SUMMARY OF THE RESETTLEMENT AND COMPENSATION PLAN (RCP)

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<table>
<thead>
<tr>
<th>Project Title</th>
<th>KETTA DJOUM ROAD PROJECT AND FACILITATION OF TRANSPORTATION ON THE YAOUNDE-BRAZZAVILLE CORRIDOR - PHASE 2</th>
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</thead>
<tbody>
<tr>
<td>Project N°</td>
<td>P-Z1-DB0-083</td>
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<tr>
<td>Country</td>
<td>MULTINATIONAL CAMEROON - CONGO</td>
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<td>Department</td>
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<td>Division</td>
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INTRODUCTION

The Congolese and Cameroonian Governments requested the African Development Bank to finance the development of the road Ketta - Djoum, 503 km linear, including 191 km in Cameroon and 312 km in Congo as an important link for the connection between the capital cities Brazzaville in Congo and Yaoundé in Cameroon. For reasons related to resource availability, the development of road section Ketta- Djoum was planned in two phases:

**Phase 1**: Main characteristics:

*In Congo*: Development/asphalting of the section between Ketta and Biessi, over 121 km linear; and minimal earthen upgrading of the section between Biessi and Cameroon border, or 191 km linear.

*In Cameroon*: Development/asphalting of the section Djoum-Mintom, totaling 83 km linear; and minimum earthen upgrading of the section Mintom-Congo border, or 105.5 km linear.

**Between the two countries**: Construction of One-Stop Border Post (OSBP).

**Phase 2**: Main characteristics:

*In Congo*: Development/asphalting of the sections Sembé-Souanké and Souanké-Ntam-Cameroon border totalling 143 km linear; Development/asphalting of the ramp Ntam- Alati of 28 km long.

*In Cameroon*: Development/asphalting of the sections Mintom-Lele and Lele- Ntam totaling a linear distance of 105.5 km; and development/asphalting of the ramp Ntam- Mbalam 30 km long.

The execution of Phase 1 and Phase 2 entails freeing the rights of way as well the expropriation of vacant land, crops, fruit trees and other plants. To that end, this document summarizes the Resettlement and Compensation Plan developed for whatever purpose intended for in accordance with the policies and the procedures of the African Development Bank (AfDB). As a reminder, during the Phase 1 implementation of the development project for the multinational road Ketta - Djoum, the Cameroonian and Congolese Governments decided to compensate for all project-affected people over the entire route.

Regarding Phase 2 in Congo, the clearing of the right of way will focus on the section Sembé-Ntam (*originally included in Phase 1*) and the ramp Ntam-Alati (29 km). In Cameroon, this concerns the section Mintom- Lele and Lele- Ntam (105.5 km - *originally included in Phase 1*) and the ramp Ntam Mbalam (30 km).

It is important to note that with respect to compensation made before the execution of Phase 1 works (evidence submitted to the Bank), only the ramp Ntam -Alati and Ntam-Mbalam are new sections where project-affected people and property shall be identified. These shall be compensated proportional to their losses. On the section Mintom-Lele-Ntam, the have been-
compensated PAPs are yet to vacate the rights of way since the work has not started yet – such cases shall be taken into account during Phase 2.

I. PROJECT DESCRIPTION AND AFFECTED AREA

I.1 Project Description

The project sectoral goal is to contribute to an efficient road transport sub-sector to support economic and social development and regional integration in the ECCAS region. Specifically, the project aims to improve the service level of the transportation supply chain of on the road Brazzaville - Yaoundé, increase trade and enhance living conditions of people in the project-affected area. Phase 1 as described in the introduction is running and will end in September 2015.

The Phase 2 of Ketta-Djoum project is structured around the following six components: (i) Road construction; (ii) related developments; (iii) Facilitation of transport; (iv) Studies and institutional support to the transport sector; (v) Support for biodiversity; and (vi) Project management.

Table 1: Project Component

<table>
<thead>
<tr>
<th>Component Name and Cost</th>
<th>Description of the subcomponents</th>
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<tbody>
<tr>
<td>ROAD WORK 236,875 MUA</td>
<td>A.1 - In Congo: Construction Sembé-Souanké-Ntam (143 km) and Ntam Alati-ramp (28 km); A.2 - In Cameroon: Road Construction Mintom-Lele-Ntam (90 km) and Ntam Mbalam-ramp (30 km); A.3 In both countries: (i) Mitigation of environmental impacts; (ii) Awareness of STI-HIV / AIDS, malaria, Ebola, road safety and respect for the axle load; and (iii) control and supervision of work.</td>
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<tr>
<td>ANCILARY WORKS 4,609 MUA</td>
<td>B1 - In Congo: (i) Support to the actions of women's associations; (ii) Support activities of indigenous peoples; (iii) Development of bus stations, and other rural roads; (iv) Monitoring and surveillance of related work. B2 - In Cameroon: (i) Support to the actions of women's associations; (ii) Support activities of indigenous peoples; (iii) Development of bus stations, and other rural roads; (iv) Monitoring and surveillance of related work.</td>
</tr>
<tr>
<td>STUDIES AND INSTITUTIONAL SUPPORT TO TRANSPORT SECTOR A 6,813 MUA</td>
<td>D.1 - In Congo: (i) Support for the employability of young graduate engineers of Public Works; (ii) Study for the establishment of the National Road Heritage Protection Strategy; (iii) Development Studies and asphalting of the road Etoumbi - Kelle - Frontier Gabon (181 km); (iv) Development Studies and asphalting of the road Liranga-Impondondo-Enyélé (438 km). D.2 - In Cameroon: (i) Support for the employability of young graduate engineers of Public Works; (ii) Development Studies and the road Mape - Banyo - Tibati (190 km) and Rehabilitation of the road Tibati - Meidougou (232 km); (iii) study of the standards of the road section Yaoundé-Sangmélima</td>
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<tr>
<td>SUPPORT TO BIODIVERSITY 1,358 MUA</td>
<td>E. (i) Conduct of environmental and forest annual audits; (ii) annual environmental and forestry monitoring; (iii) Continuous updating of environmental tracing GIS, forestry and wildlife; (iv) Classification of new forests through forest reserves certification for the conservation of the ecosystems; (v) Awareness and institutional capacity building; (vi) Creation of Forest Conservation Units (UCF).</td>
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<tr>
<td>SUPPORT TO THE FACILITATION OF TRANSPORT AND TRADE 7,294 MUA</td>
<td>C. (i) Development and equipment of the One-Stop border post (OSBP) including roads and networks; (ii) Monitoring and surveillance of the OSBP's work; (iii) Training of border services and sensitization of stakeholders; (iv) Harmonization of customs procedures in both countries; (v) Development and training in the use of OSBP management manual.</td>
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<tr>
<td>PROJECT MANAGEMENT 4,316 MUA</td>
<td>F. (i) Technical Audit; (ii) Audit of accounting and finance; (iii) Monitoring and Evaluation of facilitation actions; (iv) Operation of coordinating and implementing bodies.</td>
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The total cost of the project excluding taxes and customs duties is UA 303.444 million (or CFAF 249,232,000,000), co-financed by the ADB, JICA, the European Union (EU), BDEAC and the two governments. All partners contribute to the financing of road works. On its part, the AfDB will participate in addition to the road works to the financing of ancillary works, road studies and project management. The components on biodiversity and transport facilitation will be financed by the EU.

I.2 Project Location

Cameroon

Section Mitom-Ntam- Congo border and the ramp Ntam Mbalam to be asphalted is located in the department of Haut Nyong in the Eastern Region. Its regional capital is Abong-Mbang. The large project area covers the Southern Region of Cameroon worth 47.191km² area, or nearly 5% of the total area of the country with 500,000 inhabitants including 52% of women. Located in the South-West it is bordered to the north-west by the Littoral Region, to the north by the Central Region and in the east by the Eastern Region. The southern part of the region borders three countries: Equatorial Guinea, Gabon and Republic of Congo. The Southern Region is the fourth region of Cameroon. It is divided into four departments: Mvila, Dja-Et-Lobo, Océan, Vallée-du-Ntem. Its capital city is Ebolowa.

The direct project area covers the Districts of Ngoyla, Djoum and Mintom totaling more than 27,333 inhabitants including 13,698 women. Nearly 41% of local populations are under 14 years and 49% aged between 15 and 49 years.

The two Districts of the study area has significant primary and secondary education school infrastructure. Four health facilities were identified in the direct impact area (Djoum District Hospital, Healthcare Centre le Bon Samaritan 1 Healthcare Centre le Bon Samaritan 2 and Melen Zamane Healthcare Centre). The Project is located in hot and humid area, prone to the spread of vector-borne endemic diseases, with malaria being the most significant one. Inadequate awareness campaigns on STI/HIV/AIDS, promiscuity, early sexual debut give reasons to believe that the most of these villages are STI/HIV/AIDS diseases spread areas.

The project areas are mainly agriculture-oriented; but other activities such as hunting, stock farming, fishing and timber-cutting were noted. Cocoa and oil palm are the main cash crop and the most significant cash income source for most households. Food crops consist mainly of cassava, cocoyam, plantain, peanut and pistachio. Hunting, fishing and the periodic food product sale (plantain, cassava, cocoyam, etc.) and some Non-Timber Forest Products (NTFPs) (Okok, Mbongo, Djangang etc.) also generate substantial income for the population.
The road section Sembé-Ntam (143 km) and road access Ntam-Alati (28 km) to be asphalted is located in the districts of Sembé and Souanké, northwest of the Republic of Congo in the immediate vicinity of the Cameroon border. Their regional capital cities are Sembé and Souanké. The Souanké district has about 12,000 inhabitants including about 6,800 women.

The Souanké district in the direct project area is located in the department of Sangha, as the expanded project area. It is one of the departments of the Republic of Congo, located in the North neighbouring the departments of Cuvette, Cuvette-Ouest and Likouala. It also borders Cameroon, Gabon and the Central African Republic, and its chief-town is Ouesso. The department is 12,266 sq km has 205,986 inhabitants including 57% women on a density of 17 inhabitants/sq km. It consists of the districts of the municipality of Ouesso, and districts of Mokéko, Sembé and Souanké. The Department of the Sangha is almost entirely covered by rainforest.

It should be noted that on both sides of the Cameroonian and Congolese borders, there are several settlements of indigenous peoples of the large group Baka whose population is estimated between 30,000 and 35,000 people. These people live in harmony with nature but they are increasingly influenced by some aspects of civilization such as finding a lucrative job.

General Education Secondary Schools and Integrated Healthcare Centres have been listed in the chief-towns of the Project-affected District namely Sembé and Souanké. Along the route, only the pilot villages are equipped with basic socioeconomic infrastructure, including schools, clinics, wells and boreholes. These basic facilities were built by religious congregations to promote the education and care for the indigenous people. From Sembé to Ntam, there are 2 PMAE centres in Sembé and Souanké, no healthcare centre between Sembé and Souanké on a distance of 95 Km and 1 other between Souanké and Cameroon border on a distance of 70 Km. These infrastructures are dilapidated, understaffed and under-equipped.

The populations of the project area, a part from a few urban dwellers, are engaged in traditional activities such as farming, hunting, fishing, harvesting and collecting. Note that the majority of young people have migrated to big cities in search of a lucrative job and a better life.

II. POTENTIAL IMPACTS
The upgrading of the road Djoum-Mintom Ntam (Congo border) and the road access of Mbalam into modern paved road requires widening the entire right of way (roadway, shoulders and even sidewalks in villages). This expansion requires clearing the right of way, averaging 30 m right of way to comply with along the route, hence the need to remove and resettle the population in the right of way.

The expected impacts will originate by and large from road construction activities, including: mobilization of workforce, construction of settlements, clearing, excavation of borrow pits, removal and disposal in some points of the old bitumen and concrete, waterproofing the surface; transportation of equipment, materials and workers; construction of pipeline, bridges and culverts, road surface (with gravel...), asphalting, related work, including the establishment of mile markers, protective barriers, pavement markings and planting of vegetation, creation of access roads in the materials sites. In sum, all the activities may disrupt and impact on the populations and communities in the project area.

2.1 POSITIVE IMPACTS

The overall project implementation will have positive impacts on the human environment, including:

**Regional Integration:** The road construction project aims to give the population safe and solid asphalted road to improve the use of the road network. This road is pivotal in terms of the promotion of the socioeconomic development of relevant Districts and the southern region and Congo. The upgraded road will reduce maintenance costs, increase trade and improve road links and thereby participate in the promotion of regional integration.

**Reduced time and travel costs:** Road rehabilitation will improve the connections with markets, hospitals and other social infrastructure. On opposite, driving on bumpy and rough roads increases vehicle wear and tear significantly increases maintenance costs. A well redone road will largely reduce wear costs. Road safety will be improved especially since the road is wide enough to allow the circulation of other users, such as cyclists and pedestrians. The refurbished road the will reduce travel time because the vehicles can travel faster and travel longer distances in less time.

**Job opportunities for local populations:** The road construction activities will create jobs for both the local community and the sectors providing specialized services. The project will employ a large majority of unskilled workers from communities along the road corridor. Employment in return will boost the informal and formal economic sectors and the relevant communities. As there are so many women in the Project area capable of doing some seasonal jobs as men will do, the contractor will make maximum use of local workers, especially for needs of unskilled labour.

The proposed building measures include: i) employment mainly of labour from the localities of construction work; ii) the employment of women and the adoption of appropriate measures for training in various fields of competence; iii) employment, payroll system and other administrative measures relevant to the local labour must comply with the laws.

**Setting up income-generating activities:** The Project impact areas will benefit from extra business opportunities due to the construction work planned along the entire road. The
inhabitants of the settlements and all Project workers need significant amounts of food - vegetables and corn for example. This will create a market for the community and contribute to poverty reduction in the Project impact areas, which will, somehow, boost the informal and formal sectors of the economy of the communities concerned.

**Improved drainage system and flood control:** The design of construction works shall provide for appropriate drainage systems to avoid water stagnating on the road surface and sides. The drainage system will result in easy water flow.

2.2 **NEGATIVE IMPACTS**

The Project is likely to cause significant negative effects as listed below:

**Land occupation, Resettlement and Compensation:** The road passes through a number of households, agricultural land, forests and places of cultural interest, including cemeteries, state institutions and organizations. Some of these places are within the road allowance and will be affected by Project activities. The Project implementation will require land acquisition including agricultural land, residential land, therefore affecting households, dwellings and small businesses to mostly be resettled elsewhere.

**Impact on Soil:** Since the Project requires the expansion of the existing road; erosion should arise as an issue. Road construction and rehabilitation activities will bring out friable soils, resulting in various forms of erosion such as wind erosion and runoff from surfaces. Free materials can be windswept and be deposited on the surfaces of other elements such as vegetation, or be blown into water bodies.

During the rainy season, bare soil can be drained into existing water bodies and settle to the bottom of rivers, which would affect the water quality and harm aquatic life as well as the environment and households using it. People swimming in the river and doing laundry will not also go unharmed. In addition, the asphalted road will increase the average annual flow and hence soil erosion risk due to the high average annual rainfall in the region.

**Impact on Borrow Sites:** Construction laterite for will be extracted from existing borrow pits located along the planned road. Planned activities at the borrow pits are: clearing, creation of access roads, removal and piling of topsoil and overburden, extraction of gravel required, transport to the construction site of the planned road, and storage.

**Land Clearing and Vegetation Loss:** As part of the proposed road construction work, the entire road length will be cleared. The earth will be removed where access roads, materials extraction sites and settlements. The clearing will result in a loss of vegetation and habitat for different animal species. It will also include the removal of materials irrelevant to the work, including: vegetation, rags, plastic, metal, debris and topsoil.

**Impacts from Work camps:** The contractor will build work camps to serve as housing for workers and office for project administration, a warehouse for different construction materials and equipment, workshop for servicing vehicles and road construction machinery. Sometimes the creation of camps for the purpose of the construction and housing for construction workers and camp for the Engineer will pressure the scarce local resources. The establishment of the work camps near residential areas can negatively impact on the local lifestyle and bring about social and cultural conflicts. To avoid such conflicts and problems, work camps establishment should be planned so as to ensure that they have no negative effects on local resources and society.
**Impact on Water Resources**: Construction works require water for compaction, washing machinery and equipment, for sanitation and personal hygiene, to mitigate the impact of dust, and for domestic use of the company's workers. This demand for water will put pressure on the existing water sources. The deterioration of the water quality of rivers and lakes result from increased sediment suspensions and possible residual chemical contamination caused by the construction of bridges, earthworks and other construction activities. Petroleum products used for equipment and vehicles during construction and waste generated by the camps and garages could also pollute water resources in the Project area.

**Waste Management**: The Project will generate solid waste from the debris produced by stripping the old tar, clearing of access roads, construction materials as well as household waste of construction crews. Solid waste from the clearance of roads consist of vegetation remains (grass, shrubs and trees), quarry and gravel. Wastes generated by domestic activities will generally include: paper, bottles, old clothes and food scraps. As a result, the contractor shall develop and implement a waste management plan.

**Road Safety and Accident Prevention**: Road accidents are mainly due to poor road conditions, lack of signalling devices, lack of knowledge of road safety rules by users and pedestrians. The contemplated road upgrades for road will increase speed, therefore increase the number of road accidents involving both people and animals. The users of the upgraded road will be tempted to drive faster due to the good road condition; hence the risk of accidents increases.

### III. ORGANIZATIONAL RESPONSIBILITY

#### 3.1 Organizational Responsibility in Cameroon

Project contracting authority in terms of resettlement and compensation shall be provided by the Ministry of Public Works. Project prime contractor shall be entrusted to the AfDB/WB Road Projects Monitoring and Delivery Unit. An *ad hoc* team within this unit will be set up specifically for running this resettlement operation. It shall provide the following functions: (i) Technical coordination of the entire operation for displacement and resettlement of populations: oversight of responsibilities, PAPs compensation management, compensation management for administrative and community facilities, coordination with other stakeholders on the ground (NGOs and others stakeholders) and conduct of moving operations; (ii) Conduct and management of efforts meant for the most vulnerable; (iii) Preparation of documents necessary for payments to be signed by the contracting authority and actual disbursement; (iv) Secretariat of the Allocation and Compensation Commission.

This ad hoc resettlement management team will be run by an experienced executive (10 years of work experience at least) in social development in rural areas and the follow-up and assessment of social blueprints and who possibly had previously conducted compensation and relocation/settlement operations for local populations. The incumbent will be facilitating and coordinating the implementation of the RCP. The selected executive will be backed up by 3 experienced social workers/motivators (10 years of occupational experience at least) including one with experience in working with minorities, a female or male secretary and a courier driver. The operation of this ad hoc team will last 12 months under the Project.

The road projects management unit shall be responsible for monitoring the RCP implementation and appraisal. The social development expert on the said unit is specifically responsible for his line of business. Moreover, the management unit can get involved a focal point from the MINAS
and MINPROF to monitor the Project’s social impact and specifically that of the RCP. In terms of the RCP appraisal, an external firm will be hired to perform this task. The said firm will be checking on the adequacy of the RCP implementation with its stated goals, as per Cameroon’s laws and regulations and the Bank’s guidelines. Thus that firm will assess the level of satisfaction of the various categories of persons affected by the Project against existing compensatory arrangements.

3.2 Organizational Responsibility in Congo

The Congolese General Delegation for Major Works (DGGT) provide oversight of the project in accordance with its powers in his capacity as client representative and project manager for all new construction in the Republic of Congo. To do this, it will set up a specific unit with secondment of engineers and experts from the General Directorate for the Equipment (Ministry of Public Works and Equipment), which may call for more efficiency, to other administrative structures skills such the Directorate General of Town and Country Planning and Regional Development and the Council of the Executive and Departmental Board in Sangha. The project implementation unit will be responsible for implementation of RCP in collaboration with representatives of the relevant ministries at the national and departmental levels, including those responsible for agriculture, health, education, promotion of women and social action. An environmental and social expert on the project management unit will be responsible for implementing and in-house monitoring of the RCP.

The compensation operations will be conducted by the Ministry of Land Reform and Preservation of Public Domain. This administration has the expertise for this assignment and shall be exercised in conjunction with the specialized services of the General Delegation for Major Works and the technical ministries involved.

The monitoring of the Resettlement and Compensation and Plan is the responsibility of the Ministry of Planning and Territorial Development and particularly the Directorate General of Planning, under its remit.

The Ministries with responsibility for the management of gender issues (Ministry of Integration and Advancement of Women) and Indigenous Peoples (Ministry of Health, Social Affairs and Family) should participate in the activities thereon.

IV. COMMUNITY INVOLVEMENT / PUBLIC CONSULTATIONS

Throughout the project cycle, the participatory approach shall be put forward. The various stakeholders comprising State services, local authorities, beneficiaries, civil society organization, youth, women, technical and financial partners, have been consulted when conducting detailed engineering and during project preparation mission.

The population in the project area has been informed and consulted at the preliminary design and final design phase of the Project. In assessing property loss by the Valuation Sub-Committees in each country, the Minutes for the Valuation and Appraisal were produced.

The population of the project area consulted during the preliminary design and final sign phase have elected for the principle of compensation and not resettlement: so, compensation has been the option chosen which was accepted by the authorities. It culminated in March 2011 with the actual payment of the expropriated rights. All respondents are planning to resettle within the village, behind their old buildings.
As part of the development of this RCP, the previously consulted populations were further consulted from 22 January to 07 February 2015. The new public consultation provided the opportunity for the population to be further informed in particular on the technical aspects, the conduct and the different steps relevant to the Project. The consultant also identified, in consultation with the population, the regional and local authorities, the related works to get the project into the social demands of the area in the Project. The Project impacts have been identified, characterized; mitigation and mitigation measures have been suggested in a participatory manner.

These meetings took place at the invitation of the village leaders in the village public squares (schools, chiefdoms or chapel) and gathered 158 people, including 81 women. Participants in the public consultations were very happy with the effectiveness of the Project; they participated actively and expressed complaints and made the following recommendations:

**Grievances:** (i) Upgrade the sand exploitation paths; (ii) Improve drainage disrupted by rain water (drainage put in place by the works); (iii) Rehabilitating the bathing water point built by the villagers and destroyed by the work; (iv) Building the access roads for local populations and free the earthen deposits left by the work; (v) Build football stadiums; (vi) Increase the number of classrooms in schools.

**Recommendations:** (i) Recruit local young people; (ii) Improve access to social and economic infrastructure; (iii) Develop exchanges with development operators and promote increased tourism activities.

**Consultation with the PAPs**

As part of a census, PAPs were identified and identification sheets were drawn up. On this occasion, they were informed about the existing compensation process. The PAPs expressed fears about the implication of expropriation. Regarding the expropriation of houses and shops, all respondents aired the desire to be relocated within the same village. Their concerns were geared at farmland expropriation. Indeed, these rural dwellers were afraid of poor or late compensatory payment by the State, which would adversely impact their incomes and thereby their standard of living.

In the course of a piecemeal survey conducted by the Commission of Appraisal, each PAP will be personally notified of his/her amount of compensation and it will be possible for the latter to negotiate that sum prior to payment.

**V. INTEGRATION WITH THE HOST COMMUNITIES**

Both in Cameroon and Congo, the PAPs will be displaced into their own home towns. Since built areas and farmlands are readily available on-site, the PAPs will only have to move back into the hinterlands. There will therefore be no issue of integration with any whatsoever host community.

**VI. SOCIO-ECONOMIC STUDIES ON THE AFFECTED PEOPLE**

6.1 Identification of the PAPs

6.1.1 Cameroun
Phase I of Project,
It emerges that 1,032 people in total are affected by the project mainly in the municipalities of Djoum, Mintom Ngoyla and, due to the road narrowness in this section. In total 63 constructions will be destroyed. Many cemeteries and graves, usually built very close to the road and in front of houses will be exhumed and buried. The following facilities will be affected: 03 water points; 02 administrative buildings; 02 social and collective facilities. The number of farmers affected is estimated at 194, including 136 in Djoum and 58 in Mintom.

Phase II of Project
The development of ramp Ntam-Mbalam will affect three (03) households two of which will lose their homes and crops and one will lose only his home.

Affected household heads are predominantly male; they represent 83.3%, against 16.7% for female household heads. 75% of widow(ers) / divorced are female household heads, against 48.1%; 12.9% and 10.7% respectively singles, married and de facto union. The average age of household heads affected is not very far from the life expectancy in Cameroon, which is 45 to 55 years as it varies between 52.5 and 54.2 years.

Overall, nearly 2 in 10 people aged 15 or older, are literate, for a rate of 21.2%. However, the literacy rate is significantly higher among women (24%) compared to men (18.3%). This rate is 21.0% in the Djoum area, 20.1% in the Mintom area and 33.3% in Ntam.

The distribution of population by educational level shows that unschooled represent 9.0%, people with primary education 51.8%, those high school 36.5% and those with tertiary education 2.7%. Overall, the proportion of uneducated persons is higher among women (11.3%) than men (6.8%). This is more worsened from secondary education. For tertiary education, for example, about 3.3% of men have attended against 2.2% women.

Almost 95.7% of households are landlords, 1.8% of households are rented (including 1.5% in leases) and 2.4% are housed by someone (including 2.1% stay free with a parent or friend).

Most households live in detached houses or multiple houses. However, these houses are built mostly in temporary materials: clay walls (37.3%) or clay brick (23.6%) with a sheet metal roof.

The level of wood use for cooking in households is very high. Indeed, more than four out of five households (89.7%) use wood as an energy source for cooking. Gas is another energy source: 3.6% of households use gas as an energy source.

In terms of access to electricity, only less than two in ten households (15.9%). However, oil is the main source of lighting in the area.

Nearly 58.2% of active household head are working on their own account as farmers and 28.9% work as labourers or apprentices. This reflects the vulnerability of employment. Regarding the distribution by gender, it appears that three in five women (63.5%) work on their own account and almost three in ten women (29.6%) are labourers/apprentices.

Over 75% of affected households are below the poverty line of minimum CFA franc 232,547.

6.1.2 Congo
Project Phase I

704 instances of expropriations were listed including 56 pertaining to women. Of these 704 cases, there will be 465 cases of expropriation from plots; 239 expropriations from lands with crops or fruit and decorative trees, accounting for approximately 15 944 plants; 2 public buildings including a school and a dwelling place for a nurse; 2 faith-based facilities affected and some graves. It is noted that plots accounted for approximately 16 041 sq. m and bare lands represented 131 606 sq. m. The compensatory amounts relating to this phase amounting to CFAF 654,000,000 were fully paid.

Project Phase II

Regarding the development of the access road Ntam-Alati, there will be approximately 34 expropriations from plots; 19 expropriations from lands with crops or fruit trees and other trees and 01 socio-community facility. Regarding the by-passes to be built at the appointed time of construction for the road Sembé-Ntam, no private property will be affected, only the airport of Mediao, situated in the village Koko, will be crossed by the new road.

49.2 % of the affected population is stricken with income poverty. Approximately 50.1 % of the population lives below the poverty line, i.e. with less than 839 CFA F/day.

As per the overall situation, regardless of all efforts made, women who have for long been marginalized are still seeking to make their ways at all levels. Women in the district of Sangha are regarded as a reliable source of income. She is the main workforce that is in high demand in all sectors of life. Women still appear as one of the major victims of the deep-seated habits and customs prevailing in the district. Her access to basic education, primary health care, drinking water still remains an issue.

In the project area, the educational system is based on thirty-two (public and private) schools adjacent to this road used by 2,482 pupils including 1,128 girls. The existing educational system’s ills relate to its dilapidated schools built in perishable materials, with inadequate supply of tables and benches, a lack of laboratories in secondary schools, shortage of numerous quality staff, loss of motivation among pupils because of the distances to be covered to reach their schools, high repetition rates and low success rates in examinations.

The local health system is based on two health centres in PMAE, Sembé and in Souanké, plus another five health facilities along the road. These health facilities have fallen in disrepair and deterioration, including poor biomedical equipment, inadequate and poor quality health staff. The epidemiological profile is mainly characterized by malaria which is the primary cause of morbidity and prevalence in the area. This profile is featured by a prevalence of HIV/AIDS by 40% (and other sexually transmitted infections) and the recrudescence of tuberculosis. Although there is no official rate known to all, it seems, however, that the prevalence rate is said to be very high and on the increase in the district urban centres and particularly in forestry sites where many cases are screened as a result of the virus tests done with blood donors during blood transfusions. In spite of public awareness campaigns in the various districts of the Sangha, there are still a number of people who are not aware of the threat posed by HIV/AIDS.

6.2 Vulnerable People

In Cameroon and Congo, vulnerable households were identified among the PAPs and local populations: They include: (i) groups of widow (ers)/divorced (s) and single. Indeed, 75% of
widow (ers)/divorced are female heads of household; (ii) persons aged 65 and over; iii) people with physical or mental disabilities and chronic illnesses.

Under this Project, each vulnerable household could receive at least 1 Kit; he/she could also receive food support of 50,000 CFAF a month for thirty-six months and be assisted at the time of construction. A simple support request filed with the company would qualify them for the preparation work of the resettlement site.

6.3 Native Populations

30,000 to 35,000 people living astride the Cameroonian and Congolese borders in rural settlements of indigenous peoples belong to the large group Baka. These populations live in perfect harmony with nature but they are increasingly impacted by a few civilization features such as the search for lucrative jobs. Their lifestyles, cultures, habits and customs can very often explain their estrangement from the Bantu peoples and their submissive behaviours towards the latter. The Congolese and Cameroonian authorities shall ensure that these would-be native populations enjoy the same rights and obligations as the other Congolese and Cameroon populations. The laws on land tenure systems and relating to compulsory expropriation procedures and the decrees relating to customary land rights show no discrimination against them. It is to be noted that the Congolese Government passed the Act Nº 5-2011 of 25 February 2011 aimed at the promotion and protection of native peoples.

It should be noted that similarly as the vast majority of the Bantus in the area, the BAKAs are stricken by the poverty which is rampant in the district, despite the presence of forest companies which as per their specifications should invest much more in their field of endeavour and ensure a more consistent redistribution of their assets. Access to basic social services is not that obvious and related assistance is restricted. Problems related to alcohol abuse are major concerns.

As part of the project activities and ancillary works support will be provided to these populations while promoting their integration. The PIU will develop in conjunction with the municipalities of the area and with the assistance of a local NGO, recruited for this purpose, the programming of activities and facilities that meet their vital needs during the project implementation. The NGO will develop an action plan and will implement it under the supervision of the PIU. The allocated funds will be used for this purpose.

VII. LEGAL FRAMEWORK INCLUDING THE DISPUTE SETTLEMENT AND APPEAL

7.3 Legal Framework

Cameroon
The normative framework governing expropriation on the basis of public utility:

- The Constitution of Cameroon, which particularly provide in its preamble that "no one shall be deprived of his property except for a public purpose and under the condition of compensation under conditions determined by law";
  o Order Nº 74/1 of 6 July 1974 fixing the tenure, its subsequent amendments and texts that it has repealed in their provisions not otherwise states including: (i) the Decree of July
21, 1932 establishing the land registration regime in Cameroon; (ii) Decree № 59-47 of June 17, 1959 governing land and land titles in Cameroon; (iii) Decree № 59-181 of October 7, 1959 organizing the recognition of customary land rights exercised by Cameroonians;

- Legislative Decree № 2 of January 25, 1963 on land regime in East Cameroon;
- Decree of July 10, 1992 regulating the procedure of expropriation on the basis of public utility in Cameroon;
- Decree № 64-8-COR of January 30, 1964 organizing the regime of incorporation of the private domain of the State for a public purpose of customary lands subject to non-recognized rights;

- № 85/9 of July 4, 1985 on the expropriation on the basis of public utility and compensation terms and earlier texts which it has repealed their provisions otherwise;
- Law № 66-LF-4 of June 10, 1966 regulating the procedure of expropriation for public purposes in the Federated State of East Cameroon;
- Order № 74/2 of July 6, 1974 fixing the federal system, its subsequent amendments and texts that it has repealed their provisions otherwise in the circumstances;
- Order № 72/22 of October 31, 1972 repealing the provisions of Article 6 of Decree Law №… of January 9, 1963;
- Order № 74/3 of July 6, 1974 on the procedure of expropriation on the basis of public utility.

This normative framework also includes some application Decrees and Laws, including:

- Decree № 87/1872 of December 18, 1987 implementing Law № 85/09 July 4, 1985 relating to eminent domain and compensation terms (pursuant to Article 7 (2) of the Act);
- Decree № 2003/418 / PM of February 25, 2003 fixing the compensation rates to be awarded to owners victim of destruction for reasons of public utility of cultivated crops and trees (pursuant to section 10 of the Act);

### 7.1.2 Congo

In Congo, the lands in the State domain are divided into public land and private property and individual property. The regime of these lands is regulated by Law № 9-2004 of March 26, 2004 on the code of the national domain. It is supplemented by Act № 10-2004 of March 26, 2004 laying down the general principles applicable to the state own tenure in Congo. There was also among the key texts on land tenure in Congo, Law № 11-2004 of March 26, 2004 on the expropriation procedure for public utility.

**State land code:**
The state land code defines the elements in the field of public entities and determines its consistency. It sets the terms of land administration and use by public entities, dependent public domain constituent of the public domain and the affected and unaffected private property. It regulates, under conditions determined by law, the terms of land administration and use by private individuals, as part of the system of road permissions and authorizations. Finally, it lays down the financial and penal provisions necessary for the management of state property, including those intended for their protection.
The public domain and private property of public entities constitute the heritage of the State, decentralized local authorities and public institutions. The public domain includes all the objects which by destination, are allocated to direct public use after a special management or considered public property by the law. The private domain includes real property, real property rights within the scope of public persons who, because of their nature and their destination, are not considered as dependent public domain.

Private property rights on land should be officially recognized to allow the issuance of the corresponding land titles under the Act. Land tenure guarantees the recognition of existing customary land rights, not contrary to or inconsistent with duly issued and registered titles.

In case of conflict between customary rights and titles from the legal regime in force, recognition of land property rights in the proximity of a village should be debated and accepted by the people and the authorities or local authorities concerned.

Legal entities of public law are empowered to resort to eminent domain in accordance with the Act.

**Law No 11-2004 on expropriation procedure**

The law on expropriation procedure for public utility provides: bare land, developed, built, grown or planted, necessary for the implementation of all public works and all other works of public works may be expropriated.

The expropriation procedure shall be performed in two phases: (i) the administrative phase and (ii) the judicial phase. The administrative phase shall comprise the following steps:

a) Preliminary inquiries to the declaration of public utility, which opening is announced by the publication of a notice in the Official Journal: It is an administrative procedure which purpose is to inform the interested public and the consult him on a project that could lead to expropriation. The conditions of survey organization are established by Decree of the President of the Republic.

b) Declaration of public utility: It is the act by which public authorities stated that the completion of an operation is of sufficient public interest to justify recourse to the expropriation procedure. The public interest is declared by a decree or a ministerial decree that set the term of validity, the nature of work, the companies concerned and the period during which it will be carried out; this period shall not exceed three (3) years, otherwise the expropriation process shall be nullified.

c) Land/plot survey: It allows the administration to determine the plots expropriated adversarially, to find the owners, the owners of real property rights and other relevant players. It shall be conducted by a commission composed of: the authority of the Department concerned or his representative; the representative of the Ministry for Land Affairs or his representative; members representing the following administrations (taxes, land registry, urban planning, agriculture, local community); representatives of the following companies: water distribution companies, electricity distribution companies, transport companies, companies in charge of telecommunications.

d) Act of transferability and requisition of total control.

The land registry is the service which makes an inventory with the owners, within two months adversarially. It brings together all the documents and information needed to inform the commission cited above. The plots to be expropriated and the encumbered real property rights therein are listed in the deed of transferability which consists of one or more Decrees or
Ministerial Orders.

As of the record date in the records of the land registry, the value of properties referred to in that document cannot be changed. Similarly, these buildings cannot be alienated or encumbered with real rights. The expropriation compensation is fixed according to the consistency of the property at the date of the minutes certifying report of the inventory. If the expropriating encounter difficulties due to the bad faith of the expropriated (refusal to leave, give land titles, etc.), it has the opportunity to speak to the conciliation committee before entering the courts.

Furthermore, some people may be reluctant as regards the measures of expropriation or the amount of compensation. They must have at their disposal a transparent mechanism for complaints and conflict management. The court should be used as the ultimate remedy. Priority should be given to referral to local bodies (Conciliation Committee) that have real and formal expertise in management and resolution of social conflicts.

### 7.1.3 Policies of the African Development Bank (AfDB) on involuntary shift of populations

The operational backup 2 - Involuntary Resettlement concerns the ADB funded projects that cause involuntary resettlement of people. It results in: i) relocation or loss of shelter by local the populations in the project area; ii) Loss of assets (including loss of structures and properties of cultural, spiritual and social significance) or restriction of access to assets including national parks and protected areas or natural resources; iii) Loss of income sources or livelihoods as a result of the project, the affected people are called to move or not.

The specific objectives of this operational backup are: (i) Avoid involuntary resettlement wherever possible or minimize impacts where involuntary resettlement is unavoidable, after all project design options were considered; (ii) Ensure that displaced people are genuinely consulted and have the opportunity to participate in the planning and implementation of resettlement programs; (iii) Ensure that displaced people receive substantial assistance for resettlement under the project, so that their living standards, their ability to generate income, production capacity, and all of their livelihood are improved beyond their conditions before the project; (iv) Provide clear guidance to borrowers, on the conditions to be met for involuntary resettlement issues in Bank operations, to mitigate the negative impacts of displacement and resettlement, to actively facilitate social development and develop a viable economy and society; (v) Establish a mechanism to monitor the performance of involuntary resettlement programs in Bank operations and find solutions to problems as they arise, to guard against poorly prepared resettlement plans and poorly implemented.

### 7.1.4 Congruence between the Legal Framework of the Two Countries and the AfDB’s Procedures

The main points on which the AfDB’s policies require going beyond the national regulations of both countries are as follows: (i) priority to compensation in kind over cash compensation, especially for the land where the option of replacing "land against land" should be preferred wherever possible; (ii) Compensation for the full replacement value, where the cash compensation is to be applied (fruit trees, crops, houses); (iii) Assistance to restoring incomes and livelihoods (agriculture, fishing, livestock, harvesting, crafts); (iv) Compensation for commercial and craft activities; (v) Participation of the PAPs in the whole resettlement process; (vi) support for vulnerable people; (vii) Socio-economic empowerment of women in the project area; (vii) Monitoring and evaluation with accompanying measures (training, technical support, subsidized loans, etc).
7.2 Dispute Settlement and Appeal

7.2.1 Cameroon

Involuntary land withdrawal and the related compensation may result in grievances or disagreements that may, if unchecked, impact negatively on relations between stakeholders of a public utility project and on the schedule of activities for the project.

In this regard, identify latent conflicts that can lead victims to sue the state before the competent courts. Then will be discussed the normative and institutional framework for complaints management inherent to involuntary land withdrawal and the related compensation.

Types of grievances and conflicts to resolve: In practice, complaints and disputes can occur at different times of the Project:
- before resettlement;
- during the implementation of the resettlement and compensation program;
- After resettlement.

Before resettlement: Complaints and disputes may include the following elements:
- Errors in the identification and valuation of assets;
- Disagreement on parcel boundaries, or between the affected person and the expropriation body or between two neighbours;
- Conflict over property ownership (two affected people or more say they are the owner of the same property);
- Disagreement on the valuation of a parcel of land or other property;
- Successions, divorces and other family problems resulting in conflicts between heirs or members of the same family on the property, or on property shares of a particular property;
- Disagreement over resettlement measures, for example on the type of habitat proposed or the characteristics resettlement land;
- Disagreement over collective measures for certain categories of people: farmers, fishermen, miners.

During resettlement: Complaints and disputes may relate to the following:
- Resettlement issues;
- Inappropriate allocation of houses (errors on the size, unexpected neighbourhood);
- Delay in the introduction of collective action for certain categories of people: farmers, fishermen, gold miners.

After Resettlement: Complaints and disputes may include the following:
- Defects houses;
- Defaulting services (water, school, health);
- Soil fertility;
- Difficulties specific to certain professions (miners, pastoralist).

Latent or actual conflicts arising during the expropriation for public utility procedure

As a reminder, the eminent domain in Cameroon obeys an essentially administrative procedure during which the State exercises its public authority to compel persons to surrender the land they
occupy or which they exploit for the completion of a project previously declared of public utility. The actions taken unilaterally in this context include:

- the declaration by order of the Minister in charge of Lands of the public utility of the proposed Project;
- site selection for the project and the valuation of the properties by the commission referred to by the declaratory act of public utility of said Project;
- envoi en possession, by Decree, of the land beneficiary public person for the realization of the public utility Project;
- fixing by Decree, the list of victims, the amount of compensation due to them and payment terms thereto;
- The management of complaints by the Minister in charge of Lands after consulting the committee referred to by the declaratory act of public utility for the Project.

High grievances are targeted at both the phase prior to the expropriation and the later phase to the involuntary withdrawal of land thus done.

Regarding the phase prior to the expropriation, the complaints generally relate to:

- excess of power demonstrated in the declaration of public interest both in the form (compliance with procedures, etc.) and in substance (general interest invoked);
- Slowness in conducting preliminary inquiries. Under the Act, these investigations can be spread over three (03) years in case of extension of the public interest statement which effects normally expire after two (2) years of its notification to the beneficiary body;
- fanciful identifying of victims of expropriation and beneficiaries of compensation resulting therefrom;
- -standard expertise and partiality of the members of the commission responsible for the survey and whose integrity is sometimes faulted;
- undervaluation of the property in accordance with rates set unilaterally by the expropriating authority and ignoring the reality of the prices on the goods and services markets;
- envoi en possession of the land base of public utility project, followed by the eviction of the victims before the actual payment of compensation and/or the outcome of pending litigation proceedings;
- Cumbersome procedures for the management of post-expropriation litigation which, moreover, does not allow to stop the expropriation or to prevent the effects.

This is the platform to note that, upon publication of the public interest statement and site selection by the committee, all operations and all land developed are suspended, thereby causing, in case of slowness in the expropriation process, the deterioration of the property in question, which ultimately may not be subject to an effective expropriation.

The normative and institutional framework for the complaints management

The normative framework for complaints management arising during the process of involuntary land withdrawal and compensation for victims relates to eminent domain, which must be added the laws and regulations governing the judiciary organization in Cameroon, including:

- Decree № 73/51 of February 10, 1973 on the defence of the State in court, as amended by Decree № 73/648 of October 18, 1973,
- Law № 2006/015 of December 29, 2006 on judicial organization;
- Law Nº 2006/016 of December 29, 2006 establishing the organization and functioning of the Supreme Court;
- Law Nº 2006/017 of December 29, 2006 establishing the organization, powers and operation of the Regional Courts of Accounts;
- Law Nº 2006/022 of December 29, 2006 establishing the organization and functioning of administrative courts.

Specific amicable settlement framework

In order to alleviate the impacts of the Project, the Contracting Authority will promote the setting up of conciliation and monitoring commissions in each common targeted by the Project. These commissions should include representatives of the Mayor or the Sub-Prefect, persons likely to be displaced, a local NGO, a vulnerable group. The conciliation and monitoring commissions will allow any PAP to voice his/her disagreement. They will be responsible for assessing the admissibility of claims and processing them according to the above outlined dispute-settlement procedure. In the event the rightful claimant would be dissatisfied, the latter will be granted the possibility to meet with the contracting authority.

7.2.2 Congo

Types of complaints and conflicts to deal with

Several types of conflicts may arise for Resettlement and this justifies a mechanism to deal with certain complaints. The problems likely to occur are: (i) errors in the identification of PAPs and valuation of assets; (ii) disagreement on plots limits; (li) conflict over the property ownership; (iii) disagreement on the valuation of a plot of land or other property; (iv) successions, divorces and other family problems, resulting in conflicts between heirs or members of the same family, property, or units of a particular property; (v) disagreement on resettlement measures (location of the resettlement site; type of proposed habitat; characteristics of the resettlement land, etc.); (vi) dispute over ownership of a craft / business (owner of the funds and operator are different, hence disputes over the sharing of compensation); (vii) disagreement on unit prices used.

Proposed Mechanism

The following mechanisms are proposed to resolve conflicts that may arise due to the displacement of populations: (i) any person aggrieved by the valuation work / compensation committee must file a motion with the district manager or village head for review in the first instance; then forward it to the village level committee or neighbourhood committee existing in these localities. These committees may in turn send those requests to the town halls of urban communities or sub-prefecture in the absence of compromise between the applicants and the valuation /compensation commission. This remedy (prior appeal) is to encourage and support very strongly; (ii) if the applicant is dissatisfied, he may file a complaint to the competent administrative court.

In summary, the following procedure is proposed in case of conflicts/disputes: (i) Provide additional explanations (explain in detail how the compensation of the expropriated was calculated and show that these rules apply to all PAPs); (ii) Arbitration by the wise and local authorities, using the hierarchical judicial mechanisms currently in force in the District Municipalities (District Manager, Conciliation Commission, Mayor), but also respected individuals in the community (religious and traditional authorities); (iii) resort to court to file a complaint.
Recording of Complaints
In order to mitigate the impacts of the Project, the contracting authority will promote the establishment of conciliation and monitoring commissions in each commune targeted by the Project. These committees should include representatives of the Mayor or the Sub-Prefect, people likely to be displaced, a local NGO and a vulnerable group.

Amicable Settlement
Conciliation and monitoring Commissions will allow any PAP to disagree. They will be responsible for assessing which claims qualifies and process them according to the procedure for resolution of conflict defined above. If the claimant is dissatisfied, he shall be given an opportunity to meet with contracting authority.

Administrative Provisions and Remedy
Remedy is possible in the event of failed amicable settlement. But it is often a risky path. Litigation often requires long delays before a case is handled. This can result in significant cost to the complainant, and requires a complex mechanism (with experts and lawyers) which often can completely escape the complainant and eventually turn against him. Finally, courts are not supposed to hear disputes involving properties owned illegally.

VIII. INSTITUTIONAL FRAMEWORK

8.1 Cameroun
The institutional framework for the implementation of the expropriation for public utility procedure in Cameroon includes several actors, and their role is developed in the summary table below:

<table>
<thead>
<tr>
<th>Institutional players</th>
<th>Roles</th>
</tr>
</thead>
</table>
| Applicant Institution: MINTP | • Formulate to the attention of the Minister of Lands, the request for expropriation on the basis of public interest  
• Develop the Project for which the public interest statement is sought  
• Mobilize funds to support the compensation due to the affected people  
• Ensure the entrustment of appropriations for compensation to given to the affected people  
• Mobilize funds for Project implementation  
• Provide terminals and site perimeter delimitation panels chosen by the commission  
• Take ownership of the expropriated land within the 6 months following notification of the decree of expropriation, this period is reduced to 3 months in a declared emergency |
| The Minister of Domains | • Appraise the utility of the Project and proceed, if necessary, to arbitration for unsuccessful negotiations aiming to purchase private land selected as the base of general interest projects initiated by legal persons of public law other than the State  
• Declare of public utility the community service projected and define the level competencies of the commission in charge of preliminary inquiries for expropriation  
• Develop and submit the expropriation order to the ruling of the expropriating authority  
• Prepare and notify the protestors, the decision of rejection of claims relating to compensation set by decree |
The observation and evaluation committee (subject to set quorum)
- Notify the public interest statement declaring the works contemplated to the prefects and municipal judges concerned
- Get the Prefect to publicize the statement
- Select the land for the Project
- Inform affected people through notices sent to the village rulers and elders and all other legal means, about the day and time of the survey at least thirty (30) days before
- Conduct the survey in all its phases in the presence of the owners of funds and property, the elders and populations
- Address at the behest of the president, invitations to each member at least fifteen (15) days before the date of the committee meeting
- Make decisions by a simple majority of the members present, subject to the quorum rules
- Produce the file from the committee work which shall include:
  - The survey report;
  - The minutes of boundary determination and the plot plan of the selected site;
  - Separate property appraisal statement of the members present;
  - The order naming the commission members.
- Review the claims of the victims of expropriation and submit proposals for solutions to the Minister of Domains

Expropriating authority (President of the Republic or the Prime Minister)
- Sign, publish and notify the expropriation decree resulting in putting into possession within six (6) months of the expropriated land, period reduced to three (3) months in the event of a declared emergency. That decree also set the amount of compensation to victims and designate the authority responsible for taking decisions of entrustment of the corresponding appropriations

The judicial court
- Review the action resulting from the expropriation:
  - Action challenging the amount of compensation
  - Action for rescission of contracts
  - Action for claim and any real action

Conciliation and Monitoring Commissions (representatives of the Mayor or the Sub-Prefect, people likely to be displaced, a local NGO and a vulnerable group)
- Validation of the property identification, assessment and compensation process
- Recording of complaints and claims
- Processing as per the procedure of dispute resolution
- Close monitoring in each district commune

8.2 Congo

The institutional framework for the implementation of the expropriation procedure for public utility in Congo includes several actors; their role is detailed in the summary table below:

<table>
<thead>
<tr>
<th>Institutional actors</th>
<th>Responsibilities</th>
</tr>
</thead>
</table>
| Ministry of Land Reform | Statement of public interest
| | Plot survey commission
| | Coordination/Supervision
| Contracting authority | Mobilization of funding for compensation due to resettlement
| Plot Survey Commission | Valuation of property and people affected in close collaboration with other ministries involved in expropriation (SNDE, Agriculture, Construction, Housing, Land registry)
| Departmental Committee of Expropriations (Treasury, representatives of the General Delegation for Major Works, town halls of urban communities, the Prefecture and the Departmental Council of the Sangha) | Supervision of expropriation and compensation procedures for affected people
| | Submission of activity reports to the Client
| Town halls of Urban Communities | Information and dissemination (RCP)
| Reconciliation and Monitoring Commissions (representatives of the Mayor or the Sub-Prefect, people likely to be displaced, a local NGO, a vulnerable group) | Validation of the identification, valuation and compensation of property process
| | Registration of complaints and claims
| | Processing as per the dispute resolution procedure
| | Close monitoring in each district town
| Consultants in social sciences | Socioeconomic studies
| | Evaluation stage, mid-term and final
IX. ELIGIBILITY

9.3 Eligibility

Eligible people to involuntary displacement are the directly Project Affected People (PAP). The displacement may be due to loss of housing or shelter, land, business, building or structure, or loss of access to income or resource used as a livelihood. Involuntary displacement does not mean exclusively move, but also restrictions on access to resources.

These people, in summarizing the requirements of the Cameroon law and the AfDB policy are those who (i) have the legal rights to land, including customary and traditional rights; (ii) have no legal rights to land by the time of the census but on this land or property the acknowledged right to use or certain claims; (iii) occupy the land, although not having a legal right to them.

The so affected people shall be entitled to compensation, that is to say, they will qualify for the compensatory measures to mitigate that damage. These measures can be compensated according to their occupancy status of the affected area, rehabilitation, relocation compensation, disturbance compensation.

Are also qualified for compensation, beneficiaries of formally identified dead people in the time interval between the time of the census of assets and the distribution of allowances and compensations.

Some landlords or occupants may, for reasons of prolonged absence, not be identified at the census of the Project affected people. In such cases, research will be undertaken in collaboration with local authorities to identify these people, get in touch with them, appraise and compensate their losses.

In terms of land loss, the policy specifies that persons belonging to the first two categories a. and b. above are compensated on lost lands and other assistance in accordance with the policy. As for persons belonging to category c., they are to receive in compensation resettlement assistance and other support if necessary, provided that their occupation is prior to a date determined by the compensation procedures. This means that people who move to the site after this date will not be entitled to receive compensation.

9.3 Deadline

For Phase I of the project, the people affected by the Project activities in the different components received compensation calculated from the date known date for entitlement. The date of eligibility has been determined on the basis of the probable implementation schedule of the sub-project. The deadline was the start date of the census operations to identify households and eligible assets.

Regarding Phase II, the deadline is February 2015 which is the date of the new census of PAPs.
X. LOSS VALUATION AND COMPENSATION

10.1 Loss Evaluation

Cameroon

In accordance with Articles 9, 10 and 11 of Decree No. 87/1872 of December 16, 1987 implementing Law No. 85/09 of July 4, 1985, the evaluation of damages is ensured by the Finding and Evaluation commission, whose members are appointed by prefectural decree if the commission is departmental, by order of the Governor if it is regional, and by order of the Minister of Lands if it is national. This commission, it must be remembered, receives its mandate from the publication of the decree authorizing the use of eminent domain for the proposed work.

Under the provisions of Articles 10 and 11 of the above mentioned decree, the survey is conducted in all its phases under the responsibility of the ad hoc committee and in the presence of the owners of funds and property on the land, as well as the chiefs and elders of the location of the building and of the populations concerned. The value of the property is estimated at the market value as follows:

1- For bare and undeveloped land:

a- In the case of land resulting from customary detention giving rise or not to obtaining a land title, the estimated value may not exceed the official minimum rate of undeveloped public land of the land title locality;

b- In the case of a normal transaction under common law, or acquisition of state land, the estimated value is equal to the purchase price plus various acquisition costs;

c- When it comes to public land assigned for use, the estimated value may not exceed one fifth of the official value of undeveloped public land in the locality.

2- For crops, it is determined according to the schedule established by Decree No. 2003/418 / PM of February 25, 2003 setting the rates of compensation to be awarded to landlord/owner victims of destruction of crops and trees grown for public use. However, under the relevant non-repealed provisions of Order No. 832N.15.1 / MINUH / DOOO of November 20, 1987, the appraisal committees have the widest power of valuation and may award a lump sum taking into account the actual loss suffered by the owner. Based on this, the updated rate schedule shall be as shown below:

<table>
<thead>
<tr>
<th>Types</th>
<th>Palm trees</th>
<th>Coconut trees</th>
<th>Plantain trees</th>
<th>Cocoa trees</th>
<th>Citrus trees</th>
<th>Mango and avocado trees</th>
<th>Sufu and cola nut trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit price (CFAF)</td>
<td>4 000</td>
<td>10 000</td>
<td>1 200</td>
<td>2 000</td>
<td>35 000</td>
<td>35 000</td>
<td>25 000</td>
</tr>
</tbody>
</table>

During the implementation of the compensation plan, the commission in charge of the loss assessment, must take into account the loss of earnings between the replacement and production period for trees so they can earn revenues. In addition, sufficient notification period shall be given to PAPs to enable them to restore their livelihoods and minimizing losses.

3- For constructions and other developments, it is determined by the finding and evaluation commission. The Order No. 832N.15.1 / MINUH / DOOO of November 20, 1987 laying down the bases for calculating the market value of the buildings simply delineated the determination of the value of buildings and other developments.
At the end of the survey, the appraisal statements, clearing the value of the property in question, are submitted to the Minister in charge of Lands, for the high sanction of the President of the Republic, at the behest of Prime Minister, Head the Government.

Under Article 17 of Decree Nº 87/1872 of December 16, 1987 above mentioned, the compensation payable by the expropriating public entity is determined by the Expropriation Decree, that by listing the affected people, also determines public authority responsible for entrustment of the corresponding appropriations.

It seems important to note that under the provisions of Article 9 of Law Nº 66 / LF-4 of June 10, 1966 a resettlement allowance may be granted by the administration in the limit of a quarter of the value of buildings and facilities. Based on this, the updated selected rate schedule shall be the following:

<table>
<thead>
<tr>
<th>Type 1 : Select: Multistory building, villas or apartments built in high-quality and hard finishing material</th>
<th>Over 145 000 F/sq m</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 2 : Standing : Multistory building, villas or apartments built in cozy and hard finishing material</td>
<td>From 90 001 to 145 000 F/sqm</td>
</tr>
<tr>
<td>Type 3 : Standard : Villas or apartments built in off-the-shelf finishing material</td>
<td>From 45 001 to 90 000 F/sqm</td>
</tr>
<tr>
<td>Type 4 : Semi-hard: Buildings built in semi-hard and average finishing materials</td>
<td>From 20 001 to 45 000 F/sqm</td>
</tr>
<tr>
<td>Type 5 : Soft : Buildings built in soft and makeshift finishing material</td>
<td>From 7000 to 20 000 F/sqm</td>
</tr>
</tbody>
</table>

The State shall not compensate for existing tombs because these do not account for property per se but the Government will rather displace the graves affected (exhumation, ancillary burial ceremonies). The MINTP will task a qualified vendor, operating under the auspices of an ad hoc committee, to appraise such local tombs. The costs involved will be borne by the national consideration component.

The relocation of power (AES-SONEL), telephone and water supply utility networks will be performed by approved vendors under the oversight of the management unit and the review mission board (MDC). The funds will be collected from the project national consideration component.

Finally as for the public buildings affected, the project management plans to renovate them in conjunction with the relevant agencies and authorities.

**Congo**

The provisions of the Memorandum Nº 027 / MCUH / DGC of August 22, 2005 fixing the prices values per square meter built in an eminent domain applying only to Brazzaville and its surroundings up to 100 km, this appraisal was made based on estimates of the cost of construction of a dwelling made of perishable local materials in rural areas. Four types of construction characterize the habitat in the villages concerned:

- Precarious construction, consisting of warehouse and small dilapidated structures used as kitchen (Type I);
- Fair type constructions, including mud huts beaten with sticks frame for walls and a cover of plant tiles (Type II);
- Medium type buildings with earthen adobe brick walls and corrugated iron roofing (Type III);
- Improved construction, with walls in breeze block and corrugated iron roofing (Type IV).
Of these four types of construction, type II outnumbers the others, almost 80% of rural housing.

The average cost of construction of these houses is estimated at:
- Precarious constructions (Type I): CFAF 2,000 FCFA square meter;
- Fair constructions (Type II): CFAF 5,000 square meter;
- Average constructions (Type III): CFAF 15,000 square meter;
- Improved constructions (Type IV): CFAF 65,000 square meter.

A Memorandum Nº 027 of August 22, 2005 of the General Directorate of Construction (Ministry of Construction, Urban Planning and Housing) sets the price values per square meter housing in case of expropriation for public utility in Brazzaville and its surroundings on a 100 km radius.

<table>
<thead>
<tr>
<th>Type of construction</th>
<th>Foundation</th>
<th>Wall</th>
<th>Roofing</th>
<th>Equipment</th>
<th>Price value /square meter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precarious</td>
<td>Recyclable material</td>
<td>Ditto</td>
<td>straw</td>
<td>with or without utilities (uncomfortable living conditions)</td>
<td>CFAF 15,000</td>
</tr>
<tr>
<td>Low standing</td>
<td>Earth</td>
<td>Adobe uncoated Clay brick</td>
<td>Sheet metal</td>
<td>water, electricity</td>
<td>CFAF 40,000</td>
</tr>
<tr>
<td>Passable</td>
<td>Earth</td>
<td>Earth adobe brick coated with cement mortar</td>
<td>Galvanized sheet shortwave</td>
<td>water, electricity</td>
<td>CFAF 80,000</td>
</tr>
<tr>
<td>Average standing</td>
<td>Concrete</td>
<td>Cement block</td>
<td>Galvanized sheet shortwave</td>
<td>water, electricity</td>
<td>CFAF 150,000</td>
</tr>
<tr>
<td>Good standing</td>
<td>Concrete</td>
<td>Cement block</td>
<td>water, electricity</td>
<td>CFAF 320,000</td>
<td></td>
</tr>
<tr>
<td>High standing</td>
<td>Concrete</td>
<td>Wall formwork or concrete breeze blocks</td>
<td>Aluminium sheet or tile tray</td>
<td>water tank, water, electricity</td>
<td>380,000</td>
</tr>
</tbody>
</table>


The housing compensation costs were calculated on the basis of: (i) 85% of their surface, corresponding to the type I and II construction at the value of CFA Franc 5,000 the built square meter, on the one hand; (ii) 15% of the surface area equivalent to type III and IV constructions to the amount of CFA franc 45,000 per square meter, on the other.

The first category, construction type I and II, was valued at 38,400 square meters. The second category, constructions type III and IV, scarcely represented in the villages, but rather enough present in Sembé is estimated at 6,800 square meters.

The financial evaluation of the trees was done with baseline, the value of an oil palm 0 to 10 years in accordance with the compensation schedule for the destruction of plants. During the implementation of the compensation plan, the commission in charge of the loss assessment, must take into account the loss of earnings between the replacement and production period for trees so they can earn revenues.

Note that administrative fees, transaction or other fees used to provide the required assistance to the PAPs have not been communicated to the Consultant.

10.2 Compensation Payment
Cameroon

Pursuant to Article 8 (1) of the Act laying down the terms of compensation, the compensation shall be pecuniary principle. However, the expropriating corporation may substitute for similar and equal value compensation.

In terms the monetary compensation, the Order fixing the compensation due to the victims of expropriation also specifies the actual terms of entrustment of matching due and payment of compensation to victims affected by the expropriation decree.

Regarding the substitution of monetary compensation for compensation of the same kind, it is governed by the combined provisions of Articles 8 (2) and 9 of the above referred Law and section 32 of Decree Nº 76/167 of April 24, 1971 laying down the private domain management arrangements which state the following: (i) the land proposed for compensation must first be submitted to the Minister in charge of Lands for fixing its market value; (ii) the land shall, as far as possible, be located in the same municipality that the expropriated land ; (iii) the land allocated for compensation must have the same value as a cash benefit. In case of discrepancy, a cash benefit is paid or payable by the beneficiary of the expropriation.

Under the provisions of Article 4 (2) of Law Nº 85/09 July 04, 1985 on eminent domain and compensation terms, the actual payment of compensation is, in principle, prior to eviction expropriated population.

However, in accordance with Article 4 (3) of that Law, the beneficiary of expropriation may, before the actual payment of compensation, occupy the premises upon publication of the expropriation decree.

As part of this project, based on the experience of Phase 1, the principle of land against land will be applied. In both countries the land availability is not a problem. To this end, the finding of the commission of assessment of losses, will carry out the parcel assessment of agricultural land by indicating precisely (among others) the status of the land and its area. The project could support, through the contractor in carrying out the preparatory works, to prepare for resettlement by clearing and leveling.

11 IDENTIFICATION OF POSSIBLE RESETTLEMENT SITES,) SITE (S) SELECTION, SITE PREPARATION AND RESETTLEMENT

In both countries, resettlement sites to host populations currently living on the right of way are all located near the land that will be abandoned in favour of the project. The units will be rebuilt a few meters off the road, if the topography allows so and without great harm. In the event the topography is problematic, project managers will identify another land; otherwise development operations will be carried out under the said Project.

Resettlement lands are not occupied and managed by mainstream authorities in perfect cooperation with the local government.

Access to the new sites will be facilitated by the right of use and enjoyment recognized to all members of the different villages to settle where everyone wants to build, in so far as the
reception land remains close to the previously occupied one. Private management, strictly individual, does not exist in the traditional modes of land management, particularly building land.

12 HOUSING, SOCIAL INFRASTRUCTURE AND SERVICES

The affected social structure will be rebuilt or rehabilitated by the Project. As part of the social improvement measures, the Project will finance in the communities served by the upgraded road: development of 60 km of rural roads; construction of three multipurpose centres for women; the realization of 60 drinking water wells and 20 market garden wells; provision of 600 kits of farm machinery for women; rehabilitation of six health centres; construction of four storage sheds; construction of two bus stations; rehabilitation of 5 schools and construction of two community radio stations.

13 IMPLEMENTATION SCHEDULE

Compensation for phase 1 has already been made in March 2011 in Cameroon as in Congo. Therefore, what is left to do relates to the compensation for the development of two road accesses in Cameroon and in Congo, which only accounts for about forty households. It should be noted that there will also be a need for driving out the compensated Cameroonian PAPs located along the Mintom-Ntam route and who are still staying there because the work carried out in phase 1 was irrelevant to this perimeter.

The implementation of the compensation plan in Congo and in Cameroon under phase 2 will be done as shown in the table below:

<table>
<thead>
<tr>
<th>N°</th>
<th>Steps</th>
<th>Activities</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Preliminary survey</td>
<td>Identification/Verification of the legitimacy of the owners of the affected property</td>
<td>February 2015</td>
</tr>
<tr>
<td>02</td>
<td>Public interest statement</td>
<td>Information / Public awareness</td>
<td>July 2015</td>
</tr>
<tr>
<td>03</td>
<td>Piecemeal survey, phase 2</td>
<td>- Inventory for each owner of all landed property and real property located onto the right of way and to be impacted -assessment of agricultural land size - Cost calculation</td>
<td>September 2015</td>
</tr>
<tr>
<td>04</td>
<td>Requisitioning of right of way and compensation of affected populations- phase 2</td>
<td>- Compensation payments - Populations eviction - Installation of host site</td>
<td>December 2015 - January 2016</td>
</tr>
<tr>
<td>05</td>
<td>Requisitioning of the entire right of way</td>
<td>Checking evictions</td>
<td>February 2016</td>
</tr>
</tbody>
</table>

14 COSTS AND BUDGET

15.1 Cost and Budget in Cameroon

The budget including all resettlement and local development measures all phases included, costs associated with the implementation and monitoring and evaluation of the operation amounts to CFAF 831, 671, 955 and is detailed in the table below:
<table>
<thead>
<tr>
<th>Nº</th>
<th>Item</th>
<th>CFAF</th>
<th>EUROS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>COMPENSATION</td>
<td>137 684 455</td>
<td>209 280</td>
</tr>
<tr>
<td>A1</td>
<td>Compensation for crops and trees</td>
<td>47 312 550</td>
<td>71 915</td>
</tr>
<tr>
<td>A3</td>
<td>Compensation for houses and various buildings</td>
<td>86 620 671</td>
<td>131 663</td>
</tr>
<tr>
<td>A4</td>
<td>Compensation for socio-community facilities</td>
<td>3 751 234</td>
<td>5 702</td>
</tr>
</tbody>
</table>

**Phase II**

<table>
<thead>
<tr>
<th>B</th>
<th>COMPENSATION</th>
<th>977 500</th>
<th>1 486</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
<td>Compensation for crops and trees</td>
<td>77 500</td>
<td>118</td>
</tr>
<tr>
<td>B2</td>
<td>Compensation for houses and various buildings</td>
<td>900 000</td>
<td>1 368</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C</th>
<th>CONTRACTORSHIP (Phase I and II)</th>
<th>693 010 000</th>
<th>1 053 375</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>Capacity building at municipal level</td>
<td>10 000 000</td>
<td>15 200</td>
</tr>
<tr>
<td>C2</td>
<td>Awareness meeting of DPs</td>
<td>15 000 000</td>
<td>22 800</td>
</tr>
<tr>
<td>C3</td>
<td>Assistance to vulnerable people (NGOs, displacement costs and other)*</td>
<td>30 000 000</td>
<td>45 600</td>
</tr>
<tr>
<td>C4</td>
<td>Cost of the project supervisor for 1 year</td>
<td>30 000 000</td>
<td>45 600</td>
</tr>
<tr>
<td>C5</td>
<td>Facilitation Administration staff, elected officials and chiefs</td>
<td>10 000 000</td>
<td>15 200</td>
</tr>
<tr>
<td>C6</td>
<td>Monitoring of construction, Legal adviser</td>
<td>10 000 000</td>
<td>15 200</td>
</tr>
<tr>
<td>C7</td>
<td>Monitoring Evaluation</td>
<td>10 000 000</td>
<td>15 200</td>
</tr>
<tr>
<td>C8</td>
<td>Related projects (including the fund to support the indigenous people)</td>
<td>578 010 000</td>
<td>878 575</td>
</tr>
</tbody>
</table>

**GRAND TOTAL**  

|     |                                                 | 831 671 955 | 1 264 141 |

### 15.2 Cost and Budget in Congo

The resources required for the implementation of this plan corresponding to Phase 2 are estimated for all allocations on the section Sembé - Ntam and Ntam ramp - Alati, **at hundred and five million four hundred thirty eight and twenty CFAF (105,438,020)** which will be financed on equity by the Congolese state. The final cost of resettlement and budget for compensation plan will be approved after the completion of the preliminary survey and evaluation of every property affected by the final road route.

This budget does not include assistance for people who received compensation in Phase I of the Project or the people who built the site after the cut-off date.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation of huts</td>
<td>35 457 000</td>
</tr>
<tr>
<td>Compensation of graves</td>
<td>630 000</td>
</tr>
<tr>
<td>Compensation of crops</td>
<td>5 911 500</td>
</tr>
<tr>
<td>Compensation provision is10% of the amount</td>
<td>4 199 850</td>
</tr>
<tr>
<td>Monitoring and Evaluation 20%</td>
<td>9 239 670</td>
</tr>
<tr>
<td>Supporting vulnerable populations (including support to indigenous people) + IEC</td>
<td>50 000 000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>105 438 020</strong></td>
</tr>
</tbody>
</table>

### 15 Monitoring-Evaluation

#### 16.1 Monitoring

Monitoring will be conducted through a continuous and periodic rural tracking of the physical implementation of the component "compensation" through the timely collection of systematic information on the implementation, provision of resources, targeted results necessary for
component to have the desired effect and impact. The overall objective of monitoring is to ensure that all PAPs are compensated, relocated and resettled in the shortest possible time and without negative impact. In the worst scenario, the authorities are aware of the need to take the necessary steps to resolve complex and/or specific problems of certain groups of PAPs.

On the specific plan, objectives are:

- Follow-up of the specific situations and problems emerging during the execution, and compliance of the implementation with the objectives and methods defined in the AfDB’s policies, in national regulations and the CPR, and the PAR / PSR.
- Assessment of medium and long-term impacts of resettlement on affected households, their livelihoods, their incomes and economic conditions, the environment, local capacities, habitat, etc.

Monitoring mainly covers the following aspects:

- Social and Economic Monitoring: monitoring the situation of the displaced and resettled people, possible evolution of the land cost in the area of displacement and resettlement, state of the environment and hygiene, restoration of livelihoods, including agriculture, trade and crafts, employment and other activities;
- Monitoring of vulnerable people;
- Monitoring of technical aspects: supervision and control of construction or land development, reception of the technical components of resettlement actions;
- Monitoring of complaints and conflicts processing system;
- Assistance to the restoration of livelihoods: agriculture, commercial and artisanal activities and monitoring of assistance measures possibly implemented in this area.

Indicators
In the follow-up, some general indicators are used, including: (i) Number of households and persons affected due to the project activities; (ii) Number of households and persons physically displaced due to the Project activities; (iii) Number of households compensated by the Project; (iv) Number of households and persons resettled by the Project; (V) Total amount of compensation paid.

These indicators are complemented by socioeconomic indicators, such as: (i) average cash income and average total income (with valuation of self-consumption); (ii) Breakdown of average household expenditures; (iii) Number of fully jobless; (iv) Number of schooled children.

The initial value of these indicators is established from socio-economic surveys included in the census. Subsequently, these surveys are repeated at a rate of once a year, for example, on a sample of about 15 to 20% of displaced households. However, as noted above, the vulnerable people are the subject of specific monitoring. To do this, a specific annual monitoring report for resettlement activities is prepared by the Road Development Project.

16.2 Evaluation
The evaluation has the following objectives: (i) general evaluation of the conformity of the execution with the goals and methods specified under resettlement policy; (ii) evaluation of the compliance between the implementation and national laws and regulations, and with the AfDB’s
policy on involuntary resettlement; (iii) evaluation procedures carried out for compensation, displacement, resettlement; (iv) evaluation of the adequacy of the compensation and resettlement measures to the losses incurred; (V) evaluating the impact of resettlement programs on income, living standards and livelihoods, particularly in relation to the requirement of the AfDB’s policy on involuntary resettlement in terms of maintaining living standards to their previous level and an independent audit; (vi) evaluation of corrective actions which may be necessary as part of the monitoring and evaluation of changes to the strategies and methods used for resettlement.

Monitoring is internal and evaluation is external.