IMPROVING RESULTS IN SECONDARY EDUCATION (IRISE)

RESETTLEMENT POLICY FRAMEWORK (RPF)

April 2019
# Table of Contents

**EXECUTIVE SUMMARY** .......................................................................................................................................................... 1

1. **PROJECT INFORMATION** .......................................................................................................................................................... 5
   1.1 Project Development Objectives (PDOs) ................................................................................................................................. 5
   1.2 Project Beneficiaries ............................................................................................................................................................... 5
   1.3 Project Components .............................................................................................................................................................. 5
   1.3.1 Component 1: Closing the Access Gap in Secondary Education ......................................................................................... 5
   1.3.2 Component 2: Improving Teaching in Senior Secondary Education .................................................................................. 6
   1.3.3 Component 3: Increasing Completion Prospects in Secondary Education for Girls ............................................................. 6
   1.3.4 Component 4: Technology for learning and digital skills .................................................................................................. 7
   1.3.5 Component 5: Capacity building, technical Assistant, program coordination, monitoring and management .................................................................................................................................................................................. 7
   1.3.6 Component 6: Contingent Emergency Response ............................................................................................................. 7
   1.4 Design Considerations to Avoid or Minimize Land Acquisition by Component 2 ............................................................... 7

2. **SOCIOECONOMIC CHARACTERISTICS** ............................................................................................................................. 8
   2.1 Population .................................................................................................................................................................................. 8
   2.2. Size of Household Population .................................................................................................................................................. 9
   2.3. Education ................................................................................................................................................................................... 9
   2.4 School Access to Children with Disabilities ............................................................................................................................ 11
   2.5 Life Expectancy .......................................................................................................................................................................... 12
   2.6 Social and cultural characteristics ............................................................................................................................................. 12
   Land Use and Agriculture ................................................................................................................................................................. 13

3. **COUNTRY LEGAL FRAMEWORK AND WORLD BANK POLICY (OP 4.12)** .................................................................................. 14
   3.1 Liberia Legal Framework ......................................................................................................................................................... 14
   3.1.1 Methods of Acquiring Land .................................................................................................................................................. 14
   3.1.2 The Liberian Constitution (1986) ......................................................................................................................................... 14
   3.1.3 Land Rights Act (2018) ...................................................................................................................................................... 15
   3.2.2 Zoning Law .......................................................................................................................................................................... 16
   3.2.3 The Real Property Laws .................................................................................................................................................... 17
3.2.4 Liberian Freedom of Information Act of (2010) ................................................................. 17
3.3 World Bank Policy (OP 4.12) ................................................................................................. 18
3.3.1 OP 4.12 Policy Objectives and Principles ....................................................................... 18
3.3.2 Policy scope and impact coverage ..................................................................................... 19
3.3.3 Required measures ........................................................................................................... 20
3.3.4 Screening .......................................................................................................................... 22
3.3.5 Compensation options ..................................................................................................... 23

4. GAPS BETWEEN OP4, 12 AND LIBERIAN LEGAL FRAMEWORK ........................................ 35
4.1.1 Land Acquisition Procedure ............................................................................................ 41

INSTITUTIONAL ARRANGEMENTS AND COORDINATION ....................................................... 43
5.2 Ministry of Finance and Development Planning ................................................................. 44
5.3 Ministry of Health (MOH) .................................................................................................. 44
5.4 Ministry of Mines and Energy .............................................................................................. 45
5.9 Liberia Land Authority (LLA) ............................................................................................. 46

VALUATION METHOD AND ENTITLEMENT DELIVERY ..................................................... 47
8.1.3 Grievance Redress Procedure ......................................................................................... 59
8.2.1 Methodology .................................................................................................................... 61
8.2.2 Community & Participatory Consultation ...................................................................... 61

1.1.1 Resettlement Plan .............................................................................................................. 9
1.1.2 Process Framework .......................................................................................................... 11

Annex 1: OP 4.12 - Involuntary Resettlement
Annex 2: MoE Site Verification Checklist used for Screening .................................................. 15
Annex 3: RAP Outline ................................................................................................................ 17

LIST OF TABLES AND FIGURES

<table>
<thead>
<tr>
<th>Table/Annex</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glossary 1</td>
<td>Glossary of key Resettlement Terms and Definitions</td>
<td></td>
</tr>
<tr>
<td>Table-1</td>
<td>Secondary Gross Enrolment Rate by County and Gender (EMIS, 2015)</td>
<td></td>
</tr>
<tr>
<td>Figure-1</td>
<td>Secondary Gender Parity Index by County</td>
<td></td>
</tr>
<tr>
<td>Table-2</td>
<td>Number and Percentage of Secondary Students with Disabilities by County and Gender (EMIS 2015)</td>
<td></td>
</tr>
</tbody>
</table>
Table-3  Entitlement Matrix
Table-4  Comparison of Liberia Regulations with World Bank Policy
Table-5  RAP Implementation Schedule and Civil Works Commencement
Table-6  RAP Monitoring Indicators

**ABBREVIATIONS AND ACRONYMS**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AF</td>
<td>Affected Family</td>
</tr>
<tr>
<td>AP</td>
<td>Affected Person/Aggrieved Party</td>
</tr>
<tr>
<td>ARAP</td>
<td>Abbreviated Resettlement Action Plan</td>
</tr>
<tr>
<td>CBO</td>
<td>Community Based Organization</td>
</tr>
<tr>
<td>CEO</td>
<td>County Education Officer</td>
</tr>
<tr>
<td>CSA</td>
<td>Civil Service Agency</td>
</tr>
<tr>
<td>DEO</td>
<td>District Education Officer</td>
</tr>
<tr>
<td>EPA</td>
<td>Environmental Protection Agency</td>
</tr>
<tr>
<td>ESA</td>
<td>Education Sector Analysis</td>
</tr>
<tr>
<td>FA</td>
<td>Fully Affected</td>
</tr>
<tr>
<td>GER</td>
<td>Gross Enrolment Rate</td>
</tr>
<tr>
<td>GoL</td>
<td>Government of Liberia</td>
</tr>
<tr>
<td>GPI</td>
<td>Gender Parity Index</td>
</tr>
<tr>
<td>GRC</td>
<td>Grievance Redress Committee</td>
</tr>
<tr>
<td>GRM</td>
<td>Grievance Redress Mechanism</td>
</tr>
<tr>
<td>IRISE</td>
<td>Improving Results in Secondary Education</td>
</tr>
<tr>
<td>LLC</td>
<td>Liberia Land Commission</td>
</tr>
<tr>
<td>LRA</td>
<td>Liberia Revenue Authority</td>
</tr>
<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
</tr>
<tr>
<td>MFDP</td>
<td>Ministry of Finance and Development Planning</td>
</tr>
<tr>
<td>MIA</td>
<td>Ministry Internal Affairs</td>
</tr>
<tr>
<td>MoA</td>
<td>Ministry of Agriculture</td>
</tr>
<tr>
<td>MoE</td>
<td>Ministry of Education</td>
</tr>
<tr>
<td>MoH&amp; SW</td>
<td>Ministry of Health and Social Welfare</td>
</tr>
<tr>
<td>MoM&amp;E</td>
<td>Ministry of Mines and Energy</td>
</tr>
<tr>
<td>MPW</td>
<td>Ministry of Public Works</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>OP</td>
<td>Operation Policy</td>
</tr>
<tr>
<td>PA</td>
<td>Partially Affected</td>
</tr>
<tr>
<td>PAPD</td>
<td>Pro-Poor Agenda for Prosperity and Development</td>
</tr>
<tr>
<td>PAP</td>
<td>Project Affected Person</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>PDOs</td>
<td>Project Development Objectives</td>
</tr>
<tr>
<td>PFMU</td>
<td>Project Financial Management Unit</td>
</tr>
<tr>
<td>PIU</td>
<td>Project Implementation Unit</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Plan Framework</td>
</tr>
<tr>
<td>SMT</td>
<td>Senior Management Team</td>
</tr>
<tr>
<td>WASSCE</td>
<td>West African Senior Secondary Certificate Examination</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
</tbody>
</table>
# RESETTLEMENT TERMS AND DEFINITIONS

<table>
<thead>
<tr>
<th>Term</th>
<th>Meaning</th>
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<tbody>
<tr>
<td>Contracting Entity</td>
<td>The Contractor or corporate body whose bid to carry out the works and services has been accepted by the employer.</td>
</tr>
<tr>
<td>Involuntary resettlement</td>
<td>“Involuntary Resettlement” refers to both physical displacement (relocation or loss of shelters) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihoods) because of land acquisition undertaken specifically for a project. Resettlement is involuntary when affected individuals or communities do not have the right to refuse land acquisition, which results in their physical and/or economic displacement. This occurs in cases of expropriation and negotiated settlements in which the buyer can resort to expropriation. All resettlement losses are compensated in-kind or in-cash, depending on the context (see World Bank OP 4.12).</td>
</tr>
<tr>
<td>Land acquisition</td>
<td>The World Bank Operational Policy 4.12 and other similar international requirements clarify that “land acquisition” covers both full purchases of property as well as the permanent purchase of rights other than full property rights, such as rights-of-way, easement and certain usufruct rights. Land acquisition can be permanent or temporary.</td>
</tr>
<tr>
<td>Monitoring Consultant</td>
<td>A legally established professional entity or firm selected by the client to provide the services under the signed contract</td>
</tr>
<tr>
<td>Physical displacement</td>
<td>Loss of dwelling or business as a result of project-related land acquisition, which requires the affected person(s) to move to another location. Physical displacement of businesses typically entails economic displacement too (see for more detail World Bank OP 4.12).</td>
</tr>
<tr>
<td>Term</td>
<td>Meaning</td>
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<td>---------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Economic displacement</td>
<td>Loss of assets (including land) or access to assets that leads to loss of income sources or means of livelihood as a result of project-related land acquisition or restriction of access to natural resources. People or enterprises may be economically displaced with or without experiencing physical displacement (see for more detail OP 4.12).</td>
</tr>
<tr>
<td>Stakeholder</td>
<td>All Persons or groups, affected by the project directly or indirectly and/or with interests in the project and who may be able to influence its outcome either positively or negatively (OP 4.12).</td>
</tr>
<tr>
<td>(PAP)</td>
<td>Project Affected Person: Person or enterprise experiencing either physical or economic displacement or both as a direct result of the project.</td>
</tr>
<tr>
<td>Vulnerable groups</td>
<td>Vulnerable or “at-risk” groups includes people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. The RPF therefore provides for supplemental assistance to assist each category of vulnerable persons during resettlement.</td>
</tr>
<tr>
<td>Cut-Off Date</td>
<td>The date that establishes eligibility for compensation and other benefits related to land acquisition. Best practice suggests using the date on which the census and assets inventory is started in a particular community or area. In order for the Cut-Off Date to be valid, PAPs are notified. According to the World Bank’s OP 4.12 the census conducted at a declared Cut-Off Date is, as a rule, valid for a period of two years from the start of the census.</td>
</tr>
<tr>
<td>Term</td>
<td>Meaning</td>
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<tr>
<td>Compensation</td>
<td>Payment in cash or in kind for loss of land, access to land, and immoveable asset or a resource that is acquired or affected by the project.</td>
</tr>
<tr>
<td>Allowance</td>
<td>Cash paid to defray resettlement related expenses other than losses of immoveable assets. For example, tenants can be provided with a cash <em>allowance</em> to support their effort to secure alternative housing. A moving <em>allowance</em> can be paid to people who have to relocate as a result of Project land acquisition. An <em>allowance</em> is distinguished from compensation, which reimburses the loss of an immoveable asset or land.</td>
</tr>
<tr>
<td>Livelihood</td>
<td>A livelihood comprises the capabilities, assets (including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stress and shocks and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base.</td>
</tr>
<tr>
<td>Livelihood restoration</td>
<td>Specific activities intended at supporting displaced peoples’ efforts to restore their livelihoods to pre-project levels. Livelihood restoration is distinguished from compensation. Livelihood restoration measures typically include a combination of cash or other allowances and support activities such as training, agricultural assistance or business enhancement. Livelihood restoration is often referred to as economic rehabilitation (see for more detail OP 4.12).</td>
</tr>
<tr>
<td>Resettlement Policy Framework (RPF)</td>
<td>Where a project or sub-project is not defined to such a level that a final footprint is available and or detailed data are missing, an RPF defines the principles with which any Resettlement Action Plan will accord and outlines the expected impacts and compensation, physical relocation and livelihood restoration programs (see for more detail the World Bank’s OP 4.12).</td>
</tr>
</tbody>
</table>
Resettlement Action Plan (RAP)

**Resettlement Action Plan outlines how the resettlement will be managed to fulfil the objectives of WB OP 4.12**

- identifies the impacts, types and levels of compensation and other measures based on the value of assets that will be lost

<table>
<thead>
<tr>
<th>Term</th>
<th>Meaning</th>
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<tr>
<td></td>
<td>• Includes action plan for allocating compensation and budget for implementation, compensation etc.</td>
</tr>
</tbody>
</table>
| **Full replacement value** | The current market value of the asset plus transaction costs (e.g. taxes, stamp duties, legal and notarization fees, registration fees, travel costs and any other such costs as may be incurred as a result of the transaction or transfer of property). In applying this method of valuation, depreciation of structures and assets is not taken into account. For losses that cannot easily be valued or compensated for in monetary terms, in-kind compensation may be appropriate. However, this compensation should be made in goods or resources that are of equivalent or greater value and that are culturally appropriate. With regard to land and structures, replacement costs are defined as follows:

- **Agricultural land**—the market value of land of equal productive use or potential located in the vicinity of the affected land, 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.

- **Residential land**—the current 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**—the cost of purchasing or building a new structure, with an area and quality 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 and transfer taxes. (see for a more elaborated definition the World Bank’s OP 4.12) |
EXECUTIVE SUMMARY

Improving Results in Secondary Education (IRISE) Project aims to improve access to, and quality of secondary school education. Specifically, it will aim to achieve these development objectives through innovative approaches aimed at improving access, quality of teaching and learning, as well as systems building in a resource and capacity strained environment. The project helps the Government to improve the senior secondary education and will aim to do so through innovative approaches aimed at improving access, quality of teaching and learning, as well as systems building in a resource and capacity strained environment.


In this RPF, the Ministry of Education (MoE) employs relevant Liberian laws and the relevant World Bank guidelines to provide the basis for resettlement and compensation for all categories of Project Affected Persons (PAPs). For example, the Liberian Constitution of 1986 provides the mandate for compensation of citizens whose lands have been expropriated by the Government, while the Land Rights Act of 2018 outlines the various means for land acquisition. The World Bank’s safeguards policies operate to prevent and mitigate potential adverse impacts associated with the Bank’s lending operation to people and their environment.

The lack of laws governing expropriation and formalization is a major gap between the Bank’s involuntary resettlement policy and the legal framework of Liberia, particularly on squatters or informal settlers who will be negatively affected by public interest projects. Issues of squatters or informal settlers have been mostly handled on established practice rather than legal framework. However, when there is a discrepancy between the Liberian laws and World Bank’s OP 4.12 policy, the regulation that gives most protection and assistance to PAPs will prevail.
The institutional framework for the implementation of the RPF will involve government ministries and agencies as well as private institutions but the overall responsibility would be that of the MoE. Government institutions to be involved in the implementation of the RPF will, among others, include the Environmental Protection Agency (EPA), the Liberia Land Authority (LLA), the Ministry of Internal Affairs (MIA), and the Ministry of Agriculture (MOA).

The project does have some potential environmental risk. Although much of the infrastructural activities will involve rehabilitation of pre-existing structures, there are five new sites proposed for schools which will require vetting. Otherwise, new structures (classrooms or teacher housing) will be on designated school premises so identification and acquisition of land would not be required.

The RPF will ensure that where land acquisition is unavoidable, all PAPs will be compensated for their lost assets at full replacement costs, and in the event of resettlement be provided with supplementary assistance to help them improve, or at least restore, their livelihoods and standards of living to pre-displacement levels. MoE will screen all activities under the IRISE and whenever sub-projects or activities are expected to lead to the taking of land and involuntary resettlement, will prepare a Resettlement Action Plan, based on the principles included in this RPF.

The RPF will establish resettlement objectives and principles, organizational arrangements, and funding mechanisms for resettlement operation that may be associated with construction activities. The RPF also estimates the probable number of affected persons and resettlements and; assesses the institutional capability to design, implement, and oversee resettlement operations. When during project implementation the extent of impacts of construction activities on properties and livelihoods is known, a RAP or ARAP, depending on the scale and severity of impacts, is prepared before component or activities are approved for funding.

The criteria by which PAPs will be deemed eligible for compensation and other resettlement assistance under IRISE shall cover the qualification to receive compensation for assets and means of livelihoods affected by component 1 activities.
The MoE will institute a Grievance Mechanism that will allow project-affected persons who are not satisfied with compensation and/or resettlement packages or procedures or quantification of the impacts to lodge a complaint or a claim without cost and with the assurance of a timely and satisfactory resolution of that complaint or claim. There shall be a grievance redress committee at the community, district and national levels. If the grievance is not redressed at GRM/GRC, the aggrieved will have the right to go to the law of court of the country.

The project affected persons (PAPs) will be consulted and involved in all resettlement activities: planning, implementation and monitoring. Their involvement provides them with greater understanding of the project, the resettlement issues and gives them opportunities to voice out their concerns about the project, and they may offer alternatives and compromises that tend to promote implementation.

The MoE shall be responsible for disseminating information relating to RPF/RAP. The MoE will ensure that the RPF and subsequent RAPs are available at a place accessible to PAPs in a form, manner, and language that are understandable to them. Additionally, the MoE will ensure that the various comments are incorporated into the final RPF, and that copies of the final RPF are available and accessible to all agencies of the Government of Liberia, PAP and local NGOs.

Monitoring and Evaluation (M&E) shall constitute key components of the RPF/RAP implementation. As such, the MoE shall take the responsibility to ensure that an M&E system is in place and effectively functioning. Monitoring will be an integral part of the RAP implementation activities under IRISE and will continue throughout the project period. Regular monitoring will enable the MoE to assess resettlement implementation progress and challenges, take corrective action where and when necessary to keep the project on course, and to ensure achievement of the stated resettlement objectives as well as compliance with World Bank’s involuntary resettlement policy (OP 4.12).

Evaluation exercise will be aimed at ensuring that this RAP is fully implemented. The exercise shall provide feedback needed for adjusting plan and for taking corrective action.
The MOE will develop a Resettlement Action Plans (RAP)/Abbreviated Resettlement Action Plans (ARAP) that will include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. As the Borrower, the Government of Liberia carries official responsibility for meeting the terms of this framework, including financial obligations associated with land acquisition. The total cost of implementing this RPF is One Hundred, Sixty Thousand United States Dollars (US$160,000.00).
1. PROJECT INFORMATION

1.1 Project Development Objectives (PDOs)

The Project Development Objective (PDO) is to: improve equitable access to, and quality of, secondary education. It will help the Government affect improvements in senior secondary education and will aim to do so through innovative approaches aimed at improving access, quality of teaching and learning, as well as systems building in a resource and capacity strained environment.

1.2 Project Beneficiaries

The Project will aim to benefit students currently enrolled at secondary level (about 265,000) plus additional 40,000 increase by the end of implementation. About 60% of that increase will be female students given the interventions that specifically target their transition to senior secondary school. Additionally, the Project is expected to directly benefit about 2000 teachers teaching at senior secondary level, plus an additional 15,000 teachers indirectly through licensing and improved qualifications as needed. The project will affect all fifteen counties of Liberia.

1.3 Project Components

The project has the following components:

1.3.1 Component 1: Closing the Access Gap in Secondary Education

Component 1 will support the Government in closing the access gap in senior secondary education through the rehabilitation of senior secondary schools, expansion of rural junior secondary schools in districts with no senior secondary schools, construction of secondary schools in urban areas with high student - teacher ratio and teacher housing, increasing the share of qualified teachers in hard to deploy areas, and providing learning materials in key secondary level subject areas. This is the project component that have potential for land acquisition.
1.3.2 Component 2: Increasing Opportunities For Girls To Transition To And Complete Senior Secondary Education

Component 2 will assist the Government to ensure young women can transition to senior secondary education and have the support and guidance to complete their secondary education. This component will provide scholarship for girls in counties with the highest female dropout rates at the senior secondary education level; support safer learning environment in senior secondary schools for girls; and promote community engagement to empower girls, schools and communities.

1.3.3 Component 3: Improving Quality And Relevance Of Senior Secondary Education

Liberia’s poor learning outcome among students are reflected in the WASSCE results which are administered at the end of grade 12. There is an unprecedented need to strengthen the teaching force and improve teaching in senior secondary education. This project will support the Government to reform its teacher development and management systems, strengthen the capacity and build a good foundation for future educational development in the country. This component will improve the quality of teaching in senior secondary education; provide teaching and learning materials; and develop digital skills and competencies for students at the secondary level.

This component aims to build digital skill capacity and promote learning by improving access to technology. The primary objective is to use disruptive technology to make youth in Liberia competitive with respect to the changing demands of the labor market. Similar to the previous components, this component will also use a result-based financing approach will complement the Government’s effort to build ICT skills in the country. It aims to improve student learning outcomes on WASSCE by providing access to self-paced adaptive learning technology. Thus, the project will finance procurement of computers and projectors, installation of a digital learning platform (Khan Academy, Kolibri etc.) and training of teachers to serve as computer laboratory facilitators and moderators in 25 schools in Montserrado and Nimba counties, where connectivity is more feasible.
1.3.4 Component 4: Technical Assistance, Capacity Building And Project Coordination

1.3.5 Component 5: Contingent Emergency Response

This component is included in accordance with OP/BP 10.00 (Investment Project Financing), paragraphs 12 and 13, for contingent emergency response through the provision of immediate response to an Eligible Crisis or Emergency, as needed. It will allow the GoL to request the World Bank for rapid reallocation of project funds to respond promptly and effectively to an eligible emergency or crisis that is a natural or man-made disaster or crisis that has caused or is likely to imminently cause a major adverse economic and/or social impact. An Operations Manual for this component will be developed.

1.4 Design Considerations to Avoid or Minimize Land Acquisition by Component 1

The proposed project is intended to use the pre-existing and government owned land, building and resources, thus expected to require comparatively little land acquisition. In the process of sites selection for new construction and identification of schools for rehabilitation and expansion, MoE will assess the requirements and coordinate with the technical team to avoid private or community land acquisition. If the acquisition of land is required, owners of lands shall be compensated as explained in the framework. The compensation for loss will follow the replacement cost payment method and other benefits as defined in this framework.

The RPF will ensure that all PAPs will be compensated for their lost assets at full replacement costs, and in the event of resettlement be provided with supplementary assistance to help them improve, or at least restore, their livelihoods and standards of living to pre-displacement levels. MoE will screen all activities under the IRISE and whenever sub-projects or activities are expected to lead to the taking of land and involuntary resettlement, will prepare a Resettlement Action Plan, based on the principles included in this RPF.

CHAPTER II
2. SOCIOECONOMIC CHARACTERISTICS

2.1 Population

The LISGIS, 2008 National Population Census puts Liberia’s population at an estimated 3.5 million people. (36 individuals/km²), a 65% increase since 1984. Liberia’s population growth rate in 2008 was estimated to be 5.3% and is expected to decline to 2.1% by 2025. Net migration is positive as a result of immigration from surrounding countries. An estimated 58% of the population of Liberia lives along the coast. The major coastal cities, which also include major population centers are: Monrovia, Buchanan, Greenville etc. This information is about to be updated after the upcoming 2019 National Population Census. The table below shows the population in construction areas.

Table 1: Socio-Economic and demographic information of Project Area

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Location</th>
<th>County</th>
<th>Total Population of County: 2008 Census</th>
<th>Population Density</th>
<th>Senior Secondary student enrollment: (2017 LISGIS Data)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Kakata</td>
<td>Margibi</td>
<td>209,923</td>
<td>78/km²</td>
<td>6,971</td>
</tr>
<tr>
<td>2</td>
<td>Gbarnga</td>
<td>Bong</td>
<td>328,919</td>
<td>38/km²</td>
<td>4,812</td>
</tr>
<tr>
<td>3</td>
<td>Bopolu</td>
<td>Gbarpolu</td>
<td>83,758</td>
<td>9/km²</td>
<td>299</td>
</tr>
<tr>
<td>4</td>
<td>Ganta</td>
<td>Nimba</td>
<td>462,026</td>
<td>40/km²</td>
<td>8,780</td>
</tr>
<tr>
<td>5</td>
<td>Sass Town</td>
<td>Grand Kru</td>
<td>57,106</td>
<td>14/km²</td>
<td>401</td>
</tr>
</tbody>
</table>

Completing secondary education brings substantial economic benefits. Households where the head of the household has completed a secondary education are less likely to be in absolute poverty or food insecure. However, there are gender and regional imbalances in the enrolment and/or completion of secondary school in Liberia.
2.2. Size of Household Population

On average, household size is 5.6 persons, with the proportion of female-headed households varying from 5% in Bomi County to 21% in Lofa County, the area most heavily and continually affected by violence during the conflict (USAID, 2014). The effects of the conflict are evident as well in the spatial distribution of disabled people as a percentage of the population.

2.3. Education

Children from rural families are less likely to enroll and/or complete secondary school. This is likely to be linked to multiple factors: a) inability to pay fees or hidden costs due to more widespread poverty; b) a larger overage school population in rural counties where opportunity costs of school become too high; c) distance to the nearest secondary school; or, d) a lack of teachers or infrastructure at existing schools.

Although the national gross enrolment rate (GER) is 47 percent (male GER 48 percent and female GER 45 percent) the range varies greatly: 76 percent in Montserrado to just nine percent in River Cess.

Table 2: Secondary gross enrollment rate by county and gender (EMIS, 2015)

<table>
<thead>
<tr>
<th>County</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bomi</td>
<td>43%</td>
<td>43%</td>
<td>43%</td>
</tr>
<tr>
<td>Bong</td>
<td>34%</td>
<td>31%</td>
<td>33%</td>
</tr>
<tr>
<td>Gbarpolu</td>
<td>13%</td>
<td>9%</td>
<td>11%</td>
</tr>
<tr>
<td>Grand Bassa</td>
<td>31%</td>
<td>27%</td>
<td>29%</td>
</tr>
<tr>
<td>Grand Cape Mount</td>
<td>17%</td>
<td>16%</td>
<td>16%</td>
</tr>
<tr>
<td>Grand Gedeh</td>
<td>27%</td>
<td>24%</td>
<td>26%</td>
</tr>
<tr>
<td>Grand Kru</td>
<td>26%</td>
<td>19%</td>
<td>23%</td>
</tr>
<tr>
<td>County</td>
<td>Male GPA</td>
<td>Female GPA</td>
<td>GPI</td>
</tr>
<tr>
<td>-------------</td>
<td>----------</td>
<td>------------</td>
<td>------</td>
</tr>
<tr>
<td>Lofa</td>
<td>32%</td>
<td>24%</td>
<td>28%</td>
</tr>
<tr>
<td>Margibi</td>
<td>71%</td>
<td>55%</td>
<td>63%</td>
</tr>
<tr>
<td>Maryland</td>
<td>32%</td>
<td>29%</td>
<td>31%</td>
</tr>
<tr>
<td>Montserrado</td>
<td>81%</td>
<td>71%</td>
<td>76%</td>
</tr>
<tr>
<td>Nimba</td>
<td>32%</td>
<td>31%</td>
<td>32%</td>
</tr>
<tr>
<td>River Cess</td>
<td>11%</td>
<td>8%</td>
<td>9%</td>
</tr>
<tr>
<td>River Gee</td>
<td>22%</td>
<td>16%</td>
<td>19%</td>
</tr>
<tr>
<td>Sinoe</td>
<td>23%</td>
<td>20%</td>
<td>22%</td>
</tr>
<tr>
<td>National average</td>
<td>48%</td>
<td>45%</td>
<td>47%</td>
</tr>
</tbody>
</table>

The national secondary Gender Parity Index (GPI) worsens by grade: fewer female students than males reach grade 12. The national GPI of 0.90 masks significant disparities among counties. More female than male students are enrolled in Montserrado but six counties have a GPI below 0.70 with Grand Kru having the lowest GPI of 0.59. Girls are least likely to enroll in secondary schools in rural counties.
Figure 1 Secondary Gender Parity Index by county

As a consequence, although there has been a growing number of women with secondary education, increased access is not distributed equitably. Poor and rural women are disadvantaged and GPI worsens from grade-to-grade, especially in public schools. Proportionally more female students are enrolled in non-government schools, causing the higher GPI in Montserrado where such schools are concentrated. It is likely that there is a reinforcing effect of higher female enrolment where girls feel more secure in a learning environment with more female students. There is also an acute lack of female teachers, especially in public secondary schools, which leads to a self-perpetuating cycle of disadvantage.

2.4 School Access to Children with Disabilities

There are also challenges in the enrolment of children with disabilities. Very few children with disabilities were identified in secondary schools during the 2015/16 school census. Based on what was reported, children with disabilities make up just 0.37 percent (or 1 in every 269 students) of the secondary school population. There is again considerable range among counties (River Cess 3.18 percent to Sinoe 0.08 percent), but the lack of accurate data is a major issue identified in the Education Sector Plan.

Table 2: Number and percentage of secondary students with disabilities by county and gender (EMIS 2015)

<table>
<thead>
<tr>
<th>County</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>% of all students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bomi</td>
<td>5</td>
<td>4</td>
<td>9</td>
<td>0.19%</td>
</tr>
<tr>
<td>Bong</td>
<td>75</td>
<td>69</td>
<td>144</td>
<td>0.95%</td>
</tr>
<tr>
<td>Gbarpolu</td>
<td>2</td>
<td>-</td>
<td>2</td>
<td>0.13%</td>
</tr>
<tr>
<td>Grand Bassa</td>
<td>5</td>
<td>2</td>
<td>7</td>
<td>0.08%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>------</td>
</tr>
<tr>
<td>Grand Cape Mount</td>
<td>18</td>
<td>1</td>
<td>19</td>
<td>0.59%</td>
</tr>
<tr>
<td>Grand Gedeh</td>
<td>19</td>
<td>5</td>
<td>24</td>
<td>0.38%</td>
</tr>
<tr>
<td>Grand Kru</td>
<td>6</td>
<td>5</td>
<td>11</td>
<td>0.49%</td>
</tr>
<tr>
<td>Lofa</td>
<td>82</td>
<td>32</td>
<td>114</td>
<td>0.94%</td>
</tr>
<tr>
<td>Margibi</td>
<td>20</td>
<td>15</td>
<td>35</td>
<td>0.17%</td>
</tr>
<tr>
<td>Maryland</td>
<td>16</td>
<td>16</td>
<td>32</td>
<td>0.37%</td>
</tr>
<tr>
<td>Montserrado</td>
<td>245</td>
<td>252</td>
<td>497</td>
<td>0.32%</td>
</tr>
<tr>
<td>Nimba</td>
<td>45</td>
<td>26</td>
<td>71</td>
<td>0.29%</td>
</tr>
<tr>
<td>River Cess</td>
<td>23</td>
<td>10</td>
<td>33</td>
<td>3.18%</td>
</tr>
<tr>
<td>River Gee</td>
<td>10</td>
<td>2</td>
<td>12</td>
<td>0.52%</td>
</tr>
<tr>
<td>Sinoe</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>0.08%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>572</strong></td>
<td><strong>441</strong></td>
<td><strong>1,013</strong></td>
<td><strong>0.37%</strong></td>
</tr>
</tbody>
</table>

2.5 Life Expectancy

In Liberia, the average life expectancy at birth is 58 years (2013); infant mortality is 70 deaths per 1,000 live births (2013); and, maternal mortality rate is 770 deaths per 100,000 live births (2010). HIV prevalence among adults aged 15-49 years is 1.5% (2009). Adult literacy rates average 61% (2010). Poverty and underdevelopment are not the only challenges. Liberia emerged from its protracted civil war as a deeply divided country, its social fabric torn by ethnicity, religion, geography, and history. There are 16 ethnic groups, and Christianity (85%), Islam (12%), and indigenous religions (3%) are practiced.

2.6 Social and cultural characteristics

Liberia’s population is 97% indigenous people with only 3% as Americo-Liberians. Most indigenous tribes have held on to their beliefs and traditions; tribal culture is still prevalent in Liberia today. Each tribe has its own
distinct languages and customs. The indigenous groups speak languages belonging to the Niger-Congo family of African languages, found throughout Sub-Saharan Africa. Traditionally, women hold very strong roles in tribal life, and most tribes commonly practice female circumcision. The country is officially “Christian,” but nearly 40% of the population holds to their traditional tribal beliefs, while 20% is Muslim. In Liberia, both monogamy (one man having one wife) and polygyny (one man having more than one wife at a time) are permitted and practiced. Among non-Western-educated Liberians, dating and marriage are regarded as somewhat of a practical social and economic arrangement between families. Marriage often involves payment of a bride price to the bride’s parents at the time a marriage is agreed upon.

**Land Use and Agriculture**

Liberia has a total land area of 111,370 square kilometers, including 96,320 square kilometers of land (9.63 million hectares) and 15,050 square kilometers of water. About 28% of the total land area is agricultural land. Liberia’s terrain comprises mangrove swamps and beaches along the coast, wooded hills and semi-deciduous scrublands along the immediate interior, and dense tropical forests and plateaus in the interior. The inland grassy plateau and swamplands support agriculture. Forests cover about 43% of the total land area (FAO 2016).

Agriculture is the primary livelihood for about 70 percent of Liberia’s population, and provides sustenance for many households engaging in cassava, rubber, rice, oil palm, cocoa, or sugarcane production. More households engage in cassava production than any other crop. Rice and cassava are the primary staple food crops. The main cash crops and foreign exchange earners are rubber, cocoa, and timber. Rubber is one of the dominant generators of state revenues, accounting for 17.5 percent of the total export receipts in 2017.
CHAPTER III

3. COUNTRY LEGAL FRAMEWORK AND WORLD BANK POLICY (OP 4.12)

3.1 Liberia Legal Framework

The Liberian Constitution of 1986 and other Liberian Laws provide the basis for resettlement and compensation. When there is a discrepancy between the Liberian laws and World Bank’s OP 4.12 policy, the regulation that gives most protection and assistance to PAPs will prevail.

This section presents a detailed description of Liberia’s legal framework relating to involuntary land taking and property rights.

3.1.1 Methods of Acquiring Land

The Liberian Government uses four ways to acquire land:

   i) Mutual agreement,   ii) Eminent domain,   iii) Donation,   iv) Reversion.

The following Liberian Laws and land acquisition procedures comprise the legal framework:

3.1.2 The Liberian Constitution (1986)

Article 22 (a) of the Constitution vests in all individuals the right to own property either on individual basis or in conjunction with other individuals, if they are Liberian citizens. However, Article 22 (b) gives the right to noncitizen missionary, educational or other benevolent institutions to own property as long as the property is used for the purposes for which it was acquired. The right to own property however does not extend to mineral resources on, or beneath the land.
Article 24 states that, “expropriation may be authorized for national security issues or where the public health and safety are endangered, or for any other public purposes, provided.” For the expropriation to be successful the following issues need to be addressed:

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

3.1.3 Land Rights Act (2018)

The Land Rights Act of 2018, among other things, defines land ownership and other rights, eligibility to own land or rights in land, the nature of land ownership, and the different types of customary lands in Liberia.

It defines four categories of land ownership in Liberia including Public Land, Government Land, Customary Land and Private Land. It also prescribes the means by which each of the categories of land may be acquired, used, transferred and otherwise managed.

According the Act, private land may be acquired through purchase, donation, intestacy, gift, will or Adverse Possession\(^1\); provided that in all cases a valid acquisition of a Private Land may be only by persons qualified to

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\(^1\) A person acquires ownership of Private Land by Adverse Possession where (i) he or she occupies the said piece of Private Land under an asserted claim of right but without valid title where the use and occupancy is open, exclusive, notorious, continuous period and hostile to the rights of the Owner(s) for a period of fifteen (15) or more years without any legal objections from the Owner(s); or (ii) where he or she occupies the said piece of Private Land under an alleged color of title, which is not recognized by the Owner(s) and remains in open, notorious, continuous possession of the aforesaid Private Land for a period of fifteen (15) or more years without any legal objections from the Owner(s).

“Claim of right means any asserted ownership of Private Land whether supported by a document of title or not, while a “color of title” means any claim of ownership of Private Land founded on a written instrument such as a deed, a will or a judgment that is for some reason defective or invalid.
hold Private Land in keeping with Article (15) of this Act. Article 15 states that “Private Land may be acquired, held or owned by a) Natural persons who are citizens of Liberia; b) Sole proprietorships and partnerships owned entirely by Liberian citizens; c) corporations owned entirely by Liberian Citizens; and d) missionary, educational or other benevolent institutions”.

The acquisition of Private Land by purchase may be done through privately negotiated sale or at public sale done by auction. However, the Act provides that a purchase from a Private Land owner shall not be valid and enforceable, unless:

a. the Deed was executed by the legitimate owner (s);

b. notice of the sale was published in a local newspaper and posted in conspicuous places in the community where the Land is located;

c. the buyer obtains and retains documentary confirmation of the seller’s ownership of the subject land;

d. the Seller produces, and the Buyer obtains and retains, documentary confirmation of the seller's payment of all taxes due on the land or the seller and buyer agree in writing that the buyer shall be responsible for the payment of all taxes due as of the date of the sale; and

e. the transfer deed from the Seller to the buyer is duly probated and registered in keeping with law.

The Act also provides that a defined portion of a Customary land as a residential area may be acquired by a community member as private land, provided that no community member is deprived of a residential area.

3.2.2 Zoning Law

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

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

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

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

The Government of Liberia granted land to setters and aborigines based upon the doctrine of preemption, the measure in which prior occupancy accompanied by improvement gives superiority in ownership to land. Preemption has been abolished with the growth of population and now public land must be purchased from the Government in order to have Title.

Worth noting in passing is the fact that in 1948, the William V.S. Tubman Administration demarcated public land in the then Hinterland among the tribal settlers by districts, clans, and towns, and made the tribal settlers, trustees of the public land of their respective locales. This makes the acquisition of public land in the Hinterland, now county areas, easier by tribal land certificate from the tribal authority.

3.2.4 Liberian Freedom of Information Act of (2010)

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

b) Everyone has a right of access to information generated, received and/or held by public bodies, subject only to such limitations as are necessary and narrowly established for reasons of an equally or more compelling public interest;

c) The right of access to information includes both (1) a right to request and receive information, and (2) an obligation on the part of public bodies and officials to disseminate essential information that the public would generally want to know, including their core functions and key activities;

d) The right of access to information applies to private entities that receive public resources and benefits, engage in public functions, and/or provide public services, particularly in respect of information relating to the public resources, benefits, functions or services.
3.3 World Bank Policy (OP 4.12)

If the negative impacts are not mitigated properly, Project Affected Persons (PAPs) will face difficult economic, social, and environmental risks. Thus, the Bank's Operation Policy (OP) 4.12 is designed to avoid, if could not be avoided then minimize the acquisition and those risks and adverse impacts on PAPs and their livelihoods. The impacts must be mitigated or managed in the way that improve the condition of PAPs from their pre-project condition, if not improved then at least restore it to the level of their pre-conditions.

The Bank requires the Government of Liberia (GoL) through the MoE to comply with the Bank’s involuntary resettlement policy when carrying out component 1 activities entailing land acquisition. Hence, this Resettlement Policy Framework (RPF) is to be applied during the construction and maintenance phases of component 2 activities.

Furthermore, the Bank requires that where there are gaps between the legal frameworks of Liberia and that of the World Bank Involuntary Resettlement Policy (OP 4.12), the GoL will take supplementary measures to ensure that for the project financed by the Bank, the standards set by OP 4.12 will be met.

3.3.1 OP 4.12 Policy Objectives and Principles

Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank’s policy on involuntary resettlement are as follows:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the PAPs

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2 Operational Policy 4.12 includes safeguards to address and mitigate impoverishment risks that may result from involuntary land acquisition and livelihood disturbances.

3 The Bank considers the GoL legal framework to be equivalent to its policy if the system is designed to achieve the objectives and adhere to the applicable operational principles set out in OP 4.12.
to share in project benefits. PAPs\(^4\) should be meaningfully consulted and should have the opportunity to participate in planning and implementing resettlement programs.

- PAPs 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-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher\(^4\).

### 3.3.2. Policy scope and impact coverage

This policy covers direct economic and social impacts\(^5\) that both result from IRISE activities and are caused by (a) The involuntary\(^6\) taking of land\(^7\) resulting in

1. Relocation or loss of shelter,
2. Loss of assets or access to assets or
3. Loss of income sources or means of livelihood, whether or not the affected persons must move to another location, or

(b) The involuntary restriction of access\(^8\) to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

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\(^4\) The term “Project Affected Persons (PAPs)” refers to persons who are affected in any of the ways described in para. 3, of OP 4.12. Paragraph 3(b) of OP 4.12 stated that PAPs should be assisted in their efforts to improve or restore their livelihoods.

\(^5\) Where there are adverse indirect social or economic impacts, it is good practice for the MoE to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups. Other environmental, social, and economic impacts that do not result from land taking may be identified and addressed through environmental assessments and other IRISE reports and instruments.

\(^6\) For purposes of this policy, “involuntary” means actions that may be taken without the displaced person’s informed consent or power of choice.

\(^7\) “Land” includes anything growing on or permanently affixed to land, such as buildings and crops.

\(^8\) For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).
(c) Project activities resulting in involuntary resettlement that in the judgment of the Bank, are (i) directly and significantly related to the project, (ii) necessary to achieve project objectives as set forth in the project documents and, (iii) carried out, or planned to be carried out, contemporaneously with the project.

3.3.3. Required measures

The project activities will be screened to access various impacts resulting to construction activities. To address direct social and economic impacts associated with land taken by the construction activities, the MoE shall prepare Resettlement Action Plans (RAP). The preparation of the RAP shall adequately address and cover all required measures stated under:

(a) Impacts mitigation measures to be included in RAP shall ensure that the PAPs are:
   • Informed about their 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\(^9\) for loss of assets\(^10\) attributable directly to the project.

(b) If the impacts include physical relocation, the RAP includes impact mitigation measures to ensure that the PAPs are:
    • Provided assistance (such as moving allowances) during relocation.

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\(^9\) "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken. The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.

\(^10\) If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.
• Provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, location advantages, and other factors are at least equivalent to the advantages of the old site\textsuperscript{11}.

(c) Where necessary to achieve the objectives of this policy, the RAP shall also include measures to ensure that PAPs are:

• Offered support for a transition period based on reasonable estimate of the time\textsuperscript{12} likely needed to restore their livelihood and standards of living\textsuperscript{13}.

---

\textsuperscript{11} The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost

\textsuperscript{12} Reasonable time to restore livelihood and standards of living shall be determined in consultation with PAPs during the consultation process

\textsuperscript{13} Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements
• Provided with development assistance in addition to compensation measures described in paragraph 6(a) (iii) of the OP4.12, such as land preparation, credit facilities, training, or job opportunities.

3.3.4 Screening

The screening exercise in the potential IRISE impact zones will include: i) conducting identification of general impacts of component 1 activities, ii) undertaking census and establish eligibility for entitlements, iii) collecting baseline information for restoration of income and, iv) gather information for designing the resettlement plan and entitlement.

i) The MoE shall conduct identification of general impacts of construction activities. The MoE will carry out this activity and will:

• determine whether OP 4.12 applies to the IRISE;

• estimate magnitude of displacement and asset losses;

• searching for alternatives to avoid or minimize displacement;

• Gather information on affected public infrastructure and community services.

ii) The MoE will undertake census that should lead to establishing eligibility for entitlements. This exercise shall:

• tally all affected persons and structures in order to prevent influx of people to the project area after the cut-off date and avoid fraudulent claims for compensation from inflows of people;

• determine and categorize all affected assets;

• establish data on standard household and demographic characteristics to be used as baseline data.

iii) The MoE shall collect baseline information for restoration of income. The exercise shall include gathering information on the full resource base and other socioeconomic indicators of the affected population, including income derived from the informal sector and from common property.
iv) The MoE shall collect information required for design the resettlement intervention and entitlements due to affect persons including:

- identifying local organizations and social institutions capable of helping to design and implement resettlement provisions;
- determining perceptions of and preferences of PAPs on resettlement options;

### 3.3.5 Compensation options

In accordance with paragraph 11 of the OP 4.12, the MoE shall give preference to land-based resettlement strategies for PAPs whose livelihoods are land-based. Thus, the project resettlement plan should include:

- Resettlement on public land or on private land acquired or purchased for resettlement,
- Whenever replacement land is offered, PAPs are provided with land for which a combination of productive potential, location advantages, and other factors are at least equivalent to the advantages of the land taken,
- If land is not available and non-land option is offered to the PAPs, the non-land-based options shall include opportunities for employment or self-employment. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

In accordance with the Bank’s Policy\(^{14}\), the MoE shall consider payment of cash compensation for lost assets and cash compensation shall be made where:

- Livelihoods are land-based but the land taken for the project is a small fraction\(^{15}\) of the affected asset and the residual is economically viable,
- Active markets for land, housing, and labor exist, PAPs use such markets, and there is sufficient supply of land and housing,
- Livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

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\(^{14}\) Paragraph 12, OP4.12

\(^{15}\) As a general principle, this applies if the land taken constitutes less than 20% of the total productive area
3.3.6 **Planning, Approving, and Monitoring Resettlement Plans**

To achieve the objectives of the Bank’s policy on involuntary resettlement, the MoE shall be responsible for screening project activities and preparing, implementing, and monitoring a resettlement plan that conforms to this RPF. This RPF shall be used both during construction and maintenance phases of IRISE. This RPF and subsequent RAP/ARAP shall present a strategy for achieving the policy objectives stated in OP 4.12 and covers all aspects and elements of a good RPF and resettlement plan.

In accordance with the Bank’s involuntary resettlement policy requirement, MoE shall demonstrate commitment to and adequate capacity for, undertaking and implementing a successful resettlement under IRISE.

In line with the above responsibilities, the MoE:

(a) Shall prepare a Resettlement Action Plan (RAP) or Abbreviated Resettlement Action Plan (ARAP) for all IRISE operations that entail involuntary resettlement,

(b) Shall disclose and use this RPF to guide the preparation and implementation of RAP/ARAP as may be required.

3.3.7 **Resettlement instruments**

In consultation with MoE, the “Task Team” shall decide which of the below three instruments are appropriate for the IRISE resettlement activities, which might arise as a result of construction. When a decision is made, the MoE shall prepare the necessary documentations during appraisal.

3.3.8 **Resettlement Policy Framework**

This RPF is an operational document to be used during implementation. It is required prior to appraisal of the loan by the Bank and will already have been approved and disclosed at implementation. It is prepared for component 1 of IRISE because the full extent and location of impact corridors of component-1 activities and the need for land acquisition cannot be known at appraisal. This RPF will establish resettlement objectives and principles, organizational arrangements, and funding mechanisms for the compensation of land and other assets in case of involuntary resettlement that may be associated with construction activities. The RPF also estimates the probable number of affected persons including household members as 250 with an average household size of 5 and; assesses the institutional capability to design, implement, and oversee resettlement operations. When during project implementation the extent of impacts of construction activities on properties and livelihoods is known,
RAP or ARAP, depending on the scale and severity of impacts, is prepared before component 1 activities are approved for funding\textsuperscript{16}.

3.3.9 Resettlement Action Plan

A Resettlement Action Plan (RAP) or abbreviated RAP - depending upon the scale of impacts - is prepared when all the details of the project are known at appraisal. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement that may be caused by component 1 activities. A full RAP will be required at appraisal if construction activities affects more than 200 people, requires more than 10 percent of any (land, structure) holding, and involves physical relocation of PAPs\textsuperscript{17}.

3.3.10 Abbreviated Resettlement Action Plan

An Abbreviated Resettlement Action Plan (ARAP) is prepared if fewer than 200 people are displaced by construction activities. Even if more than 200 people are affected, if all land acquisition is minor (10 percent or less of all holdings is taken) and no physical relocation is involved, ARAP is acceptable. If fewer than 200 people are displaced but some physical relocation is involved, the abbreviated RP is expanded to include a rehabilitation program\textsuperscript{18}.

3.3.11 Resettlement Planning Process

Resettlement planning under IRISE shall include:

- Early screening,
- Scoping of key issues,
- The choice of resettlement instrument, and
- Collecting information required to prepare the resettlement component

In preparing the resettlement package of IRISE, the MoE shall:
- Draw on appropriate social, technical, and legal expertise,

\textsuperscript{16} OP 4.12, paras. 29–30
\textsuperscript{17} OP 4.12, para. 25
\textsuperscript{18} OP 4.12, Annex A, endnote 6; OP 4.12, para. 6, and Annex A, paras. 2–21, provide the outline and recommended content for an ARAP
• Inform potentially PAPs at an early stage about the resettlement aspects of the project and takes their views into account in project design,
• Incorporate the full costs of resettlement activities necessary to achieve the resettlement objectives,
• Ensure that IRISE, particularly component 1 “Implementation Plan” is fully consistent with and linked with the resettlement implementation plan,
• Provide the Bank with draft of this RPF, RAP/ARAP which conforms to OP 4.12 as a condition of appraisal of IRISE,
• Make RPF, RAP/ARAP documents available at a place accessible to PAPs, in a form, manner, and language that are understandable to them. 3.4 Resettlement Implementation The MoE shall:
  • carry out the implementation of resettlement instruments and to keep the Bank informed of implementation progress,
  • incorporate its obligation in the legal agreements for the project,

3.4.1 Resettlement Monitoring
  • The MoE shall be responsible for adequate monitoring and evaluation of the activities set forth in this RPF and RAP/ARAP.

3.4.2 World Bank Supervision

The Bank shall:
  • regularly supervise resettlement implementation to determine compliance with this RPF and RAP/ARAP,

3.5 Completion Assessment or Audit

Upon completion of IRISE an independent resettlement completion assessment or audit shall be undertaken.
  • the MoE shall undertake an assessment of resettlement progress to determine whether the objectives of the RPF, RAP/ARAP have been achieved,
  • the assessment shall take into account the baseline conditions and the results of resettlement monitoring,
  • if the assessment reveals that these objectives were not realized, the MoE shall propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate,
3.6 **Eligibility Criteria and Benefits**

The MoE shall carry out a census to identify the persons who will be affected by construction activities.

(a) the results of a census shall cover and provide information on:

(i) Current occupants of the affected areas/impact corridors 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, labour 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 PAPs,

(iii) The magnitude of the expected loss—total or partial—of assets, and the extent of impact, physical or economic,

(iv) Vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made,

(v) PAPs’ livelihoods and standards of living at regular intervals so that the latest information is available at the time of IRISE’s impact.

3.6.1 **Criteria**

PAPs will be eligible for compensation and other resettlement assistance under IRISE. The entitlement matrix presented in this RPF shall be used to determine entitlement of affected persons.

The procedures to prepare Resettlement Action Plans or Abbreviated Resettlement Action Plans shall include provisions for meaningful consultations with: (i) PAPs and communities, (ii) Local authorities and traditional leaders and (iii) Women household heads. Consultations procedure is described under GRM and consultation chapter. The primary responsibility of carrying out consultations is that of MoE.
3.6.2 Criteria for Eligibility

The following categories of PAPs shall be qualified for compensation\(^{19}\) under IRISE:

(a) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country),

(b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan\(^{20}\),

(c) Those who have no recognizable legal right or claim to the land they are occupying, Consistent with paragraph 16 of OP 4.12:

- PAPs covered under paragraph 15(a) and (b) shall be provided compensation for the land they lose, and other assistance in accordance with paragraph 6,
- PAPs covered under paragraph 15(c) shall be provided resettlement assistance\(^{21}\) in lieu of compensation for the land they occupy, and other assistance necessary to achieve the objectives set out in this policy if they occupy the project area prior to a cut-off date established by the MoE and acceptable to the Bank\(^{22}\),
- All PAPs included in paragraph 15(a), (b), or (c) of OP 4.12 shall be provided with compensation for loss of assets other than land,

Persons who encroach on the construction site after the cut-off date shall not be entitled to compensation or any other form of resettlement assistance.

3.6.3 Vulnerable Groups

The MoE shall pay specific attention to the needs of the following vulnerable groups, including:

\(^{19}\) Consistent with paragraph 15 (a), (b) and (c) of OP 4.12,

\(^{20}\) Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.

\(^{21}\) Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate

\(^{22}\) Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.
i) PAPs below the poverty line and the landless, ii) PAPs who are: elderly, women and children, iii) PAPs who may not be protected through national land compensation legislation,

Vulnerable people shall be identified during the period when the survey for affected properties and livelihoods is conducted. RAPs that shall be developed in component 1 impact corridors shall make precise provisions with respect to identifying and assisting vulnerable groups which include:

i) Identification of vulnerable people and identification of the cause and impacts of their vulnerability, either through direct interviews by the survey team or through the community; this step is critical because vulnerable people often do not participate in community meetings, and their disability/vulnerability may remain unknown,

ii) Identification of required assistance at the various stages of the process: negotiation, compensation, moving,

iii) Implementation of the measures necessary to assist the vulnerable person,

iv) Monitoring and evaluating continuation of assistance after compensation payment has taken place,

Assistance to vulnerable people shall take the following forms, depending upon vulnerable persons’ requests and needs:

i) Assistance in the compensation payment procedure (e.g., going to the bank with the person to cash the compensation check),

ii) Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery,

iii) Assistance in moving: providing vehicle, driver and assistance at the moving stage, iv) Assistance in building: providing materials, workforce, or building houses.

v) Health care if required at critical periods: moving and transition period.

3.6.3 Entitlement

The entitlement matrix below defines the criteria for qualification to receive compensation for assets and means of livelihoods affected by component 1 activities. It outlines: i) the description of loss, ii) category of affected persons, iii) type of impact, iv) entitlement and, v) special assistance to which PAPs are qualified under each category of impact.
<table>
<thead>
<tr>
<th>Description of Loss</th>
<th>Category of Affected Persons</th>
<th>Type of Impact</th>
<th>Entitlement</th>
<th>Special Assistance</th>
</tr>
</thead>
</table>
| Private Building structures used for:  
  • Residential  
  • Business  
  • Rental | PAPs with legal or customary ownership of the land on which the private building is situated | Full or partial losses of structures/properties | Cash compensation at Full Replacement Cost for structures  
  If building structure is affected partially and the remaining part of the structure is not usable, the owner/PAP will receive cash compensation at full replacement cost for the entire structure. | Not eligible |
PAPs with no legal or customary title but with occupancy prior to the cutoff date. Cutoff will be determined during the census/assessment. Those with claim of rights (whether legal or otherwise) will be documented.

Additionally, family history and length of time for occupancy with confirmation from senior elders in the communities will contribute to the evidence required.

<table>
<thead>
<tr>
<th>Description of Loss</th>
<th>Category of Affected Persons</th>
<th>Type of Impact</th>
<th>Entitlement</th>
<th>Special Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full or partial losses of structures/properties</td>
<td>Full replacement costs for structures only</td>
<td>If building structure is affected partially and the remaining part of the structure is not usable, the owner/PAP will receive full replacement compensation for the entire structure.</td>
<td>Not eligible</td>
<td>Special Assistance</td>
</tr>
<tr>
<td>Vulnerable Groups with legal or customary title</td>
<td>Full or partial losses of structures/properties</td>
<td>Full Replacement Cost for structures</td>
<td>Six-month rental, living and other supplementary allowances at a monthly rate of USD450 per family as well as priority access to health and other public services. Assistance moving if required</td>
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<td></td>
</tr>
<tr>
<td>Vulnerable Groups with no legal or customary title</td>
<td></td>
<td>Full replacement costs for structures only</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tenants</td>
<td>Loss of residence</td>
<td>Six months’ rental allowance based on rent paid for a place</td>
<td>Not eligible</td>
<td></td>
</tr>
<tr>
<td>Description of Loss</td>
<td>Category of Affected Persons</td>
<td>Type of Impact</td>
<td>Entitlement</td>
<td>Special Assistance</td>
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<tr>
<td></td>
<td></td>
<td>occupied before the project.</td>
<td>Not eligible</td>
<td></td>
</tr>
<tr>
<td>Landlord</td>
<td>Loss of income of rental</td>
<td>Six months’ rental income based on rent received for a place occupied before the project.</td>
<td>Not eligible</td>
<td></td>
</tr>
<tr>
<td>Public Properties used for:</td>
<td>Local government/community</td>
<td>Full or partial losses of structures/properties</td>
<td>Full Replacement Cost of public properties</td>
<td>Not eligible</td>
</tr>
<tr>
<td>Health centers, Radio station, School sign boards and fences</td>
<td></td>
<td></td>
<td>If building structure is affected partially and the remaining part of the structure is not usable, the entity will receive full replacement compensation for the entire structure.</td>
<td></td>
</tr>
<tr>
<td>Economic Crops: Oil Palm Trees Rubber Trees Sugar Cane</td>
<td>PAPs with legal or customary title</td>
<td>Loss of income/revenue or means of income</td>
<td>Full replacement value for loss of production trees based on life of species and maturity/productive value.</td>
<td>Not eligible</td>
</tr>
<tr>
<td>Description of Loss</td>
<td>Category of Affected Persons</td>
<td>Type of Impact</td>
<td>Entitlement</td>
<td>Special Assistance</td>
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<td>---------------------</td>
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</tr>
<tr>
<td>PAPs with no legal or customary title but with occupancy prior to the cutoff date</td>
<td></td>
<td>Full replacement value for loss of production trees based on life of species and maturity/productive value.</td>
<td>Not eligible</td>
<td></td>
</tr>
</tbody>
</table>
4. GAPS BETWEEN OP4, 12 AND LIBERIAN LEGAL FRAMEWORK

4.1 Gaps Analysis

The table below provides a summary of comparison between OP 4.12 requirements and the Liberian legal framework, highlighting key differences and advances measures to bridge these gaps.

**Table 4: Comparison of Liberian Regulations with World Bank Policies**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Country legislative requirements</th>
<th>WB policy requirement</th>
<th>Measures to Bridge Gaps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land acquisition procedure</td>
<td>There is legal provision on how private land is acquired for public interests which include providing: “private property owners with reasons for expropriation” that such expropriation or the compensation offered may be challenged freely by the owner of the property in a court of law with no penalty for having brought such action</td>
<td>OP4.12 provide guidelines on how to acquire land for public interest project</td>
<td>While the Liberian laws provide adequate basis for private land acquisition, the Bank’s guidelines will be used to supplement the existing national procedure. The MoE, MIA, and EPA will identify PAPs that need resettlement, while the MFDP will pay the cost of resettlement.</td>
</tr>
<tr>
<td>Topic</td>
<td>Country legislative requirements</td>
<td>WB policy requirement</td>
<td>Measures to Bridge Gaps</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Timing of compensation payment</td>
<td>Prompt payment of just compensation,</td>
<td>Prompt compensation payment prior to commencing construction or before acquiring land and assets</td>
<td>While the national law suggests the notion of prompt/just payment to affected property owners, it is not clear whether payments are made prior to or after acquiring land/property. Thus the need to supplement national law with the Bank’s policy. The RAP will contain clear timeline for payment of compensation.</td>
</tr>
<tr>
<td>Calculation of compensation</td>
<td>Article 24 (a) 1: provision is made for prompt payment of just compensation. However, the provision is not very clear whether full replacement cost will be used to compensate PAPs.</td>
<td>Full replacement cost: a method used to determine the amount sufficient to replace lost assets and cover transaction cost</td>
<td>In the absence of national law and lack of clarity on how compensation for various property on land to be acquired through the eminent domain law shall be handled, it is recommended that the Bank’s provision on compensation criteria and full replacement cost principles are considered.</td>
</tr>
<tr>
<td>Topic</td>
<td>Country legislative requirements</td>
<td>WB policy requirement</td>
<td>Measures to Bridge Gaps</td>
</tr>
<tr>
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<td>----------------------------------</td>
<td>-----------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Squatters</td>
<td>In Liberia law “Squatter Right does not cover Title. Squatter Right may be a city ordinance oriented and it is not a law. Squatter’s Right is only intended as a temporary arrangement for accommodation and a Title.</td>
<td>Under Bank’s involuntary resettlement policy squatters are to be provided resettlement assistance (but no compensation for land)</td>
<td>In the absence of provision for squatters in the Liberian Laws, the Bank’s policy on involuntary resettlement shall prevail. The issue of squatters will be clearly considered in the ARAP/RAP. Squatters will be provided resettlement assistance but not compensated for land.</td>
</tr>
<tr>
<td>Resettlement</td>
<td>There is no Liberian law mandating project proponent to develop resettlement action plan</td>
<td>The preparation of a resettlement plan cleared by the Bank prior to the implementation of the resettlement activities is required.</td>
<td>In the absence of Liberian Laws to address involuntary resettlement, the Bank’s policy shall prevail. Affected people should be offered various options for resettlements (not only one option) at least equivalent to the old property or site. Gap measures will be fully incorporated in the ARAP/RAP.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Country legislative requirements</th>
<th>WB policy requirement</th>
<th>Measures to Bridge Gaps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resettlement assistance</td>
<td>No provision in Liberian Laws</td>
<td>Affected people are to be offered support after displacement, for a transition period.</td>
<td>In the absence of provision to provide assistance for transition period to PAPs, the Bank’s provision shall be applied. Gap measures will be fully incorporated in the ARAP/RAP.</td>
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</tr>
<tr>
<td>Vulnerable groups</td>
<td>No provision in Liberian Laws</td>
<td>Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities…</td>
<td>In the absence of legal provision in Liberian Law to support vulnerable people, the Bank’s policy shall be applied. The MOE shall pay special attention to vulnerable people in impact corridors. Gap measures will be fully incorporated in the ARAP/RAP.</td>
</tr>
<tr>
<td>Topic</td>
<td>Country legislative requirements</td>
<td>WB policy requirement</td>
<td>Measures to Bridge Gaps</td>
</tr>
<tr>
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</tr>
<tr>
<td></td>
<td>Chapter 3 Article 17 of the Liberian Constitution (1986) provides the right to assemble and consult upon the common good…</td>
<td>Displaced persons and their communities (…) are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.</td>
<td>Since common good is subject to different interpretations, it is important that land acquisition consultations are done under Bank financed projects observe that. affected groups should get access to full information about the resettlement process and options for compensation. Participatory planning and decision making should be applied in resettlement options and compensation</td>
</tr>
</tbody>
</table>

Section 1.4 (b, c, and d) of the Freedom of Information Act of Liberia states the principles which shall govern the construction, exercise, and protection of the right of access to information.
4.1 GAP Analysis

4.1.1 Land Acquisition Procedure
While the Bank’s policy on involuntary resettlement provided guidelines on how to acquire land for Bank’s finance project, the Liberian law is very clear on how to acquire private land for public interests. It is important to specify how private land may be acquired, especially with respect to land acquisition for public interest projects. The latter issue is critical because of the real risks that Customary Land will be sold in a way that is not transparent, inclusive, and accountable, and therefore harmful to the interests of the community.\(^\text{23}\)

4.1.2 Squatter Rights
Liberia does not have legal provision to protect squatters or informal occupants of land. Informal settlements are not protected by law or administrative policy. There is no legal protection for residents of informal settlements, no process for formalizing settlement, and no legal framework for government expropriations of land.\(^\text{24}\) On the other hand, OP4.12 specifically calls for paying particular attention to the needs of vulnerable groups amongst those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous

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\(^\text{23}\) IBD, Page 22

\(^\text{24}\) Focus on Land in Africa: Brief: on Liberia Using Land Policy to improve life for the Urban Poor; Bruce and Kanneh (2011) Page 4
peoples, ethnic minorities, or other displaced persons who may not be protected through national compensation legislation.

4.1.3 General Observations

The lack of laws governing expropriation and formalization is a major gap between the Bank’s involuntary resettlement policy and the legal framework of Liberia, particularly on squatters or informal settlers who will be negatively affected by public interest projects. Issues of squatters or informal settlers have been mostly handled on established practice rather than legal framework.

As shown in table 3 and discussed in the gap analysis section, it is clear that there are differences between the Bank OP 4.12 requirements and existing Liberian Legislations. Considering the above-mentioned differences, World Bank policy shall complement the existing Liberian legislations relating to:

(a) the economic rehabilitation of all affected persons and affected families (AP/AF), including those who do not have legal/formal rights to land acquired by IRISE;

(b) the provision of assistances for loss of business and income;

(c) the provision of special allowances covering PAP expenses during the resettlement process or covering the special needs of severely affected or vulnerable PAPs.

While no major physical or economic displacements are currently expected under IRISE, should unexpected resettlement related issues arise, MoE shall ensure that the policy objectives and principles set forth in the Bank’s OP 4.12 are adhered to.

Should private land acquisition, temporary or permanent income loss be inevitable, or other impacts occur that triggers the application of OP 4.12, a Resettlement Action Plan (RAP) will be developed in compliance with policies and procedures set out in this RPF, the World Bank OP 4.12 and Liberian Legislation. IRISE shall be responsible for developing the RAP, if required, as well as its implementation.

No construction can start if impacts that trigger the application of OP 4.12 occur before a RAP is developed and deemed acceptable by the Bank. Any compensation measures should be completed prior to start-up of the particular construction activities that triggered the application of OP 4.12. This shall include the following:

1. Structural demolition that would cause physical relocation of households or businesses shall be avoided or minimized as much as possible;

2. Without any regard to land registration and ownership, PAP shall receive compensation or appropriate supports in accordance with the Bank’s Policy on Involuntary Resettlement and those of Liberian applicable legislations;

3. PAP shall be informed about their rights and alternatives;
4. PAP shall be consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;

5. PAP shall be offered effective compensation at full replacement cost for losses of assets;

6. PAP shall be offered additional support in case impact is considered to be severe, to support their livelihood during the transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living;

7. In all cases, special attention shall be paid to the needs of the most vulnerable groups of PAPs including children, women, the elderly and those with disabilities.

8. The expected PAP is estimated at 250 but the probability of any to be affected is almost zero.

A fair and accessible grievance redress mechanism will be developed and be operational in impact corridors at project, district, county and MoE levels.

CHAPTER V

INSTITUTIONAL ARRANGEMENTS AND COORDINATION

The institutions responsible for Resettlement Action Plan (RAP) implementation are listed below with their mandates.

5.1 Ministry of Public Works (MPW)

The MPW will approve all drawings for civil works and issue construction licenses to works contractors under the project. The MPW is responsible for infrastructure development (road, bridges, buildings, railway etc.) and zoning regulation in Liberia. The near lack of zoning regulation is responsible for some of the critical environmental issues such as reclaiming of urban mangroves, unplanned settlements, urban flooding etc. Very few urban centers in the country are plan consistent with zoning regulations in the whole country.
5.2 Ministry of Finance and Development Planning

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

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

The MFDP housed the Project Fund Management Unit (PFMU) which is responsible for fiduciary management of the Bank-supported projects. It supports the project to prepare a consolidated work plan and budget for the project on an annual basis. The work plans and budgets will include the planned project expenditures under each component. MoE’s project management will be expected to coordinate and monitor the implementation progress against the work plan/budget.

5.3 Ministry of Health (MOH)

The MOH through its department of Environmental and Occupational Health will handle matters relating to water and sanitation. It will conduct sanitary inspections in public schools to be constructed and provide community health education.

Health Centers at district level have been working in close collaboration with MoE on aspects of vulnerable people who are affected by infrastructure projects. Further coordination and partnership with district level healthcare facilities is an area the MoE would explore in order to advance the interest and well-being of vulnerable people who might be affected by the project.
5.4 Ministry of Mines and Energy

The Ministry of Lands, Mines and Energy will supervise the development and management of water resources and conducts scientific and technical investigations required for environmental assessments where applicable. The implementation of water and sanitation activities is done through the Department of Mineral and Environmental Research. The Ministry’s mandate dictates that it must be involved in Special projects on the evaluation of urban sanitation, particularly the provision of guidance for geotechnical investigation of solid wastes landfill disposal sites.

5.5 Environmental Protection Agency (EPA)

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

5.6 Liberia Revenue Authority (LRA)

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

5.7 Ministry of Agriculture (MOA)

Relationship with the Ministry of Agriculture (MOA) will be cultivated. Staff of MOA will be part of the verification team in which they will assist with crops valuation exercise. Involvement of agricultural extension
officers at the local level will be sought to support PAPs whose livelihoods focus on agricultural products. In circumstances where farmers are substantially affected by the project, the agricultural extension officers would work closely with MoE to assist and track progress of the affected farmers.

5.8 Ministry of Internal Affairs (MIA)

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

Details of the specific responsibilities of these different bodies will be discussed and finalized with the client (MoE).

5.9 Liberia Land Authority (LLA)

The LLA, subsumes land functions that were performed by several agencies of the Government, including the key land administration agencies - Department of Lands, Survey and Cartography of the former Ministry of Lands, Mines and Energy (MLME), now the Ministry of Mines and Energy, the Deeds and Titles Registry of the Center for National Documents Records Agency (CNDRA), and functions of County Land Commissioners from the Ministry of Internal Affairs.

As the one-stop-shop for land matters in Liberia, the Act, provides LLA with three key functions – land governance, land administration and land use and management.

5.10 Assessment of MoE Capacity

MoE has a Department of Physical Environment (DPE) with qualified Engineers and draftsmen. The DPE shall recruit safeguards specialist with appropriate qualification and experience to supervise and monitor the safeguards work, land acquisition, resettlement and rehabilitation for IRISE project. The safeguards specialist recruited in the Project Delivery Team (PDT) will also be part of the resettlement committee.
CHAPTER VI

VALUATION METHOD AND ENTITLEMENT DELIVERY

6.1 Assets valuation

Valuation is a methodology to be used in determining the full replacement cost of affected properties/assets. While assessing and determining the value of affected assets, the MoE shall apply the principle of full replacement cost in valuing affected assets. Where the national law is not clearly defined and fall short of full replacement cost, the Bank’s policy of full replacement cost shall apply.

While valuing and compensating for affected properties and income losses, the MoE shall adhere to the following:

6.1.1 Agricultural land, loss of crops and trees

For agricultural land, crops, and trees, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use, crops and trees located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer fees.
6.1.2 **Urban land**

For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer fees.

6.1.3 **Structure**

For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of labour and/or contractors’ fees, and plus the cost of any registration and transfer fees.

In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

6.1.4 **Business**

In a situation where the PAPs incurred losses of income from business, the compensation method should be the following:

- Estimate the net monthly profit of the business, based on records if any, on operator’s statements, crosschecked by an assessment of visible stocks and activity,
- Multiply this net monthly profit by the number of months during which the business is prevented from operating,
- Allocate a disturbance allowance of 10% of total compensation,

Where Liberia law does not meet the standard of compensation at full replacement cost, compensation under Liberia law is supplemented by OP 4.12 so as to meet the replacement cost standard. In order to ensure payment of full replacement cost to PAPs for affected structures, the MoE will work with MFDP to determine a standard price list.

6.1.5 **Valuation/Assessment Team**

MoE shall establish a valuation/assessment team for assessing and deterring the value of assets and compensation amount to be paid to affected PAPs. While conducting the valuation exercise the team shall:
 Obtain copies from MoE the census report on the affected corridor(s),
 Assess the value of affected properties as and where necessary to ensure that the cash value placed on those properties is calculated based on full replacement cost,
 Ensure that tree crops are physically counted to ensure correctness and that the current US$ rates provided by Ministry of Agriculture for various crops are applied,
 Collect from each Project Affected Person (PAP) a proof of ownership such as land deed, tribal certificate, or attestation issued by the Court for his/her affected property along with two passportsized photos;
 Fill in the RAP Verification Form containing the verification date, structure code, name of owner, sex, location of structure, total dimension (sqft), category, kind of structure, rate per sqft and total appraised value for each structure; the quantity and description will be applied if the affected property is tree crop;
 Ensure that every member of the Valuation Team and the PAP signed in spaces provided on each RAP verification form as a proof to acknowledge the appraised values thereof;
 Ensure that the PAPs’ vouchers comprising of the valuation form, two passport-sized photos, structure photo and proof of ownership from the local court are submitted to MoE’s Deputy Minister for Administration’s Office for final vetting; and

 Upon approval by the Deputy Minister, PAPs’ forms are then forwarded to the SMT for further action.

 6.2. RAP Entitlements Delivery and Resettlement Committee

The MoE and the MFDP/PFMU organizational procedures and systems shall be used for delivery of entitlements to PAPs. More details will be provided in the RAP

Initiating the process of compensation payment requests to PAPs shall be the responsibility of MoE. The following procedures are carried out during the verification process for the RAP:

 The RAP Verification Team obtains copy of the RAP Report prepared by MoE and approved by the World bank covering assets affected by the project on the specified road corridor
 The Team revalues the affected properties as and where necessary to ensure that the cash value placed on those properties are neither overstated nor understated and should reflect present day situation
 Collect from each Project Affected Person (PAP) a proof of ownership such as attestation issued by the Court, Magistrate, Town Chief, City Mayor for his/her affected property along with two passportsized photos
• Fill in the RAP Verification Form containing the verification date, structure code, name of owner, sex, location of structure, total dimension in square feet (sqft), category (fully affected - FA or partially affected - PA), kind of structure, US$ rate per sqft and total appraised value for each structure.

• Ensure that every member of the RAP Verification Team and the PAP sign in spaces provided on each RAP Verification Form as a proof to acknowledge the appraised values thereof.

• The PAPs’ vouchers comprising of the RAP verification form, two passport-sized photos, structure photo and proof of ownership from the local court are submitted to the Deputy Minister for Administration’s office for final vetting.

• Upon approval PAPs’ vouchers comprising of the RAP verification form, two passport-sized photos, structure photo and proof of ownership from the local court are then forwarded to the Finance Office (PFMU) for check-making.

Upon receipt of verification reports along with a list of verified PAPs forms, MoE’s Deputy Minister for Administration, shall approve the payment processing request.

Following the approval of the Deputy Minister, the MoE shall submit compensation payment requests to PFMU/MFDP with appropriate justifications attached to each request.

The PFMU, upon verifying documents submitted by MoE, shall process compensation payments.

The PFMU pay-team, in collaboration with MoE, shall distribute compensation checks to PAPs.

The team allowed the PAPs to register their names, cell phone number, date and signatures. Payment Forms are prepared for each legitimate PAP.

PAPs are finger-printed and photographed holding their checks.

The following documentations shall be attached to each compensation payment request:

i) **Probated and registered land deed** (where land or economic crops are to be compensated). Again, clearance from local authorities is required.

ii) **Village chief and elderly attestation.** In circumstances where land ownership cannot be attested by district courts and probated land deed, the PAP shall present.

iii) a clearance from the village chiefs and elders showing that he is the sole owner of that land. In the absence of court attestation and probated land deed, the attestation given by the village chief and elders to the PAP shall become proof of landownership for the PAP and shall serve the same purpose as that of district court attestation and probated land deed.

iv. **Passport-sized photographs** of the PAPs shall be attached to the completed verification forms.
6.3 Compensation payment processing

Processing compensation payment to PAPs shall be the responsibility of MFDP/PFMU.

- Based on submission of verified list of PAPs accompanied by payment requests and the required documentation from the MoE, the PFMU shall proceed to write the compensation checks to PAPs,

- If the PFMU is not fully satisfied with compensation payment requests, it shall return those requests to MoE within five day after receipts with reasons for not proceeding with processing of the compensation payment request(s),

- The PFMU shall then requests the MoE to supply the needed documents,

- The MoE shall make the necessary corrections within five days of receipt of the said communication from PFMU and resubmit the compensation payment request to PFMU for the processing of checks.

6.3.1 Door-to-Door compensation payment

Carrying out door-to-door Compensation payments to PAPs shall be the responsibility of the RAP Pay Team. The pay team shall comprise staff of the PFMU and the safeguards team of the MoE.

When making door-to-door compensation payment to PAPs, the pay team shall follow the following procedures:

- Collect all checks and the required documents attached to the completed verification forms from the PFMU to use as a basis for identifying and paying affected structure owners,

- Go from house to house to pay the verified PAPs in front their affected structures or farms,

- Fill in payment form and have each legitimate PAP and members of the pay team sign in the spaces provided for their signatures.

- Have each PAP’s finger-print on the payment form and photograph the PAP holding his/her compensation check in front of the affected property,

- Send the signed payment forms or approved list of the PAPs paid to the Bank to enhance the encashment of their checks,

- No third-party payments shall be allowed;

- Return all checks for i) PAPs that fail to show up during compensation payment and ii) those that can’t be disbursed due to dispute; payment report should include a list of all undisbursed checks with their numbers and the PAPs in whose names the checks are issued.
• Prepare and submit payment report to MoE and PFMU within three days after returning from the field.

6.4 Resettlement Committee

A resettlement Committee composed of the following stakeholders shall be constituted:

- MoE Deputy Minister for Administrations: Chairperson
- IRISE Project Coordinator: Deputy Chair
- County Education Officers: Members
- County Superintendents: Members
- Director of Physical Environment: Member
- Safeguards Specialist (PDT): Member
- PAP community representatives (preferably 1 man and 1 woman)

The committee will meet every three months to review resettlement progress and challenges, as well as discussing any pending and emerging social safeguard issues. The Committee will provide quarterly reports to the SMT and the Bank.

CHAPTERVII

7. RAP BUDGET, IMPLEMENTATION AND, LINKAGES TO CONSTRUCTION

7.1 RPF Implementation Budget

Resettlement Action Plans (RAP)/Abbreviated Resettlement Action Plans (ARAP) would include a detailed budget for compensation and other rehabilitation entitlements. It will also include information on how funds will flow as well as compensation schedule. The Action plans will also clearly state where the sources of land and funds will come from. As the Borrower, the Government of Liberia carries official responsibility for meeting the terms of this framework, including financial obligations associated with land acquisition.

The key budget items are as follows:
<table>
<thead>
<tr>
<th>No.</th>
<th>Budget Item</th>
<th>Amount (US$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Subproject Screening Activities</td>
<td>$125,000</td>
</tr>
<tr>
<td>2.</td>
<td>RAP Preparation</td>
<td>$60,000</td>
</tr>
<tr>
<td>5.</td>
<td>GRM implementation including stakeholder’s consultation</td>
<td>$20,000</td>
</tr>
<tr>
<td>7.</td>
<td>Capacity building measures</td>
<td>$15,000</td>
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<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td><strong>$220,000</strong></td>
</tr>
</tbody>
</table>

7.2 **RAP Implementation Linkage to Constructions under IRISE**

A total of 16 weeks lead-time shall be provided between the completion of RAP implementation including site handover and the commencement of construction. The overall RAP preparation and implementation period shall not exceed 15 weeks. MoE shall complete all RAP activities within 15 weeks’ time and prior to the start of construction in each impact corridor or no construction should start until RAP is fully implemented and confirmed by post compensation and resettlement assistance payments verification exercise (RAPs audit). If more time is needed to implement RAPs, the matter will be discussed with the task team and PAPs will be duly informed of the task team decision.

The need for putting in place a data base capable of providing information on affected properties and livelihoods by types of impacts, types of ownership and magnitude of impacts will be critical. Making GRMs’ fully functional at project, district and counties levels will be imperative for resolving disputes in timely and efficient manner. The assets valuation and revaluation exercises will have to be simplified and sufficient time will have to be given to carry out the work. Roles and responsibilities of asset revaluation team and pay team have to be clearly defined and adequately delineated. Encroachments prevention methods need to be put in place in order to stop PAPs who
have been paid compensation from coming back to the property. Enforcement and accountability measures are needed to protect the project sites and hold assigned officials answerable for their actions. Providing access to affected properties and means of livelihoods will be adequately addressed.

A description of the project implementation process linking completion of resettlement activities to the commencement of construction is shown in Table 3 below.

Table 5: Example of a RAP Implementation Schedule and Commencement of Construction

<table>
<thead>
<tr>
<th>#</th>
<th>Activities</th>
<th>W 1</th>
<th>W 2</th>
<th>W 3</th>
<th>W 4</th>
<th>W 5</th>
<th>W 6</th>
<th>W 7</th>
<th>W 8</th>
<th>W 9</th>
<th>W 10</th>
<th>W 11</th>
<th>W 12</th>
<th>W 13</th>
<th>W 14</th>
<th>W 15</th>
<th>W 16</th>
<th>Responsibility</th>
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<tr>
<td>1</td>
<td>Recruitment of consultant</td>
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<td>MOE</td>
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<td>2</td>
<td>Complete census</td>
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<td>MOE</td>
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<td>2</td>
<td>Conduct consultation</td>
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<td>3</td>
<td>Complete valuation</td>
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<td>4</td>
<td>Share and agree RAP (including valuation results) with PAPs</td>
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<td>MOE/PAPs</td>
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<tr>
<td></td>
<td>Clearance of RAP by World Bank</td>
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<td>WB, MOE</td>
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<tr>
<td>5</td>
<td>Start entitlement delivery</td>
<td></td>
<td>MOE/PFMU/M FDP</td>
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<tr>
<td>6</td>
<td>Complete compensation payments</td>
<td></td>
<td>MOE/PFMU/M FDP</td>
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<td>7</td>
<td>Grace period for PAPs to vacate structures</td>
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<td>PAPs/MOE</td>
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</tbody>
</table>

**MOE**
- Complete valuation
- MOE/PAPs

**WB, MOE**
- Clearance of RAP by World Bank

**MOE/PFMU/M FDP**
- Start entitlement delivery
- Complete compensation payments

**PAPs/MOE**
- Grace period for PAPs to vacate structures
As shown in the above RAP implementation schedule, the MoE shall complete the overall cash/check compensation payments exercise within a maximum period of 15 weeks. If more time is needed, the task team will examine the need for the additional time and the outcome shall be shared with PAPs.

Each eligible PAP will sign a verification/commitment form together with the verification/valuation team. The verification/commitment form, upon signature of all parties (the verification team and PAPs), shall constitute a mutual commitment as follow:
• **On IRISE’s side:** The MoE shall sign in the commitment form indicating its agreement to pay the agreed compensation and resettlement assistances, including all its components (resettlement package, in-kind compensation and cash compensation). Resettlement assistances in in-kind will take longer than the 15 days allocated for cash/check compensation. The time required for completing in-kind assistances shall be addressed on case-by-case basis; and this consideration shall be reflected in the commitment form.

• **On the PAP’s side:** commitment to vacate the land once compensation is made for the affected assets/properties.

The format of verification/commitment form shall be simple and easy for PAPs to understand.

PAPs shall be required to move out of the affected structures four weeks after they have received their resettlement compensation payment. A written notice to that effect shall be given to PAPs during the compensation payment.

If the resettlement exercised entails physical relocation of PAPs, the MoE will ensure that sites are selected during the resettlement planning phase, in consultation with the affected persons. If site is selected during RAP preparation phase, the MoE will take full responsibility for preparing relocation sites before the date of the actual move, verifying that each affected household to be relocated is willing to occupy its new house. If the affected households find features of the specific sites and house highly disadvantageous or culturally inappropriate, site improvements or reallocation of sites may be considered in consultation with affected persons. This process shall be completed before construction starts and no construction shall start unless this process is completed.

The MoE shall ensure that PAPs whose livelihoods are land-based and who are losing more than 20 percent of their total productive agricultural land are to be given an option allowing them to acquire comparable replacement land. PAPs may, at their option, choose cash compensation and economic rehabilitation, instead of land replacement. The MoE in collaboration with the Liberia Land Authority will assist those PAPs who opted for land-for-land option to find appropriate agricultural land prior to the start of construction and no construction shall start unless this process is completed.

**CHAPTER VIII**

**8. GRIEVANCE REDRESS MECHANISMS AND CONSULTATIONS**
8.1 Grievance Redress Mechanisms

Grievance here means any query, call for clarification, problems, concerns raised by individuals or groups related to activities undertaken or processes applied by the project. These, when addressed, are expected to ensure support, results and sustainability of project activities. The goal is to create an avenue to prevent and address potential adverse environmental and social impacts emanating from project activities. The objectives are the following:

- To amicably resolve grievances raised by Aggrieved Parties (APs) during project implementation
- To ensure successful and timely completion of projects, without creating adverse environmental, social and health conditions on the community.

8.1.1 Scope of the Grievance Mechanism

The grievance mechanism applies to all project activities to be financed by the project activities. It includes issues related to environmental, involuntary resettlement and social issues in that come up during project implementation.

The potential resettlement impacts of the IRISE will inevitably give rise to grievances among the affected population over issues ranging from rates of compensation and eligibility criteria to the location of resettlement sites and the quality of services at those sites. Timely redress of such grievances is vital to the satisfactory implementation of land acquisition and to completion of the project on schedule.

The Ministry of Education will install a Grievance Mechanism that will allow project-affected persons who are not satisfied with compensation and/or resettlement packages or procedures to lodge a complaint or a claim without cost and with the assurance of a timely and satisfactory resolution of that complaint or claim. The aggrieved also reserve to go to the court of law of the country at their own cost. To facilitate this process, the GRM will be at three levels: community, district and national level. Even though the district level is likely to be
the main recipient of complaints, provision has been made to spread access to the use of the mechanism to the community and the national level. Details are as follows:

8.1.2 The Grievance Redress Committee

The following arrangements are outlined for the levels of grievance committees and the procedures to be followed. There shall be a grievance redress committee at the community, district and national levels as follows:

Community level

The Chief, Youth Leader, Women’s Leader, Chairman of the PTA (where applicable), Community Leader and an NGO known in the community will constitute the committee.

District level

The Planning Officer, District Education officer (DEO) Civil Society representative, District Security official will constitute the committee. Overall responsibility is on the CEO.

National level

The Ministry of Education, Environmental Protection Agency (EPA), Liberia Land Authority, Ministry of Internal Affairs.

Once constituted, each committee shall appoint/designate a registrar to handle the processing of complaints as detailed below. The Project Delivery Team will have overall responsibility for coordination.

8.1.3 Grievance Redress Procedure

Generally, affected people can lodge complaints at the community and district levels where the District Education Officer in consultation with the County Education Officer and other Local Government Authorities receive and document for onward action. In order to streamline the process, the following structure is proposed:
i. Community Level: Complaints may be submitted to any member of the community level representatives which will be recorded/filed and discussed at an agreed date for possible resolution within 7 days upon receipt of such complaints. The community representatives will meet at the community level- to discuss and address issues and complainant informed of outcome of resolution.

ii. District Level: If complaint is not resolved at the community level, then it is elevated to the level of the district. The DEO receives and convenes a meeting with all representatives to address complaint or resolve the issue in consultation with the CEO. At this level, it is recommended that a representative of an NGO/CBO working in the community and in good standing should be invited as an independent witness. Maximum time for resolution should not exceed 14 days.

iii. National Level: If issue is not resolved at the district level, then DEO informs CEO who will inform the MoE. The MoE will convene the national committee for a final resolution which could take any time between 1-3 months. Beyond this, the complainant has the option of seeking redress at the courts of law, if not satisfied with outcome of resolution.

8.2. CONSULTATION

Community consultations assist in the identification of socio-economic, religious and cultural impacts. Stakeholder consultation to support the resettlement process, if any, specifically will aim to achieve the following objectives:

• To provide information about the project and its potential impacts to those interested in or affected by the project, and solicit their opinion in that regard
• To manage expectations and streamline misconceptions regarding the project
• To agree on resettlement preferences, if any, and discuss concerns
• To ensure participation and acceptance of the project by the communities
Information obtained during consultations will be used to make an inventory of existing infrastructures and to collect information on land management, socio-economic activities, infrastructure, and expectations of the local residents.

8.2.1 Methodology

A team consisting of the staffs of MoE and representatives of the Environmental Protection Agency (if needed) will collect data for the consultations. Community opinion leaders will serve as key contacts to encourage meeting attendance.

The meetings to be held either at the community center will be interactive, with questions from the communities and answers and explanations from the MoE Staff and PDT. A list of the people consulted is to be included in the final version of this document.

8.2.2 Community & Participatory Consultation

The Ministry of Education will conduct consultations in 2019 in target sites. These consultations are to be led by teams and integrated into the project awareness as a whole. The team expects to visit sites, meet with the chiefs, and interview local opinion leaders and community members. If needed, they will also present the project plan in the local districts and address land acquisition processes, issues related to litigation on land in that district, access to electricity and other social infrastructure. The team both at Ministry and World Bank level, has carried reviews for the purpose of validating the design of the project from a representative group of education professionals and stakeholders including heads of schools, district education officers (DEOs). These consultations are to be carried out on the ground during the workshop on Secondary Education delivered in the preparation of the Secondary Education Analysis – the technical note of the Secondary Education IRISE Project.

In addition to the consultations conducted by MoE, a Project launch workshop that will incorporate the ESMF and RPF policies and procedures will be carried out upon Project effectiveness.

8.2.3 Disclosure and Information Sharing

The MoE shall be responsible for ensuring consultations with PAPs and for disseminating information relating to RPF/RAP.

With regard to RPF information dissemination and consultation, the MoE shall ensure that:
• the draft RPF is available at a place accessible to PAPs and local NGOs, in a form, manner, and
language that are understandable to them,

• the draft RPF is circulated among the relevant institutions for their review and comments, if any;

• comments made by those institutions including the World Bank are incorporated into the final RPF;

• copies of the final RPF are available and accessible to all agencies of the Government of Liberia, PAP
and local NGOs.

CHAPTER IX

9. MONITORING AND EVALUATION

9.1 Monitoring and Evaluation

Monitoring and Evaluation (M&E) shall constitute key components of the RPF/RAP implementation. As such,
the MoE shall take the responsibility to ensure that an M&E system is in place and effectively functioning.

Monitoring will be an integral part of the RAP implementation activities under IRISE and will continue
throughout the project period. Regular monitoring will enable the MoE to assess resettlement implementation
progress and challenges, take corrective action where and when necessary to keep the project on course, and to
ensure achievement of the stated resettlement objectives as well as compliance with World Bank’s involuntary resettlement policy (OP 4.12).

Monitoring also encompasses regular consultation with and feedback from PAPs and other stakeholders regarding resettlement implementation progress or the lack thereof.

Key resettlement monitoring indicators shall include the followings:
- Number of PAPs relocated/resettled
- Number of vulnerable people assisted; type of supported provided during transitional period
- Type of assistance provided to PAPs
- Number and nature of complaints filed by PAPs; number of complaints amicably resolved; number of complaints unresolved/pending
- Existence and functioning of the GRM; PAPs access to the GRM
- Compensation payment processing and delivery time
- Number of PAPs who are better off as a result of the resettlement assistance; number of PAPs who are worse off as a result of the project
- Status of resettlement plan implementation

Monitoring Indicators

MoE is responsible for monitoring RAP(s) implementation. MoE shall be responsible for incorporating and tracking progresses on these indicators.
Table 6: RAP Monitoring Indicators

<table>
<thead>
<tr>
<th>#</th>
<th>Monitoring</th>
<th>Specific indicator</th>
<th>frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Social and economic monitoring</td>
<td>On the basis of pre project’s baseline survey, provide number of PAPS: i) whose livelihoods have been restored to pre-project level, ii) whose livelihoods have improved beyond pre-project level, iii) whose livelihoods are worse than pre-project level.</td>
<td>Annual</td>
</tr>
<tr>
<td>2</td>
<td>Private structures</td>
<td>Provide number of PAPs: i) whose livelihood have been restored to pre-project level, ii) whose livelihoods improved beyond pre-project level, iii) whose livelihood are worse than pre-project level</td>
<td>Monthly</td>
</tr>
<tr>
<td>3</td>
<td>Public Structures</td>
<td>Provide number of PAPs: i) whose livelihoods have been restored to pre-project level, ii) whose livelihoods have improved beyond pre-project level, iii) whose livelihoods are worse than pre-project level</td>
<td>Monthly</td>
</tr>
<tr>
<td>4</td>
<td>Economic Crops</td>
<td>Track progress on: i) number and type of economic crops replanted by affected farmers, ii) number of farmers who have restored their income to pre-project level, iii) number of farmers who have not restored their income to pre-project level, iv) number of farmer whose income has been restored beyond pre-project level, v) number of affected farmers who have changed their livelihoods from farming to other livelihood activities.</td>
<td>Monthly</td>
</tr>
<tr>
<td></td>
<td>Assistance to Businesses</td>
<td>Track progress on: i) number of affected businesses that have resumed business operation, ii) number of businesses that have restored their net income to preproject level, iii) number of businesses that have restored their net income beyond pre-project level, iv) number of affected businesses that have not resume operations.</td>
<td>Monthly</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>6</td>
<td>Vulnerable Groups</td>
<td>Provide number of vulnerable PAPs: i) whose livelihoods have been restored to pre-project level, ii) whose livelihoods have improved beyond pre-project level, iii) whose livelihoods are worse than pre-project level, iv) who have received assistance from the special package, v) who are sick and who benefited from health service in the project area, vi) number of disable friendly facilitates constructed by the project such as access ramp from main road to their living quarters or neighborhood,</td>
<td>Monthly</td>
</tr>
<tr>
<td>7</td>
<td>Tenants</td>
<td>Provide number of affected tenants: i) who have found new rental places, ii) who reported that the rental allowance is inadequate, iii) who showed satisfaction over their new rental places compared to the ones they occupied before the project, iv) number of tenants who have not yet found rental places.</td>
<td>Monthly</td>
</tr>
<tr>
<td>8</td>
<td>Grievances and grievance management system</td>
<td>Track grievances and report: i) number of cases at each impact location, ii) the number of cases resolved, iii) number of cases pending, iv) reasons for pending cases, v) frequency of GRMs meetings, vi) description of compliance to GRM procedures</td>
<td>Monthly</td>
</tr>
<tr>
<td></td>
<td>Post RAP Compensation Payment Audit</td>
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<tr>
<td></td>
<td>On the basis of the census and entitlement matrix, the post RAP compensation payment audit exercise will verify and confirm: i) overall total number of PAPs paid full compensation on or before November 2019; ii) total number of private structure owners (PAPs) paid full compensation on or before November 2019; iii) total number of public structures (fences and signboards) paid full compensation on or before November 2019; iv) total number of economic crops (rubber trees, oil palm trees and sugar cane) paid on or before November 2019; v) total number of business owners (loss of income/revenue) paid compensation on or before November 2019; vi) total number of tenants paid three months rental assistance on or before November 2019; vii) total number of landlords paid three months rental losses on or before November 2019; viii) total number of vulnerable people paid full special assistance (3 months rental, living and transitional allowances) on or before November 2019; ix) number of PAPs who are not paid full compensation on or before November 2019; x) compensation cases disputed channeled to GRMs and status of each case; xi) potential and actual residual social risks and proposed mitigation measures.</td>
<td></td>
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</tbody>
</table>
9.2. **Completion Audit**

The MoE will conduct an audit to determine whether the efforts to restore the living standards of the affected population have been properly designed and executed. There will also be an independent audit.

This completion audit will verify that all physical inputs earmarked in the RAP have been delivered and all services provided. The audit will also evaluate if the mitigation actions prescribed in the RAP have had the desired effect. The baseline conditions of the affected parties before the relocation will be used as a measure against their socio-economic status after the resettlement.

Prior to start of civil works, the completion audit will take place after all RAP activities have been completed including development initiatives, but before the financial commitments to the program are finished. This will allow the flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

Evaluation of resettlement activities will be part of the general assessment and review activities undertaken for IRISE.
ANNEX 1: OP 4.12

December, 2001

OP 4.12 - Involuntary Resettlement

1.1.1.1 T

These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject.

Note: OP/BP 4.12, Involuntary Resettlement, were revised on April 2013 to take into account the recommendations in “Investment Lending Reform: Modernizing and Consolidating Operational Policies and Procedures” (R2012-0204 [IDA/R2012-0248]), which were approved by the Executive Directors on October 25, 2012. As a result of these recommendations: (a) OP/BP 10.00, Investment Project Financing, have been revised, among other things, to incorporate OP/BP 13.05, Supervision and OP/BP 13.55, Implementation Completion Reporting, (which have consequently been retired); and (b) OP/BP 8.60, Development Policy Lending, and OP 9.00, Program-for-Results Financing, have also been revised. OP/BP 4.12 have consequently been updated to reflect these changes, to clarify the extent of applicability of OP/BP 4.12 to Development Policy Lending and Program for Results Financing, and to reflect the updated title of the Bank’s policy on access to information.

Revised April 2013

1. Bank experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

1.1.1.2 Policy Objectives
2. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.2

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons3 should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) 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, whichever is higher.4

1.1.1.3 Impacts Covered

3. This policy covers direct economic and social impacts5 that both result from Bank-assisted investment projects,6 and are caused by

(a) the involuntary7 taking of land8 resulting in

(i) relocation or loss of shelter;

(ii) lost of assets or access to assets; or

(iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
(b) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

4. This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are

(a) directly and significantly related to the Bank-assisted project,

(b) necessary to achieve its objectives as set forth in the project documents; and

(c) carried out, or planned to be carried out, contemporaneously with the project.

5. Requests for guidance on the application and scope of this policy should be addressed to the Resettlement Committee (see BP 4.12, para. 7).

1.1.1.4 Required Measures

6. To address the impacts covered under para. 3 (a) of this policy, the borrower prepares a resettlement plan or a resettlement policy framework (see paras. 25-30) that covers the following:

(a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are

(i) informed about their options and rights pertaining to resettlement;

(ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and

(iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

(b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are

(i) provided assistance (such as moving allowances) during relocation; and
(ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.\textsuperscript{13}

(c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are

(i) 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;\textsuperscript{14} and

(ii) provided with development assistance in addition to compensation measures described in paragraph 6(a);

(iii) such as land preparation, credit facilities, training, or job opportunities.

7. In projects involving involuntary restriction of access to legally designated parks and protected areas (see para. 3(b)), the nature of restrictions, as well as the type of measures necessary to mitigate adverse impacts, is determined with the participation of the displaced persons during the design and implementation of the project. In such cases, the borrower prepares a process framework acceptable to the Bank, describing the participatory process by which

(a) specific components of the project will be prepared and implemented; (b) the criteria for eligibility of displaced persons will be determined;

(c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area, will be identified; and potential conflicts involving displaced persons will be resolved.

The process framework also includes a description of the arrangements for implementing and monitoring the process.

8. To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples,\textsuperscript{15} ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.
9. Bank experience has shown that resettlement of indigenous peoples with traditional land-based modes of production is particularly complex and may have significant adverse impacts on their identity and cultural survival. For this reason, the Bank satisfies itself that the borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not feasible to avoid such displacement, preference is given to land-based resettlement strategies for these groups (see para. 11) that are compatible with their cultural preferences and are prepared in consultation with them (see Annex A, para. 11).

10. The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in para. 3(a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts covered in para. 3(b) of this policy, the measures to assist the displaced persons are implemented in accordance with the plan of action as part of the project (see para. 30).

11. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land (see footnote 1 above), or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

12. Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.
13. For impacts covered under para. 3(a) of this policy, the Bank also requires the following:

(a) Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

(b) In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).

(c) Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers’ preferences with respect to relocating in preexisting communities and groups are honored.

1.1.1.5 Eligibility for Benefits

14. Upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project (see the Annex A, para. 6(a)), to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and it specifies grievance mechanisms.

15. Criteria for Eligibility. Displaced persons may be classified in one of the following three groups:

(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

(b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized
under the laws of the country or become recognized through a process identified in the resettlement plan (see Annex A, para. 7(f)); and 20

(c) those who have no recognizable legal right or claim to the land they are occupying.

16. Persons covered under para. 15(a) and (b) are provided compensation for the land they lose, and other assistance in accordance with para. 6. Persons covered under para. 15(c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in para. 15(a), (b), or (c) are provided compensation for loss of assets other than land.

1.1.1.6 Resettlement Planning, Implementation, and Monitoring

17. To achieve the objectives of this policy, different planning instruments are used, depending on the type of project:

(a) a resettlement plan or abbreviated resettlement plan is required for all operations that entail involuntary resettlement unless otherwise specified (see para. 25 and Annex A);

(b) a resettlement policy framework is required for operations referred to in paras. 26-30 that may entail involuntary resettlement, unless otherwise specified (see Annex A; and

(c) a process framework is prepared for projects involving restriction of access in accordance with para. 3(b) (see para. 31).

18. The borrower is responsible for preparing, implementing, and monitoring a resettlement plan, a resettlement policy framework, or a process framework (the "resettlement instruments"), as appropriate, that conform to this policy. The resettlement instrument presents a strategy for achieving the objectives of the policy and covers all aspects of the proposed resettlement. Borrower commitment to, and capacity for, undertaking successful resettlement is a key determinant of Bank involvement in a project.
19. Resettlement planning includes early screening, scoping of key issues, the choice of resettlement instrument, and the information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In preparing the resettlement component, the borrower draws on appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs. The borrower informs potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.

The full costs of resettlement activities necessary to achieve the objectives of the project are included in the total costs of the project. The costs of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) are added to the benefits stream of the project. Resettlement components or free-standing resettlement projects need not be economically viable on their own, but they should be costeffective.

20. The borrower ensures that the Project Implementation Plan is fully consistent with the resettlement instrument.

21. As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its InfoShop. After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.

22. The borrower's obligations to carry out the resettlement instrument and to keep the Bank informed of implementation progress are provided for in the legal agreements for the project.

23. The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate (see also BP 4.12, para. 16).
Resettlement Instruments

1.1.1 Resettlement Plan

24. A draft resettlement plan that conforms to this policy is a condition of appraisal (see Annex A, para. 221) for projects referred to in para. 17(a) above. However, where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower (see Annex A, para. 22). The information disclosure procedures set forth in para. 22 apply.

Resettlement Policy Framework

25. For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy (see Annex A, paras. 23-25). The framework also estimates, to the extent feasible, the total population to be displaced and the overall resettlement costs.

26. For financial intermediary operations that may involve involuntary resettlement, the Bank requires that the financial intermediary (FI) screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see Annex A, paras. 23-25). In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for subproject financing. When, in the assessment of the Bank, no resettlement is envisaged in the subprojects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential subborrowers a resettlement plan consistent with this policy if a subproject gives rise to resettlement. For all subprojects involving resettlement, the resettlement plan is provided to the Bank for approval before the subproject is accepted for Bank financing.

27. For other Bank-assisted project with multiple subprojects that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or subprojects (a) the zone of impact of subprojects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a
resettlement policy framework consistent with this policy prior to appraisal (see Annex A, paras. 23-25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.

28. For each subproject included in a project described in para. 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing.

29. For projects described in paras. 26-28 above, the Bank may agree, in writing, that subproject resettlement plans may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to be in compliance with Bank policy, are provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by the Bank.

1.1.2 Process Framework

30. For projects involving restriction of access in accordance with para. 3(b) above, the borrower provides the Bank with a draft process framework that conforms to the relevant provisions of this policy as a condition of appraisal. In addition, during project implementation and before enforcing the restriction, the borrower prepares a plan of action, acceptable to the Bank, describing the specific measures to be undertaken to assist the displaced persons and the arrangements for their implementation. The plan of action could take the form of a natural resources management plan prepared for the project.

1.1.3 Assistance to the Borrower

31. In furtherance of the objectives of this policy, the Bank may at a borrower's request support the borrower and other concerned entities by providing

(a) assistance to assess and strengthen resettlement policies, strategies, legal frameworks, and specific plans at a country, regional, or sectoral level;

(b) financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations;
(c) financing of technical assistance for developing resettlement policies, strategies, and specific plans, and for implementation, monitoring, and evaluation of resettlement activities; and

(d) financing of the investment costs of resettlement.

32. The Bank may finance either a component of the main investment causing displacement and requiring resettlement, or a free-standing resettlement project with appropriate cross-conditionalities, processed and implemented in parallel with the investment that causes the displacement. The Bank may finance resettlement even though it is not financing the main investment that makes resettlement necessary.

1. "Bank" includes IBRD and IDA; "loans" includes IDA credits and IDA grants, guarantees, Project Preparation Facility (PPF) advances and grants; and "projects" includes projects under (a) PPFs advances and Institutional Development Fund (IDF) grants, if they include investment activities; (b) grants under the Global Environment Facility and Montreal Protocol, for which the Bank is the implementing/executing agency; and (c) grants or loans provided by other donors that are administered by the Bank. The term "project" does not include programs supported by Development Policy Lending (for which the environmental provisions are set out in OP/BP 8.60, Development Policy Lending), or by Program-for-Results Financing (for which environmental provisions are set out in OP/BP 9.00, Program-for-Results Financing. "Borrower" also includes, wherever the context requires, the guarantor or the project implementing agency.

2. In devising approaches to resettlement in Bank-assisted projects, other Bank policies should be taken into account, as relevant. These policies include OP 4.01, Environmental Assessment, OP 4.04, Natural Habitats, OP 4.10, Indigenous Peoples, and OP 4.11, Physical Cultural Resources.

3. The term "displaced persons" refers to persons who are affected in any of the ways described in para. 3 of this OP.

4. Displaced persons under para. 3(b) should be assisted in their efforts to improve or restore their livelihoods in a manner that maintains the sustainability of the parks and protected areas.

5. Where there are adverse indirect social or economic impacts, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups. Other environmental, social, and economic impacts that do not result from land taking may be identified and addressed through environmental assessments and other project reports and instruments.
6. This policy does not apply to restrictions of access to natural resources under community-based projects, i.e. where the community using the resources decides to restrict access to these resources, provided that an assessment satisfactory to the Bank establishes that the community decision-making process is adequate, and that it provides for identification of appropriate measures to mitigate adverse impacts, if any, on the vulnerable members of the community. This policy also does not cover refugees from natural disasters, war, or civil strife (see OP 8.00, Rapid Response to Crises and Emergencies).

7. For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.

8. "Land" includes anything growing on or permanently affixed to land, such as buildings and crops. This policy does not apply to regulations of natural resources on a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy also does not apply to disputes between private parties in land titling projects, although it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, especially those affecting poor and vulnerable groups.

9. For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).

10. The Involuntary Resettlement Sourcebook provides good practice guidance to staff on the policy.

11. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see Annex A, footnote 1). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6.

12. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.

13. The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural
sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.

14. Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements.


16. Where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 percent in a secure form of escrow or other interest-bearing deposit acceptable to the Bank, and has provided a means satisfactory to the Bank for resolving the dispute concerning said offer of compensation in a timely and equitable manner.

17. See OP 4.04, Natural Habitats.

18. As a general principle, this applies if the land taken constitutes less than 20% of the total productive area.

19. Paras. 13-15 do not apply to impacts covered under para. 3(b) of this policy. The eligibility criteria for displaced persons under 3 (b) are covered under the process framework (see paras. 7 and 30).

20. Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.

21. Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate.

22. Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.

23. For projects that are highly risky or contentious, or that involve significant and complex resettlement activities, the borrower should normally engage an advisory panel of independent, internationally recognized resettlement specialists to advise on all aspects of the project relevant to the resettlement activities. The size, role, and frequency of meeting depend on the complexity of the resettlement. If independent technical advisory panels are established under OP 4.01, Environmental Assessment, the resettlement panel may form part of the environmental panel of experts. 24. See The World Bank Policy on Access to Information, para. 34 (Washington, D.C.: World Bank, 2002).

25. An exception to this requirement may be made in highly unusual circumstances (such as emergency operations) with the approval of Bank Management (see BP 4.12, para. 8). In such cases, the Management's approval stipulates a timetable and budget for developing the resettlement plan.
26. Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost.
27. For the purpose of this paragraph, the term "subprojects" includes components and subcomponents.

ANNEX 2: RAP VERIFICATION FORM

Sample RAP Verification Form

<table>
<thead>
<tr>
<th>Property Code:</th>
<th>Location of Property:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Owner:</td>
<td>Sex:</td>
</tr>
<tr>
<td>*Type of Property (Farm/Crops or Structure/Building):</td>
<td></td>
</tr>
<tr>
<td>Kind of Structure (mud, concrete, zinc, etc.):</td>
<td></td>
</tr>
<tr>
<td>Kind of Crop:</td>
<td>Number of Trees:</td>
</tr>
<tr>
<td>Total Dimension (in square feet (sqft) :</td>
<td>Geographic Coordinates:</td>
</tr>
<tr>
<td>Category (Fully Affected - FA or Partially Affected- PA):</td>
<td></td>
</tr>
<tr>
<td>US$ Rate per sqft/Crop:</td>
<td>Total Appraised Value for Structure:</td>
</tr>
<tr>
<td>Signature of Owner:</td>
<td></td>
</tr>
<tr>
<td>Verifier(s):</td>
<td></td>
</tr>
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*Request for title deeds or other ownership documents, and take a picture of the property.

ANNEX 3: RAP OUTLINE

OUTLINE OF A RESETTLEMENT ACTION PLAN

Reference: OP 4.12, annex A.

1. Description of the sub-project and of its potential land impacts
   1.1 General description of the project and identification of the project area
   1.2 Potential impacts. Identification of:
      1.2.1 the project component or activities that give rise to resettlement;
      1.2.2 the zone of impact of such component or activities;
      1.2.3 the alternatives considered to avoid or minimize resettlement; and
      1.2.4 the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

2. Objectives. The main objectives of the resettlement program.

3. Socio-economic studies and census of affected assets and affected livelihoods. The findings of socio-economic studies and census to be conducted with the involvement of potentially displaced people, include:
   3.1 The results of a census survey covering 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;

3.2 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;

3.3 The magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic;

3.4 Information on vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made;

3.5 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.

3.6 Other studies describing the following:

3.6.1 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;

3.6.2 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;

3.6.3 Public infrastructure and social services that will be affected; and

3.6.4 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.

4. Legal and Institutional Framework.

4.1 Summary of the information included in this RPF

4.2 Local legal specificities if any

4.3 Local institutional specificities
4.3.1 Identification of agencies locally responsible for resettlement activities and NGOs that may have a role in project implementation;

4.3.2 Assessment of the institutional capacity of such agencies and NGOs

5. Eligibility and entitlements. Based on the definitions and categorization in this RPF (see entitlement matrix), definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

6. 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.

7. Resettlement measures:

   7.1 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 (see OP 4.12, para. 6).

   7.2 Site selection, site preparation, and relocation. Alternative relocation sites considered and explanation to those selected.

   7.3 Legal arrangements for regularizing tenure and transferring titles to resettlers.

   7.4 Housing, infrastructure, and social services.

   7.5 Environmental protection and management.

   7.6 Community participation. Involvement of resettlers and host communities

   7.7 Integration with host populations. Measures to mitigate the impact of resettlement on any host communities

   7.8 Specific assistance measures intended for vulnerable people, to be identified for instance amongst those listed in section 9 of the RPF

8. Grievance procedures. Based on the principle mechanisms described in this RPF, description of 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.

9. Organizational responsibilities. The organizational framework for implementing
ANNEX 4: Outline of Abbreviated Resettlement Action Plan (ARAP)

INTRODUCTION

1.1 General Description of the Project
1.2 Identification of the Project Area
1.3 Objectives of the ARAP
1.4 Detailed Methodology
1.5 Guiding Principles of the ARAP

2.0 POTENTIAL PROJECT IMPACTS

2.1 Project Components That Gives Rise to Resettlement
2.2 Anticipated Impacts
2.3 The Mechanisms Established to Minimize Impacts

3.0 SOCIO-ECONOMIC BASELINE CONDITIONS

3.1 Survey methodology and Approach
3.2 Population and Gender of PAPs
3.3 Vulnerable Group
3.4 Livelihood and Income of PAPs
3.5 PAPs Preferred Mode of Resettlement
3.6 Property in the Project Area
3.7 Land Tenure and Title Deed of PAPs
3.8 PAPs Support for the Project and Time Period to Relocate
4.0 LEGAL, POLICY & INSTITUTIONAL FRAMEWORK

4.1 Legal Framework

4.2 Policy Frameworks

4.3 Comparative Analyses between Liberian Legislations & World Bank Safeguard Policies

4.4 Institutional Framework

5.0 COMPENSATION FRAMEWORK

5.1 Key Principles

5.2 Criteria for Determining Eligibility and Entitlement of PAPs

5.3 Cut-Off-Date

6.0 DESCRIPTION OF RESETTLEMENT ASSISTANCE AND COMPENSATION PROCEDURES

6.1 Valuation of Assets

6.2 Mode of Compensation

6.3 Resettlement and Other Assurances

6.4 Unit Cost per Parcel of Land

6.5 Compensation and Entitlement Matrix

7.0 ARAP IMPLEMENTING INSTITUTIONS AND RESPONSIBILITIES

8.0 ARAP IMPLEMENTATION BUDGET and SCHEDULE

8.1 Budget for the Implementation of the RAP

8.2 Schedule of Implementation of the ARAP

9.0 PUBLIC PARTICIPATION AND DISCLOSURE

10.0 GRIEVANCE MANAGEMENT AND REDRESS

10.1 Objectives of the Grievance Procedure
10.2 Grievance Procedure

10.3 Costs in the Grievance Redress Mechanism and Capacity Building

11.0 MONITORING & EVALUATION OF THE ARAP

11.1 Internal Monitoring

11.2 External Monitoring

ANNEXES

ANNEX 1: Notices of Intent for the Project

ANNEX 2: Sample Questionnaire

ANNEX 3: List of Affected Persons

ANNEX 4: Names/Contacts of Members of Resettlement Committee

ANNEX 5: Minutes & Attendance of Stakeholders Meetings

ANNEX 6: Names/Contacts of Members of the Grievance Redress Committee

ANNEX 7: Samples of Grievance Complaint Form and Grievance Proceeding Form