

Module 8 - Involuntary Resettlement- Policy Principles & Requirements

(World bank OP 4.12 and 4.12 – Annex A)

- ❑ Key principles and objectives of an involuntary Resettlement Policy
- ❑ Resettlement planning instruments

Policies objectives

- A.** Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- B.** Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs with sufficient investment resources.
- C.** Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- D.** Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation.

Impacts covered by the Policy

- Economic and social impacts caused by the involuntary taking of lands or the involuntary access to protected areas resulting in :
 - i. Relocation or loss of shelter;
 - ii. Lost of assets or access to assets;
 - iii. Loss of income sources or means of livelihood, whether or not the affected persons must move to another location.
- All components of the project that result in involuntary resettlement
- Other activities resulting in involuntary resettlement considered by the financial agency-assisted project as necessary to reach the resettlement policy.

M8 Involuntary Resettlement-Policy Principles & Requirements

➔ **Required measures by the Policy in the frame of the resettlement planning instruments aim that the displaced persons are :**

- ❑ **informed** about their possible options and rights pertaining to resettlement;
- ❑ **consulted** on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
- ❑ **provided** prompt and effective **compensation** at full replacement cost for losses of assets
- ❑ **provided** assistance during relocation and with **residential housing, or housing sites, agricultural sites** for which productive potential advantages are at least equivalent to the advantages of the old site.
- ❑ **offered support after displacement**, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living;
- ❑ **provided with development assistance** in addition to compensation measures such as land preparation, credit facilities, training, or job opportunities.

M8 Involuntary Resettlement-Policy Principles & Requirements

➔ **Specific Policy strategies for :**

- Projects involving involuntary restriction of access to protected areas through a intense participatory process framework.
- Resettlement of indigenous peoples through preferred land-based strategies.
- Land-based resettlements when displaced persons have land-based livelihoods.
- Non-land-based resettlemnts when it is the preferred option of the displaced persons and when there are insured opportunities for employment in addition to cash compensation.
- Payment of cash compensation for lost assets when (i) land taken is a minor fraction of the total assets ; (ii) there are active markets for land, housing and labour ; (iii) livelihoods are not land-based.

Eligibility for benefits

- ➔ **A formal and official census has to be achieved in order to :**
 - i. Identify the persons who will be affected by the project
 - ii. Determine who will be eligible for benefits and assistance
 - iii. Discourage inflow of people ineligible

- ➔ **Criteria for eligibility : 3 categories of persons**
 - a. Those who have formal legal rights to land (customary and traditional rights included)
 - b. Those who do not have legal rights at the time of the census but have a claim to affected land and assets
 - c. Those who have no recognizable legal right or claim to the land they are occupying.

Resettlement planning instruments

- ❑ Resettlement Policy Framework
- ❑ Resettlement Process Framework
- ❑ Abbreviated Resettlement Plan
- ❑ Full Resettlement Action Plan (RAP)

M8 Involuntary Resettlement-Policy Principles & Requirements (cont.)

- ➔ **A Resettlement Policy framework** is required when there is a set of sub-projects that may involve involuntary resettlement. The resettlement framework has to conform to the resettlement policy and to estimate the total population to displace and the overall resettlement costs.
- ➔ **A Resettlement Process Framework** is required for projects involving restriction of access to specific protected areas. The purpose of the process framework is to establish a process by which potentially affected communities participate in design project components, including resettlement options, implementation procedures and monitoring.
- ➔ **An abbreviated Resettlement Plan** may be sufficient when the project impacts on the entire affected population are minor or provoke less than 200 people to be displaced.

M8 Involuntary (cont.) - Content of a Resettlement Policy Framework

- ✓ Brief description of the projects' components for which resettlement is required with justification of reasons why a short or a full RAP cannot be prepared at project appraisal stage.
- ✓ Principles and objectives governing resettlement preparation and implementation;
- ✓ Description of the process for preparing and approving resettlement plans;
- ✓ Estimated population displacement and likely categories of displaced persons;
- ✓ Eligibility criteria for defining various categories of displaced persons;
- ✓ Legal framework reviewing;
- ✓ Methods of valuing affected assets;
- ✓ Organizational procedures for delivery of entitlements involving the different concerned stakeholders;
- ✓ Description of the implementation process, linking resettlement implementation to civil works;
- ✓ Description of grievance redress mechanisms;
- ✓ Description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements;
- ✓ Description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring.

Content of a Resettlement Process Framework

➔ **A resettlement process framework describes participatory process by which the following activities will be accomplished :**

- Project components will be prepared and implemented.*
- Criteria for eligibility of affected persons will be determined.*
- Measures to assist affected persons in their efforts to improve their livelihoods or restore them, in real terms, to pre-displacement levels, while maintaining the sustainability of the park or protected area will be identified.*
- Potential conflicts or grievances within or between affected communities will be resolved*
- Administrative and legal procedures*
- Monitoring arrangements*

Minimum content of an abbreviated Resettlement Plan (short RAP)

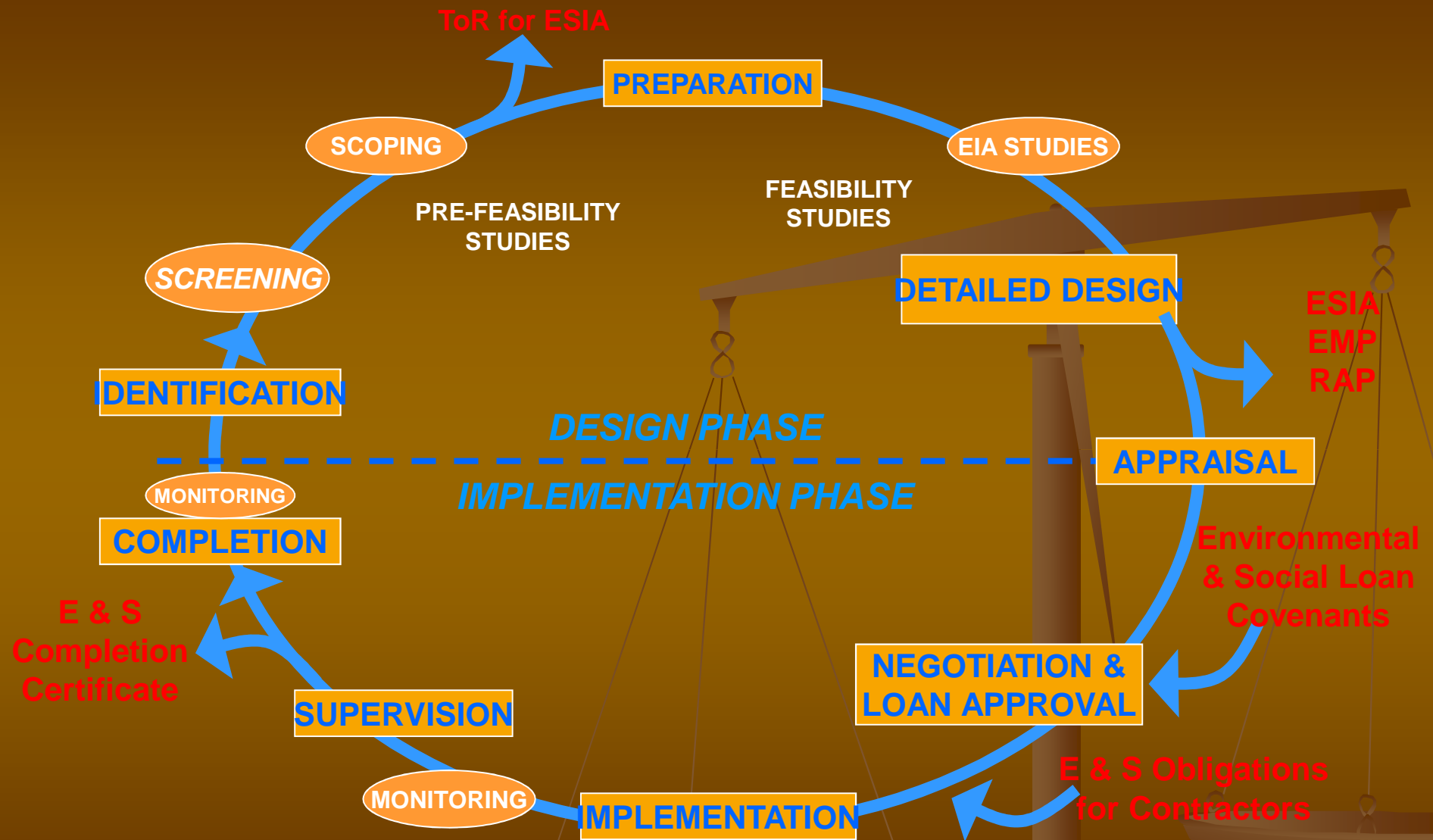
- ❑ *Census survey of displaced persons and valuation of assets;*
- ❑ *Description of compensation and other resettlement assistance to be provided;*
- ❑ *Consultations with displaced people about acceptable alternatives;*
- ❑ *Institutional responsibility for implementation and procedures for grievance redress;*
- ❑ *Arrangements for monitoring and implementation;*
- ❑ *Timetable and budget.*

Module 9 - Resettlement Action Plan



- ❑ Resettlement Action Plan and the Project Cycle
- ❑ Public Information and Consultation
- ❑ Outline of a Resettlement Action Plan

ESIA AND RAP STAGES AND THE PROJECT CYCLE



Public Information and Consultation

- ➔ **Public Information and Consultation starting** : First step of the RAP, after detailed design of the project and the ESIA and before official census of the RAP.
- ➔ **Leading methodological principles** :
 1. To take into account present socio-economic baseline situation in its actual diversity and specificity (ethnically, anthropologically, economically, institutionally)
 2. To base public information and consultation on communication channels and local leaders and key persons at grassroots level through a bottom-up and not top-down process.
 3. To take the necessary time and phasing
 4. To insure technical assistance, monitoring and follow-up for PICC
 5. To start institutional arrangements and organization that will continue during EMP and RAP, and to involve main stakeholders' institutions.

M9 Resettlement Action Plan (cont.)

Main objectives of the Public Information and Consultation

- ❑ Official and formal information of people on the project and its impacts
- ❑ Opinions measurement of the affected social groups and concerned stakeholders.
- ❑ Participatory planning of resettlement areas per affected village/social groups.
- ❑ Discussion of physical and housing options of resettlement : housing models, housing social options (nuclear households/domestic units resettlement or not per descent group/ethnic group, etc.).
- ❑ Identification of possible direct compensations programming from people requests according to different affected villages and social groups.
- ❑ Pre sizing of compensation programmes for agricultural lands (irrigated fields and rangelands), goods and incomes.
- ❑ Precision of procedure and methods to apply during the further action plan and its different programmes.
- ❑ Other social issues and options for the RAP (development programmes, assistance measures, etc.)



Outline of a Resettlement Action Plan

- ❑ Introduction
- ❑ Minimizing Resettlement
- ❑ Census and socio-economic surveys
- ❑ Legal Framework
- ❑ Resettlement Sites
- ❑ Income Restoration
- ❑ Institutional Arrangements
- ❑ Implementation Schedule
- ❑ Participation and Consultation
- ❑ Grievance Redress
- ❑ Monitoring and Evaluation
- ❑ Costs and Budgets

➔ *IFC Handbook for Preparing a Resettlement Action Plan*

M9 Outline of a Resettlement Action Plan (cont.)

Introduction

- ❑ Briefly describe the project.
- ❑ List project components including associated facilities (if any).
- ❑ Describe project components requiring land acquisition and resettlement; give overall estimates of land acquisition and resettlement.

Minimizing Resettlement

- ❑ Describe efforts made to minimize displacement.
- ❑ Describe the results of these efforts.
- ❑ Describe mechanisms used to minimize displacement during implementation.

Census and Socioeconomic Surveys

- ❑ Provide the results of the census, assets inventories, natural resource assessments and socioeconomic surveys.
- ❑ Identify all categories of impacts and people affected.
- ❑ Summarize consultations on the results of the various surveys with affected people.
- ❑ Describe need for updates to census, assets inventories, resource assessments, and socioeconomic surveys, if necessary, as part of RAP monitoring and evaluation.

M9 Outline of a Resettlement Action Plan (cont.)

Legal Framework

- ❑ Describe all relevant local laws and customs that apply to resettlement.
- ❑ Identify gaps between local laws and World Bank Group policies, and describe project-specific mechanisms to address conflicts.
- ❑ Describe entitlement policies for each category of impact and specify that resettlement implementation will be based on specific provisions of agreed RAP.
- ❑ Describe method of valuation used for affected structures, land, trees, and other assets.
- ❑ Prepare entitlement matrix.

Resettlement Sites

- ❑ Have affected people been involved in a participatory process to identify sites?
- ❑ Have the affected people been involved in developing an acceptable strategy for housing replacement? Will new housing be constructed/allocated?
- ❑ Does the project involve allocation of agricultural land or pasture/rangeland?
- ❑ Have the individual households that will be allocated lands been involved in identifying potential new sites? If yes describe specific participatory process.
- ❑ Describe the feasibility studies conducted to determine the suitability of the proposed sites, including natural resource assessments (soils and land use capability, vegetation and livestock carrying capacity, water resource surveys) and environmental and social impact assessments of the sites.
- ❑ Demonstrate that the land quality and area are adequate for allocation to all of the people eligible for allocation of agricultural land. Provide data on land quality and capability, productive potential, and quantity.
- ❑ Give calculations relating to site requirements and availability.
- ❑ Describe mechanisms for: 1) procuring, 2) developing and 3) allotting resettlement sites, including the awarding of title or use rights to allotted lands.
- ❑ Provide detailed description of the arrangements for site development for agriculture, including funding of development costs.

Outline of a Resettlement Action Plan (cont.)

Income Restoration

- ❑ Are the compensation entitlements sufficient to restore income streams for each category of impact? What additional economic rehabilitation measures are necessary?
- ❑ Briefly spell out the restoration strategies for each category of impact and describe their institutional, financial, and technical aspects.
- ❑ Describe the process of consultation with affected populations and their participation in finalizing strategies for income restoration.
- ❑ Does income restoration require change in livelihoods, development of alternative farmlands or some other activities that require a substantial amount of training, time for preparation, and implementation.
- ❑ How are the risks of impoverishment to be addressed?
- ❑ Describe the process for monitoring the effectiveness of the income restoration measures.
- ❑ Describe any development programs currently operating in or around the project area and if they meet the priorities of the targeted groups?

Institutional Arrangements

- ❑ Describe the institution(s) responsible for delivery of each item/activity in the entitlement policy; implementation of income restoration programs; and coordination of the activities associated with and described in the resettlement action plan.
- ❑ State how coordination issues will be addressed in cases where resettlement is spread over a number of jurisdictions or where resettlement will be implemented in stages over a long period of time.
- ❑ Identify the agency that will coordinate all implementing agencies. Does it have the necessary mandate and resources?
- ❑ Describe the external (non project) institutions involved in the process of income restoration (land development, land allocation, credit, training) and the mechanisms to ensure adequate performance of these institutions.
- ❑ Discuss institutional capacity for and commitment to resettlement.
- ❑ Describe mechanisms for ensuring independent monitoring, evaluation, and financial audit of the RAP.

Implementation Schedule

- ❑ List the chronological steps in implementation of the RAP, including identification of agencies responsible for each activity and with a brief explanation of each activity.
- ❑ Prepare a month-by-month implementation schedule of activities to be undertaken as part of resettlement implementation.
- ❑ Describe the linkage between resettlement implementation and initiation of civil works for each of the project components.

Participation and Consultation

- ❑ Describe the various stakeholders.
- ❑ Describe the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning.
- ❑ Describe the process of involving affected populations and other stakeholders in implementation and monitoring.
- ❑ Describe the plan for disseminating RAP information to affected populations and stakeholders, including information about compensation for lost assets, eligibility or compensation, resettlement assistance, and grievance redress.

Grievance Redress

- ❑ Describe the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication modes.
- ❑ Describe the mechanism for appeal.
- ❑ Describe the provisions for approaching civil courts if other options fail.

Monitoring and Evaluation

- ❑ Describe the internal/performance monitoring process.
- ❑ Define key monitoring indicators derived from baseline survey.
Provide a list of monitoring indicators that will be used for internal monitoring.
- ❑ Describe institutional (including financial) arrangements.
- ❑ Describe frequency of reporting and content for internal monitoring.
- ❑ Describe process for integrating feedback from internal monitoring into implementation.
- ❑ Define methodology for external monitoring.
- ❑ Define key indicators for external monitoring.
- ❑ Describe frequency of reporting and content for external monitoring.
- ❑ Describe process for integrating feedback from external monitoring into implementation.
- ❑ Describe arrangements for final external evaluation.

Outline of a Resettlement Action Plan (cont.)

Costs and Budgets

- ❑ Provide a clear statement of financial responsibility and authority.
- ❑ List the sources of funds for resettlement and describe the flow of funds.
- ❑ Ensure that the budget for resettlement is sufficient and included in the overall project budget.
- ❑ Identify resettlement costs, if any, to be funded by the government and the mechanisms that will be established to ensure coordination of disbursements with the RAP and the project schedule.
- ❑ Prepare an estimated budget, by cost and by item, for all resettlement costs including planning and implementation, management and administration, monitoring and evaluation, and contingencies.
- ❑ Describe the specific mechanisms to adjust cost estimates and compensation payments for inflation and currency fluctuations.
- ❑ Describe the financial arrangements for external monitoring and evaluation.