**PROJECT** : RURAL, SEMI-URBAN AND URBAN ELECTRIFICATION PROJECT  
**COUNTRY** : NIGER

### SUMMARY OF THE ABBREVIATED RESETTLEMENT PLAN

<table>
<thead>
<tr>
<th>Project Team</th>
<th>Team Leader</th>
<th>Team Members</th>
</tr>
</thead>
</table>
|              | Dr. S.A. MASRA, Principal Energy Economist | A.B. DIALLO, Chief Electrical Engineer  
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ONEC.3  
ONEC.3  
ORPF.2/MLFO  
ORPF.1 |
|              | 6805 | 1681  
2933  
5828  
7207  
7228 |

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<tr>
<th>Sector Division Manager</th>
<th>Sector Director</th>
<th>Regional Director</th>
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<tbody>
<tr>
<td>Z. AMADOU</td>
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<td>2211</td>
<td>2025</td>
<td>2705</td>
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</table>
SUMMARY OF THE ABBREVIATED RESETTLEMENT PLAN (ARP)

Project Name: RURAL, SEMI-URBAN AND URBAN ELECTRIFICATION PROJECT (PEPERN)
Project Reference No. SAP: P-NE-F00-004
Division: ONEC.1

Country: NIGER
Department: ONEC

INTRODUCTION

At the request of Niger’s authorities, the African Development Bank will support the implementation of the Rural, Semi-urban and Urban Electrification Project (PEPERN) in Niger. From an environmental and social standpoint, the project is classified under Environmental Category 2, considering the nature of works to be undertaken, the scope of the project and its potential direct and indirect effects.

The implementation of the planned works will not only require the procurement of land by direct purchase, but will also disturb the activities of people found on their right of way. In accordance with the African Development Bank’s Involuntary Resettlement Policy, the Niger Government must prepare an Abbreviated Resettlement Plan (ARP) to compensate and resettle project affected persons (PAP). Its objectives are to: (i) minimize as much as possible involuntary displacements; (ii) avoid as much as possible the destruction of properties; and (iii) compensate affected persons to offset the loss of residential land, agricultural land, buildings, facilities and revenue. The RAP is the subject of this summary. It defines the guiding principles and methods for carrying out compensation and resettlement actions targeting project affected persons, and indicates the budget estimates and a tentative schedule for its implementation.

1. PROJECT DESCRIPTION, RATIONAL AND TARGET AREA

1.1 Project Description

The overall goal of PEPERN is to develop access to electricity with a view to improving the living conditions of the population in urban centres and check rural exodus by fostering the creation of better living conditions for rural dwellers. The project has the following components:

<table>
<thead>
<tr>
<th>Project Components</th>
<th>Cost in UA Million</th>
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<tbody>
<tr>
<td>CONSTRUCTION OF ELECTRICAL INFRASTRUCTURE</td>
<td></td>
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<tr>
<td>1. Increase in the generation capacity of the Gorou Banda power plant</td>
<td></td>
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<tr>
<td>2. Construction of MV lines and related distribution sub-stations</td>
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<tr>
<td>3. Extension and strengthening of the electricity network in 24 urban centres, including 16 divisional headquarters and the electrification of villages on the lines’ route, allowing for the connection of 46,000 new households.</td>
<td>43.78</td>
</tr>
<tr>
<td>SECTOR INSTITUTIONAL SUPPORT</td>
<td></td>
</tr>
<tr>
<td>1. Capacity-building for MEP, CNES, ANPER, ARSE and NIGELEC</td>
<td></td>
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<tr>
<td>2. Conduct of feasibility studies for the electrification of 100 rural localities</td>
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<tr>
<td>3. Design of an atlas of renewable energy resources</td>
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<tr>
<td>4. Modernization of teaching equipment at NIGELEC’s Electricity Professional School (EPELEC)</td>
<td>5.22</td>
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<tr>
<td>PROJECT MANAGEMENT</td>
<td></td>
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<tr>
<td>1. Works control and supervision</td>
<td></td>
</tr>
<tr>
<td>2. Project audits (financial, environmental and social, procurement)</td>
<td>4.56</td>
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</table>
1.2 Project Location

This Rural, Semi-urban and Urban Electrification Project in Niger (PEPERN) covers all eight regions of the country. Its implementation seeks to achieve the balanced socio-economic development of these regions. It concerns the following localities: Agadez (Arlit); Diffa (Nguiimi), Dosso (Gaya, Doutchi); Maradi (Madarounfa, Tessoua, Mayahi, Guidan Roundji, Agui and Dakoro); Tahoua (Abalack, Illéla, Bouza, Madaoua, Konni, Malbaza, Keita); Tillabery (Filingue, Tera, Torodi); and Zinder (Mirriah, Magaria, Matameye, Tanout). The beneficiary regions of this project are home to: 3.5 million people in Zinder; 3.4 million in Maradi; 3.3 million in Tahoua; 2.7 million in Tillabery; 2.6 million in Dosso; 1.01 million in Niamey; 591,788 in Diffa; and 481,982 in Agadez. Urbanization is on the rise. The annual urban population growth rate, estimated at 6.2% yearly, is about twice the total population growth rate. The particularity of Niger’s population is its extreme youthfulness (over 45% aged below 20 years) and the slight dominance of females (50.1%). The following 70 localities are concerned:

- **Agadez Region:** Arlit and Tchirozerine;
- **Diffa Region:** Diffa, Maine Soroa and Nguiimi;
- **Dosso Region:** Gaya, Doutchi, Loga, Tibiri, Koré Mairoua, Guecheme, Doumaga, Matankari, Kieche, Lido, Mokko and Kiota;
- **Maradi Region:** Madarounfa, Tessoua, Mayahi, Guidan Roundji, Agui, Dakoro, Dan Issa, Tchadaoua, Gazaoua, Kanembakaché, Tibiri, Jirataoua, Sae Saboua, and Angoual Mata;
- **Tahoua Region:** Abalak, Illela, Bouza, Madaoua, Konni, Malbaza, Keita, Guidan Iddar, Galmi, Tsernaoua, Badaguichiri, Tounaf, Tamask, and Founkoye.
- **Tillabery Region:** Filingue, Tera, Torodi, Kollo, Say, Sakoira, Lossa, Gotheye, Hamdallaye, Ndounga and Karma.
- **Zinder Region:** Mirriah, Magaria, Matameye, Tanout, Kantche, Droum, Takieta, Maimoujia, Sassoumbroum, Dantchiao, Tirmini, Bande and Gogo.
1.3 Project Beneficiaries

The project will benefit 46,000 households. Thus, slightly more than 330,000 people, including about 166,000 women will have access to electricity. At least 190 temporary workers, at least 90 of them women, will benefit from this project’s outputs. Small and medium-sized enterprises, business centres, workshops and processing units (grinding mills) will largely benefit from this electricity network extension. The quality of basic social services in peripheral neighbourhoods and administrative/municipal services in urban, semi-urban and rural localities (education, health, hygiene and sanitation, drinking water) will improve thanks to the availability of modern and more reliable power to run them.

Lastly, NIGELEC is also a direct project beneficiary thanks to extension of its electricity distribution network in the selected localities. Its operational capacity will be reinforced through the training of its workers tasked with network operation/studies as well as through planning, procurement of logistical means and electricity network management apparatus and equipment.

2. IDENTIFICATION OF PROJECT AFFECTED PERSONS (PAPs)

2.1 Potential Project Impacts

2.1.1 Positive Impacts

a) Impacts on Employment and Incomes

The project’s impact at this phase will be felt at the level of the human environment, where mainly the level of employment will be affected. Works will require the recruitment of contractors and workers, which will have a positive impact on employment across the country.

Thus, the project will create jobs in local communities found within the project area, especially semi-skilled and unskilled jobs. In fact, during the construction period, the project is expected to occupy a significant number of workers estimated at several scores for works related to electric lines and construction of kiosk sub-stations.
Apart from these temporary jobs created directly by works, other indirect jobs will be created linked to the logistics necessary for Contractors’ expatriate staff. Furthermore, the higher demand for goods and services will temporarily stimulate the local economy.

b) Impacts on Economic Activities and Local Socio-economic Conditions

PEPRERN Project will reinforce the country’s electricity connectivity. If implemented, the proposed project will supplement the national electricity network, increasing it by about 500 km, including 88 km between the Gorou Banda substation and Makalondi; 117 km between Birni Gaoure and Bumba; about 130 km between the SORAZ sub-station and the town of Tanout; and about 165 km between Dosso sub-station and the town of Gaya to be integrated into the river zone inter-connected network and improve service quality. These lines will help to connect several localities, which will consolidate and facilitate the development of rural electrification.

These impacts will, among other things, produce favourable spin-offs on the economy of villages situated along the project’s area of influence. Indeed, energy security will contribute to: (i) freedom from certain tasks/chores and release of "time" capital which can be turned to good account for income-generating or educative activities through improved access to education and vocational training; (ii) the improvement in women’s productivity and competitiveness in the services sector where they are often better represented than man.

Widespread access to the electricity network will spur the development of small industries, especially rural industries like agro-industry. Furthermore, as pointed out during consultative meetings held in the communities, access to electricity will stimulate economic activities, in particular, in trades like soldering, water pumping, the charging of mobile telephone batteries, the sale of ice blocks through the use of freezers and refrigerators, to name but a few.

During consultative meetings in the communities, there was a clear and perceptible interest in access to electricity. The communities said they were convinced that access to electricity will spur economic activities, in particular in trades like soldering, water pumping, the operation of motorized machines, the charging of mobile telephone batteries, etc. It will also enable them to light up their homes and schools and to watch television.

The extension and strengthening of the electricity distribution network in some urban centres will also stimulate the use of refrigerators to preserve food (meat, fish, dairy products, fruits and vegetables) to be eaten or sold days afterwards. In the long run, these improvements will help to obtain better prices for agricultural produce and higher incomes.

c) Impacts on Quality of Life

The commissioning of the electric lines and strengthening of electricity distribution networks as part of this project will help to potentially connect 132 health centres that had electricity supply problems, particularly for their refrigeration needs to conserve vaccines and other medication, sterilize medical equipment and offer laboratory services. It will be recalled that only 117 of the 249 health centres identified in the project area are actually electrified, corresponding to 47%.

Furthermore, the commissioning of the electric lines is crucial for improving the operation of certain local educational facilities. Note that only 128 out of the 664 schools (at all levels) found in the project area or 19.28% are electrified.
The impact of local electrification can be seen in the reduced workload of women since they will be relieved from daily chores such as pounding cereals thanks to the development of agricultural processing machines like mills, and fetching water from the well. In addition, access to electricity will enable girl-children to go to school, thus reducing their household chores. Lastly, improved access to electricity can also be a means to stimulate and develop new information technologies (Internet).

d) Gender Impact

The implementation of the project will have the following positive impacts on women, girl-children and infants:

i) Access to electricity and use of lighting will help to improve the well-being of at least 163,000 women and girl-children in the project area;

ii) Better access to electricity will also help to improve the quality of basic social services (health, education, drinking water) in their localities which are used much more by women and children. It will help improve the comfort and health of the most vulnerable, especially women and children. Women will have more time to cater for themselves and their families and to devote themselves to education and economic activities.

iii) Enhancing active women’s income-generating activities (IGA), thanks especially to the development of petty businesses and promotion of small-scale agricultural processing activities mostly carried out by women;

iv) Stimulation of local employment during the construction and operational phases through an inclusive recruitment policy. Measures will be taken for at least 15% of unskilled jobs to be reserved for women and girls.

2.1.2 Negative Impacts

a) Impacts of the Loss of Land and Other Properties

Based on census data, the total number of persons impacted by the project, especially the laying of underground lines and construction of the Niamey distribution sub-station, is as follows:

- 1 owner of a 4-m² brick oven for grilling meat;
- 4 owners of straw sheds (Séko) meant for petty trading;
- 1 owner of a sheet iron shed meant for petty trading;
- 1 land owner (unbuilt parcel).

The survey reveals that the average size of affected households is 6.83 persons. In all, 40% of households said that they had below 7 members while 20% had more than 15 members in their household. There is no woman among affected persons.

b) Impacts on Vulnerable Groups

The sites chosen for the installation of kiosk sub-stations in various localities and the passage route of underground cables in Niamey may be spaces occupied by petty businesses (stand
owners, restaurant owners etc.), who will have to be displaced during construction. These activities are generally undertaken by youth and women who are generally classified as vulnerable. The disturbance of these people’s activities could lead to the temporary loss of their customers and put them in a transitional period of uncertainty which could further aggravate their vulnerability. The land survey identified 7 people, including one corporate body, who will be affected by the project due mainly to underground cables and the Niamey distribution substation. The list of affected persons is attached as an annex of the Resettlement Plan.

Since the location of kiosk sub-stations is not yet known, the project will work to minimize impacts by avoiding as much as possible the displacement of persons, ensuring proper management and adequate monitoring of the grant of compensations.

Besides, the worker selection process will give equal opportunity to women and men.

c) Impacts on Customs and Practices

Workers from elsewhere may have cultures different from those of the project areas. Any social and cultural interaction between construction workers and the locals can likely generate negative impacts in terms of the risks of undermining local customs and mores.

d) Gender Impact

The probable negative risks and/or impacts on women, girls and children will be: (i) risks of respiratory diseases to which children are highly exposed (low); (ii) STI/HIV-AIDS risk; (iii) risk of unwanted pregnancies (low); (iv) disturbances during works (low); (v) risk of electrocution which, though preponderant during project implementation, can be mitigated with strong sensitization (low).

2.2 Socio-Economic Situation of PAPs

2.2.1 Characteristics of Project Affected Persons

According to census data, the total number of persons affected by the laying of underground lines and construction of distribution sub-stations is:

- 1 owner of a 4m² brick oven for grilling meat;
- 4 owners of straw sheds (Séko) meant for petty businesses;
- 1 owner of sheet iron shed meant for petty businesses; and
- 1 land owner (unbuilt parcel).

2.2.2 Characteristics of Affected Households

Table 1 below presents information by type of affected structure situated in the right of way of underground lines and the Niamey distribution sub-station.
## Land Profile of Affected Households

During the census of affected persons, a total of 6 persons were identified who have commercial structures in the rights of way of underground lines and the Niamey distribution sub-station. All of them are owners of their structures and 4 of them declared that they acquired their place by municipal authorization. The land owner (unbuilt parcel) holds a land certificate.

## Demographic Profile of Households

The survey reveals that the average size of affected households is 6.83 persons. In all, 40% of households say that they have below 7 members while 20% have over 15 members in their household. There is no woman among the affected persons.

The results reveal that the average age of household heads interviewed is 39.4 years. Also, 7.69% of members of affected households are within the 50-years-and-above age bracket. Furthermore, 0.43% of household members are children aged 0-5 years.

The results also show that 5.1% of household heads are uneducated and 28.6% have the Quranic level. While 28.6% of household heads have the primary level of education, the percentage of those with a secondary level of education is relatively high (14.3%). Technically, level of education can mean an average or high economic level since these people can have regular and relatively well-remunerated wages.

The main economic activity of affected households and most household heads is trading (66.67%) while 33.3% work on a casual basis (independents).

The identified businesses mainly involve selling of various items and slaughtering activities and 100% of the traders are men. In terms of structures in place, there is one traditional oven for the grilling of meat and 4 sheds. All these businesses operate in the informal sector and do not have papers issued by sector authorities concerned. However, all identified persons declared that they regularly paid commercial taxes to the municipality.

### 2.3 Negative Social Impact Mitigation and Improvement Measures

To mitigate negative gender-related impacts and tackle risks, the project intends to pursue the following actions:

(i) Connection of public schools and health centres of the neighbourhoods concerned;

<table>
<thead>
<tr>
<th>Types of Affected Structures</th>
<th>Area of Affected Structures (m²)</th>
<th>Ownership Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Oven/Shed Parcel Terrace</td>
<td>Owner Tenant</td>
</tr>
<tr>
<td>Brick oven for grilling meat</td>
<td>4 0 0</td>
<td>1 0</td>
</tr>
<tr>
<td>Straw shed</td>
<td>4 0 0</td>
<td>1 0</td>
</tr>
<tr>
<td>Straw shed</td>
<td>9 0 0</td>
<td>1 0</td>
</tr>
<tr>
<td>Straw shed</td>
<td>4 0 0</td>
<td>1 0</td>
</tr>
<tr>
<td>Straw shed</td>
<td>4 0 0</td>
<td>1 0</td>
</tr>
<tr>
<td>Sheet iron shed</td>
<td>2 0 0</td>
<td>1 0</td>
</tr>
<tr>
<td>Land (parcel)</td>
<td>0 8174 0</td>
<td>1 0</td>
</tr>
<tr>
<td>Filling station terrace</td>
<td>0 0 180</td>
<td>0 0</td>
</tr>
</tbody>
</table>
(ii) IEC prevention campaign to promote sustainable electricity management (several themes will be developed);

(iii) IEC campaign to prevent STI/HIV/AIDS, early pregnancies and worksite accidents;

(iv) Recruitment of at least 15% of women for unskilled jobs that will be created.

The project envisages the following operational social measures to facilitate and foster the connection of 46,000 new subscribers: (i) All households of the project area are eligible for connection. In that regard, the project will cover the area so that all potential subscribers will have an electric pole nearby for their connection and will not have to pay for additional poles to be installed; (ii) The project will apply a proportional subscription rate of CFAF 42,500, representing 50% of the normal rate (CFAF 85,000) in urban areas and a social flat rate of CFAF 10,000 for rural areas; These conditions will be in force during the project period until the expected 46,000 subscribers are obtained; (iii) New subscribers who cannot pay the full connection charges will have 12 months to do so, subject to an initial payment of 10%; (iv) The project will systematically ensure the connection of schools, health centres, community water pumping stations and public multi-purpose halls working closely with the Ministries concerned and the management committees of these bodies; and (v) The project plans to organize an information, sensitization and marketing campaign to elicit subscribers support for pre-paid metres.

3. COMMUNITY PARTICIPATION AND CONSULTATION

The Niger Government adopted a participatory approach during project design and implementation. The consultative process follows from the necessity to fully involve all stakeholders and particularly the population in needs identification and in monitoring/evaluation of activities for citizen control, knowledge-sharing, participation and social effectiveness. To that end, numerous discussions were held with public service and project officials in the eight regions as well as with village authorities, the populations of the area and project affected persons.

3.1 Consultation of Resource Persons

During this study, the Consultant held discussions with the representatives of structures having links with the project: NIGELEC’s Major Projects Unit; NIGELEC’s Directorate of Studies and Engineering (DEI); the General Directorate of Water and Forestry (DGEF); the General Directorate of the Environment and Sustainable Development (DGEDD); AfDB’s Social Development Specialist; and NIGELEC’s Environmental Officer.

Discussions with these resource persons centred, inter alia, on the issue of access to energy in urban and rural areas, the impact of electrification projects (on health, education, economic activities and natural resources), the unit prices of compensation in case of expropriation, Niger’s environmental and social legislation, the urban master plans of towns concerned by the project, support measures during electrification projects, the methodology for conducting ESIA and ARP, the work methodology for site identification, the need to comply with AfDB requirements regarding the ESIA and ARP reporting structure, the collection of preliminary data for project categorization, etc.

All the resource persons consulted applaud the financing of PEPPERN and eagerly look forward to the effective start-up of this project.
3.2 Meetings of Institutional Actors in the Project Area

Meetings with institutional actors directly or indirectly involved in environmental issues and/or electricity access in the project area were held from 27 May 2016 to 21 June 2016 in the project localities. The specific objectives of these meetings were to:

- Inform in detail the authorities and actors about the project’s content for their active involvement in its implementation,
- Share the project stakes with actors,
- Gather their views, concerns and recommendations for environmental and social aspects to be better reflected in project implementation,
- Collect their opinions, suggestions, expectations and concerns on project implementation to facilitate and optimize their support.

During these meetings, the Consultant presented the PEPERN Project contents. At the end of discussions, the following recommendations were made by the institutional actors met:

- Special attention should be given to identifying and formulating local communities’ needs in terms of electricity access;
- Involve local contractors in the implementation of project activities; and
- Factor in the socio-educative infrastructure of municipalities in the connection programme.

3.3 Public Consultation Meeting

The Consultant’s team held public consultations in towns and villages of the PEPERN project area from 27 May 2016 to 21 June 2016. In the headquarters of communes, these meetings were chaired by a representative of the municipality. Apart from municipal authorities, they were attended by neighbourhood heads, notables and the local population, including women and youth of the project villages. In all, 4,183 persons were met during the public consultations.

The main objective of these collective consultations was to inform and sensitize the population on the project and its stakes. Secondly, it was necessary to obtain the expectations, fears and suggestions of all and sundry on the project.

Thus, after the session chair’s words of welcome and gratitude, the team of experts from “ICA Niger Consultant” succinctly presented the project, putting it in its context. She informed attendees that the project being prepared and to be submitted to the African Development Bank (AfDB) aims to develop electricity access in order to contribute to improving living conditions in urban, semi-urban and rural areas. It concerns the capital Niamey and over 70 urban centres and villages located along the route of liaison lines in different electricity zones of the regions of the country.

In terms of consultation outputs, one notes that virtually all stakeholders adhere to the project and are committed to supporting it. Questions and concerns raised during the consultations had to do with:
The criteria used during consideration of some villages by the electrification project;
- The handling by NIGELEC of the aspect related to ‘sensitization of the population on the use of electricity and its effects’;
- Installation of modern metres to protect the population from fire and electrocution;
- Inspection of electrified villages to avoid overloading the metres through mutualization and parallel connections;

Discussions also revealed that the project has advantages and disadvantages. The population noted the following advantages:
- Improvement of the health status of the population of electrified villages thanks to access to health centres and electricity;
- Accessibility of some villages to national news thanks to the availability of electricity to power television sets;
- Improvement of people’s living conditions;
- Creation of jobs for the youth of riparian villages by Contractors awarded works contracts, thus contributing to poverty reduction;
- All activities of life today are linked to electricity (cold water, security lighting, development of businesses, metalworks for the manufacture of carts and other agricultural tools, etc.);
- The population will be relieved for electricity is an important factor of socio-economic development (business opportunities linked to electrification, for example, the sale of ice blocks)
- People’s expectations on this much-dreamed-about project are high since electrification is a significant factor of development; and
- According to the people met particularly in Diffa Region, the project fosters the development of petty trading, the lighting of their homes and the improvement of security conditions.

In contrast, a few project-related disadvantages were identified:
- Temporary displacement of commercial infrastructure on the right-of-way of underground lines;
- Destruction of vegetation during the laying of lines, particularly those crossing relatively wooded areas;
- Inconveniences due to flying dust and noise linked to the movements of machines during the poles implantation phase and installation of lines; and
- Risk of fire following poor handling and electrocution, especially of children.
The main recommendations of these public consultative meetings are:

- The project should be implemented within a very short time (as soon as possible) to address the problem of access to electricity;
- Each household should be endowed with a metre at a proportional price;
- The population should be sensitized on the dangers and benefits of electric current;
- Youth should be trained to serve as NIGELEC relays whenever the first breakdowns occur;
- Social connections should be implemented;
- An office should be opened and staffed to respond to emergencies;
- A permanent window should be opened in electrified localities to make it easier for subscribers to pay their bills;
- Vulnerable persons and women should have the possibility to settle their bills instalmentally;
- Open a window for the settlement of bills and improve the electronic payment system;
- Prepaid-card metres should be used by women and vulnerable persons;
- Install transformers with commensurate carrying capacity;
- The impacts of opening borrow pits and quarries should be reflected in the environmental clauses submitted to the Contractor;
- The environmental clauses submitted to the Contractor should reflect measures on biological resources in the south zone of Dosso;
- Insert in the Contractor’s contract a clause requiring him to recruit the youth of localities concerned by works;
- The project should be implemented by an independent structure and monitored by NIGELEC;
- the electification committee can serve to follow up and facilitate access to information and data through municipalities;
- Sensitize the population for good collaboration; and
- Support women to learn various electricity-related petty trades (for example: ice, village electric grinding mill, etc).

The consulting firm and NIGELEC’s representatives answered questions and concerns raised during the consultations. With particular attention to past experience in the compensation of other project affected persons, the Consultant felt this should not cause despair in this project. The available regulatory instruments and donor involvement are already grounds for hope, he
added. He also indicated that the Consultant’s mandate provided for the preparation of a resettlement plan for affected persons.

A strong recommendation after analysing various interventions consists in informing and sensitizing all stakeholders (municipalities, village chiefs, especially the local population) on the project stakes.

3.4 ARP Dissemination

After Bank approval, the Contracting Authority will deposit a copy of the ARP in the project regions, prefectures and communes. The ARP will be disseminated by any means deemed appropriate by the Niger Government.

3.5 Complaints/Disputes Management Mechanism

All sorts of complaints and disputes can arise during the resettlement process. These conflicts are often due to errors or omissions in PAP identification and property assessment, suspected injustice in the assessment of compensations, family issues (conflicts among heirs, divorce, succession) about the ownership of a given property, dissatisfaction with resettlement measures, divergencies in ownership titles, etc.

The mechanisms frequently used to resolve likely conflicts consist in: (i) the appropriate information of PAPs through detailed explanations on the resettlement procedure; (ii) the involvement of PAPs from start to end of the process; (iii) recourse to the arbitration of local elected officials; (iv) recourse to the Reconciliation Commission; and (v) recourse to the law courts.

Before the process starts, all PAPs will be informed by their municipalities with support from NIGELEC, of the disputes settlement procedure and avenues for redress. This procedure must be simple, fair and accessible even to illiterate affected persons. A grievances register will be opened by the neighbourhood and district heads concerned to record the grievances of PAPs. Furthermore, municipalities will inform PAPs of the complaint procedure to be followed.

There are different methods of resolving resettlement-related disputes which help to preserve the rights of PAPs. The avenues of redress proposed for the settlement of conflicts during this project are:

An amicable settlement procedure brings in all people of good will to help settle the dispute (opinion leaders, customary chiefs, notables, associations, NGOs and assisted by other institutional actors involved in project implementation).

Amicable settlement consists in listening to complainants, then giving detailed additional explanations on the methods used to assess their compensation and making them to understand that these rules are applied in an equitable and fair manner. This explanatory stage will be followed by a consideration of complaints and discussions, negotiations and arbitration to find a solution to the problem posed. If the solution satisfies the various parties, a report will be prepared and filed.

In the contrary case, the Niger legislation authorizes recourse to the competent law-courts in case of refusal of amicable settlement by the Compensations Committee.

4. EVALUATION AND COMPENSATION FOR LOSSES
4.1 Compensation Principles

The following principles served as basis for calculating compensations.

i. Affected persons are consulted and participated in all stages of the process of preparation and implementation of involuntary resettlement and compensation activities;

ii. All affected persons must be compensated without discrimination as to nationality, ethnicity, culture or social background or gender;

iii. Affected persons must be compensated at replacement cost without depreciation, before they are effectively displaced at the time of expropriation of land and properties found thereon or before the start-up of project works;

iv. Compensation may be in cash or in kind, based on the individual choice of the PAPs; and

v. The compensation and resettlement process must be equitable, transparent and mindful of the human rights of project affected persons.

4.2 Payment of Compensation

The compensation process comprises key stages that are all crucial for the success of expropriation in the public interest. Even if affected persons understand the project’s importance for the future of their area, its acceptance largely depends on the process of compensation offered. The key stages of the process are as follows:

- **Negotiating compensation with PAPs:** This stage consists in presenting to PAPs individually the estimated losses results concerning them and jointly determining whether the compensation is acceptable. The disclosure of estimates must be accompanied by a presentation of calculation assumptions so that affected persons can evaluate the rationale for the compensation offered. The resettlement plan requires that PAPs should be informed of the options offered them. In case they deem that none of the options offered is satisfactory, they have the right to reject the proposed compensation and should be informed of avenues of redress that are open to them.

- **Conclusion of understanding or mediation attempt:** If there is an agreement after negotiations with PAPs, the Committee in charge of compensation will sign a compensation agreement with each person concerned. Since some PAPs may be illiterate, a PAPs representative who can read will, if necessary, be present during the signing. A copy of the agreement will be kept by the two parties and the corresponding section of the PAP monitoring form will be filled and signed by the PAP and the Compensation Committee. On failure to reach agreement, negotiations will continue before a mediator acceptable to both parties. Although not binding, the mediator’s recommendation represents the last option before a dispute is officially registered. Litigatious issues will then be referred to the legal disputes settlement process.

- **Payment of compensation:** When a compensation agreement is concluded, the committee will pay the compensation with diligence. Compensation must be
paid before the affected person loses possession of the property targeted by the agreement or before he/she packs out.

- Implementation of compensation: Compensation must be made before the affected person loses possession of the targeted property.

In order for each PAP to be able to monitor progress of the various compensation stages she/he will have to undertake and for the project monitoring programme to be able to monitor each PAP’s progress through the stages, a form describing the stages to be followed before the final compensation will be paid out to each PAP whether literate or not. These forms will indicate, for instance, the negotiated compensation amount, the date of payment of such compensation and the time each PAP can take possession of compensation offered him on the host sites, etc.

### 4.3 Rules for estimating compensation

The methods of calculating compensation are based on principles governing the assessment of loss at the full replacement cost of the goods lost. Compensation is estimated based on common practices in Niger while complying with AfDB requirements.

- **Compensation for loss of land (parcel):** The land (unbuilt parcel) to be lost will be compensated in cash at its market value.

- **Compensation for loss of private commercial structures:** Compensation here is based on the cost of replacement with a new structure without depreciation, on the same site after the works. Thus, sheds (built with straw or sheet iron) and brick ovens for grilling meat will be compensated at the reconstruction value at the end of works to enable them continue to operate at their site. Regarding the filling station terrace, it will be compensated at reconstruction cost of a new structure based on applicable standards including materials (cement, gravel, water, concrete rods) and labour.

- **Compensation for temporary loss of revenue:** This involves small businesses located on the right-of-way. These types of businesses will receive compensation calculated on the basis of the monthly revenue declared by the proprietor during the census and this is equivalent to one month of activity.

### 4.4 Valuation and Compensation

#### 4.4.1 Compensation for loss of land

For land (unbuilt parcel), the full replacement value is technically the market price for similar land plus transaction costs. Investigation at the level of the main sources of land procurement in Niamey reveals that the per-square-metre cost of land parcels with land certificates ranges from CFAF 10,000 to CFAF 100,000.

It was agreed with PAPs that compensation in cash will be at the replacement value of the targeted parcel at the rate of CFAF 200\(^2\) million for land measuring 8,1742 m\(^2\).

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1 It is accepted that works where these petty businesses are found will not exceed one month
2 The owner is ready to give the price of land only to NIGELEC after a meeting between him/her and NIGELEC
4.4.2 Compensation of private commercial infrastructure

Loss of private commercial infrastructure is brought about by the presence of straw and sheet-iron sheds in the rights-of-way of underground lines and the Niamey distribution sub-station. All these private structures will be compensated, pursuant to the replacement cost principle, by paying the equivalent value in cash. It will be up to each PAP to rebuild the lost infrastructure once works have ended.

The following table presents the unit costs for each type of commercial-purpose infrastructure as well as the detail of calculations. Total compensation for private commercial infrastructure agreed with the owners stands at CFAF 5,270,000.

<table>
<thead>
<tr>
<th>Type of Private Infrastructure</th>
<th>Number</th>
<th>Unit Price (CFAF)</th>
<th>Total Amount (CFAF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>One 2-m² straw shed</td>
<td>1</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>One 9-m² sheet-iron shed</td>
<td>1</td>
<td>30,000</td>
<td>30,000</td>
</tr>
<tr>
<td>4-m² straw shed</td>
<td>2</td>
<td>20,000</td>
<td>40,000</td>
</tr>
<tr>
<td>Brick oven for grilling meat</td>
<td>1</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>Filling station terrace</td>
<td>1 (80ml x 0.8 m = 64m²)</td>
<td>80,000 /m²</td>
<td>5,120,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>5,270,000</td>
</tr>
</tbody>
</table>

The loss of private commercial facilities results in the loss of individual revenue for their owners.

4.4.3 Compensation for the temporary loss of revenue

The census made it possible to estimate the real monthly revenue of 5 petty traders whose activities will be disturbed (reduction of the area of their activities due to the destruction of sheds) or relocated due to right-of-way works to be implemented for two weeks. Average compensation for the equivalent of one-month of revenue or CFAF 75,000, was envisaged to offset these disturbances before the resumption of normal activities. The following table presents the compensation amount for each private commercial infrastructure manager. Total compensations for loss of revenue stand at CFAF 375,000.

<table>
<thead>
<tr>
<th>Type of Persons Concerned</th>
<th>Number</th>
<th>Amount of Monthly Revenue (CFAF)</th>
<th>Period of Disturbance (month)</th>
<th>Total Amount (CFAF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Managers of sheet-iron sheds</td>
<td>1</td>
<td>75,000</td>
<td>1</td>
<td>75,000</td>
</tr>
<tr>
<td>Managers of straw sheds</td>
<td>3</td>
<td>75,000</td>
<td>1</td>
<td>225,000</td>
</tr>
<tr>
<td>Managers of brick ovens for grilling meat (butcher)</td>
<td>1</td>
<td>75,000</td>
<td>1</td>
<td>75,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>375,000</td>
</tr>
</tbody>
</table>
4.4.4 Other Initiatives Aimed at Helping PAPs – Access to Jobs

During construction works, the Project Management Unit at the level of NIGELEC as well as municipal authorities will ensure that PAPs are prioritized for worksite jobs as local unskilled labour. These jobs include but are not limited to the transportation of construction tools right to the sites, as well as activities linked to the digging of trenches and construction of the Niamey distribution sub-station. NIGELEC took the commitment to encourage contractors to favour PAPs for trench digging works. This aspect will be highlighted in bidding documents and contractors will be sensitized in that regard.

5. INSTITUTIONAL RESPONSIBILITIES AND MONITORING-EVALUATION

5.1 Institutional Responsibilities

The project’s institutional framework comprises several institutions, the most involved being: the Ministry of the Environment and Sustainable Development (ME/DD) which has an internal BÉÉÉÉI tasked with environmental and social impact assessment in Niger; the Ministry of Power and Petroleum; the Ministry of Water Management and Sanitation; the Ministry of Public Health; the Ministry of Mines and Industry; the Ministry of Employment, Labour and Social Protection; the Ministry of Community Development and Regional Development; the Ministry of Interior, Public Security, Decentralization and Customary and Religious Affairs; the National Council of the Environment for Sustainable Development (CNEDD); the Electricity Company (NIGELEC); the Niger Council of Energy and Civil Society Organizations, including the Collective of Organizations for the Defence of Energy Rights, the Niger Association of Environmental Impact Assessment Professionals (ANPÉIE) and the National Council of the Environment for Sustainable Development (CNEDD).

Responsibility for ARP implementation and monitoring is that of the Project Management Unit placed inside NIGELEC by delegation of the Ministry of Energy and Petroleum. This management unit will have an Expert Environmentalist and a Social Expert.

5.2 Eligibility

Decree No. 2009-224/PRN/MU/H of 12 August 2009 laying down the terms and conditions for implementing the special provisions of Law No. 61-37 of 24 November 1961 regulating expropriation for reasons of public utility and temporary occupation, as amended and supplemented by Law No. 2008-37 of 10 July 2008 on involuntary population displacement and resettlement provides under Section 17 that "Any affected person recognized as owner pursuant to the laws in force shall be considered eligible for compensation". "However, persons not having any recognizable rights on the built properties they occupy can be eligible for loss of income-generating activities, means of livelihood, ownership of common resources and crops under conditions defined by this decree" (Article 17 paragraph 2).

On that basis, the various PAP categories identified under this project are:

- 1 person owner of a 4-m² brick oven for grilling of meat;
- 3 owners of straw sheds (Séko) meant for petty trading;
- 1 owner of a sheet-iron shed meant for petty trading;
- 1 land owner (unbuilt parcel).
Eligibility Date

Article 18 of Decree No. 2009-224/PRN/MU/H of 12 August 2009 stipulates that "the eligibility cut-off date shall correspond to the period of the census of the population and their properties". Paragraph 2 of the same article states that "Beyond this date, eligibility due to installations and investments in the area of operations shall be authorized by the competent authorities pursuant to the laws in force". This eligibility date references the date of commencement of the identification of persons and assessment of their properties under this project, and after which no new case of affected persons will be considered. It was fixed during a meeting with PAPs. A census of PAPs on the overall rights-of-way of underground lines and the Niamey distribution sub-station was conducted from 23 to 26 June 2016.

Identified affected persons will be entitled to compensation calculated as from the census deadline called date of eligibility for compensation. This period, fixed on 26 June 2016, corresponds to the effective date of completion of census operations aimed at identifying persons and properties found on the different rights-of-way (underground lines and Niamey distribution sub-station).

5.3 Monitoring-Evaluation of ARP

5.3.1 Monitoring of ARP Implementation

Monitoring will deal with the following aspects:

- Social and economic monitoring: monitoring of the situation of displaced and resettled persons; trend of housing costs in both the displacement and resettlement zones;
- Monitoring of vulnerable persons;
- Monitoring of the complaints processing system;
- Assistance for the restoration of livelihood: agriculture, stock breeding, commercial activities, and monitoring of possible assistance measures implemented in this area.

The main RP implementation monitoring indicators are presented in the following table:

<table>
<thead>
<tr>
<th>Monitoring Indicators/Parameters</th>
<th>Type of Data to Be Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation</td>
<td>Number of meetings organized and level of PAP participation</td>
</tr>
<tr>
<td>Negotiation and compensation</td>
<td>Number of assets (lost or compensated in the agreed time frames)</td>
</tr>
<tr>
<td></td>
<td>Number of agreement reports signed</td>
</tr>
<tr>
<td>Resolution of all legitimate grievances</td>
<td>Number of reports of resolutions (agreements)</td>
</tr>
</tbody>
</table>

An annual monitoring report specific to resettlement actions will be prepared by the project management unit.
5.3.2 Assessment

The objectives of the assessment are the following:

- Generally assess the extent to which implementation complied with the objectives and methods specified in the resettlement policy;
- Assess the extent to which implementation complied with the laws and regulations of Niger and with African Development Bank policy;
- Assess implementation procedures for compensation, displacement and resettlement;
- Assess the adequacy of compensations and resettlement measures with losses sustained;
- Assess the impact of resettlement programmes on revenues, living standards, livelihoods and the preservation of living standards at their previous level; and
- Assess corrective actions to be taken possibly during monitoring and assess modifications to be made to resettlement strategies and methods.

Assessment will use internal monitoring documents and materials. To supplement these, the assessors will carry out their own field analysis targeting stakeholders and project affected persons.

Process: Each resettlement programme undertaken as part of the project will be subject to valuation by external auditors having good experience on the issue and, if possible, the specificities of Niger. It is recommended that international auditors should be associated with auditors in Niger. The valuation must be undertaken in two phases:

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

6. SCHEDULE AND BUDGET

6.1 Schedule

The ARP implementation period is estimated at two (2) months, broken down as follows:
6.2 Budget

The total ARP cost is estimated at CFAF **207,740,000 as detailed below:**

<table>
<thead>
<tr>
<th>HEADING</th>
<th>AMOUNT CFAF</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Procurement of land (unbuilt parcel)</td>
<td>200,000,000</td>
</tr>
<tr>
<td>II. Compensation of commercial-purpose goods</td>
<td>5,290,000</td>
</tr>
<tr>
<td>III. Compensation for loss of revenue</td>
<td>950,000</td>
</tr>
<tr>
<td>IV. Monitoring and evaluation of RP implementation</td>
<td>1,500,000</td>
</tr>
<tr>
<td>MEC operating costs and field missions for ARP implementation</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Evaluation of RP implementation (recruitment of Consultant)</td>
<td>500,000</td>
</tr>
<tr>
<td>TOTAL RP COST</td>
<td>207,740,000</td>
</tr>
</tbody>
</table>

PAPs should be compensated before the start of works. The Abbreviated Resettlement Plan will be financed by NIGELEC.

7. REFERENCES AND CONTACTS

7.1 References

Abbreviated Resettlement Plan (ARP), August 2016, ICA Niger

Environmental and Social Impact Assessment (ESIA), September 2016, ICA Niger
7.2 Contacts

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