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## RESETTLEMENT POLICY FRAMEWORK (RPF)

### BURKINA FASO YELEEN RURAL ELECTRIFICATION PROGRAMME

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## LIST OF ACRONYMS AND ABBREVIATIONS

ABER	Burkina Faso Rural Electrification Agency
AfDB	African Development Bank
AIDS	Acquired Immune Deficiency Syndrome
ARAP	Abbreviated Resettlement Action Plan
CBOs	Community Based Organizations
EIA	Environmental Impact Assessment
ESAP	Environmental and Social Assessment Procedures, AfDBs
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FI	Financial Intermediary
FRAP	Full Resettlement Action Plan
GCF	Green Climate Fund
GBV	Gender Based Violence
HIV	Human Immunodeficiency Virus
IAES	Increased Access To Energy And ICT Services
IESIA	Integrated Environmental and Social Impact Assessment
IR	Involuntary Resettlement
IRP	Involuntary Resettlement Plan
ISS	Integrated Safeguard System
M&E	Monitoring and Evaluation
NGO	Non-Governmental Organisation
OS	Operational Safeguard
PAPs	Project Affected Person(s)
PMU	Project Management Unit
RAP	Resettlement Action Plan
REA	Rural Electrification Authority
RPF	Resettlement Policy Framework
SME	Small And Medium Enterprise
TA	Technical Assistance
TOR	Terms Of Reference

## DEFINITIONS

<b>Affected Population</b>	Defined as those who stand to lose, as a result of the project, all or part of their physical and non-physical assets, such as homes, communities, productive lands, resources such as forests, range lands, fishing areas, important cultural sites, commercial properties, tenancy, income-earning opportunities, and social and cultural networks and activities
<b>Census</b>	A complete and accurate count of the population that will be affected by land acquisition and related impacts. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation and for preparing and Money or payment in kind to which the people affected by the project are entitled to, as decreed by government regulations or laws in order to replace the lost asset, resource or income.
<b>Consultation</b>	The means by which a project communicates with the people living in the project's area of influence, as well as with other relevant stakeholders - a two-way process between a project and its affected communities / other stakeholders.
<b>Cut-off Date</b>	Date by which PAPs and their affected assets have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.
<b>Disadvantaged Groups</b>	Distinct groups of people that may suffer dis-proportionally from project related activities (e.g. female-headed households, children, elderly, ethnic, religious and linguistic minorities, handicaps, etc.).
<b>Displaced Persons</b>	The people or entities directly affected by a project through the loss of land and the resulting loss of residences, other structures, businesses, or other assets.
<b>Eligibility</b>	The criteria for qualification to receive benefits under a resettlement programme.
<b>Entitlement</b>	Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore and improve their economic and social base.
<b>Environmental and Social Assessment Procedures (ESAPs)</b>	The Bank's procedures for applying its Oss to its operations, setting out the steps to be followed by borrowers/clients and Bank staff at different stages of the project cycle.
<b>Environmental and Social Impact Assessment (ESIA)</b>	A tool to identify and assess the likely environmental and social impacts of a proposed project, to determine their magnitude and significance, and to define management or mitigation measures designed to avoid and minimize where possible, or if not, to offset or compensate for adverse impacts and risks.
<b>Environmental and Social Management Framework (ESMF)</b>	An instrument, to be applied in the context of programmatic lending that sets out a unified process for assessing and managing all environmental and social safeguard issues for subprojects from preparation, through appraisal and

	approval, to implementation.
<b>Environmental and Social Management Plan (ESMP)</b>	An instrument developed as the outcome of an ESIA of a proposed project that sets out the action plan of environmental and social management measures to be implemented by the borrower or client.
<b>Environmental and Social Screening</b>	An instrument used by Bank staff in the early stages of the project cycle, according to provisions of the ESAPs, to determine the Environmental and Social Assessment Category of a specific operation.
<b>Financial Intermediary (FI)</b>	A financial institution, such as a bank, insurance or leasing company or micro-finance provider, to which the Bank may provide finance that will be lent on to or invested in subprojects.
<b>Full Cost of Resettlement</b>	Compensation based on the present value of replacement of the lost asset, resource or income without taking into account depreciation.
<b>Grievance and Redress Mechanisms (GRM)</b>	A systematic process for receiving, evaluating and facilitating resolution of affected people's project-related concerns, complaints and grievances about the borrower's/client's social and environmental performance on a project.
<b>Host Community</b>	Community residing in or near the area to which affected people are to be relocated.
<b>Household Head</b>	For purposes of a census, the household head is considered to be that person among the household members who is acknowledged by other members of the household as the head and who is often the one who makes most decisions concerning the welfare of the members of the household
<b>Household</b>	The term household refers to a group of people who reside together and share in the functions of production and consumption. It is also the smallest unit of consumption, and sometimes production.
<b>Indigenous Peoples</b>	Social or cultural groups recognized as Indigenous Peoples, either by national legislation or according to their own identification as members of a distinct cultural group with collective attachment to geographically distinct habitats or ancestral territories; having customary cultural, economic, social or political institutions separate from the dominant society or culture; and an indigenous language – often different from the official language of the country
<b>Integrated Safeguard System (ISS)</b>	The Bank's environmental and social safeguards system, incorporating an Integrated Safeguards Policy Statement; a set of Operational Safeguards (OSs) and a revised set of Environmental and Social Assessment Procedures (ESAPs). It also includes an updated set of Guidance Notes and Sector Keysheets.
<b>Integrated Safeguard Tracking System (ISTS)</b>	A Bank database system to act as a repository for and to track key safeguard compliance information linked to the progress of the project cycle and to provide a means of making safeguard compliance information accessible to the public.
<b>Involuntary Resettlement</b>	Development project results in unavoidable resettlement losses, which people affected, have no option but to rebuild their lives, incomes, and asset bases elsewhere. Involuntary resettlers are thus people of all ages, outlooks and capabilities, many of whom have no option but to give up their assets. Bank policy

	designates involuntary resettlers as requiring assistance.
<b>Livelihood Restoration</b>	Measures required to ensure that Project Affected Persons (PAPs) have the resources to at least restore, if not improve, their livelihoods. It requires that people are given the means and assistance necessary for them to improve, or at least restore, their livelihood and living conditions to pre-project levels. Inventory of Losses means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
<b>Operational Safeguards (OSs)</b>	A set of brief and focused policy statements that clearly set out the operational environmental and social requirements with which Bank financed operations must comply.
<b>Project</b>	In this RPF the phrase project means AfDB-GCF Yellen rural electrification project
<b>Project Area</b>	Areas in and adjacent to the construction areas and other areas to be modified by the project (e.g. impoundment of reservoirs, rights of way for infrastructure projects, irrigation command areas)
<b>Rehabilitation</b>	Re-establishing incomes, livelihoods, living, and social systems.
<b>Relocation</b>	Rebuilding housing, assets, including production land, and public infrastructure in another location.
<b>Resettlement Action Plan (RAP)</b>	A comprehensive planning document that specifies the procedures that an involuntary resettlement process shall follow, and the actions that shall be taken to compensate affected people and communities.
<b>Resettlement Impacts</b>	The direct physical and socio-economic impacts of resettlement activities in the project and host areas.
<b>Resettlement Plan</b>	A time-bound action plan with budget setting out resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
<b>Resettlement</b>	The entire process of relocation and rehabilitation caused by project related activities.
<b>Scoping</b>	An early step in the ESIA process that aims to focus the remainder of the ESIA on those impacts that are likely to result in significant effects. This is achieved through data collection and stakeholder engagement, followed by analysis of the information gathered. Ideally, the scoping process should also identify the potential impacts that can be avoided through early stages of project design.
<b>Voluntary resettlers</b>	Voluntary resettlers are generally self-selected, young, and willing to pursue new opportunities. Voluntary settlement may form part of a resettlement plan, provided measures to address the special circumstances of involuntary resettlers are included.
<b>Vulnerable Groups</b>	Those groups within a project's area of influence who are particularly marginalized or disadvantaged and who might thus be more likely than others to experience adverse impacts from a project. Vulnerable status may stem from a group's gender, economic status, ethnicity, religion, cultural behaviour, sexual orientation, language or physical and psychological health conditions.

## **1.0 INTRODUCTION**

### **1.1 Background**

The Project description and the anticipated projects components have been presented in the ESMF document for the project. Since, the specific sites where subprojects will be carried out have not yet been selected; the proper safeguard instrument to be prepared for compliance with the GCF requirements and the AfDB operational Safeguard policies is a Resettlement Policy Framework (RPF). While any resettlement activities are expected to be minimal, this RPF defines the process by which potential subproject resettlement impacts leading to the need for an ARAP will be screened, and impact assessment and compensation measures developed and implemented. Once the sub-projects, specific sites and the beneficiary communities have been defined clearly, all sub-projects and activities will be screened and the appropriate Mitigation tools such as ESIA's or Environmental Impact Notices, ESMPs and ARAP will be developed were applicable in line with the provisions of the local regulations and AfDB safeguards.

This Resettlement Policy Framework (RPF) provides the necessary background to ensure that any subprojects that might involve land acquisition and/or resettlement and loss of livelihoods of any people will comply with both Burkina Faso law and the Bank's Operational Safeguards.

The RPF will prescribe the process from the preparation, through review and approval to implementation of the sub-projects that will ensure that the substantive concerns of all African Development Bank's Operational Safeguards and relevant Burkina Faso policy and legal frameworks will be adequately addressed.

Since, only projects that fall under category 2 of the AfDB ISS categorization, Abbreviated Resettlement Action Plans (ARAPs), where applicable, consistent with the guidance prescribed in this RPF, will be submitted to the AfDB for approval once specific information about land expropriation becomes available. The RPF describes the design criteria for the resettlement of affected persons in the course of implementation of the project, the legal context, the process for the preparation of a ARAP, the content of a Plan, the process for its execution and finally the required institutional organization.

### **1.2 Resettlement Policy Framework Purpose**

Involuntary resettlement involves the displacement of people arising from development projects which encroach on their productive assets, cultural sites and income sources viz, land, grazing fields, other assets, etc. What distinguishes involuntary from voluntary resettlement is that the former involves people who may be displaced against their wishes, as they are often not the initiators of their movement.

The implementation of the Mini-grids programme may trigger the involuntary resettlement policy as minimal displacement is anticipated because land may be acquired for sub-projects activity purposes and affected persons will need to be compensated for loss of land, crops, dwellings and other structures, and livelihoods.

This Resettlement Policy Framework (RPF) has therefore been prepared to appropriately deal with matters such as the necessity for land acquisition, compensation and resettlement of people affected by the implementation of the sub-projects.

### **1.3 Objectives of the Resettlement Policy Framework**

The overall objective of the RPF is to provide guidance on how to deal with issues relating to land acquisition, compensation and resettlement during the implementation of the project. This will ensure that displaced and resettled persons are compensated for their loss at replacement cost, given opportunities to share in project created benefits, and assisted with the move and during the transition period at the resettlement site.

The specific objectives of the RPF are as follows:

- to minimize, as much as possible, acquisition of land for implementation of project sub-components, where such acquisition or project related activities will result in adverse social impacts,
- to ensure that where land acquisition is necessary, this is executed as sustainable programs to enable people share in the project benefits,
- to ensure meaningful consultation with people to be affected or displaced; and
- to provide assistance that will mitigate or restore the negative impacts of the project implementation on the livelihoods of people affected in order to improve their livelihoods or at least restore to pre-project levels.
- outline roles and responsibilities by various stakeholders in the planning, implementation, monitoring and evaluation of resettlement activities.

It further seeks to:

- Allow redress among communities affected by project activities; and
- Reduce stress on project affected communities/households.

The operational objective of the framework is to provide guidance to stakeholders participating in the mitigation of adverse social impacts of the project, including rehabilitation/resettlement operations, in order to ensure that project affected persons (PAPs) will not be impoverished by the adverse social impacts of the project.

The target groups for the RPF are Ministry of Energy, other Government departments relevant to the implementation of the programme, Sub-projects Proponents implementing off-grid sub-projects, and communities where the sub-projects will be implemented. Other institutions include Local Authorities and relevant Non-Governmental Organizations (NGOs).

### **1.4 The RPF Methodology**

The preparation of this RPF has largely been undertaken on the basis of secondary data from within the Government of Burkina Faso and the AfDB to gain insight into the AfDB and Burkina

Faso legal framework on resettlement related issues. Reference has also been made to similar frameworks prepared for projects proposals for the Burkina Faso Government.

Relevant stakeholders have been consulted during the preparation of the AfDB-GCF Yeleen programme (see Annex 1). The RPF will be disseminated to key stakeholder institutions that may play a role in resettlement activities, including local government officials and traditional authorities should such cases arise during implementation of the project. Any ARAP required when specific sub-component projects are known will be consulted with affected communities and disclosed at national and local levels through Ministry of Energy and ABER websites and other communication channels. The ARAP shall also be posted in the Bank's Public Information Center (PIC) and the Bank's web site for public review and comments in accordance with the Bank's disclosure policy and the Bank's Environmental and Social Impacts Assessment Procedures (ESAP 2013).

## **2.0 POTENTIAL RESETTLEMENT IMPACTS AND SAFEGUARDS APPROACH**

The project includes a number of activities for which screening may be required leading to preparation of ESIAs, Environmental Impact Notices, ESMPs and ARAPs where applicable. Although impacts are expected to be minimal, infrastructure and construction related activities for the sub-projects may require some land acquisition or the temporary or permanent displacement of crops, structures or persons.

As noted above, the project will include Mini-grid plants and connections to end users (distribution networks and associated facilities) and thus some small portions of land may need to be acquired. Some temporary relocation and compensation for lost assets and income of PAPs located where construction works will occur may be necessary.

Based on the experience from previous mini-grids projects, the mini-grids sub-projects in the Yeleen programme will most likely be situated on lands that has been provided by the village Authorities on customary land allocated by traditional community leaders. In most cases, the installations are not expected to cause any resettlement (with exception of few areas with properties), and may at best require a minimal loss of assets (e.g. trees, crops) needing to be cleared to install solar arrays and pave the way for end-user connections.

Consultations with affected communities will be held to ensure the relatively small footprints of all phase's installations will be sited so as to minimize or eliminate the need for any significant temporary or permanent resettlement or loss of assets or income. The developer is responsible for any compensation (if required) for any land acquired for subprojects, or any other compensation for lost assets or income, from its own resources, independent of project funds.

The RPF provides the procedures to address potential resettlement impacts. However, specific sub-project details such as the site locations and designs are not expected to be available during the course of project implementation.

### **2.1 Monitoring and Evaluation**

Monitoring is a crucial element for the success of any resettlement project as it is important to accurately verify the information related to implementation of the Resettlement Plan, and

should be planned and costed as early as possible in the project. The monitoring will provide feedback to project management which will help keep the programs on schedule and successful.

### **Monitoring Process**

In order to comply with AfDB requirements the overall internal monitoring procedures will include internal performance monitoring, Impact monitoring and final external evaluation.

## **3.0 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK GOVERNING RESETTLEMENT**

This section of the RPF reviews the policy framework that is relevant to the AFDB-GCF Yeleen Programme activities, and assesses the adequacy of national legislation in terms of the policy principles of this RPF. The legal framework relating to resettlement issues consists of the various pieces of Burkina Faso legislation and AfDB Operational Safeguards.

### **3.1 Burkina Faso Legal Framework Affecting Resettlement**

In Burkina Faso, there are laws and decrees on ownership rights and land expropriation, and which are reviewed below.

#### **3.1.1 Land ownership system in Burkina Faso**

There are three types of land ownership systems in Burkina Faso, to which should be added customary land tenure, which coexists with the other three types below:

1. The State ownership legal system;
2. The local Authorities' ownership system; and
3. The private ownership system.

As concerns the State ownership legal system, Law No. 034-2012/AN of 2 July 2012 instituting Agrarian and Land Reorganization in Burkina Faso (RAF) stipulates in Section 5 thereof that "national land shall be a common heritage of the nation". This comprises all land and similar personal property located within the national territory, including that acquired by the State.

This law theoretically gives the State ownership of all land within national land holdings (DFN), except that transferred by the State. Indeed, since the promulgation of RAF in 1984, revised in 1996, reviewed and adopted in a fourth version on 2 July 2012, State ownership rights are exercised with some difficulty, especially in rural area where customary law prevails.

The various real estate rights defined in the RAF are (Cf. Section 149 to 158):

- Ownership, which is the right to enjoy and use one's property in the most absolute manner;
- The surface area right, which consists in owning buildings, structures or plantations on land belonging to another person;
- Usufruct, which results from a contract by which the owner authorizes the use and grants the yields of a real estate to his/her contracting party;

- Leasehold, a long-term lease signed with the State, gives the contracting party right of enjoyment over land with right of ownership of the facilities and structures constructed on it;
- The right of use, which confers the right to use immovable property and enjoy its yields within the limits of one's needs and those of one's family;
- The residential right, an agreement that enables a person to occupy premises and live there with his family.

In addition, the following administrative deeds may be issued, for a fee or exceptionally free of charge (Section 50), for the occupation and enjoyment of national land:

- The allocation order for occupation and public utility activities;
- The disposal order for non-economic activities;
- The occupancy permit for temporary activities;
- The operation permit for industrial and commercial use;
- The lease for permanent activities;
- The urban housing permit;
- The land title.

As concerns the local Authorities' ownership system, as stipulated in the RAF and, subsequently, in Law No. 055-2004/AN instituting the General Local Authorities Code (CGCT) in Burkina Faso in Section 80 thereof: "local authorities shall have their own land holdings, consisting of parts of national land transferred as property by the State". This means that all land located within the territorial limits of a local authority are the property, by right, of the local authority. This provision is confirmed by Law No. 065-2009/AN to amend Law No. 055-2004/AN instituting the CGCT in Burkina Faso.

The right to private property is recognized in the RAF. Indeed, the RAF stipulates that natural and legal persons may have private ownership title deeds on certain parcels of national land. Thus, the land transferred or acquired ceases to be State property.

As for customary land rights, it must be admitted that this is the dominant form of enjoyment of land rights in rural Burkina Faso. This means that, in rural areas, people do not recognize State ownership over the land. Therefore, land owners such as traditional rulers, landlords or lineage heads are those responsible for everyday land management.

Mention should also be made of Article 11 of Decree No. 2015-1187/PRES/TRANS/PM/MERH/MATD/MME/MS/MARHA/MICA/MHU/MIDT/MCT defining the conditions and procedures for the conduct and validation of strategic environmental assessment, as well as environmental and social impact assessment and notice (Official Gazette

No. 53 of 31/12/2015), which stipulates that: “All project promoters shall prepare a concise resettlement plan when the number of physical and/or economic involuntary displaced persons ranges between fifty (50) and one hundred and ninety-nine (199)”. The numbers identified for Lot 2 and Lot 3 are 94 and 445 PAPs, respectively, and these numbers, in accordance with Article 11 of this Decree, require the preparation of a Comprehensive resettlement plan (CRP).

### **3.1.2 Complaint and conflict management process**

The occurrence of conflicts cannot be excluded in any operation of this type and scope. Everything will be done to avoid or minimize risks of conflicts. However, since zero risk does not exist, it is necessary to establish a system, whose principle is to quickly resolve these conflicts at local level, with the participation of all actors. The first level of resolution is the amicable resolution.

The legislative system provides for a mediator between PAPs and the Ouagadougou Municipality in case of disputes and complaints expressed by PAPs. Indeed, Section 318 of Law No. 034-2012/AN provides that, in case of dispute, an attempt should be made at conciliation. The persons concerned are invited by the expropriator to appear in person or by proxy before a conciliation commission, whose composition is determined by Order of the Minister concerned or by the Chairperson of the Local Authority Council, so as amicably agree on the compensation amount. In the absence of an amicable settlement, the expropriation is declared and compensation fixed by the expropriation judge of the place of location of the real property, in accordance with Section 319 of Law No. 034-2012.

In order to prevent conflicts or resolve them amicably, a complaint and dispute management committee will be established under this project, as previously announced. The committee will comprise representatives of Project Affected Persons (PAP), customary authorities, resource persons and each district. The committee will work for a period of 12 months, and will meet as the need arises, at the request of its Chairperson.

### **3.2 AfDB Involuntary Resettlement Policy**

The African Development Bank (AfDB) Group exists to contribute to poverty reduction in Africa by spurring sustainable economic development and social progress in its regional member countries (RMCs). The Bank Group is committed to avoiding or minimising adverse environmental and social impacts in its projects. As part of this effort, in 2003 it adopted its involuntary resettlement (IR) policy to cover any involuntary displacement and resettlement of people caused by a Bank-financed project.

The policy applies when, because of a Bank project, people residing in the project area are compelled to relocate or they lose their shelter, their assets are lost or livelihoods affected, or their access to natural resources is restricted. The primary goal of the IR policy is to ensure that

when people must be displaced they are treated equitably and share in the benefits of the project that involves their resettlement.

The policy aims to ensure that disruption to the livelihoods of people in the project area is avoided or at least minimised, and that the displaced persons receive resettlement assistance to improve their living standards. It provides guidance to Bank staff and borrowers, and sets up a mechanism for monitoring the performance of the resettlement programmes.

### **3.2.1 Operational safeguard 2 – Involuntary resettlement: land acquisition, population displacement and compensation**

This Operational Safeguard (OS) aims to facilitate the operationalization of the Bank’s 2003 Involuntary Resettlement Policy in the context of the requirements of OS1 and thereby mainstream resettlement considerations into Bank operations.

The objectives are: to avoid involuntary resettlement as much as possible, or minimize its impact and when involuntary resettlement is inevitable, alternatives to the project should be considered; ensuring that displaced persons are truly consulted and are given the opportunity to participate in the planning and implementation of the resettlement programs; and ensure that displaced persons receive substantial assistance for resettlement within the framework of the project, so that their standard of living, their ability to generate income, their production capacities, and all of their livelihoods are improved beyond what they were before the project.

#### **i. Scope of application of the OS**

It covers all components of a project, including activities resulting in involuntary resettlement that are directly and significantly related to a Bank-assisted project and necessary to achieve its objectives—whether the resettlement is led by a government, a private sponsor, or both—and carried out or planned to be carried out contemporaneously with the project. It aims to clarify all aspects of impacts related to land acquisition; issues related to physical and economic displacement but not specifically related to land acquisition are dealt with in OS1.

The objectives are to minimize disruption to the affected people, avoid irreversible negative impacts, provide satisfactory temporary services and— where appropriate—compensate for transitional hardships.

This RPF will establish resettlement and compensation guidelines and design criteria to be applied to the sub-projects which will be prepared during project implementation in compliance with the Burkina Faso legislations and the AfDB’s policy on involuntary resettlements.

#### **ii. OS 2 Requirements**

The operational safeguard entails several requirements regarding involuntary resettlement. These include the following:

- **Project design**

The borrower or client considers feasible alternative project designs, including re-siting and re-routing, to avoid or minimize physical or economic displacement, while balancing environmental, social, and financial costs and benefits.

- **Consultation, participation and broad community support**

The OS requires that the affected people be consulted about their preferences pertaining to resettlement and gives them genuine choices among technically, economically, and socially feasible resettlement options. In particular, they are given the opportunity to participate in the negotiation of compensation packages, and in decisions on resettlement assistance and how standards of living, income-earning capacity, production levels and overall means of livelihood might be improved through the Resettlement Action Plan.

They are also consulted about decisions on eligibility requirements, the suitability of proposed resettlement sites and the proposed resettlement timings. The consultation of the affected people should follow all the requirements of stakeholders' consultation, participation and broad community support as per guidelines provided in the AfDB IESIA Guidance notes.

- **Resettlement planning**

The borrower or client (in this case the Burkina Faso Government through ABER) carries out a comprehensive socioeconomic survey— in line with international standards for social and economic baseline studies as agreed to in the environmental and social assessment process— including a population census and an inventory of assets (including natural assets upon which the affected people may depend for a portion of their livelihoods). This survey identifies the people who will be displaced by the project; all the relevant characteristics of those people, including conditions of vulnerability; and the magnitude of the expected physical and economic displacement.

The baseline survey includes gender and age-disaggregated information pertaining to the economic, social and cultural conditions of the affected population. It contains various official materials (maps, numerical records, special reports, research and knowledge pieces, etc.), records of interviews with stakeholders about their preferences, supply chain due diligence material, and a protocol to fill any gaps in data and ancillary information, and it identifies opportunities to improve community welfare. The survey process also ensures that ineligible people, such as opportunistic settlers, cannot claim benefits. This information from the survey will determine the extent and magnitude of displacement and thus aid in planning effective resettlement.

At a minimum, the borrower or client conforms to any relevant host government procedures. In addition, or in the absence of host government procedures, the borrower or client establishes a cut-off date for eligibility that is acceptable to the Bank. The borrower or client documents the cut-off date(s) and disseminates information about it (them) throughout the project area of influence in a culturally appropriate and accessible manner, before taking any action on clearing land or restricting local community access to land.

- **Resettlement Action Plan**

The OS 2 requires the borrower or client prepares a Full Resettlement Action Plan (FRAP) for the following nature of displacement:

- (i) any project that involves 200 or more persons (as defined by the involuntary resettlement policy), or
- (ii) any project that is likely to have adverse effects on vulnerable groups.

The outline of a typical RAP can be found in Annex A of the Involuntary Resettlement policy and the related IESIA Guidance Note.

For any project in which the number of people to be displaced is fewer than 200 people and land acquisition and potential displacement and disruption of livelihoods are less significant, the borrower or client prepares an Abbreviated Resettlement Action Plan (ARAP). Annex B of the Involuntary Resettlement policy describes an ARAP, and related guidance can also be found in the relevant IESIA Guidance Note.

In the Burkina Faso Yeleen rural electrification Programme, the extent of displacement is anticipated to be very minimal and thus an ARAP will be a tool for addressing all issues related to involuntary displacement. An outline of an ARAP is presented in Annex 3 of this RPF.

ABER as the main executing agency of the programme, shall submit the ARAP as a formal document to the relevant national, local and/ or municipal agencies and to the Bank. Usually, the FRAP is finalised as a supplement document to the Environmental and Social Impact Assessment report, and the ARAP is finalized as a supplement document to the Environmental and Social Management Plan (ESMP) (as it will be done for the Yeleen Programme where an Environmental Impact Study Notice or ESMP will be prepared).

Therefore, the Bank shall post the ARAP in its Public Information Centre and on its website for public review and comment, in accordance with the Bank's ESAPs. The ARAP shall be released to the public at least 30 days before Board presentation.

### **3.3 Organizational Responsibility**

#### **3.3.1 Institutional provisions**

According to Burkina Faso legislations, management organizations or structures are defined in the RAF and Law No. 034-2009/AN on rural land tenure and priority enabling instruments. These organizations are found at three levels: national, municipal and village.

- At national level, the Ministry of the Economy and Finance, through its land service is responsible for the management of national land, in accordance with Section 33 of RAF. Law No. 034 also institutes a national consultation body for the monitoring and evaluation of rural land policy and legislation. The latter brings together all public, private and civil society actors, including representatives of customary authorities, local authorities, research institutions, and centres of excellence;

- At municipal level, the Rural Land Service (SFR) is responsible for the Municipality's land management and security activities. The SFR, in relation with village commissions, ensures normal keeping of rural land records. In addition, there is a local land consultation structure, with an advisory role certainly, but which examines all issues relating to land security for rural stakeholders;
- At village level, a village land commission is created in each village. This commission comprises village customary and traditional authorities responsible for land tenure. The objective is to contribute to land security and municipal land management.

### **3.3.2 Resettlement execution Entity**

In Burkina Faso, the responsibility for preparation and implementation of this project lies with the Project Owner, namely the Ministry of Energy and in this case through ABER.

The resettlement process will include establishment of Resettlement Implementation Committee (RIC) attached to the Ministry of Energy/ABER. The committee will work in collaboration with the other Institutions mandated to handle resettlements aspects at National, Municipal and village level to ensure the smooth running of the resettlement Plan.

The committee for resettlement plan implementation will be established by Ministerial Order (Ministry of Energy). This committee will be composed of the representatives of the Ministry of Energy/ABER, Ministry of the Economy and Finance and the Rural Land Service (SFR) and representatives from Village Land Commissions. It is placed under the chairmanship and supervision of the Ministry of Energy assisted by a notary who acts as secretary. In respective Municipalities, the committee will include representative of the Municipality, particularly the Mayor, who will be the Vice-Chairperson. Representatives of local government (planning services, land registry, decentralized administration...), other Government services involved, representatives of PAPs, representatives of traditional authorities, and representatives of Village Development Committees (VDC) and civil society (NGOs, associations, etc. ...) will be involved as members in the committee's activities.

The responsibilities of the committee, within the framework of resettlement plan implementation,, are as follows: (i) Promote and encourage the amicable settlement of complaints to avoid recourse to the judicial system; (ii) Receive and process the complaints of affected persons; (iii) Ensure monitoring of implementation of the compensation and resettlement operation; (iv) Provide technical support for resettlement Plan implementation in the field; (v) Examine and validate reports prepared by the IRP implementation Consultants; (vi) Keep partner structures of the municipality (Government, Decentralized cooperation, NGOs, etc.) informed of all matters relating to IRP implementation; (vii) Ensure proper consideration of vulnerable persons and gender at all stages of implementation; and (viii) Make recommendations for better supervision of the operation.

To ensure better ownership of the project and its achievements by the local population, the Government through Ministry of Energy/ABER will encourage support for the latter before, during and after works, through information, sensitization and involvement campaigns. These actions will be conducted under the responsibility of competent departmental services by locally established NGOs. The NGOs will be responsible for social support for vulnerable affected persons.

Resettlement plan implementation shall be the responsibility of the Burkina Faso Government, especially the Ministry of Energy/ABER, which must ensure compliance with the relevant Bank rules, procedures and policies. The project Management Unit under ABER, will ensure coordination and day-to-day management of resettlement plan implementation. It will ensure that the competent Government authorities effectively pay the compensation before works start-up.

### **3.4 Eligibility**

#### **3.4.1 Eligibility criteria for people affected by the project**

##### **Definition of Project Affected Persons (PAPs)**

The definition of displaced persons most widely used by the international community is that which is found in the “Guiding principles relating to displacement of persons inside their own country”, published by the United Nations. These are persons or groups of persons that are forced to leave their usual home, but have not crossed the State’s internationally recognized borders. In other words, this is any person, who, because of this project, loses rights of ownership and use or other rights on a building, land, crops or other movable or immovable property in whole or in part either permanently or temporarily.

##### **PAP eligibility criteria**

In accordance with AfDB OS.2 relating to land occupation rights, the following three categories of persons are eligible for the resettlement:

- Those who have formal and legal rights on land, particularly customary traditional rights recognized by the applicable national laws;
- Those who do not have formal and legal rights on land during the census, but have claims on such land in case these claims are recognized by applicable national laws;
- Those who do not have any recognized right or legal claim on the land they are occupying.

From these assumptions, the PAP categories are as follows:

- PAP without any title deed of enjoyment, whose commercial or craft activities are partially or totally affected;
- PAP suffering partial or total loss of commercial or utility buildings temporarily or permanently;
- PAP with a legal occupation title deed or customary right, whose commercial activities are partially or totally affected;
- PAP suffering loss of community or collective property.

### **3.4.2 Eligibility Date**

The corresponding deadlines or cut-off dates correspond to the end of census operations for the determination of households or properties eligible for compensation. Only households or property that have been identified and listed by end of the deadline will be eligible for compensation. Consequently, those established after the passage of the census team will no longer be eligible. In addition, any subsequent development, after the deadline, will no longer be eligible for compensation or any other form of assistance whatsoever.

When the need for involuntary resettlement in any of the subproject has been determined, the Implementing Agency of the sub-project will carry out a census to identify the persons who will be affected by the subproject activity. This exercise will help determine who will be eligible for compensation and assistance before the implementation of the project commences. It will also help to prevent an inflow of ineligible people living outside the subproject area who might want to take advantage of claiming assistance from the project. The cut-off date will be the date of the completion of the census, which will be explained in consultations held with affected communities, prior to conducting the census, as part of general discussion to describe the project, its phases and activities, and likely impacts, and to solicit community concerns. Those coming into the area after the cut-off date will not be eligible for compensation.

## **3.5 Assessment of compensation and compensation for losses**

The estimate of compensation levels refers to Burkina Faso practices, such as the commodity price list, to the principles adopted during public consultations while respecting the requirements of the Bank's procedures.

### **3.5.1 Bases of valuation of lost property**

The general principles of compensation measures are based on the following points:

- compensation of property in cash at its full replacement value, without any depreciation, as defined in the scale determined by mutual agreement;
- gender equity in the processing of compensation, equity towards all affected persons;

- specific assistance to vulnerable persons;
- monitoring and evaluation of resettlement implementation impacts to correct possible poor performance in time;
- involvement of PAPs and all actors in the resettlement implementation monitoring/evaluation process.

Compensation calculation methods will be done in accordance with AfDB OS.2 based on the principles of assessment of losses at full replacement value of property the lost. According to Burkina Faso legislation, the value of each property must be assessed by relevant competent technical services (agriculture for farmland; housing for developed sites and environment for trees). Preference to the assessment method will be given to AfDB operational policy requirements and special methodology will be devised and adopted in order to adapt to local realities (local replacement cost).

### **Forms of compensation**

Two types of compensation are highlighted at the level of this CRP:

- Compensation in cash: This consists in conducting a financial assessment of investments made on the site, for purposes of compensation payment.
- Compensation in kind: This consists in replacing the property affected by a similar one.

### **3.5.2 Compensation procedure**

The compensation process includes the following steps:

- i. Disclosure and information on eligibility criteria and compensation principles;
- ii. Estimation of individual and collective losses,
- iii. Discussions of compensation to pay to those affected,
- iv. Conclusion of agreements and/or attempt of mediation
- v. Payment of compensation
- vi. Monitoring of displacement and resettlement
- vii. Support to vulnerable people,
- viii. Settlement of disputes.

## **4.0 PRINCIPLES AND STRATEGIES GUIDING RESETTLEMENT IN THE FRAMEWORK**

The overarching objective regarding resettlement in the implementation of the project is to minimize as fully as possible the extent of land acquisition and land-use change and to mitigate to as fully as possible the adverse impacts of all unavoidably necessary land acquisition and involuntary resettlement.

Minimization of resettlement and mitigation of its unavoidable consequences requires careful planning and conscientious implementation. When the details of land acquisition and involuntary resettlement are fully known, a Resettlement Action Plan (RAP) can be defined to provide an implementation guide for the operation. When, however, the details of land acquisition and involuntary resettlement are not fully known, the Resettlement Policy Framework will provide the policy principles for the development of specific RAPs (or ARAPs as for the case of Yeleen Programme) and will be available for public information and discussion. This section highlights the principles and strategies to guide resettlement under this RPF.

#### **4.1 Principles to Guide Resettlement**

The following are the principles that should guide the implementation of this RPF and the ARAP:

- i. Transparency: ensure that affected people are consulted and give their demonstrable acceptance to the resettlement plan;
- ii. Displacement is done in the context of negotiated settlements with project affected people;
- iii. Maintain standards of the Bank's Integrated Safeguards System (ISS) on Involuntary Resettlements;
- iv. Adherence to world's best practices regarding disclosure of information to the PAPs; the process should be driven by consultation and participatory planning;
- v. Compensate with modern replacement value and restore livelihoods, with minimum disturbance and sustainable benefits;
- vi. The RPF applies to all components under the project, whether or not they are funded in whole or part by the Bank;
- vii. The policy applies to displaced or impacted persons regardless of the total number involved, severity of the impact, ethnicity, race or colour, whether or not they have legal right or claim to the land they are occupying, and those who may not be protected through the Burkina Faso legislations;
- viii. Where feasible, involuntary resettlement and land acquisition should be avoided or minimized by exploring all viable alternatives;
- ix. Where relocation or loss of shelter occurs, measures to assist displaced persons should be implemented in accordance with a plan of action for resettlement and compensation;
- x. Absence of legal title to land should not be a basis for denying compensation and Resettlement assistance.
- xi. Displacement or restriction to access should not occur before necessary measures for resettlement and compensation are in place. Apart from compensation, these measures should include provision of other assistance required for relocation, prior to displacement, and preparation and provision of settlement sites with adequate basic facilities.

- xii. The displaced must be relocated to areas with basic amenities like schools, potable water, health facilities, etc.
- xiii. All affected persons and entrepreneurs or institutions should be assisted to restore their incomes and livelihood sources to at least pre-resettlement levels. Particular attention will be paid to the needs of the elderly, women and children, the handicapped, and the landless, among other vulnerable groups.
- xiv. Wherever possible, those impacted by involuntary resettlement should be considered for employment in various project activities including construction works and provision of other services.
- xv. Vulnerable groups such as the elderly, orphans and women-headed households should be entitled to a special benefit package in addition to compensation entitlement.

## **4.2 RPF Strategies**

The following RPF strategies will be adopted:

- Resettlement activities will be a participatory process guided by informed participation.
- Abbreviated Resettlement Action Plans (ARAPs) will be produced and adequately consulted on and disseminated. The ARAPs will be made available to those involved and upon request, by the project developer.
- ARAPs will describe all measures for restoration of the livelihoods of affected persons and will include an annual budget for implementation of resettlement and other related activities.
- All affected people will be entitled to compensation for lost assets. They will be paid a replacement cost agreed between themselves and the developer in consultation with relevant Government Agencies. The compensation will be based on the valuation done by either the Government Valuator or Private Valuation Firm engaged by the developer, and will either be the market value or other value dependent on negotiations between the two parties and witnessed by a third party.
- Whenever possible, land for land, as close as possible to the homestead should be provided as part of compensation.
- Ownership of the compensated land/or property will be transferred to the state or sub-project beneficiaries by agreement.
- If the affected land is under tenancy, both the landowners and tenants as affected persons will be eligible for compensation and entitlements.
- Compensation for loss of potential crops and trees should be calculated as annual net product value multiplied by the number of years for a new crop to start producing.

- The seriously affected people should be at least as well off, if not better off, than they were before the project.
- Mechanisms will be developed to protect the economically and socially vulnerable.
- Priority for employment arising from project activities will be given to affected persons losing assets.
- A functional mechanism for resolving conflict arising out of the resettlement process will be established.

## **5.0 RESETTLEMENT ACTION PLAN PREPARATION, REVIEW AND APPROVAL**

This RPF is triggered because the project could require the involuntary taking of land, other assets or economic impact in some subproject locations. Since the specific locations of these interventions were not known at the time of the preparation of the project, the preparation of this RPF is conditionality for appraisal of this project. However, during implementation of this project, in a process defined here below, the identification of these areas, if any, will be made. When that happens, land may be acquired and people may be affected. At that stage, the RPF calls for the preparation of ARAPs that must be consistent with the guidelines provided in it. As highlighted before, the preparation of ARAPs shall be prepared in compliance with AfDB and Burkina Faso legislative requirements.

The preparation of the ARAP will be coordinated and overseen by ABER. All sub-projects will be screened to determine the nature of resettlement and the compensation required.

However, the purpose of the RPF is to establish the mechanisms by which the appropriate tools, screening checklists (such as proposed in Annex 2) and ARAPs will be implemented to mitigate potential resettlement impacts once subprojects have been identified.

### **5.1 Steps in Preparing Resettlement Action Plans**

If the preliminary assessments (scoping and screening exercises) indicate the need for involuntary resettlement, then an ARAP shall be prepared in accordance with this Resettlement Policy Framework, the relevant Burkina Faso legal requirements and the AfDB operational Safeguards as outlined in this RPF.

The preparation of the sub-project ARAPs may be outsourced by projecting Implementing Agencies to specialists. In this case, terms of reference for the preparation of the ARAP should be prepared. TORs for ARAPs may be simpler, as long as they contain instructions for carrying out all the requirements of an ARAP specified under Annex 13 of the AfDB ESAP.

When the nature and scope of private sector participation in the sub-projects has been determined, responsibility for carrying out ARAPs in some cases may be assigned to the private operators. Such responsibilities and related requirements will be spelled out in any tender documents and contracts prepared to authorize such funding arrangements.

### **5.1.1 Preliminary Assessments of Sub-Projects**

Implementing Entities of sub-projects (e.g. ABER and Mini-grid developers) shall examine whether any environmental study is required for the subproject being proposed. The initial assessments and surveys at this stage should include:

- i. Potential social impacts,
- ii. direct consultations with individuals and groups who are expected to be directly affected by the sub-project activities; and
- iii. Identification of the major population groups that may be affected by the proposed project.

These surveys and assessments at this preliminary stage would form the basis for preparing the scope for the ARAPs.

### **5.1.2 Preliminary Information**

Preliminary information shall include a description of the nature, scope and location of the proposed sub project, accompanied by location maps and any other details.

If the preliminary information indicates that the project has any potential involuntary resettlement, such as involving taking of land which might result in physical displacement of persons, loss of assets, loss of livelihood or restriction of resource use, then this RPF is triggered and an ARAP, needs to be prepared.

### **5.1.3 Socio-economic Baseline Census**

A socio-economic baseline census shall be carried out to provide baseline data on various factors including the following:

- a) *Identification of current occupants of the affected area*, to establish the basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- b) *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 displaced population;
- c) *The magnitude of the expected loss of assets*, total or partial, and the extent of displacement, physical or economic;
- d) *Information on vulnerable groups* or persons for whom special provisions may have to be made;
- e) *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;

- f) *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;
- g) Public infrastructure and social services that will be affected;
- h) *Social and cultural characteristics of displaced communities*, including a description of formal and informal institutions (e.g., community organizations, ritual groups); and
- i) *Non-Governmental Organizations (NGOs)* that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

The preliminary assessments and information from the socio-economic baseline census will assist in determining the cut-off date, period of registration of claims and valuation of land and immovable assets.

The socio-economic census methodology and format will be developed on a case by case basis if resettlement activities take place and adapted to the location.

## **5.2 ARAP Disclosure Process**

ABER shall ensure that the draft ARAPs are made available at a place accessible to impacted persons, local NGOs, and other interested parties in a form, manner and language that are understandable to them once a draft ARAP has been prepared.

The Draft ARAP shall be transmitted to the AfDB for appraisal and review at the same time. Once the ARAP has been finalized, the Bank shall post the ARAP in its Public Information Centre and on its website for public review and comment, in accordance with the Bank's ESAPs. The ARAP shall be released to the public at least 30 days before Board presentation.

The final ARAP will also be disclosed in-country at Provincial and National level. ARAP implementation (and subsequent project works) can only commence once the AfDB and relevant Burkina Faso Authorities are satisfied with the public disclosures and have approved the ARAP.

## **5.3 Implementation and Monitoring of Resettlement Action Plans**

The overall responsibility of monitoring and evaluating the ARAP activities shall lie with Ministry of Energy or its delegated agency, ABER. There shall be both internal and external monitoring of the resettlement activities. Internal monitoring of the operation of the resettlement program shall be done by the PMU, while external monitoring may be done by a monitoring agency or private entity designated to carry out external monitoring of the project.

Where an ARAP is required and has been implemented, a ARAP completion report will need to be carried out by ABER within 6-12 months of completion of the resettlement implementation.

The objective of this report is to determine if all mitigation and compensation measures required in the ARAP have been met, and if not, what additional corrective action may be required.

## **6.0 MECHANISMS OF ASSISTANCE AND MONITORING OF AFFECTED PEOPLE**

### **6.1 Consultation and dialogue.**

Upon resettlement implementation, briefings will be organized with the support of traditional chiefs, and an expert in social communication. They focus on resettlement implementation mechanism and the compensation principles and methods. During this phase, the RIC will prepare certificates of compensation agreement and have them signed by those affected.

### **6.2 Specific assistance for vulnerable people**

As part of resettlement, people considered vulnerable are those affected with low income. These people can be made even more vulnerable during a displacement operation. They are likely to be excluded from the benefits of the compensation operation and suffer only from the disadvantages of the system, for instance due to negligence, for not being able to attend information briefings, or not being eligible for compensation by omission, etc.

Assistance to vulnerable people will take the following forms, depending on the needs and demands of the persons concerned:

- i. Assistance in the compensation procedure (further explanation of the process, ensuring that documents are understood, support the person at the bank so that they can count properly),
- ii. Assistance in the period following payment so that the compensation is made safe and that the risks of misuse or theft are limited;
- iii. Assistance in moving: to provide the means of transport (vehicle) and close support, help the person find their resettlement site (plot) to ensure that others do not come to settle in it, etc.
- iv. Assistance in rebuilding: provide a mason or materials, or to fully support the reconstruction
- v. Assistance in the period following the relocation, especially if the solidarity networks (food aid, health monitoring, etc.) benefited by the vulnerable person cannot be immediately restored;
- vi. medical assistance where necessary during critical periods, especially during resettlement and transition thereafter.

### **6.3 Monitoring and evaluation**

#### **Monitoring-evaluation objectives**

Monitoring and evaluation are the key components of resettlement activities, and therefore of this Action and Resettlement Plan. They have the following main objectives:

- Monitor specific situations and difficulties arising during implementation, ensure implementation compliance with AfDB-defined objectives and methods, as well as Burkina Faso regulations;
- Assess long-term resettlement impacts on affected households, their livelihoods, their incomes and their economic conditions, on the environment, on local capacities, on housing, etc.
- Within the meaning of this document, monitoring seeks to correct implementation methods “in real time” during project implementation, whereas evaluation seeks to verify if general policy objectives were respected and to draw lessons from the operation, with a view to changing strategies and implementation from a longer term perspective. Monitoring will be internal, and evaluation external.

### **Monitoring of RAP implementation**

#### **Objectives and content**

Monitoring will deal mainly with the following aspects:

- Social and economic monitoring: Monitoring of the situation of displaced and resettled persons, and trend of housing costs in the displacement area and that of resettlement;
- Monitoring of vulnerable persons;
- Monitoring of the complaints processing system;
- Assistance for the restoration of livelihoods: agriculture, fishing, hunting, commercial or handicraft activities, and monitoring of any assistance measures implemented in this area.

#### **Indicators**

The following overall indicators will be used:

- Number of households and persons affected by project activities,
- Number of households and persons physically displaced by project activities,
- Total amount of compensation paid.

In addition, socio-economic indicators will be established and monitored for a sample of PAPs:

- Average monetary income, and average total income (with valuation, if possible, of self-consumption),
- Average breakdown of household spending,
- Number of fully unemployed persons,
- Number of school children.

- An annual monitoring report on resettlement activities will be prepared by the project management unit.

## **Resettlement evaluation**

### **Objectives**

Reference documents for the evaluation will be as follows:

- The present RPF and the ARAP,
- Burkina Faso laws,
- African Development Bank (AfDB) policies.

The evaluation's objectives are as follows:

- Overall evaluation of implementation compliance with the objectives and methods specified in the resettlement policy;
- Evaluation of implementation compliance with Burkina Faso laws and regulations, as well as with AfDB policy,
- Evaluation of compensation, displacement and resettlement procedures,
- Assessment of adequacy of compensation and resettlement measures in comparison to losses incurred,
- Assessment of resettlement programme impact on incomes, living standards, livelihoods, and the maintenance of living standards at their previous level,
- Evaluation of corrective measures that could be taken in monitoring and evaluation changes to be made in resettlement strategies and methods.

The evaluation will use documents and materials from internal monitoring, and evaluators will also conduct their own field analyses through surveys of stakeholders and project affected persons.

### **Process**

The evaluation of each resettlement programme undertaken within the project will be conducted by external auditors with solid experience in the matter and any Burkina Faso specificities. The association of international and Burkina Faso auditors is recommended.

The evaluation should be conducted in two stages:

- Immediately after completion of resettlement operations,
- If possible, two years after completion of resettlement operations.

## **7.0 COMMUNITY PARTICIPATION**

### **7.1 Public Consultation**

Stakeholders' engagement (as highlighted in the ESMF) shall be carried out based on a participatory approach and relied, on the one hand, on on-site visits, the use of basic documents, and, on the other hand, on interviews with centralized and decentralized technical services, traders, socio-professional groups, local residents, administrative authorities, mayors and traditional leaders. This approach has resulted in (i) enhancing the project, developing and refining the alternatives by taking into account the concerns of all stakeholders, (ii) promoting the involvement of the local population in the project, (iii) creating an atmosphere of trust and cooperation underpinned by an objective approach.

The PMU and the resettlement Implementation committee shall hold meetings with PAP in the presence of the governor, the mayors of the municipalities concerned, traditional leaders and other relevant decentralized Institutions.

At each of the meetings held, the content of the Project and its economic, social, and environmental stakes will be outlined. Information will be collected including the perceptions and expectations vis-à-vis the project as well as views and comments of stakeholders. There emerges from these consultations, the will of the interviewed people and administrative authorities and people's representatives to support the Project and particularly advocate it in such a way that the Project:

- avoids or reduces to the maximum the destruction houses and involuntary displacement of people. If necessary, they recommend the compensation of properties including the compensation of the persons directly affected by the Project due to loss of trees/crops;
- may use local labor and train it to perform menial tasks during future construction work;

### **7.2 Informing the PAPs**

As part of the Abbreviated Resettlement Action Plan for the people affected by the Project, information sessions, focusing on the entire project to inform people about the level of preparation of the Project and the principles of compensation of those affected.

The principles agreed as the basis in setting compensation are the following:

- i. The movement of people affected by the Project fits into the logic of expropriation and as such should be done in line with the Burkina Faso regulations;
- ii. in the case where the Burkina Faso legislation however harms the PAPs, some provisions of the Bank will be applied, if such provisions are more favorable.
- iii. All persons affected must be compensated without cultural or social or gender discrimination, insofar as these factors do not increase the vulnerability of these affected persons;

- iv. Affected people should be compensated at replacement cost without depreciation, before starting work on the Project;
- v. The compensation process must be fair and respectful of human rights of the people affected by the Project;
- vi. Cash compensation is preferred in respect of individual losses, including income for commercial use. But in the case of equipment or services, compensation options - either in cash or in kind - will be subject to a more detailed estimate so as to offer to the affected persons the option of their choice;
- vii. Compensation in kind includes rebuilding or upgrading affected structures (properties, fences, etc.)
- viii. Other measures will accompany the program in the interests of fairness and impartiality of those who will be affected by the Project.

An emergency assistance is planned for to help vulnerable people that are usually very affected by any change, and who do not have financial resources to adapt and avoid finding themselves in a more precarious situation. Accompanying measures and economic support will include relocation allowances, transport allowances, etc. This assistance will be financed from the budget line earmarked “unforeseen expenditures”. To ensure that emergency assistance is provided only to those who are actually vulnerable, the Resettlement Implementation Committee (RIC) will be asked to validate each request made for assistance.

## **8.0 DESCRIPTIONS OF COMPLAINTS AND GRIEVANCE REDRESS MECHANISMS**

Grievance procedures for programmes such as these in the Burkina Faso context differ depending on the nature of programme being implemented. However, in general terms, it is recommended that any matter decided upon by an authority needs to be taken to the immediate superior authority as an appellant authority. Aggrieved parties also have access to the Arbitration system and when all else fails, have recourse to the court system for settlement of grievances.

In this project and with particular reference to resettlement, once the resettlement plan is approved and individual compensation contracts are signed, affected individuals would have been informed of the process for expressing dissatisfaction and to seek redress. It is however, anticipated that land acquisition would be avoided or at least minimized, thereby reducing complaints arising from loss of land or resources as a result of implementing any sub-project activities.

To this effect the grievance procedure will be simple, administered as far as possible at the local level to facilitate access, flexible and open to various proofs taking into cognizance the fact that most people are illiterate requiring a speedy, just and fair resolution of their grievances. The framework of the GRM in this project will be as described in the ESMF for the programme.



## **ANNEXES**

### **Annex 1: List of Stakeholders Consulted During the Preparation of the project preparation**

- i. FDE/ABER
- ii. Representatives of the Ministry of Environment
- iii. Representatives of the Ministry of Finance
- iv. The Ministry of Energy through a coordination and planning committee  
Note: This is the committee that is monitoring the project (Cellule de Coordination et de Formulation du Project Yeleen). This committee includes representatives of the Renewable Energies National Directorate (DGEC), the Conventional Energies National Directorate (DGER), the Statistical and Sectorial Studies National Directorate (DGESE), the Rural Electrification agency (FDE/ABER), the National Burkina Electricity Company (SONABEL), the National Agency of Renewable Energies & Energy Efficiency (ANEREE).

**Annex 2: Resettlement and Compensation Screening Checklist**

Sub-project name: .....

Sub-project Location (e.g. Province/Village) (Include map/Sketch): .....

Type of activity (e.g. on grid installations, off-grid installations, new construction, rehabilitation, periodic maintenance): .....

Estimated Cost: .....

Proposed Date of Commencement of Work: .....

**Sensitivity**

Issue	Site Sensitivity (provide specific examples why this level of sensitivity is selected)			Rating (low, moderate, high risk)
	Low	Medium	High	
Loss of land by private owners				
Loss of household or business structures				
Loss of rental accommodation by renters				
Permanent or temporary loss of crops, fruit trees and household infra- structure				
Loss of community structures (churches, schools, community meeting areas)				
Other				

**Physical data:**

*Yes/No answers and bullet lists preferred except where descriptive detail is essential*

Site area in ha: .....

Extension of or changes to existing land use: Any existing property to transfer to sub-project?

Any plans for new construction? .....

(Refer to project application for this information)

**Public participation/ information requirements**

Has consultation been completed? Yes\_\_\_No\_\_\_

Indicate the time frame of any outstanding consultation process.

**Land and resettlement**

What is the likelihood of land purchase for the sub- project? How will the proponent conduct the land purchase?

What is the likelihood of people losing income or property due to sub-project implementation?  
Approximately how many households will be affected by the need for physical or economic relocation (temporary/permanent)? Use estimated ranges if necessary.  
Approximately how many persons will be affected by the need for physical or economic relocation (temporary/permanent)? Use estimated ranges if necessary.  
What level and type of compensation is planned? Who will monitor actual payments?

**Recommendations:**

Requires a ARAP to be submitted on date: \_\_\_\_\_

Does not require further study for resettlement: \_\_\_\_\_

Reviewer Name, Title, Organization: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**RECOMMENDATION OF PMU (or other entity conducting Screening exercise)**

Circle one of the following screening recommendations:

- 1. ARAP is required (less than 200 PAPs)**
- 2. No resettlement or compensation plans are needed**

Signed:

PMU Coordinator

Date:

### **Annex 3: An outline of an Abbreviated RAP**

1. A census survey of the expected size of the displaced persons, their socio-economic status including the value of their assets and other sources of livelihood should be carried out.
2. The displaced people and the host population should be consulted about acceptable project alternatives and should be informed about project's potential impacts on them.
3. Description of compensation options to be offered and other resettlement assistance to be provided should be documented and discussed with the resettlers including their preferred choice. It would be preferable to use local NGOs in this process.
4. Institutional responsibilities for implementation of the resettlement plan including involvement of NGOs in monitoring the plan should be established; and
5. The schedules, budget and sources of funds should be agreed upon with the executing agency.