**PROJECT: SANITATION IN PERIPHERAL DISTRICTS OF OUAGADOUGOU**

**COUNTRY: BURKINA FASO**

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**RESETTLEMENT ACTION PLAN (RAP)**

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ANNEX 1: RESETTLEMENT (AND COMPENSATION) ACTION PLAN (RAP)

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<tr>
<th>Project Name</th>
<th>Project for Sanitation in Peripheral Districts of Ouagadougou</th>
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Project Number: P-BF-EB0-001  
Country: Burkina Faso  
Division: OWAS-1

**Introduction**

At the request of the Burkinabé Authorities, the African Development Bank will support the implementation of the ‘Project for Sanitation in Peripheral Districts of Ouagadougou’ which aims to facilitate storm water drainage and improve solid waste management.

From both an environmental and social standpoint, the project is classified in Category 1, given the nature of the work to be carried out, the size and scope of the project as well as its potential direct and indirect impacts. The project component ‘Storm Water Drainage in the Nabouli Catchment Area’ is to improve the population’s environmental, socio-economic and sanitary conditions by regulating run-off water drainage to the outfall, in order to reduce recurrent flooding affecting these parts of the city.

Implementation of this component will require expropriation for reasons of public interest relating to buildings, land, market garden crops and trees along the canal right of way (canal bed and easements). In accordance with the Bank’s Involuntary Resettlement Policy, the Burkinabé Government is required to prepare a Resettlement Action Plan (RAP) for project affected people (PAP). Its objectives are to: (i) minimize involuntary displacements to the extent possible; (ii) prevent the destruction of assets as much as possible and (iii) compensate affected people for the loss of housing plots, agricultural land, buildings and equipment, as well as loss of income. The PAR is the subject of this document. It defines the principles and modalities for determining actions to compensate and resettle project-affected people, and establishes an estimated budget and an indicative implementation schedule.

1. **Project Description and Rationale and Main Characteristics of the Project Area and Impact Area.**

1.1 **Project Description and Rationale**

This project entitled ‘Project for Sanitation in Peripheral District of Ouagadougou aims to facilitate storm water drainage and improve solid waste management. Its specific objectives are to improve the population’s environmental, socio-economic and sanitary conditions by i) regulating the drainage of surface water run-off to the outfall in order to reduce recurrent flooding which continues to affect these neighbourhoods of the city; and (ii) improving solid waste management by strengthening collection, sorting, enhancement and landfill facilities.

The different project components are: (i) solid waste management in Ouagadougou; (ii) storm water drainage in the Nabouli catchment area; (iii) institutional support; and (iv) project management. The storm water drainage component ‘Storm Water Drainage in the Nabouli Catchment Area, the subject of this report, consists in implementing the construction work on the upper part of the Mogho Naaba canal over about 4.7 km, from the René Monory stadium to the Rue Liwaga crossroads on the Universalis High School side, and its tributaries as well as some areas at high risk of flooding in the Nabouli catchment area.
1.2 Main Characteristics of the Project Impact Area (PIA)

Overall, the project will benefit the entire city of Ouagadougou located in the heart of Kadiogo Province in the Centre region. With a population of 1,906,004 inhabitants (2012 projection compared with 1,499,023 for 2006) about 50.4% of whom are women, and a population density of 2847 inhabitants per km², Ouagadougou is the country’s most populated locality. With 12 districts (‘arrondissements’) it has a more positive socio-economic situation than the rest of the country with fairly low poverty, a literacy rate significantly above the national average and easily accessible health facilities.

The impact area of the ‘Storm Water Drainage in the Nabouli Catchment Area’ component, consisting of developing the Mogho Naaba backwater is specifically in Ouagadougou Districts 1 and 6. These districts have a population of 310,360 inhabitants, 51% of whom are women and 49% men. Estimated population density in this area is 67 inhabitants per hectare, which is significantly above the city’s average density of 38 inhabitants per hectare. This high density could be due to the existence of an area of informal settlements.

2. Potential Impacts

Since the potential impacts on the human and natural environment were presented in detail in the Environmental and Social Impact Assessment (ESIA), this paragraph will only present the impacts on the human environment in terms of expropriation to clear the right-of-way and implement the works with the minimum possible nuisances. Particular attention will be paid to vulnerable people, to ensure that they do not find themselves in an even more precarious situation.

The detailed engineering design of the ‘Storm Water Drainage in the Nabouli Catchment Area’ component estimates a total right-of-way for the Mogho Naaba backwater canal of 60 metres (20m bed width + 20m of easements on either side) instead of 200 metres (i.e. 20 metres bed width + 100m of easements on either side) as stipulated in Decree 2009 793/PRES/PM/MHU/MATD/MEF/MID/MAHRH/MECV of 19 November 2009, regulating easements for primary storm water drainage canals in non-constructible, floodable areas and flood-prone areas of the city of Ouagadougou. This could have increased the number of people and assets likely to be affected. A waiver has been granted to that end by the competent Burkinabe Authorities.

The clearing of this right-of-way will affect 300 women-headed households. These households represent 1517 people including 775 women. The types of damage suffered by the PAP are: (i) loss of dwelling houses, including 31 in the allotted area and 304 in the unallotted area; (ii) Loss of 56 plots of land including 3 in the commercial area, 14 vacant plots and 25 landholdings (belonging to the commune); (iii) loss of income sources: 110 market gardeners cultivating 82,636 m² will lose their productive activities; (iv) 50 trading stalls and kiosks will have to be destroyed. Twelve (12) women who have created IGA with an average daily turnover of CFAF 13,000 employ 27 people (22 women and 5 men); (v) loss of 1985 trees, 425 metres of hedges and 32 wells; (vi) a mosque was identified in the unallotted area; (vii) it is possible that not all the members of some families wish to resettle on the same site, which could create social fragmentation leading to the collapse of social relationships; and (viii) trauma suffered by the PAP and host communities due to the lack of assurances regarding suitable resettlement which would help to foster their development, the interruption of economic activities, the loss of custom, insecurity and the issue of the school enrolment of their children.
To that end, the State will proceed with the expropriation of local residents for reasons of public interest, as provided under the related texts. A government decree will be issued on a Declaration of Public Interest (DUP) to authorize the expropriation of project affected people. The Government will also take appropriate measures to enable project affected people to be re-housed, if land and buildings are affected, or to resume agricultural activities or fruit-tree growing where applicable.

In a bid to promote poverty reduction in the area, the Government will support the resettlement of those communities considered vulnerable and address the specific case of people without land titles despite the fact they have lived there for several generations.

Finally it will ensure mitigation of the negative environmental and social impacts before, during and after the works as defined in the Environmental and Social Management Plan (ESMP).

3. Organizational Responsibility

Under the applicable regulations, Article 308 of Act 034-2012 on Agrarian and Land Reform in Burkina Faso stipulates that the ‘the expropriating party shall be represented in all cases by the service in charge of state-owned lands or by the land tenure service of the territorial community responsible for the oversight of the expropriation procedure’. The Ministry of Land Affairs and Public Land is responsible for the expropriation and compensation process. Financial management of resources for the compensation will be the responsibility of a civil servant representing the Government (Regional Treasury of the Centre Region) and a civil servant representing the financial service of the Municipality (Director of Financial Affairs and Budget).

An RAP Monitoring and Implementation Committee will be established by a Joint Interministerial Order (Ministries in charge of Regional Development, Urban Planning and Finance). A request was submitted regarding this to the Minister in charge of Decentralization on 25 February 2013. It is being processed regarding this to the Minister in charge of Decentralization on 25 February 2013. It is being processed by the Government.

PAR implementation is monitored by the Committee. It comprises 30 members representing the Commune (which will serve as its Chair), the government (which will serve as Vice-Chair through the legal representative of the Treasury and the Director-General of Urban Development and Land Works). The PAP and customary authorities are also represented on this committee. In the context of the PAR implementation, the committee’s main responsibilities are to: (i) foster and encourage the amicable settlement of complaints to avoid court proceedings; (ii) receive and process complaints from people affected by the Mogho Naaba backwater development works; (iii) monitor implementation of the compensation and resettlement operation; (iv) provide technical support for implementation of the RAP on the ground; (v) review and validate the reports prepared by the Consultant Assistant for implementation of the PAR; (vi) keep the Municipality’s partner institutions informed (Government, TFPs, Decentralized Cooperation, NGO,….) of all the issues relating to RAP implementation; (vii) ensure that vulnerable people and gender issues are taken into account at all stages of implementation; and (viii) make recommendations to improve the operation’s focus.

4. Community Participation

4.1 Public Consultation

The public was consulted throughout the RAP process in two different ways: a local proximity approach which consisted of meeting PAP individually at home or at the work place within the
project right-of-way. Telephone calls were also made in order to contact people who were absent. Then, these PAP were met in discussion groups according to the district in which they live. Meetings were held with the different parties as follows: (i) in the morning of 10 January with market gardeners of Baskuy district at the home of the SamandinNaaba (Samandin neighbourhood chief); (ii) in the evening of 10 January 2013 with the population of Baskuy district; meeting held on the Baskuy mayor’s premises; (iii) in the evening of 11 January 2013 with the population of Boulmiougou district; (iv) on 14 January 2013, meeting with the residents of the unallotted area in the presence of the Mayor of Boulmiougou; and (v) finally, a report validation meeting was proposed to the different categories of PAP on 12, 13 and 14 February 2013. All the minutes of these meetings are attached to the ESIA and RAP reports.

Resource persons not concerned by the displacement were also consulted because of the PAP recognition of their influence and reputation. These were the MoghoNaaba (King of the Mossi); the SamandinNaaba (Chief of the ‘Samandin’ district); the Gounga Naaba (Chief of the Gounghin neighbourhood) and the Cissin Naaba (Chief of the Cissin neighbourhood).

At these meetings, the project was explained in detail with the following different compensation options: (i) the option of full compensation consisting in cash payment of the value of buildings, of the plot and of production, in the case of market gardeners; (ii) the option of partial compensation consisting of paying in cash the value of buildings and finding replacement plots for the PAP; (iii) the option of compensation in kind consisting of finding replacement plots for the PAP and providing aid for the reconstruction of their houses; (iv) It was specified that the entire PAR process, including the resettlement options is based on negotiations with the PAP.

The different exchanges confirmed that the residents were willing to vacate the rights-of-way for the requirements of this public-interest project and because of the risk of living close to the Mogho Naaba canal. However, they made their moving conditional on compensation for their plots, houses, businesses and other sources of income. They were given assurances that this would be done.

Concerns were also expressed regarding the eligibility criteria, the works implementation period and deadline for vacating the right-of-way, the scale and amount of compensation, the loss of documents proving ownership of assets (plots) and identity cards as well as the issue of transferring plots.

In response to these concerns, it was made clear that all persons living within the 20 metre easement on either side of the Mogho Naaba canal, or with an asset or source of income in that right-of-way was entitled to compensation. The scale and amount of compensation was validated by the population. It was, however, noted that compensation would depend on the losses suffered and the type of property.

Finally, since the process could lead to misunderstandings, complaints and disputes, it was specified that the above-defined RAP implementation monitoring committee will manage any possible disputes. Conflicts will be managed in accordance with Act 034/AN-2002/AN of 2 July 2012 on Agrarian and Land Reform in Burkina Faso. Article 318 of the RAF states that: ‘In the event of disagreement, there shall be a mandatory requirement to attempt reconciliation, and the parties concerned are invited by the expropriating party to appear in person or by authorized representative before a conciliation commission (…), with a view to reaching mutual agreement on the amount of compensation to be paid’. Article 319 stipulates that: ‘If no amicable agreement is reached, the expropriation is declared valid and compensation set by the judge for the expropriation of the place where the building is situated.’
4.2 Disclosure of Information to Project Affected People

As described above, project affected people were informed individually (local proximity approach by telephone or at home) and collectively (discussion groups). They were again informed at the time of the census when their agreement on the data culminated in their signing of the survey forms. It is important to note that the information process will continue throughout the project’s implementation and until the PAP are fully integrated into the host communities.

Under the responsibility of the PAR Monitoring Committee, an information process will also be conducted by the Municipality’s social services. Community liaisons (elected representatives of the sectors concerned, religious and customary communities, residents’ associations, PAP representatives) will be identified to pass on information. Periodic meetings will be held with the latter. These arrangements will complemented by other communication tools (Ouagadougou municipal radio, community radios, daily newspapers, television channels). Information activities on the RAP implementation, sensitization and clarification will be identified.

5. Integration with the Host Communities

The resettlement site for displaced persons is at Bassinko about 10km from the North-West exit from Ouagadougou city centre and 15 km from the existing PAP site. It is close to a housing development which, over time, will contain 4500 houses accommodating about 29000 people. These will be mainly middle-income civil servants, for whom the Government has initiated a campaign for the receipt of applications for the allocation of housing on the site.

In addition, there are the original residents of Bassinko who occupied the site before the development works. The deadline for the receipt of applications for social housing is set at end February 2013, for the first instalment of 1500 houses which are currently under construction.

On this 900 to 1000 hectare site, it is planned to construct basic socio-economic infrastructure (schools, health centre, market, public gardens, cemeteries, community centres, household waste collection centres, parking areas, recreational areas, sports fields, etc.). These facilities will be built by the Commune with government technical and financial support using resources transferred, since these works fall within the competencies delegated by government to the communes.

As from January, 2014, in using the resources transferred by the Government to the Commune of Ouagadougou as stated, priority will be given to creating the conditions for access to basic urban services in the area.

The site already has drinking water and earth fill access roads. It is planned to construct the primary and secondary collectors and pave the slip road linking the site to National Highway 2 (Ouagadougou-Ouahigouya road). Access to relocation area is facilitated by Ouagadougou’s public transport service.

6. Socio-Economic Studies

6.1 Characteristics of the Population of the Affected Area

300 households that will be impacted by the project have been identified with a total population of 1517 individuals i.e. an average size of 5 people per household. The majority of these
households are headed by men. Only 12.3% of them are headed by women (i.e. 37 out of 300 households).

The project affected communities are mainly located in District 6, with 287 households concerned. Furthermore, 278 of these households live in informal settlements with very difficult living conditions, insecurity and a lack of sanitation. Resettlement in an allotted area (fully serviced plot) is the wish of the majority of PAP, since it will significantly improve their living conditions in comparison with their existing situations.

The affected population is very young with 70% under 30 years old. The majority of household heads (44.6%) have entered into religious marriages, 11.5% are single, 9.8% live in common-law marriage and 9.0% of household heads are widows/widowers.

The level of education of household heads is fairly low. Over 40.0% of household heads have no level of education since they did not go to school. Also, 22.6% of household heads have primary level education and 17.9% secondary level. Only 2.4% of household heads have reached the higher education level. Finally, some uneducated household heads (2.4%) say they know how to read and write.

Many households (over 60.0%) are composed of married couples as household heads and their children. Furthermore, students represent a significant proportion of the PAP (about 16%). This feature must be taken into account especially in the case of resettlement of project affected people.

In the project right-of-way, no health care or educational facility is affected. The population uses facilities outside the project right-of-way for health care or the education of their children. Regarding access to drinking water, only 3% of households are connected to a drinking water supply network of the National Water and Sanitation Utility (ONEA). Most of the drinking water supplied to households comes from standpipes. Also, over half the population (55 %) has a latrine in their concession and 11.3% have a toilet outside their concession. However, a few households (17.0%) do not have adequate toilet facilities, so they relieve themselves in the open.

Furthermore, almost 20% of households (19.7%) have electricity (SONABEL) as the main source of lighting. Lamps used by 73.7% of households are the main method of lighting in the project area.

With regard to households’ economic activity, 65.4% of people of working age identified are active and have an income-generating activity. The inactive population (34.6%) comprises solely students (56.8%), housewives (42.1%) and retirees (1.1%). The majority of the active population (82.4%) work on their own account. The main sectors of activity in which active people are employed are trading (31.1%) and services (25.4%). Very few active people identified (4.2%) are employed by the State or an NGO.

### 6.2 Vulnerable People

The following three categories of people are considered as being vulnerable. These are: (i) the disabled or those suffering from a chronic disease; (ii) orphans; (iii) and the elderly (65 and over).

Less than 20.0% of households say that one member of their family is disabled or suffers from a chronic disease. 19 people have a physical and/or mental impairment, while 17 suffer from chronic diseases. In addition, 8, 2 and 1 respectively are maternal or paternal orphans or both. Finally, 27 people aged 65 and over, including 15 women, were identified among those surveyed.
6.3 **PAP and Land Occupancy Status**

The distribution of households surveyed according to the occupancy status identified 28 tenants, 215 owners and 57 living rent-free. However, the majority of household heads who are owners live in the unallotted area.

Indeed, 210 of the 215 owner-occupiers live in the unallotted area. Only 5 of the 28 tenants live in the unallotted area.

Seven of the 14 households who are owners or living rent free have receipts of application for title deeds. Three of these households have provisional certificates of title and four of them certificates of title.

6.4 **Inventory of Property of Displaced Persons**

The survey was conducted on a 20m wide strip instead of the regulatory 100 metres of easements, with a view to limiting the number of evictions while ensuring that the canal is built to high quality technical and security standards.

In this area: (i) 300 households are affected, 37 of whom are headed by women; (ii) 287 households will have to be resettled; (iii) 110 market gardeners cultivating 82,636 m² will lose their productive activities; (iv) 50 trading stalls and kiosks will have to be destroyed; (v) twelve (12) women who have created IGA with an average daily turnover of CFAF 13,000 employ 27 people (22 women and 5 men); (v) 1985 trees, 425 metres of hedges and 32 wells will be lost; (vi) a mosque in the unallotted area will be destroyed.

7. **Legal Framework, including Dispute Settlement and Appeal Mechanisms**

7.1 **National Regulatory Framework**

National land tenure in Burkina Faso: pursuant to Article 6 of Act 034-2012/AN of 2 July 2012 on Agrarian and Land Reform in Burkina Faso, national land comprises:

- Public land which, pursuant to Article 13, includes water of the public domain, as defined in the Framework Law on Water Management. According to this Article, the Mogho Naaba backwater and the canal easement strip form part of the State’s land;

- Pursuant to Article 14 of the RAF, local community land comprises public utility structures for water management, transport and energy. The projected works thus fall within the local community land domain;

- Land owned by individuals. Pursuant to Article 30 of the RAF, this comprises all land and other property fully owned by private parties, usufruct rights over unallocated private landholdings of the State and local communities and over land owned by individuals.

7.2 International Regulatory Framework applicable to Burkina Faso

The Involuntary Settlement Policy of the African Development Bank Group (ADB) is also applied in the context of the projects it supports. The preparation of a Resettlement Action Plan is prior condition for its participation in development projects whenever these projects entail involuntary displacement of people. The Bank Group’s involuntary resettlement policy aims to considerably alleviate the consequences of resettlement and establish a viable economy and society.

7.3 Complaint and Dispute Management Process

In any operation of this size and scope, the emergence of conflicts is to be expected. Every effort will be made to prevent or minimize the risk of conflicts. However, since zero risk does not exist, a mechanism will have to be established to resolve such disputes rapidly at the local level, with the participation of all the actors. The first level of resolution is that of amicable resolution.

The legislation provides for mediation between the PAP and the Municipality of Ouagadougou in the event of disputes or complaints from PAP. Indeed, Article 318 of Act 034-2012/AN stipulates that, in the event of disagreement, it is mandatory to attempt a reconciliation. The parties concerned are invited by the expropriating party to appear in person or by proxy before a Conciliation Commission, the composition of which is determined by Order of the Minister concerned or by the Chair of the Council of Territorial Communities, in order to reach an amicable agreement on the amount of compensation. If no amicable agreement is reached, expropriation is declared valid and compensation set by the judge for the expropriation of the site of the building or structure pursuant to Article 319 of Act 034-2012.

In order to prevent or, indeed, resolve conflicts amicably, a Committee will be set up to manage complaints and disputes as previously announced. This Committee will be composed of representatives of the Project Affected Persons (PAP), customary leaders or elders, resource persons and representatives of each district. The Committee will work for a 12-month period and meet as necessary when convened by its Chair. The implementing order relating to this Committee is being prepared.

8. Institutional Framework

8.1 Institutional Responsibility
In light of the country’s institutional arrangements for national development, the Ministry of Housing and Urban Development, in particular, the Directorate-General of Urban Development and Land Works (DGUTF) will be responsible for managing resettlement under the project.

The missions of this Directorate of the Ministry in charge of Urban Development include contributing to the preparation of land occupancy plans for the communes; to designing and implementing detailed urban development plans (allotment of land, restructuring, renovation and reparcelling); ensuring the archiving and conservation of final land allotment plans and any other topographical document; development areas delimited (opening of roads and earth fill works). It is therefore a lead actor in the RAP process.

8.2 National and Territorial Community Level Actors

These actors are:

- The Land Division of the Ministry of Economy and Finance which may, in the same manner as the Council of Territorial Communities (Article 330 of the RAF), rule on the withdrawal of usufruct rights, determine the amount of withdrawal compensation, authorize payment or deposit of the sum due and set the date on which the occupants will have to vacate the land;

- The cadastral survey, which according to Article 199 of Act 034-2012/AN of 2 July 2012 on Agrarian and Land reform in Burkina Faso, is the inventory of land and real estate land ownership and constitutes a set of techniques or tools for the identification, registration, description and valuation of land. The cadastral survey was consulted during the preparation of the PAR in order to identify each plot and determine its allocation;

- The legal representative of the Treasury (AJT) with his/her role as defender of the interests of the State and its branches, offering legal expertise for all the administrations of the Burkinabe State (including the Communes) is also a key actor in the RAP process. This person carries out activities to prevent disputes, considers and gives an opinion on administrative claims and petitions with financial implications and which could lead to the finalization of settlements of conflicts between the State and its sub-divisions and citizens;

- The Ministry of Social Action and National Solidarity, the main objectives of which are to organize national solidarity, protect the population, propose social measures for the needy and organize emergency relief in the event of disasters or natural calamities. This Ministry already has experience in population displacement and socio-economic resettlement, particularly through, ‘Operation Bayiri’ (in favour of repatriates from Côte d’Ivoire in the wake of the land disputes in Tabou, Republic of Côte d’Ivoire) and the floods of 1 September 2009;

- The National Emergency Relief and Rehabilitation Committee (CONASUR) and NGOs such as the Red Cross intervene more in cases of natural disasters or war but their assistance is often indispensable in limiting conflict at PAP level;
The municipalities (Municipality of Ouagadougou, District 1 and District 6) through branches such as the Directorate of Legal Affairs and Litigation, the Directorate of Municipal Technical Services, the Directorate of Urban Development and Housing, the Directorate of Infrastructure and the Directorate of Studies and Planning. They play a vital role in the success of such compensation and resettlement operations. There is also the role played by the Municipal Council of Ouagadougou in accordance with Article 303 of the RAF which is to initiate through its Chair, a public inquiry one month after the expression of intent. In accordance with Article 307 of the RAF, the Municipal Council may also issue a declaration of public interest.

8.3 The PAP

These are people on the project site who will be affected by the project. They are represented on the monitoring committee, the composition and roles of which have already been described above.

9. Eligibility

9.1 Eligibility Criteria of Project Affected People.

Eligible people are men and women affected adversely by the project’s implementation and located in the 20 metre right-of-way on either side of the canal. By definition, a person is considered to be adversely affected by the project when, as a result of the project, the said person loses sources of income, ownership, usufruct or other rights on a building, a plot of land or any other movable or immovable property in its entirety or in part, permanently or temporarily.

In general, the eligibility criteria are conditions to be met to benefit from compensation and/or resettlement assistance. In addition to Articles 127 and 300 of Act 034-2012/AN of 2 July 2012 on Agrarian and Land Reform in Burkina Faso, the ADB’s principles in its Involuntary Resettlement Policy were taken into consideration. Thus, in addition to persons with formal legal rights on the land and other property, ‘displaced persons who have no recognizable legal right or claim to the land they are occupying in the project area’ are eligible.

More specifically, eligible households are those which have suffered unlimited: (i) loss of housing or housing infrastructure; (ii) loss of infrastructure (wells, boreholes…); (iii) loss of market-gardening land; (iv) loss of vegetable plots; (v) loss of commercial activity; (vi) loss of access to property; (vii) loss of sources of income.

9.2 Eligibility Date

The eligibility date is the date beyond which an individual may not claim compensation or assistance for displacement as a result of expropriation or for loss of income. The main objective of the official declaration of an eligibility expiration date (cut-off date) is to determine and publish the list of persons with a legitimate right under the project, and thus to prevent ineligible persons with mainly speculative motives from settling in the project right-of-way and seeking to benefit from compensation or the resettlement programme.

Under this project, the eligibility expiration date was set by mutual agreement with the PAP during the public consultations as the date of completion of the surveys, namely on 5 February 2013.
Valuation and Compensation for Loss

Generally, the methods used for calculating compensation under the project are based on the principles of valuation of the loss compared to the asset replacement cost. Thus compensation for the loss of any asset as a result of the project will be made taking into account the current market price of the asset.

A quantitative and qualitative description of all affected buildings and annexes was prepared. The results obtained have been cross-checked with data from the socio-economic survey to ensure that no resident household was omitted. The buildings affected have been classified on the basis of their size and type of construction materials used. To estimate the value of buildings, several elements of evaluation have been used: (i) the plans and sketches of building types; (ii) building technicians’ estimates; (iii) the unit price of materials in the project area; (iv) inflation between 2010 and 2013; (v) the Millennium Challenge Account (MCA) valuation scale validated by the resettlement policy framework in 2010 at a national workshop.

Financial compensation for buildings has been calculated at the replacement cost; a scale which gives a price per m² has been established on the basis of the following criteria: i) the type of construction materials used; ii) the shape of the building; iii) the use of the building; and iv) the size of the infrastructure (length, diameter, etc.).

Loss of plots, whether belonging to individuals or corporate entities, will be compensated if they are affected by the project’s activities. Regarding compensation for plot loss, persons eligible under Burkinabe law are usually holders of documents attesting to ownership rights (title deed) or usufruct (provisional certificate of title, final certificate of title, urban residency permit (PUH), receipt of application etc.). However, under this project, households with immovable property for use as dwellings in the unserviced (unallotted) area will receive compensation. Because of the method of acquisition, the twenty-six (26) occupants of landholdings will only receive reimbursement of committed expenditure (investments, usufruct and registration fees, etc).

The parameters taken into account to assess the cost of the loss of land relate mainly to the type of right held by the occupant or land tenure status (title deed, urban residency permit, and receipt of application, provisional or final certificate of title) and the price per m² in the same sector.

There are two types of compensation for plot loss, at the discretion of the PAP:

- **Compensation in kind:** will consist in awarding the PAP a plot with at least the same characteristics as the affected plot. The plot is allocated to the PAP in a fully-serviced area. This type of compensation was chosen for households in the informal settlement area along the Naaba backwater. A total of 304 owners of concessions in this area will be allocated new plots in a serviced area. That is the wish of the majority of PAP and would represent a significant improvement in their living conditions.

- **Financial compensation for plot losses:** will consist in providing the PAP with effective compensation at the full plot replacement cost, on the basis of the scales used by public urban land developers (SONATUR type). Compensation is calculated on a price per m² basis. The value must reflect the land tenure status of the plot or the right held by the PAP over the plot. This means that, if the owner of
a plot has a title deed, he/she will be rated higher than one with an Urban Residency Permit (PUH) or a certificate of attribution. For this project, the 28 plot holders with only a certificate of provisional title or an occupancy permit will be compensated at a rate of CFAF 18,000 per m² in a housing area, and CFAF 21,000 in a commercial area.

Assessment and compensation for market gardening losses: the method for assessing the losses of market gardeners along the canal takes into account a number of technical factors, mainly: (i) the surface area in m² or the number of market garden strips; (ii) the type of crop; (iii) yield per m²; (iv) quantities produced; (v) the market price of crops. Since crop prices fluctuate on the market, prices are calculated so as not to prejudice the farmer.

Compensation of market gardeners covers all the investments made for their plots, i.e. 1985 trees, 425 metres of hedges and 32 wells. The total cultivated area is estimated at 82,636 m².

Concerning market garden crops: the estimated annual turnover per m² on the basis of the dominant crops is CFAF 1088. The mean average annual turnover for the entire 82,636 m² is estimated at CFAF 89,907,968. Since compensation is proposed over a three-year period, the total amount of compensation to be paid to the market gardeners is CFAF 269,723,904.

An option to resettle the market gardeners in the green belt was proposed and accepted by them. The trees planted or tended by the PAP are inventoried and any losses are subject to compensation. A plant inventory provided a list of all the trees affected.

Compensation regarding trees is financial and the scale used is that of the Regional Directorate for the Environment and Sustainable Development of the Central Region. The amount of financial compensation received by an owner depends on the species, number and circumference of trees. The amount of compensation for each owner may be consulted in annex to this report. The total amount of compensation for loss of trees is CFAF 10,524,800, CFAF 1,634,300 of which should be paid to the Central Region DREDD which will use it along with the Commune for the compensation of trees in the public domain.

Assessment and compensation of stalls and kiosks: the 50 stalls and kiosks are easily moved. With the agreement of the municipality, they will easily be able to find another site not far from the original site. They will be given a lumpsum of CFAF 50,000 as compensation for the disruption of their activities. This principle will be applied to all the other occupants, such as mechanics and carpenters who do not have any formal rights over the occupied spaces. The total amount to be paid to owners of stalls and kiosks is CFAF 2,500,000.

Compensation for cultural, religious and sacred sites: among the religious and cultural sites affected was a mosque in the unallotted area. This mosque served both PAP and the remainder of the population unaffected by the project. The displaced persons will be allocated space for the reconstruction of their place of worship on the resettlement site. Infrastructure affected in the project area, was valued at CFAF 1,229,600. This amount will be paid to the Muslim community of the neighbourhood, to build a new place of worship for the population that will remain in the location.

Compensation and assistance for the relocation of households: support measures proposed in order to facilitate the displacement of the population and enable households to meet their subsistence expenses during the displacement and resettlement period are: (i) a displacement
allowance set at CFAF 1,000 per day per household member for one month. This amounts to CFA 30,000 per person. The amount of CFAF 1000 is determined on the basis of an amount of two dollars per day which represents the poverty threshold according to the United Nations (UN); (ii) relocation assistance of CFAF 30,000 will be allocated to each household to cover transport costs.

These support measures for an amount of CFAF 54,510,000 concern all resident households affected by the project. Non-resident owners will receive compensation for their plot as well as investments made on these plots. However, they will not benefit from the displacement allowances (transport and subsistence) because they will not be displaced as they do not live in the area.

11. Identification of Possible Resettlement Sites, Site Selection, Site Preparation and Resettlement

The Bassinko site, at the North-West exit from Ouagadougou was identified because of the ongoing urban construction process (allotment, servicing, and construction of social housing). The existing site conditions as well as the timeframe are described in paragraph 5 of this plan. The physical resettlement procedures to be followed under the project will be defined by mutual agreement between the PAP and the resettlement monitoring committee. Representatives of the PAP have visited the resettlement site. They requested to be very close to the social housing estate under construction.

12. Housing, Infrastructure and Social Services

As part of the development of the Bassinko (host community) housing development, the commune of Ouagadougou together with the State intends to construct community infrastructure in compliance with national standards (educational, health, economic, sports and leisure infrastructure, etc.) to improve the lives of the future occupants of the social housing and the PAP to be resettled.

13. Environmental Protection

Environmental protection will be carried out in accordance with the Environmental and Social Management Plan (ESMP) contained in the Environmental and Social Impact Assessment.

14. Implementation Schedule

The overall implementation schedule for these different stages is presented in the following Table

<table>
<thead>
<tr>
<th>Activities</th>
<th>Implementation Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of Dispute Settlement Committee</td>
<td>May 2013</td>
</tr>
<tr>
<td>Receipt and Settlement of Complaints</td>
<td>June 2013 – September 2013</td>
</tr>
<tr>
<td>Negotiations with the PAP</td>
<td>June 2013 – September 2013</td>
</tr>
<tr>
<td>Signing of Final Agreements with the PAP</td>
<td>September 2013</td>
</tr>
<tr>
<td>Payment of Compensation and Allowances</td>
<td>October 2013- March 2014</td>
</tr>
<tr>
<td>Effective Allocation of Plots in the Bassinko Serviced Area</td>
<td>October 2013- March 2014</td>
</tr>
<tr>
<td>Relocation</td>
<td>June-September 2014</td>
</tr>
<tr>
<td>Monitoring-Evaluation</td>
<td>May 2013-December 2014</td>
</tr>
</tbody>
</table>
15. Costs and Budget

15.1 Cost of RAP

<table>
<thead>
<tr>
<th>Type of Compensation</th>
<th>Cost (in CFAF)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Households</strong></td>
<td></td>
</tr>
<tr>
<td>Compensation for buildings on plots</td>
<td>95 212 006</td>
</tr>
<tr>
<td>Compensation for buildings in the unallotted area</td>
<td>236 023 600</td>
</tr>
<tr>
<td>Assistance with reconstruction for home owners in the unallotted area</td>
<td>93 000 000</td>
</tr>
<tr>
<td>Investments on landholdings</td>
<td>38 625 398</td>
</tr>
<tr>
<td>Reimbursement of taxes on landholdings</td>
<td>13 463 100</td>
</tr>
<tr>
<td>Community Infrastructure in the unallotted area</td>
<td>1 229 600</td>
</tr>
<tr>
<td>Compensation for plots used for housing and trading purposes</td>
<td>245 736 000</td>
</tr>
<tr>
<td>Compensation for trees</td>
<td>10 524 800</td>
</tr>
<tr>
<td>Household relocation allowance</td>
<td>45 510 000</td>
</tr>
<tr>
<td>Assistance with relocation of households</td>
<td>9 000 000</td>
</tr>
<tr>
<td><strong>Household Sub-Total</strong></td>
<td>695 324 504</td>
</tr>
<tr>
<td><strong>Market Gardeners</strong></td>
<td></td>
</tr>
<tr>
<td>Compensation for loss of production over 18 months</td>
<td>134 861 952</td>
</tr>
<tr>
<td>Compensation for wells</td>
<td>9 225 000</td>
</tr>
<tr>
<td>Development of market gardening area for resettlement</td>
<td>200 000 000</td>
</tr>
<tr>
<td>Production inputs and other costs 10%</td>
<td>20 000 000</td>
</tr>
<tr>
<td><strong>Market Gardening Sub-Total</strong></td>
<td>364 086 952</td>
</tr>
<tr>
<td>Allowance for disruption of operation of stalls and kiosks</td>
<td>2 500 000</td>
</tr>
<tr>
<td>Operation of Resettlement Committee</td>
<td>15 000 000</td>
</tr>
<tr>
<td>Development of Resettlement Site</td>
<td>35 000 000</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td>1 204 911 456</td>
</tr>
<tr>
<td><strong>Other Expenditure</strong></td>
<td></td>
</tr>
<tr>
<td>Monitoring/Evaluation 5%</td>
<td>60 245 573</td>
</tr>
<tr>
<td>Contingences 2%</td>
<td>24 098 229</td>
</tr>
<tr>
<td>Implementation Assistance 3%</td>
<td>36 147 344</td>
</tr>
<tr>
<td><strong>TOTAL PAR COST</strong></td>
<td>1 325 402 602</td>
</tr>
</tbody>
</table>

15.2 Financing Plan

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount (in CFAF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government of Burkina Faso</td>
<td>1 000 000 000</td>
</tr>
<tr>
<td>Commune of Ouagadougou</td>
<td>325 402 602</td>
</tr>
<tr>
<td><strong>TOTAL FINANCING</strong></td>
<td>1 325 402 602</td>
</tr>
</tbody>
</table>
In carrying out the monitoring-evaluation missions, the PAR Monitoring Committee will be assisted by an independent entity, i.e. consultant/technical assistance. At the initial stage, the Consultant/Assistant will determine the performance indicators to be selected in order to effectively assess the progress and outcomes of activities. Once the indicators have been prepared and validated with the Municipality and ADB, it will be possible to identify the data sources.

Thus, for each indicator proposed, the specific data source will be specified. In some cases, the data will be provided by resettlement workers in the field, while, in other cases, it could be provided by the sectors or communes concerned or directly by PAP on the ground. The consultant will also define the frequency of analysis for each indicator selected. In some cases, continuous monitoring will be carried out while in other cases it will be monthly or annually.

The proposed monitoring will disaggregate the data by gender (men/women) as relevant. The same indicator could therefore be split in two in order to monitor the progress of activities from two separate standpoints, male and female. The evaluation component of the Resettlement Plan seeks to ensure that the PAP living standards are higher than, or at least equal to pre-project living standards. It will, therefore, be necessary to: (i) establish and interpret the baseline situation of the affected people prior to project start-up (the baseline situation under the terms of preparation of the PAR is calculated on the basis of the census and household surveys); (ii) regularly define all or part of the above parameters in order to assess and understand the trends; (iii) on project completion, establish a new baseline to assess the socio-economic impacts of the RAP.

Monitoring/evaluation content and indicators: more specifically monitoring/evaluation shall ensure that:

- Pre-determined allowances/compensation have been provided;
- Resettlement is progressing as agreed;
- Appropriate care is provided for vulnerable groups;
- All complaints are effectively considered and the decisions known;
- The established schedule for PAR implementation is complied with; and
- Resettlement does not create any negative impacts, or such impacts are mitigated. It will also be necessary to ensure that PAP are properly settled in their host communities and that their living standards have not declined.

In order to ensure efficient and effective monitoring of the PAR, objectively verifiable indicators must be defined. To that end, the following indicators may be selected:
<table>
<thead>
<tr>
<th>Monitoring Indicator</th>
<th>Party Responsible</th>
<th>Indicators / Period</th>
<th>Performance Objectives</th>
</tr>
</thead>
</table>
| Participation        | Municipality/Consulting Firm | ● Number and typology of PAP  
                   ● Number of participating PAP  
                   ● Number of households and persons physically displaced as a result of the construction of the canal. | All PAP as well as their property have been identified. |
| Negotiations and Compensation | CCIR | ● Type and amount of compensation per PAP  
                   ● Number of signed agreement reports | All PAP to be compensated have been compensated  
Consensus is reached on compensation for all PAP |
| Relocation and Resettlement Process | CCIR | ● Number of PAP sensitized | All PAP to be resettled are settled as scheduled |
| Resolution of all legitimate grievances | CCIR | ● Number of conflicts  
                   ● Types of conflicts  
                   ● Resolution (agreements) reports (Monthly) | All conflicts are amicably resolved |
| Satisfaction of PAP  | Municipality/Consulting Firm | ● Number of PAP sensitized  
                   ● Type of support provided  
                   ● Number of satisfied PAP | All PAP are satisfied with the resettlement conditions |