key objectives of ESS 10 (Stakeholder Engagement and

Information Disclosure) "to provide Project Affected Persons with accessible and inclusive means to raise issues and grievances, and allow borrowers to respond and manage such grievances"[6]. Understanding the drawbacks and limitations of the traditional mechanisms as well as the requirements of the ESF, the project has established a project level GRM which is outlined in the project's Stakeholder Engagement Plan (SEP).

The Project GRM should facilitate the Project to respond to concerns and grievances of the Project Affected Persons related to the environmental and social performance of the project. Given its broad spread, it will also apply for resettlement issues.

The PIU will provide mechanisms to receive and facilitate resolutions to such concerns. The Grievance Redress Mechanism to be followed under the Project will:

- Respond to the complaints of PAPs in a timely and transparent manner
- Ensure that complaints are properly registered, tracked and documented, with due regard for confidentiality;
- Provide a mechanism for appeal; this can result in approaching civil courts if other options fail.
- Allow for anonymous complaints should this be requested by the complainant

The primary purpose of the project GRM is to hear the complaints or address the concerns of aggrieved parties to a fair extent and on time. Dissatisfaction can cause an aggrieved party to act negatively, which would culminate in some unforeseen repercussions that would affect project implementation and hinder progress. This section lays out the grievance redressal mechanisms (GRM) for the EA-RDIP which will have the following objectives:

- Registration, acknowledgment, and recording of all concerns or issues raised by aggrieved;
- Identify if there are any systemic issues in the program implementation based on (among other factors) the frequencies and validity of issues raised: for instance, unpaid or insufficient compensation, disregard for traditional practices, land acquisition prior to compensation, undue pressure from team members and many more;
- Ensure that complaints are properly registered, tracked and documented, with due regard for confidentiality;
- Address the composition of a committee that would handle all grievances; Inform people of the public information center establishment and access;
- Establish procedures for the GRM to enhance easy access, transparency and accountability, and tackle escalation of grievances beyond expectations;
- Manage the concerns raised by aggrieved parties to achieve a win-win situation within a reasonable time frame that would comply with national and international best practices; and
- Record all resolutions agreed upon by all parties involved and ensure that aggrieved persons are satisfied with every outcome of remedial resolution to foster harmony in sub-projects.

[6] World Bank, Environmental and Social Framework, 2018, p. 131

12.3 GRM Core Principles

The GRM is based on six core principles

- **Fairness**: Grievances are treated confidentially, assessed impartially, and handled transparently.
- **Objectiveness and independence**: The GRM operates independently of all interested parties in order to guarantee fair, objective, and impartial treatment in each case. GRM officials have adequate means and powers to investigate grievances (e.g., interview witnesses, access records).
- **Simplicity and accessibility**: Procedures to file grievances and seek action are simple enough that stakeholders can easily understand them. Project stakeholders have a range of contact options including, at a minimum, a telephone number. The GRM is accessible to all stakeholders, irrespective of the remoteness of the area they live in, and their level of education or income. The GRM does not use complex processes that create confusion or anxiety.
- **Responsiveness and efficiency**: The GRM is designed to be responsive to the needs of all complainants. Accordingly, staff handling grievances are trained to take effective action, and respond quickly to grievances and suggestions.
- **Speed and proportionality:** All grievances, simple or complex, are addressed and resolved as quickly as possible. The action taken is swift, decisive, and constructive.
- **Participation and social inclusion:** A wide range of stakeholders are encouraged to bring grievances and comments to the attention of the Project staff. Special attention is given to ensure that marginalized or vulnerable groups, including those with special needs, are able to access the GRM. Furthermore advisory support of an experienced NGO or TPM will be provided by PIU for vulnerable PAPs

12.4 GRM Value Chain

Step 1: Grievance Uptake: Multiple channels must be available for stakeholders to file their complaint, grievance, or feedback. The stakeholder must be able to select the most efficient institution, the most accessible means of filing a grievance, and must be able to circumvent partial stakeholders in the Project, which may be implicated in the complaint. He or she must further be able to bypass some grievance channels that are perceived as potentially not responsive or biased.

Means of Filing a Grievance

There are four distinct means, at least two of which must be made available at the sub-project locality for people to file a grievance (see complaints log, complaints form and grievance register,

1. **A phone number for a hotline operator**: The phone number of a grievance hotline operator must be widely disseminated among project stakeholders. The Hotline Operator should be available from 8.00 am to 5.00 pm every day. The hotline operator is set up and managed by the PIU. Any concerned party can call the hotline number and file a grievance with the Project.
2. **A help desk** will be set up during the implementation of sub-project activities in a specific locality, especially where construction activities are undertaken. It should be manned by the implementing staff, in close coordination with local authorities. At the help desk, stakeholders can inquire about

information in regard to project activities, or they can file a grievance directly with the person manning the desk.

0. **Relevant assigned personnel** available in each project site will be required to accept grievances and ensure that avenues for lodging grievances are accessible to the public. The first point of contact for all potential grievances from community members may be the contractor or a local government official. Such personnel will be required to accept formal grievances; or they can point out the Hotline Operator's number, the Help Desk or Suggestion Box. If no reasonable other modality of filing a grievance is available for the respective complainant, the staff has to accept and register the grievance.
1. **A suggestion box** will be installed at the nearest sub-project site. Suggestion boxes provide a more anonymous way of filing a grievance or for providing feedback. Grievances or feedback submitted to the suggestion box must be expressed in writing

12.5 Institutional Framework and Composition of GRM Committee

The project GRM will build on what was created for ER-RDIP presented in the SEP. This GRM will be a project wide GRM that will also be available for use by PAPs. The existing GRM will work as an alternative option and in conjunction with local level actors at the GoSL, community, District, and municipal levels. This is to ensure that all measures are taken to address the grievance. The GRM is housed at MICT (Somaliland); will provide access to stakeholders and contractors to register complaints received at sub-project level or the field.

At all the target Municipalities /Local Government level, a Grievance Redress Committee (GRC) comprised of PAPs, municipal government officials, local civil society leaders and representatives of women, people with disabilities Legal Aid and law enforcement agencies and youth groups will be formed to receive and handle any arising complaints. The GRC will be headed through a consensual appointment done with affected communities, and steps will be taken to ensure that all grievances are properly documented and transferred to the digital platform for tracking of resolution. PAPs may also make complaints directly to the project wide GRM through the digital platform either by calling, sending text, WhatsApp, etc. The project will identify an NGO or other appropriate GBV service provider to setting up and ethically manage SEA/SH complaints.

12.6 Management of Resettlement Related Grievances

Typical grievances relevant to resettlement may include community or individual's dissatisfaction with: (a) the eligibility criteria, (b) the amount of compensation or assistance measures; (c) unexpected and unaddressed resettlement impacts; and (d) implementation or timing of such measures. The overall process of grievance handling is as follows:

- Compensation committees including representatives of PAPs will establish the compensation rates.
- During the initial stages of the valuation process, the affected persons are given copies of grievance procedures as a guide on how to handle the grievances/sensitization of PAPs.
- The process of grievance redress will start with registration of the grievances to be addressed for reference, and to enable progress updates of the cases.
- The project will allow the use of a local mechanism, which includes the local land dispute tribunals and local leaders of the affected people. These will ensure equity across cases; they eliminate nuisance claims and satisfy legitimate claimants at low cost.

- Compensation will be paid to individual PAPs only after a written consent of the PAPs is received, including both husband and wife (and children where relevant). Should a PAP decline the compensation suggested, he/she will have the option to register grievances to the grievance committee.
- A Compensation Committee (CC) and the grievance committee at the district level will first review his/her case.
- When these have failed to resolve the grievance, the individual PAP has the right to take his case to appeal the next level GRM at district levels or the civil courts for litigation.

12.7 Guidelines and Tools for Reporting and Processing Grievances

- Uptake channels will be established at various levels to facilitate access to local communities. Each of the specific RAPs for subprojects will further identify additional channels based on the specific circumstances. Complaints can be in any language and form and the complainant may choose to remain anonymous.
- Grievances will be filed by an aggrieved person at the entry-level using a complaint form or through a designated grievance channel.
- The form will describe the complaint and provide for action at the three levels of redress-community district, Municipal. Ideally, complaints should be acknowledged in 7 days, provide feedback in 21 days and resolved within Forty-Five (45) days, except complaints and grievances that relate to the valuation of affected assets that need to be managed by a unit set up by the project. In this last case, each RAP will determine the timeframes for resolution.

Aggrieved parties should choose their entry point that is at their convenience. However, the GRM should start at the local level before allowing appeals to higher levels at the district municipal levels. It is the case that many people from the impacted communities may not be able to read or write and particular attention should be given to having face-to-face dialogue with complainants (in line with government guidelines related to Covid-19) to ensure that the processes, decisions, and resolution of the complaint are thoroughly understood .If it is at the community level/site specific level, the first point of contact would be the Contractor site in charge who is the GRC established by the project at the district level. The point of contact at the district level is the district Council. The point of contact at the provincial level is the key supervisory body of the GRC or relevant agencies responsible for monitoring the sub- projects, which may comprise MICT.

- Mobile phone hotlines should be maintained to provide aggrieved parties with the access they need to those who can document and address their grievances;
- At all three levels, a grievance registry should be maintained to monitor and record the types of grievances that are raised, their status, and the type/level of remedial actions taken. Remedial actions have to be flexible. They can vary from a letter response to a referral (to the next redress
- level/structure), a meeting or dialogue with the complainant(s), a final resolution process beneficial to all parties;
- Acknowledgment of receipt of grievance reports should be within seven days. This can be done by any member of the GRC/ local authority and should be forwarded to GRC. Grievances should be addressed in twenty-one (21) days following the report or be moved to the next level in the redress mechanism where the problem should be resolved within fourteen (14) days;
- Outcomes from the decision should be provided within thirty (45) days of the receipt of the complaints, which should be communicated by the appropriate GRC representative. Once a grievance or complaint

has been resolved or being escalated, the officer responsible shall complete a Grievance/Complaint Resolution/Escalation Form (see Annex v for sample form) to close out the complaint or record the reason for escalation, and the form shall be signed by the officer and the complainant (if s/he so desires), with a witness.

- Those seeking redress and wishing to state grievances will do so directly to the GRC. If the complainant's claim is rejected, the matter shall be brought before an agreed third party or the local administration before approaching the legal system in case of unresolved complaints at the local level.
- The court of law will serve as the last resort for all types of grievances. Responsible structures for grievance redress should ensure that this option is avoided as much as possible. However, the decision to use the court as a redress mechanism should be left to the discretion of the aggrieved parties.

The Grievance Process to be followed is based on the projects GRM outlined in the SEP: (it is important to note that there is no resettlement specific GRM and all issues will be processed through the Project GRM). The SEP may be updated as part of the Project's evolution which may include changes to the GRM. The current process is presented in the **figure 12-1** below:

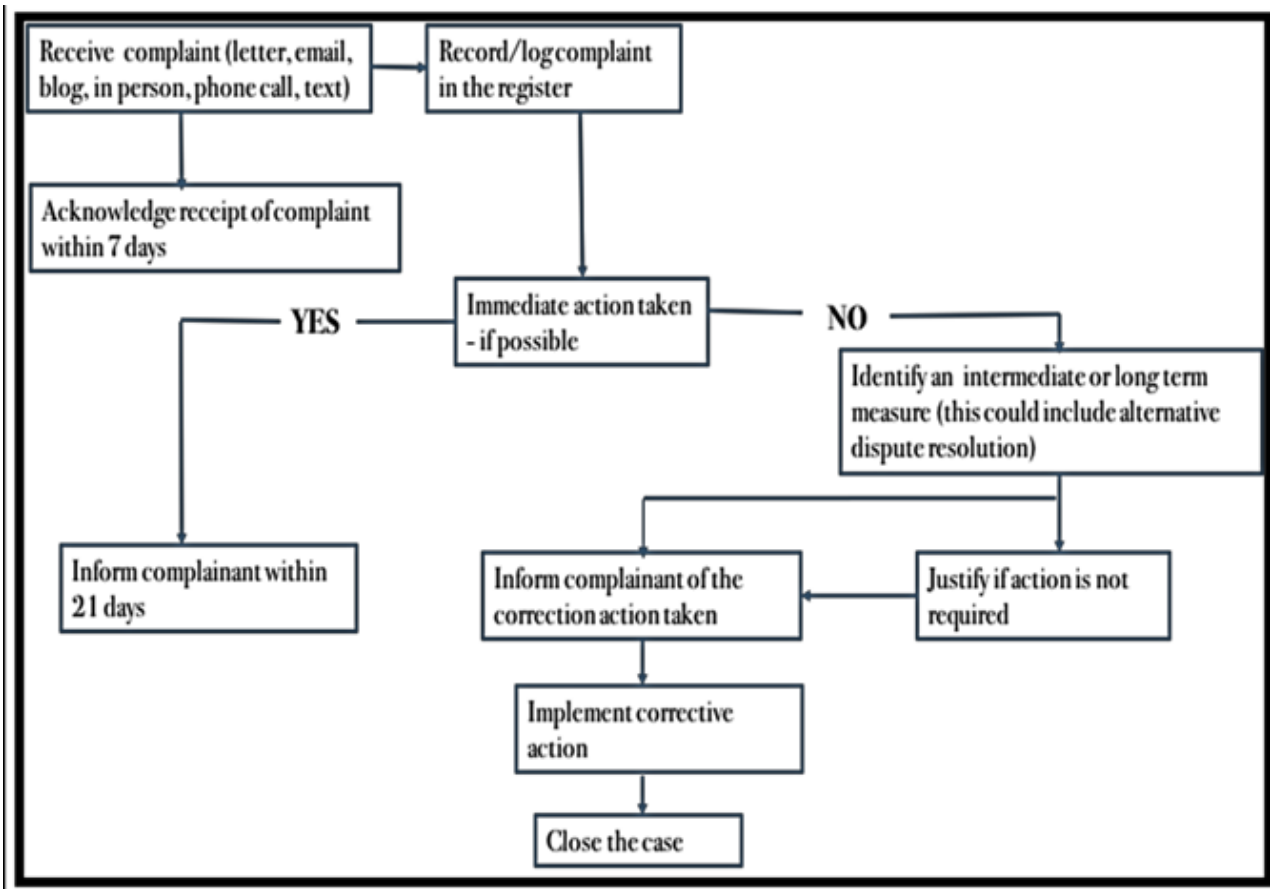

Figure 12-1: Grievance Process[7]

[7] Source SESRP September 2021

12.8 Monitoring and Reporting

All complaints received in writing (or written when presented verbally) and processed through the stages identified in the GRM, will be recorded in a register or log sheet. The register presents the date of the complaint, the name of the complainant, the community he/she is from, a description of the complaint, and the actions taken to address the grievance (which shall also note the status of the grievance). There will be periodic reviews of the grievance log/database to learn lessons about the GRM and improve the operation and effectiveness of the GRM.

- All complaints received in writing (or written when presented verbally) and processed through the stages identified in the GRM, will be recorded in a register or log sheet. The register presents the date of the complaint, the name of the complainant, the community he/she is from, a description of the complaint, and the actions taken to address the grievance (which shall also note the status of the grievance).
- The GRC shall maintain records of grievances and complaints, including minutes of discussions, recommendations and resolutions made;
- The type of grievance being documented should also be defined in terms of how it is received: oral, written, by mobile phone, email, or text message. There should be a clear description of the owner of the complaint or where the grievance comes from to ensure accessibility to the GRM

12.9 WB's Grievance Redress Service (GRS

Communities and individuals who believe that a World Bank project has or is likely to have adverse effects on them, their community, or their environment may submit complaints to existing project-level grievance redress mechanisms and/or the WB's Grievance Redress Service (GRS). The GRS enhances the World Bank's responsiveness and accountability to project-affected communities by ensuring that grievances are promptly reviewed and addressed. The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns.

For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit link below.

http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress_service.

Any individual or community who believes that a World Bank-supported project has or is likely to, adversely affect them can submit a complaint. Complaints should be in writing and addressed to the GRS. They can be sent to:

- ONLINE – through the GRS website at www.worldbank.org/grs
- BY EMAIL at grievances@worldbank.org
- BY LETTER OR BY HAND delivery to any World Bank Country Office
- BY LETTER to the World Bank Headquarters in Washington at The World Bank Grievance Redress Service (GRS) MSN MC 10-1018 1818 H St NW Washington DC 20433, USA

To facilitate the understanding of the complaint, the following could also be included:

- Identify the project subject of the complaint
- Clearly state the project's adverse impact(s)
- Identify the individual(s) submitting the complaint
- Specify if the complaint is submitted by a representative of the person(s) or community affected by the project
- If the complaint is submitted by a representative, include the name, signature, contact details, and written proof of authority of the representative

12.10 World Bank Inspection Panel

The Inspection Panel is an independent complaints mechanism for people and communities who believe that they have been, or are likely to be, adversely affected by a World Bank-funded project. The Panel is an impartial fact-finding body, independent from the World Bank management and staff, reporting directly to the Board. The Inspection Panel process aims to promote accountability at the World Bank, give affected people a greater voice in activities supported by the World Bank that affect their rights and interests, and foster redress when warranted.

The Panel has the power to review Bank-funded projects, and determine whether Bank Management is following the World Bank's operational policies and procedures which were put in place in order to provide social and economic benefits, and avoid harm to people or to the environment.

For information on how to submit complaints to the World Bank Inspection Panel, please visit https://www.inspectionpanel.org/how-to-file-complaint

13 FUNDING ARRANGEMENTS

The RAP will include an itemized budget for the implementation of resettlement activities including compensation. At the project preparation stage where the RPF is prepared, the exact number of people who may be affected cannot be determined since all the sub-projects have not been fully identified. As such, at the time of writing this RPF, it is not possible to provide an estimate of the budget required to cover the total cost of resettlement that will result from the implementation of the EA-RDIP. Guidance for preparing the resettlement budgets is offered in this RPF and in general terms should include the following items:

- Cost of preparing the specific RAPs
- Full replacement cost of lost assets, i.e., land, structures, crops, trees, livestock, public and community infrastructure
- Cost of providing replacement land including transactional expenses, land search costs, cost of developing infrastructure and putting up replacement housing, if need be,
- Income and livelihood restoration costs (including wages and technical assistance)
- Cost of relocation of people and their belongings i.e., moving/transport allowance
- Special resettlement assistance costs for VMGs e.g training and new skill development for
- VMGs, cost of acquiring re-employment equipment, logistical support costs etc.
- Transitional support costs including costs of obtaining alternative accommodation during the transition period
- Cost/expenses incurred in performing traditional/cultural ceremonies necessary in grave removal, exhuming and reburying bodies
- Costs of obtaining architectural designs, construction management costs and structural approval costs.
- Monitoring and auditing costs
- Cost of building institutional capacity for resettlement implementation e.g., constructing new office/hiring offices for project management staff, cost of hiring of project staff, training and institutional capacity building and logistics.
- Any other reasonable cost determined during RAP preparation for specific investment project/s

While some of the costs above such as consultancy cost of preparing the specific RAP/s are readily quantifiable, other aspects of RAP activities such as capacity building, full replacement cost of lost assets and restoration of livelihoods are location/project specific and are not quantifiable at this time.

Table 13-1: Cost of Implementing RPF

#	Activity	Estimated Cost(US$)	Remarks
1	Initial sensitization training/workshops	TBD	Preparatory workshops/barazas and formation of stakeholders' structures at the national, on draft RPF
2	Capacity building training workshops for implementing agencies	TBD	Specifically, for implementation and monitoring processes of RPF and RAP
3	Preparation of RAP	TBD	RAP whether in-house or outsourced
4	Provision of compensation for land and structures		Components 1&2 will require physical investments that may potentially cause displacements and disruption of livelihoods.
5	Provision of compensation for trees and crops		When construction starts there may be damage to trees and crops on land acquired or adjacent land
6	Cost of relocation people and assets		Given that people move to different locations and because it is not known at the time of preparation of RAP, this may be presented as a claim by each PAP as appropriate.
7	Validation training workshops for RAP	TBD	Individual RAPs require concurrence at all structures to be implementable
8	Business advisory /financial management training for PAPs	TBD	When compensation amounts are known there is need for investment advisory to be given to beneficiaries
9	Monitoring and auditing	TBD	Done during implementation of RAP and at completion as quality control measure
10	Contingencies (10%) of total cost	10% of the costs above	Vulnerable Support, stakeholder engagement
	Total Approximate Cost	**TBD USD**	

Budgeting and financing are critical step in the resettlement planning and implementation process. Specific RAPs prepared for EA-RDIP project must therefore provide indicative budget which should clearly specify all activities in the resettlement implementation process, their estimated costs as well as the source of funds. It is expected that the budget for resettlement will be prepared for each of the subproject and will be determined during the RAP preparation exercise after the base line data is collected and all potential impacts have been identified.

The budgets will cover resettlement activities including compensation costs for affected assets such as structures, fruit trees, crops and loss of access including any economic displacement as well as other resettlement or transitional assistance. Funds for the preparation and implementation of the RAP will be financed through project financing while funding for compensation will be provided by the subproject implementing agencies (IP)[8]. Adequate budget for stakeholder engagement will be also allocated from the overall project cost, which will include cost for organizing meetings, workshops and training, hiring of staff, field visits to subproject locations, translation and printing of relevant materials and operating GRMs.

[8]The commitment to provision of funds (counterpart funds) to implement various RAPs to be prepared under the Project will be included in the financing agreement as part of pre-disbursement conditions.

14 STAKEHOLDER CONSULTATION, PARTICIPATION AND DISCLOSURE

The Project will ensure inclusivity of all targeted PAPs at all levels. PAPs will be consulted through a variety of means, as spelled out in the SEP and as necessitated by the resettlement assessment methodology. Furthermore, all information about the activity that triggers the preparation of an RAP and resettlement and compensation will be publicly disclosed, following the modalities of disclosure laid out in the SEP. This is to ensure that all persons, and vulnerable groups in specific, have the opportunity to participate in the decision making process and to raise their concerns where applicable.

Most crucial is that during the implementation phase of the RAP, all PAPs have access to all relevant information, including their rights to resettlement, compensation, payment and RAP activity schedules, identity of leading authorities and implementers etc. They must be given the opportunity to provide their inputs and feedback on the planned activities. Furthermore, they must receive all information in regard to the Project GRM, and the GRM must be available to all PAPs to file potential complaints. Engagements and consultation on the project design and the planned activities and implementation arrangements are presented in the SEP which as prepared as a separate safeguard document.

15 MONITORING AND EVALUATION

The purpose of monitoring is to determine the effectiveness of project implementation including the physical progress of resettlement activities, the disbursement of compensation, the effectiveness of public consultation and participation activities, and the sustainability of income restoration and development efforts among the PAPs. This will facilitate timely identification of problems and successes and appropriate adjustment of implementation arrangements.

Monitoring activities will ensure that all PAPs are adequately compensated. The preparation and implementation of the RAPs will follow the general monitoring structure of E&S risks and risk mitigation measures, as defined in this ESMF. The Social Specialist and the M&E Specialist in the PIU will be responsible for overseeing the design and general implementation of the RAPs. In addition, PIU Social and M&E Specialists will be mainly responsible for the monitoring of the implementation to ensure that all PAPs are compensated.

Therefore, activities should have a monitoring plan that identifies the organizational responsibilities, the methodology, and the schedule for monitoring and reporting. The monitoring plan should have the following three components:

- Performance monitoring
- Impact monitoring
- Completion Audit monitoring

Performance Monitoring is an internal management function carried out regularly, usually quarterly, to measure physical progress against milestones established in the RAP. The report compares achievements at the inspection date against the targets for the required actions.

Impact Monitoring measures the effectiveness of the RAP and its implementation in meeting the needs of the affected population. This may be conducted internally by PIUs or an independent verification agency, every six months. Where feasible, affected people should be included in all phases of impact monitoring, including the identification and measurement of baseline indicators.

Completion Audit: This is to determine to what extent the RAP activities have been implemented. The audit should verify that all physical inputs committed in the RAP have been delivered and all services provided. The audit should evaluate whether the mitigation actions prescribed in the RAP have had the desired effect. This is usually carried out at the end of project completion after all RAP inputs so as to evaluate achievements against the baseline conditions of the population before displacement, as established through the census and socioeconomic studies.

Monitoring activities will be conducted against the milestones set in the RAPs, including the following items:

- PAPs were notified and adequate community consultations held.
- Census of all PAPs and socio-economic survey was conducted.
- A cut-off date was established and adequately disclosed.

- The RAP was prepared, cleared and disclosed.

- Compensation and other mitigation measures were carried out in accordance with the RAP.
- Livelihood restoration measures implemented
- All grievances have been recorded and addressed in a timely manner and closed.
- A completion report outlining all actions carried out with documentation / evidence.

In addition, the Independent Verification Agent that will be contracted by the PIU will also monitor the implementation of the RAPs. This activity will be integrated into the IVA's general TOR. Once the IVA is deployed, a monitoring schedule for the RAPs will be developed jointly with the PIU that assesses whether the goals and compensation plan of the RAPs are met. The PIUs, jointly with local government representatives will facilitate the coordination of information collection, such as surveys and supervise documentation in accordance with the procedures.

The following indicators will be used to measure the performance of the RAPs:

- Collection and storage of census data in a database for comparative analysis. This will include establishing unique identification for each of the PAPs and their respective assets to enable tracking while maintaining the privacy of the individuals for future reporting.
- Number of PAPs physically or economically displaced by each activity
- Compensation completed and paid for all impact types
- Timing of compensation in relation to commencement of physical construction work.
- Compensation paid to each PAP prior to impact
- Livelihood Restoration programs, and status of PAPs compared to pre-project
- Number of people raising grievances, solutions reached, and number of unsolved grievances
- The adherence of the GRM implementation to established timeframes
- Support for vulnerable populations
- All items in the entitlement matrix will be monitored.
- Any breaches in RAP guidelines (regardless of whether there is a formal grievance), i.e., construction activities commencement prior to compensation.

Monitoring reports will provide the basis for analysis and potential adjustments or changes to the RAPs. During evaluations, representatives of the PAPs will participate in the project completion workshops to give their evaluation of the impacts of the Project, and specifically the activities under the RAP. They can suggest corrective measures to be implemented retroactively, or to build lessons learnt for other activities. After completion of all compensation and resettlement activities, the PAPs will be consulted through a survey, which forms part of the EA-RDIP M&E activities.

16 APPENDICES

Annex A

a. Terms and Definitions

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

"Resettlement Assistance" means the measures to ensure that (EA-RDIP) Affected Persons and Displaced Persons under various investments who may require to be physically relocated are provided with assistance during relocation, such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement.

"**The Resettlement Policy Framework (RPF)'** is an instrument to be used throughout the (EA-RDIP) Program implementation. The RPF sets out the resettlement objectives and principles, organizational arrangements and funding mechanisms for any resettlement, that may be necessary during (EA-RDIP) investments implementation. The RPF guides the preparation of Resettlement Action Plans of individual investments in order to meet the needs of the people who may be affected by the project. The **Resettlement Action Plans ("RAPs")** for various investments under the (EA-RDIP) will therefore be prepared in conformity with the provisions of this RPF.

"Census" means a field survey carried out to identify and determine the number of Projected Affected Persons (PAP) or Displaced Persons (DPs) as a result of land acquisition and related impacts under various investments in the (EA-RDIP). The census provides the basic information necessary for determining eligibility for compensation, resettlement and other measures emanating from consultations with affected communities and the local government institutions (LGIs).

"Cut-off date" is the date of commencement of the census of project affected persons, within various projects areas under EA-RDIP P, when those who will move to the area after the time of census will not be compensated.

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

"Involuntary Displacement" means the involuntary acquisition of land resulting in direct or indirect economic and social impacts caused by: Loss of benefits from use of such land; relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether the Displaced Persons has moved to another location or not.

"Involuntary Land Acquisition" is when the project affected people need to be relocated or give up their rights to land and other assets as a result of development projects or other reasons which are beyond their control in this case the (EA-RDIP) PAPs.

"Land" refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the (EA-RDIP).

"Land acquisition" means the possession of or alienation of land, buildings or other assets thereon for purposes of the (EA-RDIP)

Rehabilitation Assistance" means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable (EA-RDIP) Program Affected Persons and Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre- (EA-RDIP) levels.

Resettlement and Compensation Plan", also known as a "Resettlement Action Plan (RAP)" or "Resettlement Plan" - is a resettlement instrument (document) to be prepared for each individual investment under (EA-RDIP) which is prepared based on the principles of this RPF. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. Individual RAPs are prepared by the agencies in charge of the development projects under the (EA-RDIP). RAPs contain specific and legal binding requirements to resettle and compensate the affected party before implementation of a given investment Under (EA-RDIP) program activities commences.

"Replacement cost" means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. It includes expenses that a person will incur in order to replace his or her house or land (at market price) which could include taxes and moving allowance. In terms of land, this may be categorized as follows; (a) "Replacement cost for agricultural land" means the pre-(EA-RDIP P) or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the others costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes;

Program Affected Person(s) (PAPs) are persons affected by land and other assets loss as a result of a number of projects under (EA-RDIP). These person(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they will move to another location.

"Compensation" means the payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets thereon as well as other impacts resulting from (EA-RDIP) activities.

Annex B

b. RAP Template

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

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

3. *Potential impacts*. Identification of

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

4. *Objectives*. The main objectives of the resettlement program including principle of proportionality.

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

(a) the results of a census survey covering
(i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
(ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
(iii) the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic;
(iv) information on vulnerable groups or persons, for whom special provisions may have to be made; and
(v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
(b) Other studies describing the following
(i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;

(ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
(iii) public infrastructure and social services that will be affected; and
(iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

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

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

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

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

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

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

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

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

(a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
(b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
(c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and
(d) legal arrangements for regularizing tenure and transferring titles to resettlers.

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

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

14. *Community participation*. Involvement of resettlers and host communities,

(a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;
(b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
(c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries);and
(d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

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

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

16. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes

arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

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

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

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

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

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Annex C

Screening Checklist

Environmental and Social Screening Template					
SECTION A: General Information					
Date of screening					
Activity/Sub project title					
Activity/Sub project component					
Implementing Partner					
Proposed activity budget					
Proposed activity duration					
ES Screening Team Leader and Contact Details					
ES Screening Team Members					
Site/Activity location					
New/Rehabilitation project					
Project Description. Briefly describe project activities, activities that interact with the ES					
Categorize Project Activities into List A or List B or List C (see above)					
Information about actions needed during the construction including support/ancillary structures and activities required to build them, e.g. need to quarry or excavate borrow materials, laying pipes/lines to connect to energy or water source, need to open an access road etc A description of the location, siting, current land uses, and soil occupation surroundings is required					
Potential Environmental/Social Risks Impacts of Activities	**Yes**	**No**	**I don't know**	**If these risks ('yes') are present, refer to:**	**Comments**

Risk Category *(Please check each line appropriately. At this stage, questions are answered without considering magnitude of impact – only yes, no or I don't know are applicable answers)*					
ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement					
Will the project lead to the displacement of a population? (e.g. forceful relocation, relocation of the local community)				Resettlement Policy Framework (RPF) Resettlement Action Plan (RAP)	
Will the displacement / resettlement affect IDPs?				Resettlement Policy Framework (RPF) Resettlement Action Plan (RAP)	
Is the project located in a conflict area, or has the potential to cause social problems and exacerbate conflicts, for instance, related to land tenure and access to resources (e.g. a new road providing unequal access to a disputed land)?				Stakeholder Engagement Plan (SEP) Grievance Redress Mechanisms (GRM)	
Would the project potentially discriminate against women and girls based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?				Stakeholder Engagement Plan (SEP) Grievance Redress Mechanisms (GRM)	
Is there a risk that the activity leads to loss of income, assets or means of livelihoods?				Resettlement Policy Framework (RPF) Resettlement Action Plan (RAP)	
Will the activity lead to disputes over land ownership?				Resettlement Policy Framework (RPF) Resettlement Action Plan (RAP)	
Will the activity lead to blocked access to people in the area?				Resettlement Policy Framework (RPF) Resettlement Action Plan (RAP)	

Will the activity require acquisition of land or physical buildings or infrastructure?					
Will the activity requires voluntary land donation? If yes, can all ESS 5 principles on this matter be respected and documented?				Resettlement Policy Framework (RPF) Resettlement Action Plan (RAP)	
Did any resettlement occur prior to land acquisition? If so, is there any pending land disputes? Are there any significant legacy issues?				Resettlement Policy Framework (RPF) Resettlement Action Plan (RAP)	
SUMMARY OF THE SCREENING PROCESS					
E&S Screening	**Results and Recommendation**				
Screening Results: Summary of Critical Risks and Impacts Identified	**Risk/Impact**	**Individual Risk/ Impact Rating**	**Mitigation** At the end of the screen process, tabulate the mitigation measures		
Is Additional Assessment Necessary? Evaluate the Risks/Impacts and reflect on options (see below)	**Screening Result**	**Summary of Screening Result Justification**			
	1. No further ES Assessment required.				
	3. Detailed RAP				

Exclusion List

- Sub Projects that involve the transformation or degradation of critical natural habitats and may result in the loss of biodiversity, including any official protected natural areas, such as national parks and other protected areas or can cause degradation of critical habitats.
- Sub Projects that within areas identified as at risk from flooding, rising water levels, landslides, ravines, fires, etc.,
- Sub Projects that would damage non-replicable cultural property.
- Sub Projects that that in any way impact land owned or claimed by Historically Disadvantaged Local Communities and /or Indigenous Peoples without complete and documented free, prior and informed consent of such communities.
- Sub Projects that include activities that may have significant adverse social impacts and may give rise to significant social conflict between communities.
- Sub Projects that involve harmful or exploitative forms of forced labour / harmful child labour.
- Sub Projects that involve significant air emissions, harmful effluents, noise emissions above international standards, or represent potential physical, chemical, biological, and radiological hazards, or any threat to community health and safety that cannot be mitigated by the environmental and social instruments proposed in this ESMF.

Annex D

c. Sample Asset Inspection Tool

Household No / unique Identifier ……

A) General details of Affected Asset or Livelihood

Village / Cluster	Location	Sub County	County
Plot Number	PAP category[9]	Ownership / Rented	GPS coordinates / Photo Number

Codification
PAPs Category:
1 – Land owner, 2-Structure Owner, 3 – Crop / tree Owner, 4-Livelihood Owners, 5- tenant, 6- employees,

B) Demographic Data of PAP

Name of the owner (HH)	ID	Telephone	Gender	Age
Spouse Details	ID	Telephone	Gender	Age
Household size				
Education Level				
Livelihood / Income Streams				

C) Vulnerability (Marginalized and Vulnerable Groups (VMG))

No	Vulnerable Parameter	Answer	
	Is the HH headed by child under 18yrs		
	Is the HH headed by a disabled Person		
	Is the HH headed a chronic ill person		
	Elderly-Headed Households with No Support System		
	Single Parent (Female or male) with Dependent Children		
	Extreme Poor		
	HIV/AID/ Chronically-ill		

Yes (1) or No (2)

D) Land Affected (Yes/no)……..Size (acre/square meters)……..……..……..

[9] Structure owner could be PAPs or Institutions owning land, structures, livelihood or community assets

E) Structure ……(partial / total impact) tick appropriately

TYPE OF STRUCTURE affected	NATURE OF MATERIAL			Size in sq ft	GPS cordinates	PHOTO NUMBER.
	Wall	Roof	Floor			
A1.Main house						
A2.Kitchen						
A3.Store						
A4.Fixed Business shed						
A5.Mobile business shed						
A6.Goat shed						
A7. Poultry house						
A8. Latrine						
A9. Bathroom						
A10. House 1						
A11. Community water point						
A12. Community mosque						
A13. fence						
A14. Others indicate						

Codification Asset structure below

A2	A3	A4	A5	A6
Relationship to Household head	Type of wall	Type of roof	Floor	Size in meters
1.Head 2. Spouse 3.Son/Daughter 4.Brother/Sister 5. Parent. 6. other indicate	1.Stone not plastered. 2.stone and plastered 3.Bricksand plastered 4.Bricks not plastered 5. Iron sheets. 6.Wooden 7. Mud 8.Mud +plastered 9. Other	1.Iron Sheets 2. Grass thatched. 3.Plastic paper 4.Other	1.Plain concrete 2.Tiled 3.Mud 4.Other	Length Width Radius

F) LOSS OF LIVELIHOOD

S/ NO	Type of Business	Average Daily Income	Affected		Owner of the business
.		Ksh.	Total / Partial	Type	Name (ID and address if not member of the household)

Annex E

d. Sample Socio Economic Questionnaire

General Information

Country	County	Village	√
		1.	
		2.	
		3.	
		4.	

GPS Coordinates:
Eastings : _____
Northings :_____

No. Photo/s :
_____

Respondent: _____
Relationship with the Head of the household:
_____

Household Number: _____
ID number of HH
_____
Interview date: _____
Telephone_____
_
Enumerators :
1._____
_
2. _____
3. _____
4. _____

Verified by: _____
Verification date: _____
Entered electronically by: _____

HEAD OF HOUSEHOLD

1.1 Name of the Head of household:…….…….…….…… 1.2 Gender: 1- M 2- F 1.3 Age: …… Tel …….

1.2 **Other household members:** Provide information on other household members specifying their relationship with the Head of the household

No.	Name of Household Member	Relationship with the Head of the household	Gender	Age	Occupation			Education	Can read and/or write
			1-M 2-F		Primary	Secondary	Tertiary		1 – Yes 2 – No

Relationship with the household head:

☐ 1- Spouse ☐ 2- Son/Daughter ☐ 3- Parent (Father/Mother) ☐ 4- In-laws ☐ 5- Brother/Sister ☐ 6- Brother/Sister-in-law
☐ 7- Nephew/Niece ☐ 8- Grand-son/daughter ☐ 9- Cousin ☐ 10- Other parent ☐ 11- Other (specify) …….

Primary occupation, Secondary and Tertiary:

☐ Refer to codification question 2.1, 2.2 & 2.

Education:

☐ Refer to codification question 3 next page

OCCUPATION OF THE HEAD OF THE HOUSEHOLD

2.1 Primary occupation: …… 2.2Secondary occupation: …….…… 2.3Tertiary occupation: ……..……

Primary, secondary and tertiary occupation (2.1, 2.2 & 2.3): ***(multiple responses possible)***

☐ 1- subsistent trader ☐ 2- farmer ☐ 3- Farmer-Breeder ☐ 4- Fisherman or Fish farmer ☐ 5- Builder ☐ 6- Agricultural worker ☐ 7- Animal breeding labor ☐ 8- Fishing/Fish farming labor ☐ 9- Building labor ☐ 10-Self-employed craftsman/woman ☐ 11- Employed craftsman/woman ☐ 12-Non-employed home helper ☐ 13- Shop assistant ☐ 14- Civil servant ☐ 15- Student ☐ 16- Housewife ☐ 17- Without occupation/employment ☐ 18- Other……..…

EDUCATION LEVEL OF THE HOUSEHOLD HEAD: …….

☐ 1- Without education ☐ 2- Did not complete primary education ☐ 3- Completed primary education ☐ 4- Did not complete secondary education ☐ 5- Completed secondary education ☐ 6- Completed technical training ☐ 7- Completed vocational training ☐ 8- Other: …….……..

3.1 Can read and/or write: ☐ 1- Yes ☐ 2-No

HOUSEHOLD'S LIVING CONDITIONS

4.1 Access to drinking water (more than one possible answer): ……

☐ 1- Traditional well at home ☐ 2- Borehole at home ☐ 3- House with a water tap ☐ 4- Access to public water taps outside the house ☐ 5- Access to water sources or boreholes outside the house ☐ 6- Access to surface water ☐ 7- Rainwater ☐ 8- Other (specify)……

4.2 Sanitary facilities (more than one possible answer): ……

☐ 1- Flush toilet in the house ☐ 2- Latrine with septic tank ☐ 3- Latrine without septic tank ☐ 4- Public toilets outside the house ☐ 5- None

4.3 Energy - Type of lighting (more than one possible answer): ……..

☐ 1- Electricity (public utility) ☐ 2- Electricity (power generator) ☐ 3- Oil lamp/lantern ☐ 4- Kerosene lamp/lantern ☐ 5- Oil lamp/lantern ☐ 6- Wood ☐ 7- Candle ☐ 8- None ☐ 9- Other ……

4.4 Energies– Cooking combustible (more than one possible answer): .....

☐ 1- Electricity ☐ 2- kerosene ☐ 3- Coal ☐ 4- LPG Gas ☐ 5- Biogas ☐ 6- dry plants (wood) ☐ 7- Other

4.5 Household equipment: (indicate number of items if applicable) *(multiple response expected)*

☐ 1- Bicycle: …… ☐ 2- Motorcycle: …… ☐ 3- Truck: …… ☐ 4- Car: ……. ☐ 5- Canoe: ……. ☐ 6- Boat: ..... ☐ 7- Mobile phone:..... ☐ 8- Tractor… ☐ 9- Water pump:….. ☐ 10- Radio: …….. ☐ 11- Television:…… ☐ 12- Generator: ……

HOUSEHOLD HEAD FALLING IN VULNERABLE GROUP CATEGORIES

5.1 **is the Household Head falling in vulnerable group categories**

☐ 1-widow…… ☐ 2-orphan …… ☐ 3 Household headed by children under 18yrs ……. ☐ 4-sick ……. ☐ 5-disabled …… ☐ 6-elderly over 60yrs 7- (others) specify ……

LIVELIHOOD – *(MULTIPLE RESPONSES EXPECTED)*

6.1 Sources of CASH income for the household head

No.	Source of income	Sector	Average Distance (km)	Activity performed on affected territory If yes, please indicate location	Monthly Income of the Household		
					Nb.	Member of the Household	Amount
1.	Main source :					Head of the household	
						Spouse	
						Adult child	
						Other: ……	
2.	Secondary source :					Head of the household	
						Spouse	
						Adult child	

						Other:	
3.	Others source(s) :					Head of the household	
						Spouse	
						Adult child	
						Other:	

Sector: ☐ 1- Agriculture ☐ 2- Animal husbandry ☐ 3- Fishing and/ or fish-farming ☐ 4- Handicraft ☐ 5- Construction ☐ 6- Property rental ☐ 7- Commerce ☐ 8- Civil service ☐ 9- Pension ☐ 10- Economic support: Family or friends ☐ 11- Economic support: Government or NGO ☐ 12- Other (specify).....

6.2 Other types of affected household production (Identify income sources and income amounts that are potentially affected by the project)

No.	Member of the household	Income			Affected		
	Name	Type	Sector	Amount/Month	Place	Type	Duration
1.							
2.							
3.							
4.							
5.							
6.							
7.							

Type of income:

☐ 1- Rent-generated income for an owner of a house on an affected plot of land

☐ 2- Rent-generated income for an owner of a business on and affected land plot

3- Sale-generated income for an owner of an affected business

☐ 4- Income for an employee of an affected business

☐ 5- Income generated by the sale of products from an affected land plot

☐ 6- Employment-generated income for a farm worker operating on an affected plot of land

☐ 7- Income generated by the sale of fishing products in an affected area

☐ 8- Employment-generated for an employer working in the fishing sector in a project-affected area

☐ 9- Other (specify)

Sector:

☐ 1- Formal ☐ 2- Informal

Type of impact:

☐ 1- Partial impact ☐ 2- Total impact

Duration of impact:

☐ 1- Temporary impact ☐ 2- Permanent impact

6.3 For the employee (s) of a business owned by a member of the house hold only: (if applicable) (List and specify the income(s) potentially affected by the project)

No.	Name of Employee	Income			Affected		
	Name (ID number and address if not member of the household)	Type	Sector	Amount/Month	Place	Type	Duration
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							

Type of income:

☐ 1- Income of a shop assistant

☐ 2- Income of an agricultural worker

☐ 3- Income of a person employed in the fishing sector

☐ 4- Other (specify)

Sector:

☐ 1- Formal ☐ 2- Informal

Type of impact:

☐ 1- Partial impact ☐ 2- Total impact

Duration of impact:

☐ 1- Temporary impact ☐ 2- Permanent impact

MAIN EXPENSES OF THE HOUSEHOLD –*(Multiple response expected)*

(Specify amounts based on the reference period of your choice–Week, Month OR Year- in each category)

No.	Main expenses of the household	Amount		
	Choose the reference period :	**Week**	**Month**	**Year**
1.	House rental			
2.	Rental of agricultural land			
3.	Agricultural input			
4.	Food			
5.	Drinking water			
6.	Health			
7.	Transport			
8.	Education			
9.	Other (specify): ……..			
10.	Other (specify): ……..			
11.	Other (specify): ……..			

HOUSEHOLD'S PERCEPTIONS IN RELATION TO THE PROJECT AND TO AVAILABLE COMPENSATION AND RESETTLEMENT OPTIONS

6.4 Are you aware of Project ? ☐1- Yes ☐2-No

6.5 What is your main source of information about this project? ……

☐1- Members of your family ☐2- Neighbors ☐3- National or regional Government ☐ 4- Local authorities

☐5- public meeting ☐6 - other……

6.6 Are you aware that your Land structures or livelihood sources could be affected by this project? ☐ 1- Yes ☐2-No

6.7 In the event that your assets or livelihood is affected by the project, what type of compensation would you prefer?

☐ 1- Provision of alternative Land or Structures for my affected land parcel

☐ 2 Cash compensation for loss of assets or livelihood

6.8 In the event that you would be affected, what other type of assistance would you need during resettlement? ***(More than one possible answer)***

☐ 1- Assistance for the transportation of the affected assets.

☐ 2- The authorities to allow for salvage of materials

☐ 3 compensation to include 15% disturbance allowance

☐ 4- No assistance ☐ 5- Other (specify): .....

6.9 How do you think this project could affect your household?

No.	Theme	Impact	
		Type	Explanation
1.	Household incomes		
2.	Household expenses		
3.	Household 'food		
4.	Employment of members of the household		
5.	Household children's education		
6.	Household members' health		
7.	Household's access to electricity services		
8.	Household's social network		
9.	Road and/or pedestrian network frequently used by members of the household		

10.	Other (specify): ……		
11.	Other (specify): ……		
12.	Other (specify): ……		

How affected: ☐ 1- Positive ☐ 2- Negative ☐ 3- Without impact ☐ 4- Don't know

Annex F

e. Sample Grievance Redress Form

Grievance Form		
Grievance Number		Copies to forward to:
Name of the Recorder		(Original)-Receiver Party
Sub-County		(Copy)-Responsible Party
Date		

INFORMATION ABOUT GRIEVANCE

Define The Grievance:

INFORMATION ABOUT THE COMPLAINANT		Forms of Receive
Name-Surname		□Phone Line □ Community/ Information Meetings □ Mail □ Informal □ Other
Telephone Number		
Address		
Village		
Sub-County		
Signature of Complainant		

DETAILS OF GRIEVANCE

1. Access to Land and Resources	***2. Damage to***	***3. Damage to Infrastructure or Community Assets***	***4. Decrease or Loss of Livelihood***	***5. Traffic Accident***
a) Fishing grounds *b) Lands* *c) Pasturelands* *d) House* *e) Commercial site* *f) Other*	*a) House* *b) Land* *c) Livestock* *d) Means of livelihood* *e) Other*	*a) Road/Railway* *b) Bridge/ Passageways* *c)Power/Telephone Lines* *d) Water sources, canals and water infrastructure for irrigation and animals* *e) Drinking water* *f) Sewerage System* *g) Other*	*a) Agriculture* *b) Animal husbandry* *c) Beekeeping* *d) Small scale trade* *e) Other*	*a) Injury* *b) Damage to property* *c) Damage to livestock* *d) Other*
6. Incidents Regarding Expropriation and Compensation (Specify)	***7. Resettlement Process (Specify)***	***8.Employment and Recruitment (Specify)***	***9. Construction Camp and Community Relations*** ***a) Nuisance from dust*** ***b) Nuisance from noise*** ***c) Vibrations due to***	***10. Other (Specify)***

			explosions ***d) Misconduct of the project personal/worker*** ***e) Complaint follow up*** ***f) Other***	

f. Sample GRM Resolution Form

INVESTIGATION OUTCOME/RESOLUTION	
Reference no of registered complaint:	**Date:**
Name of complainant or representative of group of complainants:	
Contact details of complainant or representative of group of complainants (if available):	Residence:
	Telephone/email:
Location where complaint is received:	**Location where complaint is related to:**
City:	City:
District:	District:
Avenue:	Avenue:
Location:	Location:
Sub-location:	Sub-location:
Village:	Village:
Project	
	Other
Complaint is related to:	
Response to complainant (investigation outcome and resolution proposed)	
Acknowledgement of resolution by complainant: *I hereby acknowledge that the resolution provided by… ……. is acceptable to me and/or to the group that I represent.*	
Name/Thumb print of complainant or representative of group of complainants	**Signature/Thumb print of complainant or representative of group of complainants**
Name/thumb print of witness (if available)	**Signature/thumb print of witness (if available)**
Name of personnel	**Signature of personnel**

Annex G

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM
(to be translated into Somali and verbally read out to affected persons unable to read)

This form or an equivalent document is to be used to record the consent of landowners who offer private land for a community good activity. The essentials of voluntary donation are that the donors have been freely consulted prior to the donation, were not pressured or coerced, that the donation will not affect a significant proportion (more than 10%) of their productive assets, and that they have the right to refuse and to lodge a complaint if they have a grievance about the process.

Consent Form for Voluntary Donation
I/We: _____ male household head _____female household head, and/or person(s) exercising customary rights over land described as (legal description, GPS coordinates if available) in Village_____
Sub County_____
County _____

Hereby declare that I/we/the group are the owners/users of the land required for (description):
_____
I/we are voluntarily donating the use of land and or/ land-based assets (land area, type of assets /trees/crops etc) _____
_____
for the purpose of: (specify activity)
_____
_____ Further, we confirm that the land is formally owned by us and that the land and that the land does not have any encumbrances.

We agree to this purpose from (date)_____ for as long as the purpose is served ***or*** until (specify end date, typically the life expectancy of the facility)_____
I/we make this donation of My/Our own free will. I/We are waiving My/Our right to compensation of any kind for the specified duration of the activity.

I/We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that I/we have the right to refuse, and to seek redress for any grievance concerning this transaction.

Signed by:

Male household head _____ /Female household head_____

Chief or Local Custom Authority_____

Representative of concerned Government Agency_____

Date: