

<b>Name of Project</b>	: Road Rehabilitation and Transport Facilitation Project on the Lomé-Cinkancé-Ouagadougou Corridor	<b>No.:</b> P-Z1-DB0-085
<b>Country</b>	: Multinational (Burkina Faso and Togo)	
<b>Department</b>	: OITC	<b>Division:</b> OITC-1

## 1. Description of the project and its major environmental and social components

### 1.1 *Project and its environmental and social components*

#### A. Road Rehabilitation:

- **In Togo:** (i) Rehabilitation of the Atakpamé-Blitta road section (102 km) and the Blitta-Aouda link (48 km);
- **In Burkina Faso:** (i) Reconstruction of the Cinkassé Bittou-Koupéla section (150km), development of the Mogandé 3-km connecting road and the 5-km road of network in Tenkodogo;
- **In both countries:** (i) Mitigation of environmental impacts; (ii) Awareness-raising concerning STIs, HIV/AIDS, malaria, road safety and compliance with the axle load requirements; and (iii) works control and supervision.

#### B. Related developments including:

- Construction of access roads **in Togo** (55 km) and reconstruction of the 120 meter-long bridge and its access roads at Alémondji and **in Burkina Faso** (42 km);
- Rehabilitation of social infrastructure;
- Support to women activities by providing intermediate transport facilities and product processing units;
- Support to road safety including construction of rest areas for drivers at Zorgho, Burkina Faso, and the building and equipping of blood transfusion (CTS) units in both countries; and
- Control and supervision of related works.

#### B. Transport and transit facilitation initiatives and measures:

- Support to the Customs data systems of both countries;
- Study for the establishment of public-private partnerships (PPPs);
- Installation of facilities for monitoring goods movement and ensuring radio-communication along the corridor through a PPP;
- Support to the Lomé Port (transfer of the used vehicle park to Adipoké under a PPP), Togo;
- Supply and installation of axle scales in both countries;
- Control and supervision of road transport and transit facilitation works in both countries; and
- Monitoring and evaluation of the impacts of transport facilitation in both countries.

#### D. TRANSPORT SECTOR INSTITUTIONAL SUPPORT

- Study on the rehabilitation of the Lomé-Blitta railway line and a dry port at Blitta, Togo;

- Feasibility study on the dry port of Ouagadougou, Burkina Faso;
- Study on development of sector SMEs in Burkina Faso;
- Detailed design of the Kpuéré-Orodara road (361 km) in Burkina Faso;
- Technical assistance to the Directorate General of Roads of the Ministry of Infrastructure and Access Facilitation (DGR/MID) in Burkina Faso and the Ministry of Transport and Public Works in Togo; and
- Support for the youth job-creation programme.

## **E. PROJECT EXECUTION MANAGEMENT AND MONITORING**

- Monitoring and Evaluation of the project's socio-economic impact;
- Technical, accounting and financial audit;
- Equipment and functioning of executing agencies; and
- Functioning of the Joint Technical Committee (CTM).

### **1.2 Project impact area**

The project area covers five regions in Togo and three in Burkina Faso. The corridor runs from the Port of Lomé to Ouagadougou, thus covering National Road No. 1 in Togo and National Road No. 16 in Burkina Faso. Given the multinational nature of the project, works transport facilitation works and related development will be carried out along the corridor, that is, in five regions of Togo and in the Central, East Central and the Central Plateau regions of Burkina Faso. With regard to road works, the project impact area (PIA) is located in the Plateaux, Central and Kara regions in Togo, as well as the East Central region of Burkina Faso. The populations of these communities which are most affected by the project stand respectively at 1,993,036 inhabitants, including 1,006,402 women in Togo, and 1,223,956 inhabitants, including 649,122 women in Burkina Faso. These populations are composed of women for the most part (51%) and especially young people under 30 (about 70% of the population), hit by unemployment and underemployment.

## **2. Major Environmental and Social Impacts**

### **2.1 The project's positive impacts are:**

- Creation of jobs and incomes for more than 1,000 local workers in Togo and Burkina Faso during the period of execution of the road and related works;
- Improved living conditions for men, women and girls. Women's groups operating along on the asphalted road will be provided with carts and wheelbarrows for transporting agricultural products and water, as part of their daily chores in the family, and equipment for processing agricultural products;
- Women engaged in petty trading along the road will derive significant financial incomes from selling local food and drinks to the site workers. In the Togolese portion where the road runs through 90 localities, women will earn a minimum of CFAF 144 million. This

amount represents the sums spent by the 600 workers at the rate of CFAF 500 per worker for 20 months, with each worker putting in an average of six days per week;

- The operational phase of the project in Togo, as in Burkina Faso, will also contribute to improving the quality and living conditions of the poor, specifically through: (i) creation of permanent jobs (transport operators, other activities induced by the construction of the road and feeder roads); (ii) ease of access to markets for the sale of products at remunerative prices and supply to the area; (iii) access to health care and education as a result of the strengthening of the heritage and improvement of learning conditions for young children; (iv) reduced timeframe for evacuating patients to health centres, and fostering staff redeployment to basic social services in the project area; (v) improvement of schooling conditions for children and teachers' performance stemming from the enhanced traffic conditions; and (vi) development of tourism and handicrafts in the regions crossed by the road and induced activities in terms of accommodation and food. This project will contribute significantly to strengthening sub-regional economic integration between Togo and Burkina Faso and more broadly with other countries of the hinterland (Mali and Niger) for which the Port of Lomé constitutes one of the maritime "gateways to the Sahel" to other continents.

## **2.2. *The negative impacts of the projects are:***

- Displacement, in the Togolese part, of 15 commercial units (sheds, shops, etc.) at the Blitta road junction, to ensure the safety of residents, given the obvious benefit of more significant development of this intersection. These facilities were assessed and their owners identified. A compensation commission will be set up by the Government of Togo to initiate the indemnification procedure, according to the laws and practices in force. An abbreviated resettlement plan has been prepared for this purpose;
- Potential health impacts and the risk of spreading HIV/AIDS in urban areas crossed by the project;
- potential safety issues (accidents related to site management, movement of machinery and road users, handling of explosives on quarry sites, etc.);
- Adverse effects of waste generated by the workers' camp (garbage), maintenance of construction equipment, works-related noise and vibration;
- Loss of regenerating vegetation due to the right-of-way required for efficient works management;
- Consumption of natural spaces due to the working of borrow areas and quarry deposits, landscape alteration and soil erosion; and
- Increased pressure on natural resources of the area as a result of firewood and charcoal exploitation.

## **3. *Enhancement and Mitigation Programme***

### **3.1. *Major measures for enhancing the positive impacts***

- Raising awareness among workers concerning rural savings with microfinance institutions, to encourage the investment of their earnings in income-generating activities;

- Adoption, as much as possible, of the labour-intensive approach in works execution; and
- Raising public awareness of the need to diversify revenue sources.

### 3.2. *Major measures for mitigating the negative impacts*

- Compensation of persons whose facilities will be displaced at the Blitta road junction. The owners of the structures concerned will move back between 40 to 60 m from the road right-of-way, given that there are no land constraints in the project area and particularly at the Blitta road junction.
- IEC and voluntary testing activities as part of the effort to combat the spread of STIs and HIV/AIDS, road safety measures through informal discussions, and the use of signs along the road.
- Compensatory planting, in the Togolese portion, of 102 acres on hillsides and erosion-prone areas, as well as on 69 rehabilitated borrow pits and rehabilitated quarries, planting of alignment trees at the entrance and exit of the cities of Atakpamé, Blitta (road junction), Sotouboua, Sokodé Bafilo and Kara to produce shade for the benefit of cyclists and pedestrians and to beautify the landscape and contribute to carbon sequestration. Thus, more than 111,000 seedlings will be planted, including 63,750 for compensatory reforestation, 45,000 for laterite borrow pits and 2,400 for alignment. In the Burkina Faso section, reforestation (150 hectares planted with local species) and alignment planting (4,300 trees) will be carried out along the 21.5-km road. It is recommended to plant alignment trees at the entrance and exit of major cities such as Koupéla, Liguidi-Malguem, Kampayargo, Lioulgou, Tenkodogo, Bitou, Cinkansé and Mogandé: 4,300 *Khaya senegalensis* (*Caïlcédrat*).
- Adoption of safety mechanisms as part of the road development effort: signposting, speed bumps crash barriers in mountainous areas in the Alédjo region, development of the Blitta road junction.
- Restoration of borrow pits, quarry sites, watering of tracks in the dry season, equipment for the management of various forms of nuisance by the contractors.
- Other additional measures reflecting from the outset the need to address the environmental and social concerns of the project include the effective integration of environmental clauses in tender documents and implementation report and guarantee documents.

## 4. **Climate Change**

Climate change is taken into account in the project design as evidenced in the weatherproofing of the road and the scaling of the hydraulic structures in accordance with the volume of rainfall in the project area as well as return periods for highest flow. Moreover, as part of the road works, the following measures that were earlier mentioned will help curb the effects of climatic warming:

- regeneration of the borrow pits of the road and related feeder roads through systematic tree-planting and re-vegetation; and
  - planting of trees on both sides of the road at the entrances and exits of major built-up areas.
- Lastly, there are plans for the reforestation of about a hundred hectares of hillside and erosion-prone areas, as well as for the restoration of borrows pits. All these re-vegetation initiatives will contribute to the sequestration of carbon, the main greenhouse gas emitted by transport activities.

## **5. Environmental Monitoring Programme and Complementary Initiative**

An environmental monitoring programme has been drawn up, including surveillance, by the contractors and the project owner, in respect of the activities falling within their respective areas of responsibility. A summary table of this mitigative programme is provided at the end of this document.

In order to strengthen the positive impacts of the project, as far as the economic empowerment of women is concerned, the following measures were taken: (i) construction and rehabilitation of four centres for the promotion of women (CPFs) along the corridor. These reference centres will help build women's capacity through training sessions and targeted IEC activities carried out by United Nations Population Fund (UNPF) in the promotion of reproductive health, including the prevention of HIV/AIDS, gender-based violence; (ii) installation of information kiosks dealing with inter-state transit-related issues for target population groups such as women and transporters along the corridor. Special emphasis will be placed on the availability and dissemination of information on cross-border trade aimed at enabling female traders to cross the border more systematically without being subjected to violence or harassment; (iii) construction of equipped stalls for women traders in Anié Market so as to improve women's income levels; and (iv) provision of intermediary transport facilities and small equipment for processing agricultural products for women's associations in the project area in Burkina Faso, thereby making women's chores less tedious and boosting their productivity. To mitigate the possible impact of increased traffic in the corridor in terms of the spread of HIV/AIDS and other STDs and an increase in road accidents in the area, the project provides for the conduct of awareness campaigns concerning environmental protection, road safety, HIV/AIDS and STDs, as well as compliance with the axle load requirements.

Given the scale of youth unemployment in both countries, this project was proposed as a pilot joint initiative of the African Union (AU), the African Development Bank (AfDB), the Economic Commission for Africa (ECA) and the International Labour Organization (ILO) for promoting youth-oriented job creation in Africa. Project support within this framework is aligned with national employment promotion strategies, particularly in the construction sector which absorbs a substantial portion of the investment budgets of both countries. This sector should therefore participate effectively in achieving the objectives of the initiative. Project support for this initiative will be provided by: (i) including incentives for the use of local labour in the bidding documents for the works; (ii) including in the procurement arrangements for project-related works, for which the total allocation amounts to CFAF 4.8 billion, contracts of a size that enables local SMEs to participate in the bidding process; (iii) covering the cost of practical training to the tune of CFAF 1.65 billion aimed at increasing the job readiness of youth and women in road maintenance through "site schools"; and (iv) carrying out, for a total of CFAF 3.60 billion, labour-intensive works such as the construction of a 5.5- km network of paved roads in Tenkodogo and the Anié Market access road. To ensure the sustainability of jobs and the integration of the young people to be trained, it is agreed that the Road Funds will make provision, in their annual road maintenance programmes, for contracts to be signed with youth and women's associations for the performance of non-mechanized routine maintenance works.

## **6. Institutional Arrangements and Capacity Building Needs**

The Bank, the Republic of Togo, represented by the Ministry of Public Works, and Burkina Faso, represented by the Ministry of Infrastructure and Access Improvement, have a joint responsibility to ensure that environmental and social measures are included in the bidding documents, the criteria for selecting enterprises, the periodic project implementation reports and guarantee documents.

Enterprises working on different sections of road are responsible for overall compliance with their commitments vis-à-vis the borrower in terms of the quality of field work, timeliness, production of the required documents, implementation of environmental and social measures, etc.

The Togolese Government is responsible for the displacement of the commercial and social facilities at the Blitta road junction and the compensation of persons thus affected, in accordance with the laws and regulations in force and the relevant Bank policy.

## **7. Public Consultations and Information Dissemination Requirements**

The ESIA was conducted on the basis of a participatory approach involving on-site visits and the use of basic documents as well as on interviews with technical services, economic operators, socio-professional groups, local populations, administrative and traditional authorities and area representatives. This approach made it possible to: (i) enrich the project and move it forward taking into account the concerns of all stakeholders; (ii) encourage the involvement of local residents in the project design; and (iii) create an atmosphere of trust and cooperation in which an objective approach prevails.

When updating the studies in both countries and during the Bank's preparation and appraisal missions, participatory meetings were held in Lomé and Ouagadougou as well as in the regions crossed by the road, in an effort to take into account the needs and concerns of beneficiaries. All these meetings helped to: (i) collect available information and data; and (ii) define the project components based on the needs, strategies and priorities. During the project execution, this collaboration will continue, especially for the implementation of facilitation measures and related development works, the development of training programmes for youth and women under the national job creation programmes and validating the reports on various studies.

The consultations sessions held with village communities concerned by the IEC activities dealt with HIV/AIDS control, road safety and environmental protection, as well as reforestation, the levelling of borrow sites and displacement of commercial/social structures at the Blitta road junction. It is essential to hold consultations with village entities representing local communities, with a view to compensatory planting and the planting of alignment trees. Adopting a participatory approach for these reforestation activities is essential for ensuring protection against fires and grazing

The ESMP summary for the Togolese portion of the road was published in 2011 (<http://www.afdb.org/fileadmin/uploads/afdb/Documents/Environmental-and-Social-Assessments/Togo%20-%20EIES%20-%20R%C3%A9habilitation%20de%20la%20route%20Atakpame-Blitta-Sokode-Kara.pdf>). Since the new project is part of a multinational operation, its summary reflecting the update has been published on the Bank's website.

## **8. Cost Estimates**

The overall costs of the recommended environmental measures stand at CFAF 1,802,569,550, of which CFAF 1,238,470,450 is earmarked for the Togolese portion and CFAF 564,100,000 for the Burkinabe portion. The ESMP cost estimates include environmental measures relating to IEC activities on HIV/AIDS, road safety, environmental protection, restoration of borrow pits, planting of alignment trees and compensatory vegetation activities for rehabilitating social infrastructure and supporting women's organisations, as well as measures aimed at building the capacity of ESMP stakeholders and monitoring the implementation of the ESMP. The details of

the ESMP implementation costs in each part and by type of measures are presented in the following tables.

**Table 1**  
**Cost of ESMP measures and complementary initiatives in Togo**

<b>ESMP Measures</b>	<b>Costs (CFAF)</b>
IEC activities and HIV/AIDS testing	70,060,000
Road safety awareness campaign	50,500,000
Environmental protection awareness campaign	20,500,000
Support to women's association of the project impact area	62,150,000
ESMP monitoring activities	17,200,000
Building of the capacity of ESMP stakeholders	59,600,000
Planting of alignment at the entrance and exit of six localities	7,830,000
Compensatory planting	68,462,600
Restoration of borrow areas and massive rock quarries	196,343,750
Rehabilitation and construction of social and commercial infrastructure	677,773,200
Cost of compensation for the displacement of equipment from the Blitta road junction	8,050,000
<b>Total ESMP measures and support/rehabilitation activities in Togo</b>	<b>1,238,470,450</b>

**Table 2**  
**Costs of ESMP measures and complementary initiatives in Burkina Faso**

<b>ESMP Measures</b>	<b>Costs (CFAF)</b>
Prevention measures (IEC, HIV/AIDS, safety and environment)	70,000,000
Road safety awareness campaign	50,500,000
Environmental protection awareness campaign	20,500,000
Mitigation measures (dyke for protecting plants from water and planting of alignment)	60,800,000
Measures for building the capacity of ESMP stakeholders	18,900,000
ESMP monitoring / evaluation	7,400,000
Compensatory measures (borrow areas and compensatory planting)	91,000,000
Procurement of transport and processing equipment for women's associations	245,000,000
<b>Total ESMP measures in Burkina Faso</b>	<b>564,100,000</b>

## **9. Implementation Schedule and Report Production**

Mitigation/enhancement measures will be implemented right from the start-up of the project, beginning with awareness workshops for the stakeholders of the project and its ESMP in both Togo and Burkina Faso. The safety and sanitation provisions will be implemented on a daily basis, while the borrow areas and quarry sites will be rehabilitated at the end of works. Quarterly ESMP implementation reports will be prepared simultaneously with the technical implementation reports.

In light of the study, it is evident that the Road Rehabilitation and Transport Facilitation Project on the Lomé-Cinkancé-Ouagadougou Corridor has positive socio-economic impacts on the populations of the project intervention areas, Togo, Burkina Faso and the West African sub-region. It also has negative impacts that can be curbed through implementation of appropriate measures. The project falls under category II of the ADB environmental categorisation in force.

Review of Mitigation Measures and their related Charter of Responsibility					
Phase	Negative Impact	Proposed Measures	Implementation Period	Monitoring and Supervision Indicators	Monitoring Authority
<b>Responsible for Monitoring Before the construction works</b>	Displacement of commercial facilities at the Blitta road junction	Compensation of affected persons at least one month before the start-up of works	Before the start-up of works	Evidence of adequate payment of the populations; Satisfaction of PAPs	<b>DGTP+MDC+ City Councils</b>
Construction works	Lack of environmental awareness among workers and enterprises	Recruitment of an environmental/safety expert during the construction works	Before the start-up of works	Presence on the worksite	DGTP+DGR + MDC
	Damage of sites of ecological or cultural interest	Conduct of surveys prior to the choice of sites for use by the enterprise (choice of sites for the implantation of workers' camp, equipment park, crushing stations)	Before the start-up of works	Survey form (form per site)	DGTP+DGR+ MDC
	Dust emission and handling of risky products	Supply to workers of safety and protection gear (gloves, masks, fluorescent outfit and helmets)	Start and during the works	Level of equipping of workers on the worksite	CSEP + Control Bureau
	Risk of VIH AIDS contamination stemming from intermingling with outsiders	Raising f workers' awareness of the issue of STD and HIV/AIDS (monthly doctor consultation and distribution of condoms)	Start and during the works	Number of doctor consultations and condom distribution operations	CSEP + Control Bureau
	Risk of accident at the worksite	Setting up a worksite dispensary at the workers' camp	Before the start-up of works	Equipment for the infirmary	CSEP + MDC
	Water and soil contamination by solid waste and negative impact on the landscape	Solid waste management equipment at the workers' camp (dustbins, tippers, etc.)	Start and during the works	Number of dustbins, emptying rate, frequency of recovery	CSEP + Control Bureau
	Soil pollution by waste oils and hydrocarbons during maintenance of equipment	Providing the equipment pool with a settling basin for wash water from the equipment Providing the equipment pool with a concrete platform equipped with a device for collecting leaking fluids from fuel tanks and drainage operations	Before the start-up of works	Presence of the basin and number of drainage and cleaning operations. Presence of the platform and of traces of oil or hydrocarbon pollution	CSEP + Control Bureau
	Disruption of current traffic	Installation of a signposting indicating the temporary deviation of day and night traffic and fluorescent strips demarcating the work areas	Start and during the works	Number of deviations, equipment at risky bends	CSEP + Control Bureau
	Dust emission during transportation of materials	Provision of trucks transporting loose materials with tarpaulins to cover the tippers.	During the works	Number of trucks with tarpaulin	CSEP + Control Bureau
	Dust emissions during earth-moving operations	Systematic watering of feeder roads used for transporting materials, work areas and crushing sites in order to reduce dust emissions	During the works	Linear miles or kilometres of road watered	CSEP + Control Bureau
	Erosion, water stagnation, disruption of the landscape	Restoration of massive rock quarries, including possible reforestation of affected sites. Rehabilitation of borrow areas (slope correction, transporting and spreading topsoil, re-vegetation)	During and at the end of works	Number of sites rehabilitated	DGTP+DGR + CSEP + MDC
Exploitation	Increase in speed with the attendant risk of accidents in built-up areas	Fence in durable material for schools along the road	During and at the end of works	Linear metres of fence built	DGTP+DGR+ CSEP + MDC
		warning signals at the entrance of villages on the road under construction	During and at the end of works	Number of warning signs put up	DGTP + CSEP + MDC
	Disruption of access due to the raising of the road platform	Construction of stairs and slabs at bridges (*)	During and at the end of works	Number of accesses restored	MININFRA + CSEP + MDC
		Covering of gutters in built-up areas or on access tracks with slabs	During and at the end of works	Number of restored accesses	MININFRA + CSEP + MDC

**SUMMARY OF ABBREVIATED RESETTLEMENT ACTION PLAN****1. Main Features of Project Intervention Area in Togo**

The project impact area in Togo is located in the Plateaux, Central and Kara regions of central Togo. The road runs through these three regions, six prefectures and 90 localities. These regions are characterized by significant economic potential: agriculture, livestock, trade, tourism and agro-industry hold out promising development opportunities for the entire country. The road is a strategic axis for strengthening exchanges not only between the three regions and the rest of Togo, but also between Togo and countries of the hinterland (Burkina, Mali and Niger).

The six prefectures crossed by the road have a population of 706,700 inhabitants, while the overall population of the three regions is approximately 2,408,296, or about 43% of the country's total population. The main features of the population of the project area are its strong rurality (over 74%), the high proportion of young people with about 60% under 24 years of age. The poverty line is CFAF 154,853, CFAF 179,813 and CFAF 155,026 for the Plateaux, Central and Kara regions respectively, compared with a national average of CFAF 242,094 F. The incidence of poverty is estimated at 61.7%, that is, nearly 3,242,257 persons, in 535,486 households.

**2. Organizational Responsibility****2.1. Institutional arrangements**

The main institutions involved in the project in Togo are the Ministry of Public Works (MTP), the Ministry of the Environment and Forest Resources (MERF) and the Ministry of the Economy and Finance (MEF). The Ministry of Public Works, through the Directorate General for Public Works (DGTP), in its capacity as the project owner, and its Studies Planning and Monitoring department (DPES), includes the Environmental and Social Impact Assessment Unit, responsible for ensuring the development and implementation of the Environmental and Social Management Plan (ESMP) and the Resettlement Action Plan (RAP). This Unit is tasked with: (i) coordinating and monitoring environmental guidelines; (ii) centralizing information on environmental and social issues related to road projects; and (iii) liaising works enterprises with the various services that can provide technical solutions for environmental impact mitigation. The MERF is responsible for activities relating to the environment and the protection of nature, strategic environmental assessment and the issuance of the environmental compliance certificate. The involvement of the Ministry of the Economy and Finance (MEF) consists in participating in the Resettlement Action Plan Commission (RAPC) and releasing the funds required for compensation of project-affected persons.

**2.2. Capacity building**

Given the limited number and the essentially precarious nature of the facilities to be moved, it is not necessary to mobilize a range of experts for the activity. However, the assistance of a lawyer could be sought to defend Government interests in any court disputes, as well as a bailiff to the record the release of the areas concerned. The occupants have no particular title of ownership.

### **2.3. Institutional responsibilities**

The above-mentioned three ministries will form the Resettlement Action Plan Commission (RAPC) which will proceed with the assessment and award of compensation to persons whose facilities will be displaced. The participatory approach is institutionalized in the regulatory framework of Order No. 018/MERF of 9 October 2006 laying down the modalities and procedures for public information on and participation in the environmental impact assessment process. The process provides for on-the-spot consultation of documents relating to the project as well as a briefing session on the project by the promoter, followed by an exchange.

### **3. Public Consultation**

The project-affected persons (PAPs) were also consulted in October 2011 and February 2012. At each of the meetings held, the contents of the project and its economic, social, and environmental implications were presented, as well as the reasons for displacement. The PAP's opinions were also taken into account in the project design.

The consultation process will continue throughout the project cycle. Consultations will be held at various levels and with all PAP groups. For all PAPs, consultations will continue after the payment of compensation and/or assistance through the project monitoring and evaluation mechanism. This will help ensure that the livelihoods of the PAPs have been improved or restored at least to their pre-project levels.

### **3. Project-Affected Persons (PAPs)**

The following general principles served as the basis for determining compensation:

- The displacement of the project-affected persons qualifies as involuntary displacement and as such should be carried out in compliance with the Togolese regulation in force;
- In case the Togolese regulation is not in their favour, the relevant ADB provisions will be applied if they are more favourable;
- All affected persons should be compensated, regardless of their nationality, ethnicity, cultural or social status or gender, insofar as these factors do not exacerbate their vulnerability nor justify enhanced support measures;
- Affected persons should be compensated for the replacement cost exclusive of depreciation, prior to the start-up of the project works; and
- The compensation process should be fair, transparent and respectful of the human rights project-affected persons.

### **4.1. Socioeconomic data**

#### **4.1.1 Census of project-affected persons**

The project-affected persons affected were identified in the census and consultations conducted by the consultant on 14 and 17 October 2010 at the Blitta road junction. A total of 14 owners or managers have been identified. The list of persons concerned and facilities to be moved are in Annex.

#### 4.1.2 *Facilities to be moved*

The structures to be moved comprise:

- i. Stores, booths and sheds used for informal trade: selling of clothing, retail of fuel, coffee, etc., or craft activity (two-wheeled mechanical structure), or for storage (bags of corn). There is only one unit of significant “value” - a prefabricated structure used as *Bière du Bénin* (BB) depot; and
- ii. Structures for social purposes: a shed that serves as an office for “Zémidjan” (motorcycle taxis) or Blitta transporters’ union, and a mosque. These are all makeshift facilities.

The following pictures give a clear idea of the type of facilities concerned.



View of the Blitta road junction

#### 4.1.3 *Integration with host communities*

Project-affected persons will have the possibility of remaining within the immediate vicinity of the Blitta road junction to carry out their activities, but they have to move at least 40 metres away from the roadway and in future comply with the official limits of the road’s the right-of-way.

### 5. **Legal Framework and Dispute Resolution and Redress Mechanisms**

#### 5.1. *Land tenure system and Togolese regulation on expropriation*

The Togolese regulatory framework on expropriation in the public interest stipulates that only holders of a title deed to landed property may receive compensation. Also, the decree of 1 September 1945 lays emphasis on a procedure that comprises the following steps: (i) declaration in the public interest; (ii) public inquiry known as “commodo/incommodo”; (iii) the transferability order indicating the properties to be expropriated; (iv) publication of the order; (v) amicable transfer or referral to the courts; (vi) disclosure of the rights of those absent or in opposition; (vii) expropriation judgement and fixing of the compensation; (viii) payment of compensation to the beneficiaries; and (ix) possession of the property. These are the steps followed by this project.

The land tenure law - comprising Law No. 60–26 of 5 May 1960 on the protection of landed property rights of Togolese citizens, as supplemented by Law No. 61–2 of 11 January 1961, and reinforced by Ordinance No. 12 of 6 February 1974 - regulates land tenure and State land regimes in Togo. It is now considered the reference instrument on land issues.

**5.2. Procedural mechanism outside Decree of 1 September 1945**

For compensation that is not subject to any legal framework in Togo (precarious occupants without legal title, the provisions of the Bank's guidelines help to minimize the number of complaints and appeals. The mechanism applicable in this case is the following: (i) initially, the compensation agreement certificate is subject to the signature of the project-affected person; (ii) if an agreement is reached, the compensation agreement certificate is signed and introduced into the system for other signatures and the preparation of payment documents; (iii) in the event of disagreement, a negotiation is initiated with the RAPC until an outcome acceptable to both parties is achieved, possibly with the assistance of a third-party expert; and (iv) in case of failure of the negotiation, the appeal will be dealt with by traditional chiefs or area representatives.

**5.3 Dispute settlement procedure**

In order to minimise as much as possible potential conflicts concerning land expropriation, consultations were held at project design. However, a Dispute Settlement Committee will be set up for the amicable settlement of issues related to compensation and income restoration under the project. This Committee will comprise representatives of the Ministry responsible for infrastructure, local authorities, PAPs, etc. Any PAP that is not satisfied with the amount of compensation or assistance awarded may request redress through the Dispute Settlement Committee. If the PAP is still not satisfied, he/she may request compensation through the judicial channel.

**6. Institutional Framework**

The following ministries and local institutions will make up a Resettlement Action Plan Commission (RAPC):

- Ministry of Public Works and Transport 1 representative
- Ministry of the Environment and Forestry Resources 1 representative
- Ministry of the Economy and Finance 1 representative
- Special Delegation of Blitta Commune 1 representative
- Central Regional Directorate of Public Works (TP) 1 representative.

As the delegated project owner, the Directorate General of Public Works (DGTP) will be responsible for RAP. The RAPC will be housed in the DGTP premises.

**7. Eligibility**

**7.1. Eligibility criteria for affected persons**

Togolese legislation recognizes modern law and customary law. All project-affected persons shall be considered eligible for the prescribed compensation, provided they are owners (legal or customary) and were listed as being within the project's right-of-way. This provision is not inconsistent with the Bank guidelines on the matter.

For its part, the Bank's policy on involuntary resettlement of populations states the eligibility criteria as follows: (i) persons with formal legal rights to the land or to other property recognized under the country's laws; and (ii) persons with no formal legal rights to the land or other property at the time of the census, but who can prove their rights under the country's customary laws.

## **7.2. Eligibility date**

The Eligibility deadline corresponds to the end of the period of census of project-affected persons and of their activity and property at the Blitta road junction. A joint order of the Ministries involved in the Resettlement Action Plan Commission (RAPC) will publish the list of persons eligible for compensation and the amounts.

## **8. Assessment and Award of Compensation for Losses**

### **8.1. Compensation estimates**

Compensation estimates will be based on Togolese practices and the principles adopted during public consultations, while complying with the requirements of Bank procedures. The compensation is for the loss of commercial structures: the owner of each affected structure will receive cash compensation of an amount corresponding to the cost of reconstruction of the structure, calculated at the market price, exclusive of depreciation. Additionally, persons who so desire will be authorized to remove their installations in order to retrieve materials that are still reusable.

### **8.2. Compensation procedure**

Once the affected persons and the RAP Commission (RAPC) reach an agreement concerning the compensation amounts, the Ministry of Finance will proceed with the payments, through the relevant financial services at Sokodé or Blitta.

## **9. Compensation Costs and Budget**

The compensation amount is evaluated at about CFAF 7,000,000. A sum of CFAF 1,000,000 will be required for the functioning of the RAPC: cost of fuel for field missions, members' mission allowances and sundry minor expenses. The overall cost of the RAPC therefore stands at CFAF 8,000,000. It shall be borne by the Togolese State.

## **10. Implementation Schedule and Monitoring-Evaluation**

Internal monitoring will be aimed mainly at determining whether the implementation of the RAP is in line with the approved plan. It will involve: (i) consideration of the implementation process, in light of the envisaged schedule and budget; and (ii) evaluation of the performance of disbursements for compensation of PAPs. The RAP implementation will be evaluated on a regular basis by the DGTP (Table 3), to ascertain that compensation and assistance activities are conducted in compliance with the RAP. The evaluation will be carried out in collaboration with the Ministry of the Environment following the schedule and principles of this RAP.

External monitoring and evaluation will mainly consist in establishing whether the overall objectives of the RAP have been achieved. Consequently, it will focus on the post-resettlement period. This activity will therefore seek to establish whether, after the execution of the resettlement, the living standards of the affected persons have been improved and their livelihoods sustainably restored and maintained. It is then that the efficiency, effectiveness, impact and overall viability of the RAP will be measured. The project promoter in each country will be responsible for the external monitoring, in collaboration with funding agencies and traditional leaders. The study must be conducted annually for at least two years. It will use a number of indicators to measure performance, impacts and outcomes of operations for compensation and resettlement. These indicators aim to measure the physical and socio-economic status of the project-affected persons, in order to know and direct their social welfare.

**Table 3**  
**Roles in monitoring**

<b>Stakeholders</b>	<b>Role</b>
DGTP	Lead coordinating institution in responsible for the internal and external evaluation of the RAP implementation monitoring in each country.
DDC	Raising awareness for effective involvement of PAPs. Periodic monitoring of RAP impacts and the project-induced development.
Lands Department	Regular monitoring to ensure that the approved amount of compensation is paid.
Ministry of the Environment	Regular monitoring of the implementation of the RAP and its environmental impacts, if any.
Local Authorities	Periodic monitoring of RAP impacts and project-induced development.
External Consultant and the ADB	External monitoring, evaluation and audit of the RAP the implementation.

No.	Full name of owners	Infrastructure to be displaced	Length (m)	Width (m)
1.	Boubakar Tankiri Voter's Card No. 2-15-01-08-1-00258 of 17 April 2007	Small house of adobe + Shed made of used iron sheets (cafeteria)	4.70 4.70	2.80 3
2.	Fousseyni Bédégnon	Straw shed (mechanical with 2 wheels, 6 employees)	4.5	5
3.	Allasani Mountarou	Straw Shed (Sale of fuel, 2 employees)	4	5
4.	Tagba Mounirou	Shed made of used iron sheets	4.5	4.3
5.	Ouro Adéi	Room (of wood) + Shed made of used iron sheets (Store for the sale of maize)	3.5 3.5	2.8 1.70
6.	Mlle Zibo Lamouratou	Prefabricated unit +Shed built of new iron sheets (BB Drinks Depot)	8.40 3.50	5.15 3.50
7.	Tagba Mounirou	Straw shed "Zemidjan" (motorcycle taxi) shelter	8.20	3.40
8.	Alassani Mounassirou	Wooden unit + Shed built of used iron sheets (vulcanisation)	3 3	2.10 2
9.	Rabiou Alassané	Shed built of used iron sheets (cafeteria)	3.20	3.10
10.	Dermane Idriss Touré ID No. 0351-079-5086 of 11/11 :09	Straw shed (selling of fuel)	8.40	3
11.	Owner absent	Wooden unit + Shed made of iron sheets Adobe unit + Shed made of iron sheets	2.60 2.60 4.10 7.10	1.50 2.10 2.60 3.40
12.	Owner absent	Wooden unit + Straw shed	3.40 4.10	3 3.40
13.	Téten Adamou, President of the Transporters' Union ID No. 020627 of 23 July 2003	Shed made of straw and used iron sheets. Meeting place for Transport Operators' Union	8.30	4.60
14.	Téten Adamou, President of the Transporters' Union, ID No. 020627 of 23 July 2003	Mosque for Transporters' Union: 50 cm wall, grids, cemented floor, iron sheets	11.60	6.50
15.	Ouro Agoro Moukaila, Pump operator at the Total fuel station, Blitta road junction	Shed made of used iron sheets (sale of fruits and food by women)	4.30	3.60