



GOVERNMENT OF SIERRA LEONE

**MINISTRY OF BASIC AND SENIOR SECONDARY
EDUCATION**

Resettlement Policy Framework

Free Education Project

May 2019

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ABBREVIATION

| | |
|--------|---|
| AP | Affected Persons |
| ARAP | Abbreviated Resettlement Action Plan |
| ASC | Annual School Census |
| CBOs | Community Based Organisation |
| CERC | Contingency Emergency Response Component |
| DEO | District Education Office |
| EA | Environmental Assessment |
| EPA | Environment Protection Agency |
| ESF | Environment and Social Framework |
| ESP | Education Sector Plan |
| ESHIA | Environmental and Social Health Impact Assessment |
| ESMF | Environmental and Social Management Framework |
| ESMP | Environmental and Social Management Plan |
| ESS | Environment and Social Standards |
| FEP | FREE Education Project |
| GOSL | Government of Sierra Leone |
| GRC | Grievance Redress Committee |
| GRM | Grievance Redress Mechanism |
| GVWC | Guma Valley Water Company |
| HH | Households |
| IDA | International Development Association |
| IPF | Investment Project Financing |
| LRP | Livelihood Restoration Plan |
| M&E | Monitoring and Evaluation |
| MBSSE | Ministry of Basic and Senior Secondary Education |
| MLGRD | Ministry of Local Government and Rural Development |
| MLHE | Ministry of Land, Housing and the Environment |
| MOF | Ministry of Finance |
| MSWGCA | Ministry of Social Welfare, Gender and Children's Affairs |
| NDP | National Development Plan |
| NGOs | Non-Governmental Organisation |
| NLA | National Learning Assessment |
| NLP | National Land Policy |
| NLPRU | National Land Policy and Reform Unit |
| PAH | Project Affected Households |
| PAPs | Project Affected Persons |
| PCDP | Public Consultation and Disclosure Procedures |
| PDO | Project Development Objectives |
| PFMU | Public Finance Management Unit |
| PIU | Project Implementation Unit |
| PTR | Pupil Teacher Ratio |
| RAP | Resettlement Action Plan |
| RPF | Resettlement Policy Framework |

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| RS | Resettlement Services |
| SALWACO | Sierra Leone Water Company |
| SCMC | School Construction Management Committee |
| SEIMP | Social and Environmental Impact Mitigation Plan |
| SMC | School Management Committee |
| SMC | School Management Committee |
| SMF | Social Management Framework |
| TLM | Teaching and Learning Materials |
| TPD | Teacher Professional Development |
| TSC | Teaching Service Commission |
| WAEC | West Africa Examination Council |
| WB | World Bank |

DEFINITION OF TERMS USED WITHIN THE RESETTLEMENT POLICY FRAMEWORK (RPF) DOCUMENT

Unless the context dictates otherwise, the following terms shall have the following meanings:

| | Meaning |
|------------------------------------|---|
| Affected family | All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the project, or any of its components. It may consist of a single nuclear family or an extended family group |
| Affected Person/People | Any person affected socially and economically by World Bank assisted investment projects caused by: a) relocation or loss of shelter; b) loss of assets or access to assets loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or c) the involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons |
| Associated projects | Means any subprojects or activities which are directly related to the planned road corridor improvement the three project locations. |
| Census | Means a field survey carried out to identify and determine the number of Project Affected Persons (PAP), their assets, and potential impacts; in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures, emanating from consultations with affected communities and the Local Leaders. |
| Compensation | Payment in cash or in kind of the replacement cost of the acquired assets. |
| Compensation Value | The amount to be paid to the leaseholder which is calculated as an amount which is above the gross current replacement cost, including the costs for the inconvenience caused to the leaseholders by relocation, and to enable the same leaseholders to build slightly better houses than what they currently occupy |
| Cut-off date | Means the date after which people will not be considered eligible for compensation. In case of land acquisition, the cut-off date for the titleholders is the Section 4 of Land Acquisition Act 1984. But in case of where people lack title, it is the beginning date of the census survey to be under taken by the Implementing Agency for the impact assessment, in order to avoid an influx of outsiders |
| Detailed Measurement survey | Means the detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground |

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| Encroacher | Someone who has illegally expanded, or extended the outer limit of his private premises beyond the approved building line or agricultural land and has occupied public space beyond his/her plot or agricultural land |
| Entitlement: | Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore their economic and social base. |
| Environmental and Social Management Framework (ESMF) | Is a safeguard instrument (document) which will set out a mechanism to determine and assess future potential environmental and social impacts of the project funded activities in the infrastructure development program and other activities associated with this project regardless of funding agency in the six secondary cities. The framework will set out mitigation, monitoring and institutional measures to be taken during design, implementation and operation of the project activities to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. This instrument will be prepared as a separate and stand-alone document to be used in conjunction with this RPF. |
| Gender equity | Recognition of both genders in the provision of entitlements, treatment and other measures under the Social Management Action Plan or Resettlement Action Plan |
| Improvements | Structures constructed (dwelling unit, fence, waiting sheds, utilities, community facilities, stores, warehouses etc) and crop plants planted by the person, household, institution or organisation |
| Income Restoration | Re-establishing income sources and livelihoods of people affected |
| Involuntary displacement | Means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by: a) loss of benefits from use of such land, b) relocation or loss of shelter; c) loss of assets or access to assets; or d) loss of income sources or means of livelihood, whether or not the project affected person has moved to another location |
| Involuntary Land Acquisition | Is the taking of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary right |
| Involuntary Resettlement | The unavoidable displacement of people and/or impact on their livelihood, assets and common property resulting from development projects that create the need for rebuilding their livelihood, sources of income and asset bases. |

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| Land | Refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project. |
| Land Acquisition | The process whereby a person is compelled by a government agency to alienate all or part of the land a person owns or possesses to the ownership and possession of the government agency for public purpose in return for a consideration. |
| Land expropriation | Process whereby a public authority, usually by offering compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses |
| Land Owners | Owners of land with or without trees, crops or structures affixed to the land with clear title in government records. In some exceptional cases, a person who owns land/s within the project-affected areas regardless of proof of such ownership will also be entitled, provided that such ownership will also be entitled, provided that such ownership is recognized under law. |
| Non –titled holder | means those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant |
| Rehabilitation | Re-establishing incomes, livelihoods, living and integration with social systems |
| Rehabilitation Assistance | means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels |
| Relocation | Rebuilding housing, asset including productive land, and public infrastructure in another location |
| Replacement cost for agricultural land | means the pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: a) preparing the land to levels similar to those of the affected land; b) any registration, transfer taxes and other associated fees |
| Replacement cost for houses and other structures | means the prevailing cost of replacing affected structures of the quality similar to or better than that of the affected structures, in an area and. Such costs shall include: a. Building materials b. transporting building materials to the construction site; c. any labour and contractors' fees; and d) any registration costs. |
| Replacement value/cost | The full market value of the assets lost as a result of the project, plus transaction costs. With regard to land and structure, replacement costs can be |

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| | <p>defined as follows:</p> <ul style="list-style-type: none"> • Land in urban areas – the market value of land of equal size and use, with similar or improved public infrastructure facilities and services, preferably located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. • Household and public structures – the cost of purchasing or building a new structure, with an area and quality similar to, or better than, those of the affected structure; or, of repairing a partially affected structure, including labour and contractor’s fees and any registration and transfer taxes. <p>In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of the affected asset.</p> |
| Resettlement | A process to assist the displaced people and communities to replace their lost land, houses, assets and restore access to assets and services, and improve their socioeconomic and cultural conditions. It includes settlement of displaced people on buildable land or houses/apartments in the same locality with barrier-free access to basic amenities |
| Resettlement action plan | The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project |
| Resettlement assistance | Support provided to people who are physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate and defray the expenses of a transition to a new locale, such as moving expenses and lost work days. |
| Resettlement Policy Framework | Resettlement Policy Framework is a resettlement document to be prepared if the extent and location of resettlement cannot be known at appraisal because the project has multiple components or if the final design (as in this case) is determined at a later stage. The Resettlement Policy Framework establishes resettlement objectives and principles, organizational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation. The framework assesses the institutional capability to design, implement, and oversee resettlement operations. When during project implementation the extent of resettlement in any subproject becomes known, a Resettlement Action Plan (or an abbreviated Resettlement Action Plan, depending on the scale and severity of impacts) is prepared |

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| | before the investment is approved for funding (OP 4.12, paragraphs 29–30). |
| Resident land and structure owners | Owners with clear title deeds for the land and structures which they are currently occupying for their own use, residential, commercial, cultural or religious purposes |
| Squatter | Someone who has occupied public or private land, developed structures on it and put such land into residential, agricultural or commercial use without obtaining development permission and formal title under law. |
| Stakeholders | Any and all individuals, groups, organisations and institutions interested in and potentially affected or benefitted by a project having the ability to influence a project. |
| Public Involvement | The dialogue encompassing consultation and communication between a project proponent and the public. It includes dissemination, solicitation and presentation of information |
| Tenants and leases | Occupants that have legally taken any land or properties or both on rent or lease for a specific period with registered papers recording agreed terms and conditions as permitted under law. |
| Vulnerable Persons | Persons who, by virtue of gender, ethnicity, age, might suffer disproportionately from resettlement effects, such as the very old, the physically or mentally handicapped, the poor below the poverty line, widows, women-headed house hold and socially isolated |

EXECUTIVE SUMMARY

INTRODUCTION

The FREE Education Project will be financed through Investment Project Financing (IPF) and the total cost of the project is US\$70 million. The project is aimed at addressing school and system-level challenges facing education sector of Sierra Leone. It will build on successful activities and approaches supported under the on-going World Bank funded Revitalizing Education Development in Sierra Leone (REDiSL) Project and existing research on effective approaches in Sierra Leone and other settings.

PROJECT DEVELOPMENT OBJECTIVES AND PROJECT COMPONENTS

The Project Development Objective is to increase the number of children in schools with improved learning conditions and better teaching practices and to strengthen system accountability. This will be achieved through five interlined components:

- Component 1 – improving the quality of education and the teaching and learning environment by addressing school-level needs
- Component 2 – addressing the critical teacher quality and teacher management issues that limit teaching and learning in the country
- Component 3 – strengthening education system in areas of administration, governance and accountability for enhanced quality of education services
- Component 4 – project management and Monitoring and Evaluation – this component will support the day-to-day management of the project implementation, the monitoring and evaluation of its objectives and outcomes, and technical assistance for other quality reforms in the education sector beyond REDSIL (including to promote efficiency in other sub-sectors to allow for further expansion of REDSIL).
- Component 5 – for contingent emergency response through the provision of immediate response to an eligible crisis or emergency, as needed.

Component 1 of the project will include new constructions, rehabilitation/renovations of primary and junior secondary schools. These activities will likely have impacts on land access, restriction of access to assets, displacement, and loss of livelihoods among others. On this basis, the World Bank Performance Standard on Land Acquisition, Restriction of Land Use and Involuntary Resettlement (ESS 5) is applied to guide any potential, future Project-induced resettlement activities. The specific locations where project activities will take place are currently unknown until during implementation as such the project will prepare and disclose a Resettlement Policy Framework (RPF) prior to appraisal. The RPF will establish the principles, procedures, entitlements, measures of accountability and transparency and eligibility criteria, the organisational arrangements, the framework for public consultation, mechanisms for redressing grievances and provisions of monitoring and evaluation that will be adopted where involuntary land acquisition and resettlement are required.

OBJECTIVE OF THE RPF

The purpose of this Resettlement Policy Framework (RPF) is to define a set of guiding principles which will ensure a consistent approach to resettlement that may occur in actions and implementation of FREE Education Project. The project will use this RPF to guide the preparation of RAPs and compensation of all affected PAPs. The basic fundamental requirement is however to minimize adverse social and economic impacts from land acquisition or restrictions on land use. To this effect, the mitigation hierarchy is:

- Avoidance of resettlement should be the first option by looking at alternatives to proposed project activities. i.e. location or proposed techniques, if this fails then;
- For PAPs who are losing the land, first option is a land replacement (swap). Full monetary market value compensation for strips of land lost, should be the last option. If PAPs receive monetary compensation, they should receive some guidance/training on managing the funds
- For those losing buildings and other assets (including crops/plants/trees); they will be resettled and compensation will be done based on market value for the structures to be demolished
- PAPs will be provided with development assistance in addition to compensation measures described (water and energy supply for example). They will also receive assistance with relocation, and cover all the costs of moving any salvageable parts of existing structures and reinstallation and start-ups
- PAPs with affected business activities will receive assistance to restore business including training and capacity building if required.

RESETTLEMENT IMPACTS AND MITIGATION MEASURES

Project activities/subprojects including the construction of new schools, rehabilitation and renovation of schools may involve land acquisition or decisions concerning the management of natural resources, which may have the potential to result in the loss of land or assets or access to assets/resources and associated impacts on incomes and livelihoods (refer Table 0.1). These potential impacts are expected to be minor and managed through project design controls (and impact mitigation measures outlined in the RPF).

Table 0.1: Project resettlements impacts and mitigation measures

| Type of impact | Probability | Status/action |
|--|-------------|--|
| Temporary impact on the visual quality of private land; disturbance during construction works without any losses of income or property | Moderate | impact mitigation measures within ESMP |
| Temporary disturbance associated with the loss of income (Temporary losses of income for small businesses, such as commercial activities | Moderate | Prepare and implement ARAP/RAP depending on the scope to guide relocation to alternative sites with similar potentials in consultation with PAPs |
| Impact on agricultural Land. | Low | Avoid use of agricultural land as much as possible. |

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| | | If unavoidable prepare and implement ARAP/ RAP/ LRP depending on the scope |
| Impact on private or urban lands | Low | Prepare and implement ARAP/ RAP depending on the scope. Compensate at market value of land of equal size and use, with similar or improved facilities. |
| Structural demolition resulting in physical relocation of households or businesses | low | This will be avoided as much as possible. However, if avoidance is not possible, prepare and implement ARAP/ RAP depending on the scope. Compensation of losses at replacement cost. relocation assistance, rental assistance etc |
| Economic and non-economic trees | Low | Avoid the removal of trees. Replacement planting to compensate for the loss of any tree. Pay compensate for any economic trees. May be necessary to adjust compensation to reflect that it can take several years after replanting before crops and trees begin to generate income. |
| Loss of livelihood or disruption of income sources. | Moderate | prepare and implement ARAP/ RAP/ LRP depending on the scope |
| Restriction of access to land or natural resources, including informal users | Low | Consult with affected parties Provide alternative access route. if not feasible, prepare and implement ARAP/ RAP depending on the scope |
| potential Community Health and Safety risks of the project including sexual harassment, safety of children and teachers, diseases, improper waste disposal, noise, dust diseases etc. | Moderate | Mitigation measures included in contractor ESMP |

PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION

The overarching objective of the FREE Education Project in relation to land and asset acquisition is to assist the PAP in restoring their livelihoods at least to the level equal to their pre-project level. Specific principle that apply to Free Education Project include:

- (i) Involuntary resettlement and land acquisition will be avoided where feasible, or minimized, where it cannot be eliminated.
- (ii) Where involuntary resettlement and land acquisition are unavoidable, resettlement and compensation will be provided to the PAPs which provide sustainable development programs, providing resources to give PAPs equal opportunity to share project benefits.
- (iii) PAPs will be assisted to improve their livelihoods and standards of living or at least to restore them, in real terms, before displacement levels or levels prevailing prior to the beginning of the project implementation, whichever is higher. Impacts on the PAPs are measured by the quantity of land and assets to be acquired/lost and residual land/assets and their economic viability. Once the severity of impact has been considered an entitlement option is selected.
- (iv) PAPs will be meaningfully consulted to ensure inclusion and participation of different groups as women, men, and people with disabilities in the implementation of both the resettlement and FREE Education Project construction works.
- (v) Project Affected Persons would be given full information on the qualification (eligibility), mode of compensation, the restoring plan of production income, and the project's progress and be involved in the enforcement of resettlement arrangements (community participation).
- (vi) Compensation and rehabilitation assistance will be paid before displacement. The land and/or property affected would be taken only when the PAPs are satisfied with the compensation arrangements. No civil works will be initiated unless compensation for land and assets and rehabilitation assistance is provided to all eligible PAPs.
- (vii) The implementing agency and/or contracting entity would supervise the resettlement activities including the payment of compensation as well as monitoring and evaluation.
- (viii) Establish a grievance redress mechanism to receive and address specific concerns about compensation and relocation that are raised by displaced person, if any. And to resolve all other grievances related to the project.
- (ix) All activities related to resettlement planning, implementation, and monitoring will ensure involvement of vulnerable groups (including women, elderly persons and people living with disabilities). Incorporate special measures and assistance for vulnerable groups.

RESETTLEMENT PLANNING: PREPARATION, REVIEW AND APPROVAL OF RAPS

The key steps in resettlement planning are: sub-project Environmental and social screening, socioeconomic assessment, inventory and valuation, determining eligibility and entitlements, consultation and disclosure of findings, preparation of resettlement instruments (abbreviated or full resettlement action plan), consultation and finalization of the RAPS, development of resettlement sites, disclosure of the final RAPS (which analyses and describes the impacts, entitlements, implementation agencies and schedule, list of eligible APs, grievance redress mechanisms (GRMs) initiation of the land acquisition process, disbursement of compensation and RR&R entitlements, relocation planning and actual relocation, resolution of grievances if any, site clearance, site handover to contractor for civil works, post resettlement support measures, monitoring and evaluation.

The process of resettlement planning will start with a screening, assessment and categorization impacts. If the social screening indicates that the intervention involves risks and impacts associated within ‘involuntary resettlement’, the PIU will carry out a Socio-economic Assessment including 100% census survey of the affected households. A cut-off date has been established and widely announced after the census survey. The Socio-economic survey will provide information on the losses and damages incurred by individuals or households, and communities, impact on women and vulnerable communities etc. the census and socioeconomic surveys will also involve systematic consultation, disclosure, orientation and coordination with various relevant stakeholders and institutions, community members, including women and other vulnerable groups.

A full or an abbreviated Resettlement Action Plan (A/RAP) will be prepared for each phase of the Project, including relevant interventions such as. Among others, the A/RAP will include brief description of the project and subproject, types of impacts expected, analysis of alternatives to avoid or minimise land acquisition and resettlement, compensation policy, entitlements and provisions for livelihood restoration, measurement/valuation of losses, grievance redress procedures, implementation schedule and budget. Consultations will be held with the affected persons, especially over resettlement options, during the preparation of the RAP as well as prior to its finalization. The draft RAP will be reviewed and approved by the PIU. The drafts RAPs will also be submitted to the World Bank, who will review for compliance with Bank’s ESF ESS 5 prior to granting clearance for the RAP. The approved RAPs by both the GoSL and the Bank, will be disclosed in-country in the form a language accessible to the PAPs and other stakeholders. It will also be disclosed at the World Bank’s external website.

ELIGIBILITY CRITERIA, ENTITLEMENTS AND VALUATION OF ASSETS

Eligibility: Eligibility criteria will be based on the three criteria given in the ESS 5:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;
- Those who have no recognizable legal rights or claim to the land they are occupying.

Under this project, the cut-off date for eligibility of entitlements is the end date of the census survey of the affected population. The cut-off date will be publicly announced and there will be continuous public dissemination of information on the area delineated to prevent further population influx. Persons who encroach on the area after the cut-off date will not be entitled to claim compensation or any other form of resettlement assistance. Likewise, fixed assets such as built structures or planted trees after the cut-off date will not be covered and compensated. Non-title residential squatter or encroached households residing in the subproject areas prior to the cut-off date and verified to be in the displaced category during social impact survey, will be provided with assistance. Commercial non-title holders on State lands will receive compensation for their affected structures at replacement value and rehabilitation assistance to continue their livelihood. The non-title holders however will not receive any compensation for land.

Entitlements: the entitlements, compensation and eligibility, including preparation of the Entitlement Matrix, is based on the principles of relevant National Land Policies (NLP) and regulations and the World Bank ESF. An Entitlement Matrix which sets the measure for the payment for all losses or impacts has been included. The Entitlement Matrix lists the type of loss, criteria for eligibility and defines entitlement. Specific socioeconomic studies will be carried out in connection with the preparation of resettlement action plans for each sub-project. These will confirm land and structures to be affected and identify all project affected persons and the impacts caused by the involuntary resettlement arising out of the implementation of the proposed project.

Valuation and compensation: Compensation for all the losses will be at replacement cost based on the prevailing market value and the World Bank's guidelines, as laid out in the Entitlement Matrix. 'Replacement cost' includes compensation of statutory and non-statutory payments including: current market value without depreciation, interest accrued, transitional and restoration costs, disturbances cost, and any other applicable payments. Compensation will be assessed at the market rates.

POLICY, REGULATORY AND INSTITUTIONAL FRAMEWORK

The law regulating land acquisition, restriction of access to land use and compensation is governed by the 1991 Constitution of the Republic of Sierra Leone, the Public Land Act, Cap 116 of the laws of Sierra Leone 1960 particularly sections 4, 5,6,7,8,9,10, 15, 16, 18 and 19 etc of the Act (i.e. CAP 116 of the laws of Sierra Leone 1960), 1988 Forest Act, and Wildlife Conservation (amendment) Act of 1990. The National Land Policy (2015) provides guideline aimed at enhancing land management systems; land use, conservation of land resources and enhancing environmental quality. The policy promotes prompt payment of adequate and fair compensation, highlights compulsory acquisition of land among other things, through negotiations that take into consideration government investment in the area.

The World Bank Environmental and Social Framework applies to this project, in particular Environment and Social Standard (ESS) 5: "Land Acquisition, Restrictions on Land Use and Involuntary Resettlement". This Standard establishes special requirements if projects financed by the Bank could lead to physical or economic displacement. The resettlement and rehabilitation principles will provide compensation at replacement cost, resettlement and rehabilitation assistance to all project affected persons (loss of land, residences, business establishments and other such immovable properties), including informal dwellers/squatters in the project footprint.

Despite the elaborate legal system to manage land acquisition for development purposes, some significant gaps exist between the Sierra Leonean laws and the World Bank Environment and Social Framework in terms of the conditions for payment of compensation, treatment of illegal settlers and accommodation for vulnerability in resettlement. Where there is discrepancy, the project will adhere to the Bank's policy of paying compensation at full replacement cost, prior to the beginning of civil works, offering resettlement assistance and recognizing all affected groups including tenants and squatters.

Key central government ministries will be: Ministry of Basic and Senior Secondary School, Ministry of Finance, Ministry of Lands, Housing and the Environment, Ministry of Finance, Ministry of Social Welfare, Gender and Children's Affairs, Environment Protection Agency, Ministry of Local Government and Rural Development, Ministry of Justice. The central government ministries will provide policy leadership in areas of mainstreaming and annual monitoring of resettlement planning in the project intervention areas and the MBSSE PIU. The District education office, School management committees, and other relevant district departments: district environment officers/municipal environmental officers, district planners and engineers, community development officers etc. will coordinate implementation of Resettlement Action Plans (RAP) and considerations of resettlement issues within the implementation processes. Specific tasks will include screening and appraisal of the projects on resettlement issues before funding of the projects. In addition, local authorities will monitor and provide necessary technical assistance to management of resettlement activities to be done by the communities.

SITE SELECTION, PREPARATION AND RELOCATION

Land for land compensation is one possible option to compensate for the land, houses and even small businesses that are acquired for the project. It may be an appropriate option where there are significant impacts on plots of agricultural land (including the farmer's housing) and may also be an option where small settlements have to be moved, due to significant impacts on businesses and housing. The PIU will be responsible for identifying the alternative areas that could be developed as resettlement sites. The following measures will be considered in selecting and developing an area as a resettlement site.

- Criteria for site selection will be developed and discussed in detail with the affected people, their representatives, local officials and other relevant persons.
- The affected people will be consulted in regard to different relocation options, such as relocation on the remaining areas of the lands that will have to be acquired, purchase of plot in immediate vicinity, where their relatives are living, self-relocation, and relocation to a site selected by the agency implementing the subproject.
- A feasibility study will be carried out to assess the potential of each proposed resettlement site to ensure that it is suitable for the type of resettlement proposed (agricultural settlement, residential and business, apartment blocks, etc.) and has the infrastructure and other facilities that are needed as well as connectivity with markets and other towns.
- Wherever possible, the selected sites will be close to the affected areas, to allow people to continue in their current employment and schools, to retain existing clients and networks in the case of businesses, and to remain close to their friends, families and community. It is preferred if the relocation sites could be found within a radius of 1-1.5 km from the present habitats of the affected communities.
- The resettlement sites developed for residential purposes will have the necessary infrastructure in place before any household move. The facilities would include road access, potable water, sewerage, storm-drainage, electricity, schools, health care facilities and market buildings.

The PIU will ensure that full compensation and other resettlement benefits and assistance are paid to the displaced persons/households prior to their displacement.

The relocation of businesses will follow the same procedures as set out for households. However, some businesses may be entitled to additional allowances such as for transport of goods and materials, restoration of utility services, re-fixing of fixtures and fittings, advertising etc. as well as allowances to be paid to the employees as specified in the Entitlement Matrix.

The relocation of infrastructure facilities and public utility services will be undertaken by the respective agencies responsible for them, but with funds provided by the project. The PIU will inform the public prior to the relocation of those utility services in order to avoid/minimise any inconveniences and will also monitor the progress of the reconstruction and will coordinate closely with the relevant agencies to ensure that the works are completed as quickly as possible within an agreed timeframe.

This RPF also defines organisational procedures for delivery entitlements and resettlement assistance, implementation schedule, consultation procedures, grievance redress mechanisms and monitoring arrangements to ensure the successful realization of the planned project and sub-project activities.

IMPLEMENTATION ARRANGEMENTS AND ORGANISATIONAL PROCEDURES FOR ENTITLEMENTS

Overall responsibility for the implementation of this RPF will reside with the MBSSE. MBSSE will be assisted by the Ministry of Finance, local councils (municipal and district councils) and the contractors (design and supervision). The MBSSE PIU's Environment and Social Specialist will oversee the preparation, implementation and monitoring of safeguards instruments.

The MBSSE and Contracting Entities will follow appropriate procedures for assessing and delivering entitlements to affected persons. The eligibility criteria and entitlements procedures will be specified in the RAPs.

Any person who suffers loss of, or damage to an asset or loss of access to productive resources, as a result of the carrying out of activities under the Free Education Project operations will be considered eligible for compensation and/or resettlement assistance, provided the damage or loss is induced by the project and satisfies the conditions of the cut-off date (which will be set and enforced during the socioeconomic survey). This is consistent with the World Bank policy on involuntary resettlement that will cover the following categories of loss: loss of land; loss of structure; business losses; residential accommodation or room; loss of location for temporary structure; loss of training or apprenticeship; and loss of economic or perennial trees, and food crops. An Entitlement Matrix which sets the measure for the payment for all losses or impacts will be included in all RAPs. The Entitlement Matrix will list the type of loss, criteria for eligibility and define entitlement as presented in Table 5.

LINKING RESETTLEMENT IMPLEMENTATION TO CIVIL WORKS

All PAPs and Project Affected Households (PAH), without regard to legal status of property, will receive support of various kinds, as per the principles set out in the Entitlement Matrix, to assist them in their efforts to maintain their livelihoods and living standards prevailing prior to the project. Squatters will not be compensated for loss of land but will receive compensation for loss of other assets which had been established with their own finances, and for loss of income such that they are assisted in their efforts to maintain their livelihoods and well-being. Detailed measures to be implemented will be determined based on the census and socioeconomic survey conducted when the ARAP/RAP is developed. Compensation will be paid at replacement cost/value to respective PAP at least 30 days prior to construction commencement so that PAP have sufficient time to remove or relocate their affected structure. Likewise, PAP will be notified 30 days prior to date of construction commencement.

GRIEVANCE REDRESS MECHANISM

Bank policy requires the borrowers to establish mechanisms to deal with issues and grievances that might be raised by all affected persons, including the informal users of public lands. A Grievance Redress Mechanism (GRM) will be put in place, consistent with the overall Grievance Redress Mechanism currently under review by MBSSSE, wherein all project stakeholders are given a venue to lodge complaints regarding any aspects of the land acquisition, compensation, resettlements requirements and other project-related issues. The Grievance redress procedure is meant to reduce the incidence of expensive and time-consuming litigation involving minor issues among landowners, tenants, encroachers, squatters, business tenants, street traders and to give an opportunity to those not covered by the land acquisition and compensation laws of Sierra Leone. However, many grievances can be resolved by providing correct and complete information early in the subproject development process at the community level. If not resolved, it can be escalated to Project Safeguard Unit (Environmental and Social Safeguards team of the Free Education Project). The project team will review the feedback and take appropriate actions. It will respond to grievances brought to their notice by the general public and other stakeholders. Furthermore, complaints can be referred to Grievance Redress Committee (GRC) within project area of influence. Complainants will still have uninhibited access to legal redress mechanism through the Sierra Leone's judicial or appropriate administrative system.

BUDGET AND FUNDING FOR THE IMPLEMENTATION OF RPF

An estimated budget of 654,500 USD will be required to implement RPF for four years, with provisional breakdown as presented in the table below.

Table 0.2: Cost of RPF Implementation

| Item | US\$ | Sources of Fund |
|---|----------------|-----------------|
| E&S Staffing | 300,000 | Project fund |
| Disclosure of the RPF | 10,000 | Project fund |
| Sub-project screening | 10,000 | Project fund |
| Setting up of the project GRM | 15,000 | Project fund |
| Safeguard training/awareness | 50,000 | Project fund |
| Internal monitoring | 50,000 | Project fund |
| External monitoring | 60,000 | Project fund |
| Preparation of RAP, completion audit and report | 90,000 | Project fund |
| Setting up of MIS system for E&S data and information | 10,000 | Project fund |
| Contingency (10%) | 59,500 | Project fund |
| TOTAL | 654,500 | |

It was not possible at the time of preparing this RPF to give any estimate at all because there is presently no knowledge about what infrastructure will be built or rehabilitated under components 1, the existing schools to benefits, the areas of the establishment of new schools, and specific site locations. In addition, the extent of the constructions within existing schools or new schools is yet not clear. Moreover, the technical designs for the structures have not been developed. Land may be acquired for existing schools with very limited land and for new schools to be established. On assumption that land is required for expansion or construction of new schools, the FREE Education Project is projecting and estimating about 10% of the total project costs for resettlement (estimated at USD 1.6 Million). However, detailed RAP budget will be developed during RAP(s) preparation. The budget will cover resettlement activities including compensation cost for affected assets if any. The cost will be derived from expenditures relating to:

- (1) The preparation of the resettlement/compensation action plan;
- (2) Relocation and transfer;
- (3) Income and means of livelihood restoration plan and;
- (4) Administrative costs.

PUBLIC CONSULTATION AND INFORMATION DISCLOSURE

The Environmental and Social Standard (ESS 10) on stakeholder engagement and disclosure require the public access to project information and documentation. It requires that during the planning and preparatory process, project beneficiaries, affected groups, and local NGOs shall be consulted, and the environment and social aspects of the project should be presented. The consultation should be an on-going process throughout the design and implementation of investments and must be compliant with all other applicable ESF standards. ESS 10 also requires that any relevant material such as environmental assessment study, social assessments, resettlement action plan etc should be made accessible, in a timely manner and in a form of language understandable to the groups being consulted.

As part of the requirements in preparing this RPF, the consultant conducted three consultative and stakeholder engagement meetings in three different locations (Kenema, Bo and Freetown) involving all the 16 districts across the country. Stakeholders were drawn from relevant government ministries, department and agencies, Local Councils, Local Traditional Authorities, NGOs, CBOs, Associations and Unions, and other Interest groups between 7th and 10th May 2019. The consultation aimed at exploring and soliciting feedback on key elements of the RPF. During each of the stakeholder engagement and consultation process, the consultant presented the overall project objectives, components of proposed project interventions and area of influence, potential impacts and mitigation measures and open the floor for one-hour discussion with the attendees to raise their concerns on the proposed project. The consultation is summarized as follow:

- The proposed project is accepted in general, the community want to see address the huge challenges of conducive learning environment ...
- Recognising the rights of vulnerable groups (persons with disability) and ensure that implementation of the project does not create social inequality.
- Involvement of community/stakeholders (traditional authorities, local parliamentary representatives) in established responsible bodies, such as GRM
- Establishment of the Community Monitoring Group, comprising chiefs, SMCs, religious leaders, in monitoring the implementation of the Free Education Project
- The need for awareness creation/training with respect to the implementation of the Free Education Project at community as well as implementers (especially entitlement and grievance redress with community) was stressed.

However, in particular, the stakeholders suggested that mechanisms in RPF should ensure regular consultations, participation, communication, access to information, grievance redressal of project affected and beneficiary communities and other stakeholders; and mitigation of environment and social/ resettlement impacts in an effective manner. The key issues and suggestions from the field visits/ consultation process has been documented and reflected in this RPF. All safeguards documents will be disclosed locally and on the respective websites after obtaining clearance from the Bank.

The MBSSE will disclose this Resettlement Policy Framework and all RAPs to be prepared under the Free Education project operations pursuant to this RPF. These instruments will be disclosed in-country and on the World Bank website. In-country disclosure will include publishing on the MBSSE website and in local newspapers advertisement to point to the various places where the reports can be assessed. MBSSE will make available hard copies at the district education officers and local councils. Notices in the local Language will be posted in an accessible and prominent place accessible to project affected persons. In addition, the communities in the project area of influence have to be informed about the subprojects of the Free Education projects. Information that impinges on right to privacy, like the compensation of a household, compensation amount of PAH, etc. will not be subject to public disclosure.

MONITORING ARRANGEMENTS

Monitoring, evaluation and reporting is integral to social safeguards. The project will establish an M&E reporting system to ensure efficient and effective implementation of the project and its compliance with social safeguards. The monitoring system will include guidelines and TOR, monitoring indicators, mechanisms and methodologies, frequency, documentation and reporting arrangements. In case ARAP/RAP is prepared and implemented, internal monitoring is required in order to ensure transparency and full compliance. External monitoring is required only when the project has significant resettlement impacts.

Internal monitoring: the ESS will conduct internal monitoring on resettlement implementation. The monitoring will include progress reports, status of the RAP implementation, information on location and number of people affected, compensation amounts paid by item, and assistance provided to PAHs. The report of monitoring results will be prepared by the ESS and submitted to PSC and the World Bank on a quarterly basis.

External monitoring: the external monitor has the specific responsibility of studying and reporting on RAP implementation and on social and economic situations of PAH particularly relocated PAPs or disrupted by the construction works, including women and youth. The need for an external monitor will be agreed based on the severity of the project impacts. However, it is not envisaged that external monitoring will be required for the project.

The WB supervision missions will also serve as external monitoring mechanisms. Consolidated reports on the progress on the progress of the land acquisition and resettlement programmes will be made available in the project website and also shared with the World Bank on a regular basis.

1 INTRODUCTION

The FREE Education Project will be financed through Investment Project Financing (IPF) and the total cost of the project is US\$70 million. The project is aimed at addressing school and system-level challenges facing education sector of Sierra Leone. It will build on successful activities and approaches supported under the on-going World Bank funded Revitalizing Education Development in Sierra Leone (REDiSL) Project and existing research on effective approaches in Sierra Leone and other settings. The proposed project will comprise five components, each of which is described in further detail below: Component 1 - School Improvement Program; Component 2 - Teacher Professional Development and Teacher Management; Component 3 - System Administration, Governance and Accountability; and Component 4 - Program Management, Coordination and Monitoring and Evaluation. Component 5 is a Contingent Emergency Response Component (CERC), which allows for rapid reallocation of project proceeds in the event of a natural or artificial disaster or crisis that has caused or is likely to imminently cause a major adverse economic and/or social impact.

The project targeting will be based on findings from the recent Annual School Census (ASC) and school mapping which were completed with basic information and geo-coordinates for more than 11,000 schools.

Component 1 of the project will support civil works, including new constructions, rehabilitation/renovations of primary and junior secondary schools. These activities will likely have impacts on land access, restriction of access to assets, displacement, and loss of livelihood among others. On this basis, the World Bank Performance Standard on Land Acquisition, Restriction of Land Use and Involuntary Resettlement (ESS5) is applied to provide appropriate mitigation measures. In accordance with the ESS 5, preparation of RPF is required if the extent and locations of resettlement are not known at the time of project appraisal. RPF will provide the mandatory basis for developing site specific resettlement instruments; Resettlement Action Plan (RAP), Abbreviated Resettlement Action Plan (ARAP) or livelihood Restoration Plan (LRP) as appropriate for sub-projects that lead to resettlement during project implementation.

2 PROJECT DESCRIPTION

2.1 Project Development Objectives

The Project Development Objective (PDO) is to increase the number of children in schools with improved learning conditions and better teaching practices and to strengthen system accountability. The project will directly benefit students, teachers, and SMC members in primary schools. In addition, the project will benefit students, teachers and SMCs of the Junior Secondary School (including girls boarding schools). Over the medium-term, the project will support communities and local/school key stakeholders in building their capacity and promoting ownership and accountability.

The following key indicators will be used to track progress toward the project development objective:

- Share of schools receiving performance based financing meeting 90 percent student attendance
- Number of children enrolled at the primary and secondary levels
- Percentage of teachers receiving project supported training demonstrating improved teaching practices
- Number of learners benefitting from an improved learning environment (percentage female)
- A system transparency mechanism established
- A National Learning Assessment (NLA) conducted and disseminated

2.2 Project Components

Component 1: School Improvement Program (US\$36.8 million). This component aims to improve the quality of education and the teaching and learning environment by addressing school-level needs. Specifically, through the first sub-component, the proposed project will fund the provision of performance-based school grants to non-private primary schools (offering the full cycle) and will support efforts to strengthen the engagement and involvement of communities in school planning and performance. Through the second and third sub-components, the proposed project will aim to improve the teaching and learning environment – ensuring adequate infrastructure and key teaching and learning materials (TLMs).

This component has 3 sub-components:

- Sub-component 1.1: Performance-Based School financing (US\$19.6 million)
- Sub-component 1.2: Physical improvements to the learning environment (\$16.0 million)
- Sub-component 1.3: Provision of Supplementary Reading Materials (US\$1.2 million)

A preliminary estimate is that under sub-component 1.2 more than 1800 primary and junior secondary schools (122 schools which are identified as makeshift/unsafe will be provided with classrooms (with furniture) and sanitation facilities; and 1,700 schools which are identified as dilapidated and/or in disrepair will benefit from rehabilitation/renovation works) will benefit

from physical improvements. The selection for construction will be done by prioritizing areas where there is schools are classified as makeshift or dilapidated and in disrepair and a need to increase enrolment among vulnerable populations.

It should be noted that construction on new sites and/or rehabilitation/renovation of existing schools under sub-component 1.2 is likely to cause one or several of resettlement related impacts, including land acquisition, relocation, and loss of assets and/or displacement. Provided that the extent, scope and location of civil works are unknown, its social impact in terms of land acquisition and resettlement also remains unknown. The above mentioned adverse social impacts on local communities should be avoided and minimized as much as possible.

Component 2: Teacher Professional Development (TPD) and Management (US\$20 million): This component seeks to address the critical teacher quality and teacher management issues that limit teaching and learning in the country. Following the general approach of the project, both school-level and system-level interventions will be supported through two sub-components. The first sub-component aims to improve the quality of classroom instruction by developing and delivering a scalable technology-enabled continuous in-service teacher training program to upgrade the knowledge and pedagogical practices of basic education teachers with a focus on core subjects. The proposed teacher training program integrates global best practices, is guided by the government's vision for in-service teacher training, is fiscally sustainable, and builds on existing training efforts in the country. The second sub-component aims to improve teacher management and deployment. Considering significant disparities in terms of the pupil-teacher ratio (PTR) and PQTR throughout the country and the low share of female teachers, the sub-component will support the work of the TSC in promoting equitable deployment of teachers in the country, encouraging hiring of qualified female teachers. Additionally, it will support data-driven decision-making with regards to teacher policy.

This component has 2 sub-components:

- Sub-component 2.1: Cluster-Based Continuous Professional Development for Teachers (US\$19.0 million)
- Sub-component 2.2: Strengthening TSC for Efficient Teacher Management and Deployment (US\$1.0 million)

Since this component does not include civil works, adverse social impacts in terms of resettlement are unlikely.

Component 3: System Administration, Governance and Accountability (US\$7.2 million): This component aims to strengthen education system in areas of administration, governance and accountability for enhanced quality of education services. It will support the strengthening curriculum and assessment framework and the strengthening planning, monitoring and system management through effective school standards, rationalization of schools/network and digitalized school data collection and its effective utilization. Under this component, the project will extend support to WAEC and the mainstream MBSSE in the following sub components.

This component has 3 sub-components:

- Sub-component 3.1: Strengthening Curriculum and Assessment Framework (US\$3.5 million)
- Sub-component 3.2: Strengthening Planning and System Management (US\$2.2 million): This sub-component aims to strengthen the planning and management function in the education system
- Sub-component 3.3: Promoting Gender Equality in Education (US\$1.5 million)

Since this component does not include civil works, adverse social impacts in terms of resettlement are unlikely.

Component 4: Program Management, Coordination and Monitoring and Evaluation (M&E) (US\$6.0 million): This component will support the management of the project, as well as coordination and M&E aspects. The Project Secretariat to be established will be responsible for overseeing the implementation of the project with support from the Directorate of Planning and carrying out day-to-day management of the project, with the support of each of the three component leads. The Secretariat will also undertake coordination activities related to project implementation, ensuring alignment with DP activities and ensuring involvement of key stakeholders in the education sectors as appropriate. The PFMU of the MoF will be responsible for the program's fiduciary aspects (procurement, financial management, disbursement and audits). This component will cover the administrative costs associated with the Project Secretariat and the PFMU support to the proposed project and the project's overall coordination.

Since this component does not include civil works, adverse social impacts in terms of resettlement are unlikely.

Component 5: Contingent Emergency Response Component (CERC) (US\$0): This component is included in accordance with OP/BP 10.00 (IPF), paragraphs 12 and 13, for contingent emergency response through the provision of immediate response to an eligible crisis or emergency, as needed. It will allow the Government to request the World Bank for rapid reallocation of project funds to respond promptly and effectively to an eligible emergency or crisis that is a natural or man-made disaster or crisis that has caused or is likely to imminently cause a major adverse economic and/or social impact. If the World Bank agrees with the determination of the disaster and associated response needs, this component would draw resources from the categories financing Components 1, 2, 3 and 4 and/or allow the Government to request the World Bank to re-categorize and reallocate financing from other project components to cover emergency response and recovery costs. This component could also be used to channel additional funds should they become available because of an emergency. Disbursements would be made against a positive list of critical goods or the procurement of works and consultant services required to support the immediate response and recovery needs. The reallocation of funds should be done in such a way to achieve the key indicators in the Results Framework. An Emergency Operations Manual will apply to this component, which will be part of the Operations Manual, detailing FM, procurement, safeguards, and other necessary implementation arrangements.

Since this component does not include civil works, adverse social impacts in terms of resettlement are unlikely.

Table 1 below gives the project cost by components.

| Project Component/Sub-component | US\$ million |
|--|--------------|
| 1. School Improvement Program | 36.8 |
| 1.1 Performance-Based School Financing | 19.6 |
| 1.2 Physical Improvements to the Learning Environment | 16.0 |
| 1.3 Provision of Supplementary Reading Materials | 1.2 |
| 2. Teacher Professional Development and Management | 20.0 |
| 2.1 Cluster-Based Continuous Professional Development for Teachers | 19.0 |
| 2.2 Strengthening TSC for Efficient Teacher Management and Deployment | 1.0 |
| 3. System Administration, Governance and Accountability | 7.2 |
| 3.1 Strengthening Curriculum and Assessment Framework | 3.5 |
| 3.2 Planning and System Management | 2.2 |
| 3.3 Promoting Gender Equality in Education | 1.5 |
| 4. Program Management, Coordination and Monitoring and Evaluation | 6.0 |
| 4.1 Program Management | 4.5 |
| 4.2 Contingency | 1.5 |
| 5. Contingent Emergency Response Component | |

3 OBJECTIVES OF THE RPF

The overall objective of the Resettlement Policy Framework (RPF) is to establish the principles and procedures that will govern any resettlement and land acquisition activities that may occur under the project. The principle set out by the RPF is to ensure that the impacts of land acquisition and resettlement are either avoided, minimized or mitigated, allowing people affected by the project to improve or, at the very least recover their livelihoods and previous standards of living. The resettlement programs will be executed as sustainable development programs and will ensure that people affected by the project are given the opportunity for meaningful consultation and are able to participate in the planning and implementation of the resettlement plans. The RPF is based on the Sierra Leonean laws and regulations pertaining to Land Acquisition (LA) and resettlement, and the World Bank's ESS 5 requirement on Land acquisition, restrictions on land use and Involuntary Resettlement. A more detailed Resettlement Actions Plans (RAPs) will be prepared following sub-project screening during implementation. The RAPs will include a detailed survey and socioeconomic analysis of the areas affected by each phase of the project, along with the results of the public consultations and the detailed proposals for the specific populations of schools that will be affected by the project.

The main objectives of the Resettlement Policy Framework (RPF) are to:

- Establish the FREE Education Project resettlement and compensation principles and implementation arrangements;
- Describe the legal and institutional framework underlying Sierra Leone's approaches for resettlement, compensation and rehabilitation;
- Define eligibility criteria for identification of project affected persons (PAPs) and entitlements;
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders; and
- Provide procedures for filing grievances and resolving disputes.

The RPF will apply to any activity under this project that will require Land acquisition, restriction of land use or involuntary resettlement. It is applicable regardless of the total number affected, the severity of impact, and their legal status (e.g. the RPF guidelines apply also to those with ill-defined or no title to the land).

When a Resettlement Action Plan (RAP) is required, it will be prepared in accordance with guidance provided for in the RPF, including detailed measurement surveys, identification (census) of PAPs, and public consultation and disclosure procedures.

4 SOCIOECONOMIC PROFILE

4.1 Country background

Sierra Leone is situated in Western Africa with a total area of approximately 72,000 square kilometers (7174, 000 hectares (or ha), located between latitudes 6⁰55' and 10⁰0' north and between longitudes 10⁰14' and 13⁰17' west. It is bordered in the northwest by the Republic of Guinea, in the south and southeast by the Republic of Liberia and west of Greenwich Meridian by the Atlantic Ocean. The country is divided into five regions: North, North-West, South and East and the Western Area. The regions are sub-divided into 16 districts which are further divided into 446 wards managed by district councillors, and 190 chiefdoms managed by paramount chiefs. In The Western Area, which is centred on the national capital Freetown, is an exception and has no chiefdoms as there is no chieftaincy or customary legal system present. The history of Freetown as a Crown Colony has led to privately held land tenure, while in other parts of Sierra Leone; the chief is still responsible for managing land issues (Sierra Leone Local Government, 2011).

Sierra Leone has a tropical climate with a wet season that occurs from May to October and a dry season from November to April. Mean annual rainfall for the whole country is around 2,500mm, the 11th country in the world with highest annual rainfall and the second in Africa, just behind Sao Tome and Principe¹. The country has an ambient temperature range of 27⁰C – 35⁰C and relative humidity varying from an average of 80% in the rainy season to about 50% in the dry season. Coastal and southern areas, including Freetown, experience more severe rainfall patterns with annual rainfall between 3,000-5,000mm per year peaking to more than 800 mm of rainfall monthly in July and August. These torrential storms often disrupt communications and transportation nationwide, damage people's homes and agriculture production, and cause erosion. From 1998 to 2018, natural disaster related to intense rainfalls have killed more than 1,200 people and affected more than 50,000⁹. Climate change is projected to increase frequency of heavy rainfall events during wet season and the projected sea level rise may exacerbate flooding events especially in coastal areas and Freetown.

4.2 Population

The Population of Sierra Leone has been increasing gradually since the 1963 census. however, previous censuses indicate an annual population growth rate of 1.8 percent between 1985 and 2004 percent, which is a decline from the 2.3 percent annual rate reported for the 1974 – 1985 period compared to relatively low growth rate of 1.8% from 1985 to 2004, and increasing sharply to 3.2 percent between 2004 and 2015, increasing the size of the population by about 40 percent from about 5 million in 2004 to more than 7 million to date ((DHS, 2014; SSL, 2016; MTNDP, 2019:17). If this growth rate continues, at least 3 million people will be added to the current population by 2026, increasing the size to at least 10 million people (MTNDP, 2019). About 45.8% of the population are under age 15 and 74.8% below the age of 25 (SSL, 2016). A typical household, which is defined as a person or group of persons (related or unrelated) who live together and make common cooking arrangements (i.e. sharing a cooking pot), averages 5.6 people in Sierra Leone. Approximately 75% of households are headed by men and 25% by women.

¹ https://data.worldbank.org/indicator/ag.lnd.prcp.mm?year_high_desc=true

Table 2: Basic demographic indicators

| Indicators | 1963 | 1974 | 1985 | 2004 | 2015 |
|---------------------------------------|------|------|------|------|------|
| Population (millions) | 2.2 | 2.7 | 3.5 | 5.0 | 7.0 |
| Intercensal growth rate | 1.1 | 2.0 | 2.3 | 1.8 | 3.2 |
| Density (population/km ²) | 30.3 | 38 | 49 | 69 | 97.2 |
| Percent urban | na | 27.6 | 32.2 | 36.7 | 40.0 |

Source: Statistics Sierra Leone, 2015 Population and Housing Census

4.3 Socioeconomic conditions in Sierra Leone

The country's poor performance on socioeconomic indicators largely undermines its development priorities. Sierra Leone has been consistently ranked at the bottom of the UNDP Human Development Index for the past two decades. The West African country still ranks among the world's least developed countries, at 181 out of 188 nations on the 2016 United Nations Human Development Index². Life expectancy at birth is 48 years very low due to the poor health conditions, under-5 mortality is one of the highest in the world at 94 per 1,000 live births (2010-2015), and adult literacy is about 41 percent³. About 77.5% of its population falls below the national poverty line of US\$ 2 a day (UN HDR, 2016), most of which the most live in rural areas and in semi-urban areas. The unemployment rate in Sierra Leone is estimated at 75% (World Bank, 2018). Therefore, it is very difficult to find employment, which gives a living wage; the government does not create enough employment and the private sector is too weak to create jobs. Roughly half of all Sierra Leoneans are under the age of 18 and population growth is estimated at 2.5 per cent. The country's maternal mortality rate is considered one of the highest in the world, 1100 per 100,000 in 2013.

Merely 57% of the whole population has sustainable access to improved water sources, 16% has access to improved sanitation (27% urban and 7.9% rural) (DHS, 2013) and 50% of the population is undernourished. Furthermore, lack of primary health care against diseases, such as malaria and tuberculosis, is causing much of the deaths in Sierra Leone (HDR, 2016).

Sierra Leone's economy experienced steady pro-poor growth averaging 5.6% from 2002 to 2014 when two major shocks hit. For example, the iron ore price dropped drastically reducing its contribution to the Sierra Leone's economy by 96% between 2014 and 2015. In the same year, the collapse of international commodities prices and the outbreak of Ebola led to reduction of 85.3% of the mining sector. The two shocks resulted in a 20 percent reduction in Sierra Leone's 2015 GDP. The country recorded more than 14,000 Ebola cases and nearly 4,000 Ebola deaths and also had a major impact on the country's economy. In 2016, Sierra Leone's GDP comprised of the following sectors: 60.9% agriculture, 2.7% mining and quarrying, and 1.9% manufacturing, 33.3% services (domestic authorities' data compiled by the AfDB, 2017)⁴. Overall inequality fell between 2003 and 2011, with the Gini coefficient declining from 0.39 to

² International Human Development Indicators, UNDP. <http://hdrstats.undp.org/en/countries/profiles/sle.html> [accessed 15 May 2019].

³ Ibid

⁴ There is also 1% construction and 0.2% electricity, gas, water.

0.32 over the period. Income per capita rose dramatically from US\$157 in 2000 to US\$794 in 2014, and the national poverty rate declined from 66.4 percent in 2003 to 53.8 percent in 2011. Economic growths was driven mainly by agriculture, but natural resource extraction and, particularly, iron ore mining, were major contributors to growth. Between 2001 and 2014, agriculture grew by an average of eight percent per year, contributing nearly 50 percent to the total increase in the real gross domestic product (GDP) over this period.

Sierra Leone was declared Ebola free in 2016 and its economy has begun to recover, although a range of factors continue to limit economic growth and employment opportunities. Overall, real GDP growth was estimated at 6.1 percent in 2016, spurred by an increase in household consumption, growth in agriculture, and a resumption of iron-ore exports. The recovery started earlier in the primary and service sectors. However, growth in the industry, which is dominated by iron-ore mining, was subdued by continued low commodity prices. Economic growth is limited by lack of access to financial capital, underdevelopment of human capital, persistently weak government capacity and poor governance, and severe infrastructure gaps, particularly in energy and transport. The African Development Bank ranked Sierra Leone 46 out of 54 countries in its Infrastructure Development Index.⁵ Only about 10 percent of the population has access to electricity, and 95 percent of those with access to electricity are located in Freetown.

Table 3: Sierra Leone’s Socio-economic Indicators

| Indicator | Value | Year |
|--|---------------|-------------|
| Population number (last census) | 7,076,641 | 2015 Census |
| Population number (projection) | 10,000,000 | 2026 |
| Population growth rate % | 3.2 | 2015 |
| Population density | 97.3 | 2016 |
| Urban composition % | 40 | 2016 |
| Average household size | 5.9 | 2008 |
| Human development index and ranking | 0.419 | HDR 2017 |
| GDP per capita | 497.89 | 2015 |
| Age distribution (% under 15) | 42 | 2013 |
| Life expectancy at birth (years) | 45/46 | 2012 |
| <5 mortality per 1,000 live births | 94/1,000 | MICS 2017 |
| Maternal Mortality per 100,000 live births | 1,165/100,000 | MICS 2017 |

Source: UNDP, 2016; MICS, 2017; SSL, 2016

4.4 Education and Literacy

Education in Sierra Leone used to be the best in the West African sub region and the University of Sierra Leone was referred to as the proverbial “Athens of West Africa” because of the outstanding academic output of its scholars at that time. Unfortunately, the pride and glory of scholarstic distinction were short-lived and died out slowly after independence. Political and economic events over the past few decades, particularly in the recent past, have affected performance of all institutions in Sierra Leone. Today, the country has one of the lowest literacy rates in the world, averaging around 32%.

⁵ The infrastructure development index methodology is explained in “The Africa Infrastructure Development Index (AIDI), May 2013.”

Education in Sierra Leone is ‘free and compulsory’ from 6 to 11 years (MEST, 2004). In 2012 the 6-3-4-4 system was implemented by the Ministry of Education. This system was created to allow access to nine years of comprehensive basic education and to promote technical and skills training. An additional year of education could mean a 23% increase in a person’s income in some industries (World Bank, 2014). Primary education is free but payment of various fees is required from junior school onwards. Although education is compulsory up to junior secondary school, the proportion that has received formal education is relatively low. The 6-3-4-4 system is comprised of the following (Ministry of Education, Science and Technology, 2007):

- *Age 3-5*:pre-primary schooling (optional);
- *Age 6-11*:six years of primary schooling / community education centre A (CEC-A) (compulsory);
- *Age 12-14*:three years of junior secondary school (JSS) / community education centre C (CEC-B) (compulsory); and
- *Age 15+*:four years of senior secondary school (SSS), four years of tertiary education and above (optional).

The majority of Sierra Leoneans have no formal education; two-thirds of women aged 15-49 and half of men aged 15-49. Although the Sierra Leonean government’s objective is expanding and promoting basic education for all inhabitants, many people are illiterate. The gender inequality in education is clear, as figures show that merely 35.5% of the women are literate in contrast to 51.5% of the men. Only 3% of women and 5% of men have more than secondary education. Nationally, the adult literacy rate for those aged 15 and above is 40.9% (UNDP, 2011). Urban residents and people living in the Western Area have the highest levels of education (SLDHS, 2013).

There is also a huge gender difference in the number of students that have enrolled in primary, secondary and tertiary levels of education.

Literacy is defined as those that have attended secondary school or higher and those that can read a whole or part of a sentence. Overall, literacy rates in Sierra Leone are 36% for women and for 54% men (SL-DHS, 2014). Literacy rates are higher for younger women and men compared with the older population. Nationally, the adult literacy rate for those aged 15 and above is 40.9% (UNDP, 2011).

School statistics and enrolment

Education services are provided by a mix of government and non-government providers. According to the 2018 Annual School Census (ASC), there were 10,747 basic education schools in Sierra Leone. Of these, pre-primary schools accounted for 15.1 percent, primary for 65.1 percent (7,002 schools), junior secondary for 14.2 percent (1,531) and senior secondary for 5.4 percent of all schools. There are approximately two million students in basic and senior secondary education in Sierra Leone. The majority of schools delivering basic and senior secondary education are non-government. At the primary level, only around 20 percent are owned/run by government; while the majority (60 percent) are owned/run by missions; 14 percent by the community and 9 percent by a private entity. Although many schools are not owned/run by the Government, a large portion are classified as government-assisted as they receive regular financial support from the government.

The primary completion rate (PCR) increased from 55 percent in 2004 to 75.4 percent in 2016 and is above the regional average (69 percent). Secondary enrolment increases in the post-war period have been especially remarkable (50 percent increase in male and more than 100 percent increase in female enrolment during the period from 2010 to 2016). Completion rates in Junior Secondary Schools (JSS) and Senior Secondary Schools (SSS) increased from 26 percent and 11 percent in 2004 to 64.5 percent and 27.6 percent, respectively, in 2016. Access also increased at the tertiary level with the number of students in public tertiary institutions increasing from 8,913 in 2000 to 31,103 in 2012. Notably, female enrolment increased sharply - the gender gap in enrolment has closed at primary, been reduced substantially at JSS though persists at SSS and tertiary levels. Despite this progress, the sector faces major challenges related to poor learning outcomes and skills acquisition, inequities in access, weak sector governance and management, and low and inefficient public spending.

4.5 Employment and Poverty

No reliable statistics are available on employment and underemployment, but it is estimated that between 50-60% of the labour force is without access to productive employment. The lack of employment opportunities prevents a large segment of the population, particularly among the youth and women who constitute about 70%, from actively participating in the growth process and benefiting from it. In 1990 an annual growth rate of 2.6% in the labour was envisaged, with an estimate 50,000 jobs that needed to be created per annum. However, Government policy of retrenchment and freezing employment in the early 1990s, in the public service during the initial phases of the structural adjustment program me, forestalled the creation of new jobs. This policy, together with the disruption of productive activities in mining, manufacturing business and commerce during the war resulted in large-scale unemployment and underemployment. Most of the able-bodied youths turned to the natural resources for survival. The high level of unemployment and underemployment, declining real incomes and the civil conflicts, among others, all accounted for the pervasive poverty in the country. For the past years Sierra Leone has consistently been ranked the poorest and least developed country in the world according to the UNDP Human Development Index.

5 POTENTIAL RESETTLEMENT IMPACTS AND MITIGATIONS

The project will be implemented nationwide. New construction, renovation and/or rehabilitation of primary and junior secondary schools under the project may occur in any of the five regions of Sierra Leone. The methodology for selecting schools for construction, expansion of existing buildings, renovation, and/or rehabilitation, is being developed by the Ministry of Basic and Senior Education in collaboration with the World Bank and other relevant stakeholders. The selection of targeted schools under the project will be discussed and agreed with the World Bank prior to the start of civil works. It is anticipated that all rehabilitation, renovation, and expansion school buildings activities will be limited to existing school compounds. Since the sub-project locations are yet to be determine, it is not possible to estimate the number of PAP that will be impacted at this stage. However, based on an understanding of the social structure rural communities and the nature of the project activities, the categories of population most likely to be impacted include but not limited to owners of farmlands, loss of land or land use right, Economic displacement and loss of economic and non-economic trees etc

Error! Reference source not found.4 below summarizes the likelihood and scale of possible resettlement impacts that may occur under the Project, the likelihood of such impacts, and actions to be taken in the event of their occurrence.

Table 4: Anticipated Resettlement Impacts under the project

| Type of impact | Probability | Status/action |
|--|--------------------|---|
| Temporary impact on the visual quality of private land; disturbance during construction works without any losses of income or property | Moderate | impact mitigation measures within ESMP |
| Temporary disturbance associated with the loss of income (Temporary losses of income for small businesses, such as commercial activities | Moderate | Prepare and implement ARAP/ RAP depending on the scope to guide relocation to alternative sites with similar potentials in consultation with PAPs |
| Impact on agricultural Land. | Low | Avoid use of agricultural land as possible. If unavoidable prepare and implement ARAP/ RAP/ LRP depending on the scope |
| Impact on private or urban lands | Low | Prepare and implement ARAP/ RAP depending on the scope. Compensate at market value of land of equal size and use, with similar or improved |

| | | |
|---|----------|---|
| | | facilities. |
| Structural demolition resulting in physical relocation of households or businesses | low | This will be avoided as far as possible. If unavoidable, prepare and implement ARAP/ RAP depending on the scope. Compensation of losses at replacement cost. Provision of transport assistance in relocation to a site where they can legally reside. Right to salvage assets/materials |
| Economic and non-economic trees | Low | Avoid the removal of trees. Replacement planting to compensate for the loss of any tree. Pay compensate for any economic trees. May be necessary to adjust compensation to reflect that it can take several years after replanting before crops and trees begin to generate income. |
| Loss of livelihood or disruption of income sources. | Moderate | prepare and implement ARAP/ RAP/ LRP depending on the scope |
| Restriction of access to land or natural resources, including informal users | Low | Consult with affected parties Provide alternative access route. if not feasible, prepare and implement ARAP/ RAP depending on the scope |
| potential Community Health and Safety risks of the project including sexual harassment, safety of children and teachers, diseases, improper waste disposal, noise, dust diseases etc. | Moderate | Mitigation measures included in contractor ESMP |

6 PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION

The overall objective regarding resettlement and rehabilitation principles adopted in the implementation of the project will be to avoid or minimize involuntary resettlements by exploring all viable alternative project designs. Minimization and mitigation would require careful planning and implementation. When the details of land acquisition and involuntary resettlement are fully known, a Resettlement Action Plan (RAP) is prepared to provide an implementation guide for the operation. However, if the location of land acquisition, access to restriction and involuntary resettlement are not fully known, the Resettlement Policy Framework will provide the policy principles for the development of specific RAP which will be consulted upon and disclosed to the general public and the affected persons. When, subsequently, the outline of each initiative is known and there is sufficient detail, a RAP will be developed for that operation in accordance with this RPF. The Resettlement Policy framework will provide for compensation at replacement cost, resettlement and rehabilitation assistance to all project affected persons (loss of land, residences, business establishments and other such immovable properties), including the informal dwellers/squatters in the corridor footprint. This section highlights the guiding principles and strategies to guide resettlement under this RPF.

The RPF for FREE Education Project will therefore adopt the following principles and guidelines:

1. Involuntary resettlement and land acquisition will be avoided where feasible, or minimized, where it cannot be eliminated.
2. Where involuntary resettlement and land acquisition are unavoidable, resettlement and compensation will be provided to the PAPs which provide sustainable development programs, providing resources to give PAPs equal opportunity to share project benefits.
3. PAPs will be assisted to improve their livelihoods and standards of living or at least to restore them, in real terms, before displacement levels or levels prevailing prior to the beginning of the project implementation, whichever is higher. Impacts on the PAPs are measured by the quantity of land and assets to be acquired/lost and residual land/assets and their economic viability. Once the severity of impact has been considered an entitlement option is selected.

4. PAPs will be meaningfully consulted to ensure inclusion and participation of different groups as women, men, and people with disabilities in the implementation of both the resettlement and FREE Education Project construction works.
5. Project Affected Persons would be given full information on the qualification (eligibility), mode of compensation, the restoring plan of production income, and the project's progress and be involved in the enforcement of resettlement arrangements (community participation).
6. Compensation and rehabilitation assistance will be paid before displacement. The land and/or property affected would be taken only when the PAPs are satisfied with the compensation arrangements. No civil works will be initiated unless compensation for land and assets and rehabilitation assistance is provided to all eligible PAPs.
7. The implementing agency and/or contracting entity would supervise the resettlement activities including the payment of compensation as well as monitoring and evaluation.
8. Establish a grievance redress mechanism to receive and address specific concerns about compensation and relocation that are raised by displaced person, if any. And to resolve all other grievances related to the project.
9. All activities related to resettlement planning, implementation, and monitoring will ensure involvement of vulnerable groups (including women, elderly persons and people living with disabilities). Incorporate special measures and assistance for vulnerable groups.

7 RESETTLEMENT PROCESS AND APPROVAL

7.1 Introduction

When specific site locations are determined the project will follow a systematic process and procedures to guide the preparation, approval and implementation of the Resettlement Plan as discussed below:

7.2 The screening process

Once a particular physical infrastructure subproject of the FREE Education Project is known, the MBSSE regional offices at the district level where the investment is to take place shall screen the subproject investment. The main purpose is to identify subproject sites which will potentially have resettlement and land acquisition issues under the FREE Education Project and provide adequate measures to address the impacts. The screening process ensures that FREE Education Project subprojects comply with the RPF. The MBSSE/DEOs/PIU will be responsible for screening the proposed subprojects by using a screening checklist presented in annex 2. The screening will determine whether or not, a particular sub-project(s) requires land and the size. The screening among other will seek to answer the following questions:

- Will the infrastructure result in land take, displacement, loss of assets, or access to assets (Yes or No)? and
- Will the infrastructure result in the permanent or temporary loss of crops, fruit trees, and household infrastructure? Yes/No?

If the answers are “No”, the construction poses no particular resettlement concern. If one or more of the answers are “Yes”, then a Resettlement Action Plan (RAP) is required. The findings are then verified for decision-making. The assessment should be forwarded to the PIU for further scrutiny and approval for the preparation of the RAP. The PIU shall recruit consultant(s) to prepare a RAP which will entail amongst others a socioeconomic baseline survey to be followed by the preparation of the plan. The completed plan is to be submitted to the client for review and further to World Bank for review and clearance.

The review will assess whether associated mitigating measures that will be necessary before the construction phase have been defined in sufficient detail and appropriate budget and funding is available for implementation.

The screening activity should be undertaken at the initial stage of the project cycle for compliance with national legislations and Bank ESF.

7.3 Preparation of RAP/ARAP

Individual sub-projects RAP or ARAP, consistent with this RPF, will be prepared and submitted to the World Bank for review and approval. According to ESS 5, the scope and level of detail of the resettlement plan vary with the magnitude and complexity of land acquisition or/and resettlement impact. A full RAP is required whenever land acquisition in a project affects more than 200 people, takes more than 10 percent of any holding, and involves physical relocation of

population. An abbreviated RAP is prepared if fewer than 200 people are displaced. Even if more than 200 people are affected, if all land acquisition is minor (10 percent or less of all holdings is taken) and no physical relocation is involved, an abbreviated RAP is acceptable. This project is expected to minimize displacement of any PAPs as far as feasible.

A full RAP shall include at minimum the following:

1. Description of the sub-project and identification of the sub-project area;
2. Identification of sub-project activities that give rise to resettlement;
3. Consider alternatives to avoid or minimise resettlement and meaningful consult with affected people about acceptable alternatives;
4. Establish mechanisms to minimise resettlement, to the extent possible, during project implementation,
5. Provide comprehensive socioeconomic studies including:
 - a) census survey covering current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance after the cut-off date.
 - b) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and
 - c) baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population.
 - d) the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic, information on vulnerable groups or persons, legal framework
 - e) Information on vulnerable groups, particularly those below the poverty line, old, women and children, ethnic groups and other resettled persons not protected by Law of Expropriation, and for whom special measures must be taken,
6. Analyze legal framework, cover gaps, if any, between local laws covering eminent domain and resettlement and the WB ESS 5, and the mechanisms to bridge such gaps
7. Establish institutional framework, institutional responsibility for implementation, eligibility, valuation of and compensation for losses and the methodology to be used in valuing losses,
8. Establish grievance procedures, implementation arrangements, monitoring and evaluation and cost and budget

An ARAP will, at a minimum, include the following element:

1. A census survey of affected PAP and valuation of assets;
2. Description of compensation and other type of resettlement assistance to be provided;

3. Consultations with affected PAPs about acceptable alternatives;
4. Institutional responsibility for implementation and procedures for grievance redress ;
5. Arrangements for monitoring and implementation; and
6. A timetable and budget

Draft version of RAP/ARAP, prepared by the Ministry of Basic and Senior Secondary Education will be shared with WB for approval before public disclosure and implementation. Sub-Project implementation/ construction will start after RAP has been implemented. Once the implementation of the RAP/ARAP is completed, the MBSSE will prepare RAP/ARAP completion report and the report will be submitted to the Bank for “No Objection”. Once the RAP/ARAP completion report is done than the awarding of the contracts for the works can be finalized.

Any changes to the RAP during implementation will require approval by the World Bank and the Government of Sierra Leone. For each sub-project, that will require acquisition of additional land, a different RAP/ARAP will be created.

The content of both a full RAP and an abbreviated RAP are attached as Annexes 3 and 4 respectively.

7.4 Consultations

During the entire process of preparing the RAP, consultations with the public is essential as it offers the affected persons an opportunity to participate and contribute to both design and implementation of the project activities. Consultation will be done through stakeholders’ meetings and workshop at suitable locations, and the official residence or offices of the local leaders. The information will be made available to each household on entitlement, eligibility criteria, and modes of compensation and assistance, complaints and grievances resolution procedures. The project has prepared a Stakeholder Engagement Plan to guide project consultations including with vulnerable individuals and groups.

7.5 Baseline/ Census survey

As part of the preparation of RAP, socioeconomic census and asset inventory will be conducted to determine the scope and nature of land acquisition and resettlement impacts and establish the status of the displaced persons. The socioeconomic will focus on the dynamics of PAPs and their livelihoods (source of income, poverty status, ethnicity, education, health situation, land holding, housing type and value etc). It will also identify vulnerable individuals or groups that will require differentiated resettlement measures. An important aspect of preparing a RAP is to establish appropriate data to identify the persons/household /community and their assets which will be affected, determine people eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits. In essence, the census will achieve the following:

- Provide initial information on the scale of resettlement to be undertaken;
- Identify gaps in information and gives an indication of further socioeconomic research needed to quantify losses to be compensated and, if required, to design appropriate development interventions; and

- Establishes indicators that can be measured at a later date during monitoring and evaluation.

On the basis of these survey data the RAP will be compiled.

7.6 Cut-Off Date

Cut-off dates are essential in the process of drawing up lists to ensure that ineligible persons do not take the opportunity to claim eligibility. The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land thereby posing a major risk to the sub-project. The cut-off date for this project shall be determined by the Resettlement Committee, as appropriate, making anyone who makes a claim for loss of land or any assets after such a date ineligible for expropriation/ compensation.

The entitlement cut-off date refers to the time when the assessment of persons and their property in the identified project areas are carried out, i.e. the time when the sub-project owners/implementers have identified the land sites they would need and when the socioeconomic study is taking place. Thereafter, no new cases of affected people will be considered. Unfinished structures would be identified and secured, and unused materials for individuals' constructions will be gathered at the site so that the cut-off survey can estimate PAPs' investment which should be compensated for in lieu of expenses (including labour) incurred until the cut-off date. Because the time period between the cut-off date and the time that actual productive investments (civil works, etc.) would start, (e.g. likely to be anytime period from six months on), special attention needs to be taken to secure the sites from rush and opportunistic invasion.

These measures could include close consultation with the recognized PAPs, signs that inform general public of intended use of site. Further monitoring of any violation of the cut-off date could be carried out by local authorities/SMCs/Head Teachers in the project locations and be reported to the resettlement committee. This could also be done both by the local PAPs representatives or the local community. The cut-off date is to be chosen in close consultation with the MBSSE/PIU/MLHE, and local leaders and the sub project owners/implementers. This should occur as soon as possible after the affected land is identified. This process must be in full compliance with the grievance redress mechanism in this RPF and this date must be communicated effectively to the potential PAPs and surrounding local communities.

7.7 Relocation and compensation

The PIU will oversee the implementation of the RAP once it is completed and approved. The implementation of the RAP commands priority over the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before the necessary measures for resettlement are in place. The handing over of properties such as land and buildings and compensation payments will be made in the presence of the affected party and officials of MBSSE and the district education officers, the Local Councils and trusted community representatives. A compensation dossier containing necessary personal information on, the affected party and those that s/he claims as household members, total land holdings, inventory of assets affected compensation amount received with all parties and witnesses signed,

shall be documented as appropriate and tracked, in both hard and soft copies. The PIU will ensure that compensation is effected in line with the national laws and the World Bank ESF.

8 ELIGIBILITY AND ENTITLEMENTS

8.1 Introduction

This section outlines eligibility criteria, which is necessary to determine who will be eligible for resettlement and benefits, and to discourage inflow of ineligible people.

8.2 Identification of Project Affected People

Project affected people or household (PAPs), are defined as “persons affected by land acquisition, relocation or loss of incomes associated with (a) acquisition of land or other assets, and (b) restriction of access to legally designated parks or protected areas”^{6/}

At this stage of preparation, the exact nature and locations of projects are unknown, and it is also not possible to quantify the estimated likely number of PAPs since the sub-projects have not yet been identified.

ESS 5 therefore requires the following three criteria for eligibility:

- a) those who have formal legal rights to land or assets (including customary/communal land, traditional and religious rights, recognized under Sierra Leonean Law);
- b) Those who do not have formal legal rights to land or assets at the time the census begins, but have a claim to such land or assets that are recognized or recognizable under national law and local laws of Sierra Leone or become recognized through a process identified in the resettlement plan;
- c) Those who have no recognizable legal right or claim to the land or assets they are occupying, using or getting their livelihood from, but are recognized under the ESS 5.

The policy specifies that those individuals covered under (a) and (b) above are to be provided compensation for land they lose, and other assistance in accordance with the policy. Individuals covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the management committees in close consultation with the potential PAPs, local community leaders and the respective local land administrative arrangements and the ESF and acceptable to the World Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons by the Project are provided for compensation for loss of assets other than land.

There will therefore be a package of compensation and other resettlement measures to assist each category of eligible displaced persons to achieve the objective of the policy. Eligibility will also be assessed using the following information:

- ***Loss of property***: this includes loss of houses, crops and trees, structures, fixed improvements, businesses in cases where the loss is partial then the disposition of salvage material will be exercised. Cash payments may also be made if a small fraction of

⁶ World Bank 2002. Resettlement and Rehabilitation Guidebook. Washington DC.

property is lost instead of replacing the whole property, but if the partial loss results in PAPs not being economically viable then the property is replaced. Those who lose houses will also be assisted with temporary residence if necessary.

- ***Loss of wages and income:*** these are persons whose income sources are disrupted due to the Project. Where disruption of businesses or employment occurs in the process of relocation they should be entitled to transitional income support. Compensation equivalent to lost income required for the duration of impact should be paid to the latter.

In addition, PAPs will be entitled to transitional assistance, which include moving expenses, temporary residence if necessary, and opportunities to employment in the Project. It is also important to note the eligibility may be claimed collectively, not necessarily just by individuals or families.

8.3 Eligibility Process

PAPs classification is provided in Section 5.2. The process will involve review of tenure documents owned by occupants, interviews with households and groups in the affected area. Local governments and national government's Ministry of Lands, Housing and the Environment concerned with land ownership and management will also be consulted. PAPs covered in (a) and (b) will be provided compensation for the land they lose, and other assistance ensuring that they are: informed about their options and rights pertaining to resettlement; consulted on, or offered choices among, and provided with technically and economically feasible resettlement; Provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project (GoSL, 2015).

Land for land compensation will be applied to PAPs who might lose their land. All PAPs irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some assistance if they occupied the land before the entitlement cut-off date. Persons who encroach on the area after the cut-off date (census and valuation survey refer to Annex 5) are not eligible for compensation or any form of resettlement assistance. There will therefore be a package of compensation and other resettlement measures to assist each category of eligible PAPs to achieve the objectives of the policy.

Eligibility criteria will also be determined by: (i) loss of property, (ii) loss of wages, (iii) cut-off date.

PAPs entitled for compensation or at least rehabilitation provisions under the Project are:

1. All PAPs losing land, or access to land, permanently or temporarily either covered by legal title/traditional land rights or without legal status;
2. Tenants and sharecroppers whether registered or not;
3. Owners of affected buildings, crops, plants or other objects attached to the land; and
4. PAPs losing business, income, a source of livelihood, and salaries

8.4 Eligibility for Community Compensation

It is also important to note that the eligibility may be claimed collectively e.g. as a community or religious group and does not necessarily have to be individuals or families. Communities (on communal lands) that permanently lose land and/or access to assets and or resources under statutory or customary rights will be eligible for compensation. Example of community compensation could be for grazing lands, or access to other communal assets, public toilets, community water wells etc. The rationale for this is to ensure that the pre-project socioeconomic status of communities where adversely impacted is also restored (WB, 2008).

8.5 Approximate number of PAPs

At this stage, the schools where investments will take place is not determined. Selection of schools will be identified during project implementation in a participatory process. Due to this, the locations, nature, magnitude and number of PAPs cannot be determined before implementation. For each Sub-project identified during implementation and which might require physical and/or economic resettlement (this will be assessed through screening processes), the number of PAPs will be established through a Resettlement Action Plan or an abbreviated RAP, which will be elaborated before project implementation (details in section 3.3.5.)

8.6 Economic displacement

If land acquisition for a sub-project causes loss of income or livelihood, regardless of whether or not the affected people are physically displaced, the projects will meet the following requirements:

- (i) promptly compensate economically displaced persons for loss of assets or access to assets at full replacement cost;
- (ii) In cases where land acquisition affects commercial structures, compensate the affected business owner for the cost of re-establishing commercial activities elsewhere, for lost net income during the period of transition, and for the costs of the transfer and reinstallation of the plant, machinery or other equipment;
- (iii) Provide replacement property (e.g., agricultural or commercial sites) of equal or greater value, or cash compensation at full replacement cost where appropriate, to persons with legal rights or claims to land which are recognized or recognizable;
- (iv) Compensate economically displaced persons who are without legally recognizable claims to land for lost assets (such as crops, livestock, irrigation infrastructure and other improvements made to the land) other than land, at full replacement cost;
- (v) Provide additional targeted assistance (e.g., credit facilities, training, or job opportunities) and opportunities to improve or at least restore their income-earning capacity, production levels, and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected;
- (vi) Provide transitional support to economically displaced persons, as necessary, based on a reasonable estimate of the time required to restore their income earning capacity, production levels, and standards of living.

8.7 Entitlements for compensations

As described above, the project will consider compensation to the following categories of people and losses project:

- Private landowners (with or without an established legal title to the land) whose land will be purchased to implement subprojects⁷;
- Private owners (with or without an established legal title to the property) whose assets such as residence, workshops, fences, warehouses, trees, standing crops, and other valuable assets need to be damaged, purchased.
- Project affected businesses (including formal and informal businesses) who experience temporary loss of income or asset as a result of restriction of access to land or assets during civil works;
- Project affected businesses (including formal and informal businesses) who experience temporary loss of income or asset as a result of purchase of land for implementation of subprojects;
- Leaseholders (individual and enterprise) who have lease agreements with the Municipalities or other owners in existing and alternative alignments and sites.
- Informal/illegal occupants and land users on existing public educational premises or new sites allocated for construction under the project,

Affected persons will be compensated for land purchased for permanent structures. Affected persons (i.e. owners, informal users and leaseholders) will also be compensated for damages and structures, standing crops, trees and other economic assets that are affected. If permanent relocation is involved, whenever possible, and when acceptable to EA, the affected persons will be relocated to new properties of equal quality identified by the Project. Affected persons will be compensated for transportation costs if relocation is involved.

Persons affected temporarily by construction activities will be compensated for any lost income, assets and damages. Table 5 below details the entitlement matrix that will be applicable.

⁷ Landowners without legal documentation for land and whose land ownership cannot be legalized are considered informal/illegal occupants

Table 5: Entitlement for Project Affected Persons

| Category of project affected persons | Type of loss | Entitlements for project affected persons | | |
|--|---------------|--|--|--|
| | | Compensation for loss of structures | Compensation for loss of assets | Compensation for loss of income and livelihoods |
| Property owners including those on customary land regulated by traditional authorities | Land (Owner) | Cost at full replacement value based on current market value/rates | <p><u>Less than 20% of land holding affected (land remains economically viable)</u></p> <ul style="list-style-type: none"> • Cash compensation for affected land equivalent to replacement value <p><u>Greater than 20% of land holding lost.</u></p> <ul style="list-style-type: none"> • Compensation for entire land holding. <p>Alternatively, PAPs will be offered land replacement of equivalent size and productivity with secure tenure status at a new site Transfer of the land to PAPs shall be free of taxes, registration, and other costs.</p> | <ul style="list-style-type: none"> • Cash compensation for crops and trees at replacement values in full based on current market value/rates • Allow sufficient time to harvest annual crops |
| | Land (tenant) | | | Cash compensation equivalent to 10% of lease/ rental fee for the remaining period of rental/ lease agreement (written or verbal). |
| | | | | Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year (or tax records from |

| | | | | |
|--------------------|---|--|--|--|
| | | | | comparable business, or estimates where such records do not exist) |
| owner | Loss of structures – residential premises or business | Cost at full replacement value based on current market value/rates | <ul style="list-style-type: none"> • Fence, brick work, wire and wood • Wells • Stores • Waste water facilities • Connection to utilities • Access roads | <ul style="list-style-type: none"> • Full compensation for the loss of home (structure) based on current market value/rates paid to the owner + Lump sum payment for loss of income from rented property based on number of months per tenant • Renter (person renting) receives a financial assistance equivalent to minimum 3 months of rent + assistance to find a new rental house, and for relocation in new rental place |
| | Socio-economic livelihood/ | None | None | <ul style="list-style-type: none"> • Disturbance allowance, transportation cost for relocation • Rehabilitation assistance, skill training, cash transfer public works programme link the project affected communities to sub-finance loans and assistance |
| Residential tenant | Loss of rental accommodation | Replacement of number of houses lost on the site based on current market value/rates | Replacement costs for non-movables | <ul style="list-style-type: none"> • Disturbance assistance • Transportation assistance if relocating • Provision of rental fees for few months (at least 3 months) + assistance to find a new rental place |

| | | | | |
|--------------------------------|----------------------------|--|---|--|
| | | | | |
| Business tenant | Loss of premises | None | Replacement costs for non-movables if installation was agreed with owners | None |
| | Loss of business | None | None | <ul style="list-style-type: none"> • Payment of lost income at an agreed rate (payment of six months of rent per year average turnover) |
| Vendors | Loss of hawkers | Compensation at full replacement value for structure | None | <ul style="list-style-type: none"> • Payment of lost income at an agreed rate (payment of six months of per year average turnover) |
| Encroachers using land | Loss of land | Compensation at full replacement value for structure based on current market value/rates | None | <ul style="list-style-type: none"> • Cash compensation for crops/trees at full replacement cost during scarce seasons based on current market value/rates • Permission of sufficient time for harvesting annual crops, fruits and timber trees |
| | Loss of structures/shelter | Compensation at full replacement value for structure Payment of site rent | None | <ul style="list-style-type: none"> • |
| Squatters – living on the site | Loss of shelter/structure | Compensation at full | None | <ul style="list-style-type: none"> • Payment in lieu of wages while rebuilding |

| | | | | |
|--|--|---|--|---|
| | res | replacement value for structure based on current market value/rates Payment of site rent | | <ul style="list-style-type: none"> • Provision of disturbance assistance • Provision of transport assistance in relocation to a site where they can legally reside • Right to salvage assets/materials |
| Any unanticipated adverse impact due to project intervention | Any unanticipated consequence of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework | | | |

9 METHODS OF VALUING AFFECTED ASSETS

9.1 Valuation Principles

Valuation of project affected land and assets shall consider the following:

- Applicable current schedules for land values obtained from municipal councils, if available
- Applicable current schedules for valuing structures, crops, and trees from the Local Council, if available
- Applicable current market prices
- Loss of future income or value

The calculation of unit value will be done keeping in consideration the current market rate so as to meet with the replacement cost of the land and lost assets etc. an experienced and registered independent local company shall be employed to do the valuation of land, structures, buildings, trees, crops etc. the approach of the evaluator will consider the assessment of each type of land and assets by location. The valuation should be done when the census and DMS (Detailed Measurement Survey) are conducted by a competent surveying firm who prepares the map of affected plots with demarcation of cut-off areas. The valuator will engage experts for respective areas who will undertake site visits for physical verification of each category of the losses. The expert team will also consider the reference of previous valuation if available and use latest release of market survey. Based on this methodology the unit rate will be determined. The unit rates may base on the evaluation agency's assessment with their standard methods for calculating the sample assets.

9.2 Methods of valuing assets

The valuation of losses in physical assets will be carried out by assessing the market value of the assets, if known, and estimating the replacement cost. For this RPF, the valuator will adopt the replacement cost method at the date of valuation. Replacement cost is simply calculated as the cost of replacing the lost assets plus any transaction costs associated with bringing the asset to pre-displacement value (e.g. cost of construction materials, price of buying and selling land and transportation costs, labour). Replacement cost will differ depending on the type of asset. The valuation and computation of the affected property will be based on the following:

- Land - valuation will be based upon market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
- Crops and trees – valuation will be based upon prevailing market values. May be necessary to adjust compensation to reflect that it can take several years after replanting before crops and trees begin to generate income.
- Structures – valuation will be based upon full replacement cost. Replacement cost will be based upon sizes of structures, materials used and their prices, transportation costs of delivery of these materials

- Community assets/resource – these will be provided in kind, the alternative community asset will be at least of the same standard as or equivalent or better standard than the affected asset. Examples of community compensation are rehabilitation of school buildings, public toilets, health facilities, creation of market places; and reconstruction of community roads.
- Loss of business income – compensation will be paid for the lost income and production during the transition period (the time between losing the business and full re-establishment of livelihood). This will be estimated based on the daily or monthly income of the affected parties.
- Inflation tendencies – the fact that normally the period between valuation and compensation of assets is long, inflation allowances shall be considered when computing compensation costs.
- Sacred sites – in this policy, land acquisition for FREE Education Project must comply with ESF Biodiversity Conservation and Sustainable Management of Living National Resources and (ESS5), Cultural Heritage (ESS 8), which does not permit the use of land that constitute the categories above. Consequently, there cannot be compensation for such lands as sacred sites, ritual sites, tombs, graves, cemeteries, disputed land etc. To avoid any possible conflicts between individuals and/or communities, the use of sacred/religious sites or any other site with cultural interests under this project is not permitted.

For intangible losses that cannot easily be valued in monetary terms (i.e., access to employment opportunities, public services, social capital etc), the subprojects should attempt to establish access to equivalent resources and earning opportunities that are acceptable to the PAPs, and if this is not possible, should establish a fair compensation amounts that considers the value of the loss from the time it occurs until the PAP can reasonably be expected to have replaced the lost income, asset, or access (see also Annex 5: World Bank Method of Valuation Guidelines.)

9.3 Forms of compensation payments for various eligible PAPs

The project may affect a variety of properties and assets which should all be screened for their value and their eligibility for due compensation. To settle compensation payments for the loss of assets, in accordance with ESS 5, compensation may be made in cash, in-kind and/or through assistance as agreed to between the expropriator and the PAP. The type of compensation will be an individual choice. Affected individuals and households may opt for any one and/or more of the following forms:

9.3.1 Cash payments

Compensation calculated at replacement value and paid in Leones (using bank accounts of affected persons). Rates will be adjusted for inflation.

Making compensation payment raises some issues regarding inflation, security and timing that must be considered. It is recommended that compensation be made through reputable local banks. This will ensure security of the PAPs money especially for those receiving large sums. Forms acknowledging receipt of the compensation packages shall be signed by each PAP.

9.3.2 In-kind compensation

In-kind compensation is where the affected assets would be replaced with an asset of similar size, value, and quality. Compensation may include items such as land, houses/other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment. Cash compensation for full replacement value will be considered only if the affected land is less than 20% of the total land. As stated in OP 4.12, all in-kind compensation will be handed over to the PAPs in the presence of the local authorities and community representatives.

9.3.3 Resettlement and economic assistance

Resettlement assistance may include moving allowance, transportation and labour associated with resettlement as well as financial assistance for the people when access to land and income is unavailable.

9.3.4 Rehabilitation Assistance

Rehabilitation assistance include interventions that are undertaken to assist Project Affected People to attain their pre-project living standards and incomes to level, other than payments of the replacement value of acquired property. This may be in form of training for livelihoods, enrolment on Public Works Programme and/or Social Cash Transfer Programmes.

10 POLICY AND REGULATORY FRAMEWORK FOR LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT

10.1 Introduction

The principles and procedures for land acquisition and resettlement in this project are drawn mainly from applicable national land acquisition laws and policies of Sierra Leone as well as the World Bank ESS 5.

Below are discussion of relevant laws, policies and regulations and gap analysis between Sierra Leone legal framework and the World Bank Environment and Social Standards ESS 5.

10.2 Legal and Policy framework

10.2.1 Land tenure related legislations

This section presents a list of major legislations relating to the land sector in Sierra Leone and its duality. It shows that most of the key laws addressing land rights and governance date before Sierra Leone became independent in 1961.

Constitution of Sierra Leone 1991 recognises Sierra Leone's dual legal system. It grants the right to the enjoyment of property but does not address the vesting or ownership of land. It preserves the rights and freedoms of the individual including the protection from expropriation without payment or adequate compensation and guarantees the protection from deprivation of property including compulsory possession⁸. Furthermore, it also makes provision for the prompt payment of adequate compensation and access to the court or other impartial and independent authority for the determination of the land owner's interest or right, and the amount of any compensation to which he is entitled and for the purpose of obtaining prompt payment of that compensation.

Protectorate Land Ordinance of 1927 declared that all lands in the Protectorate were vested in the Tribal Authority and that, they held such lands for and on behalf of the native communities concerned. It regulated the exercise of power by the Tribal Authorities to permit the use of, and occupation of Protectorate land by non-natives, S.4 of the Ordinance stated "No non-native shall acquire a greater interest in land in the Protectorate than a tenancy for a term of fifty years; but nothing in this section shall prevent the insertion in any lease of a clause providing for the renewal of such lease, for a second or further terms not exceeding twenty-one Years." This dichotomization of rights to land was further cemented by the Concessions Ordinance of 1937 which prevented Tribal Authorities from granting concessions of any Protectorate land for the purpose of cultivation except under the terms of the Ordinance and the earlier Protectorate Land Ordinance of 1927. Any concession limited to 1,000 acres; and where it could be shown that it will benefit the Chieftdom needed the Governor's consent. Leases granted by the Tribal Authority had to be for no more than 50 acres and must not last beyond 99 years unless such lease was to government or for the national good.

⁸ Section 21, 1991 Constitution of Sierra Leone

Provinces Land Act Cap 122 of 1960 which replaced the Provincial Land Ordinance, 1927, reconfirms that supreme authority over land in the provinces is vested in the Tribal authorities¹¹, who hold land for and on behalf of the native communities concerned. Sec. 3 states that no land in the Protectorate shall be occupied by a non-native unless he has first obtained the consent of the Tribal Authority to his occupation of such land. Any non-native who occupies land in the protectorate without the approval of the District Commissioner is deemed as a tenant at will. Sec. 4 adds that no non-native is to acquire an interest in land in the protectorate more than a tenancy for a term of fifty years. However, the tenancy can be renewed for a second or further term of twenty-five years. The rents reserved under such leases are subject to review by the District Commissioner every seven years, from whom there is a right of appeal to the Provincial Commissioner. However, no rent shall be sanctioned by the District Commissioner by reason only of the improvements made by the tenant or his predecessors in title. By Sec. 5, the Tribal Authority can purchase any fixture or building left by the tenant and can also pay compensation to the tenant for any economic trees which have been planted by the tenant at a fair value to any incoming tenant of the land. If rural land is required for public purposes, State authorities deal directly with the Paramount chiefs.

The General Registration of instruments Act Cap 255, Act, Cap 256 of 1960 makes extensive provisions for the registration of different legal instruments. It provides the time limits within which certain legal instruments are to be registered, and whether such documents are to take effect in the Colony or the Protectorate. By Sec. 11, the Registrar-General is empowered to register any State Grant upon the production and request of the holder of such grant, and to cause to be copied and registered in a Register Book kept for that purpose. Each instrument, apart from a will, is required to have a certificate of registry as well as a plan of the land signed by the person who made it, describing the land or referring to the allotment of land as numbered or described in the instrument of conveyance from the State.

Unoccupied Lands Act, Cap 117 of Laws of Sierra Leone 1960 defines Unoccupied Lands as land where it is not proved by the person who is claiming it that beneficial use thereof for cultivation or inhabitation, or for collecting or storing water or for any industrial purposes, has been made for twelve years before the commencement of this Act. By Sec. 3 of this legislation, it is provided that whenever the Director of Surveys and Lands is of the opinion that any land is unoccupied land, it shall be lawful for him to cause such land to be marked out and a notice to be posted on a conspicuous part of the land that such land is 'Claimed as state Land', and such notice is to be signed by the Director of Surveys and Lands and dated.

The Town and Country Planning Act, Cap 81 1960 established the Town and Country Planning -9 Board in the Western Area. Where the Board is of the opinion that a scheme is to be made for any area, it can make representations to that effect to the Minister who may by order declare that the area specified in the representation shall be a Planning Area. The value of any building or land in such a Planning Area shall be deemed to be the value of the building or land at the date of such declaration Sec.6 (4).

State Lands Act No. 19 of 1960 as amended (Crowns Land Ordinance) and is applicable only to the Western Area or former Colony. It makes provision for situations where the government may want to acquire certain lands in order to undertake ‘public works in the Western Area. By Sec. 3, the Minister can authorize his agents or servants to enter into any land to survey and do other acts as may be necessary with a view to appropriating such land. Where the Minister together with Parliament decides that such land is needed for Public works, the Minister is then to do a warrant to direct that such land should be acquired for the service of the State. The Non-Citizens (Interest in Lands) Act, 1966 is applicable in the Western Area only. A noncitizen is defined as any individual who is not a citizen of Sierra Leone, or any company, association or body of persons with more than half of its members of which are not Sierra Leoneans. Sec. 3 of the Act states categorically that no non-citizen shall purchase or receive in exchange or as a gift any freehold land in the Western Area. By Sec. 4, no non-citizen is to receive in exchange or as a gift, any reserved leaseholds in the Western Area without first obtaining a licence from the Board. Reserved leasehold is defined as leaseholds which the unexpired term exceeds 21 years.

Devolution of Estates Act No.21, 2007 aim is gender law harmonization and states in S.1 (1), “This Act shall apply to every person who dies leaving property in Sierra Leone irrespective of religion or ethnic origin”, but the Act preserves the duality and indicates in S.1 (3), “This Act shall not apply to family property, chieftaincy property or community property held under customary law.”

Summary Ejectment Act of 2006: Being an Act to amend the Summary Ejectment Act so as to increase the jurisdiction of Magistrates’ Courts in respect of summary ejectment.

The 1988 Forest Act creates several categories of forest: classified forest, national protection forests, community forests, and protected forests. Section 2 of the Act provides that should the Minister wish to make any land not owned by the State into a national forest in the Provinces, a lease of not more than 99 years must be entered into and subject to renewal for another 99 years and rent for such land must be agreed with the Chiefdom Council. In the case of land in the Western Area, the Minister is allowed to purchase the freehold. Section 18 of the Forestry Act makes provisions for the constitution of Community Forests. The Chiefdom Council will be able to include a list of existing rights that will be confirmed by the agreement creating the forest and which will hand the management of such Community Forest to the Chiefdom Council (S.19) thus bringing it line with their custodianship of all other lands in the Provinces.

A Draft Forestry Policy and Act was developed in 2011 to replace the 1988 Act and set up according to similar guiding principles as the draft Conservation and Wildlife Policy. It

acknowledges the environmental role of forest areas and places emphasis on the preservation of the forest environment and establishes a set of policy objectives around forestry land management, forest-based industry and practices, ecosystem conservation, education and awareness, research and monitoring, and capacity building. However, the new Forestry Act has not been approved yet.

Wildlife Conservation (Amendment) Act of 1990 captioned “Being an Act to Amend the Wildlife Conservation Act of 1972” relates merely to the definition of terms, modifications and qualifications. For instance, section 25 of the Wildlife Act of 1972 prohibits hunting of elephants in protected forest reserves only whereas section 7 of the Wildlife (Amendment) Act of 1990 prohibits hunting in any forests, protected areas or national parks without the written permission of the Chief Conservator. Further, the 1990 Wildlife (Amendment) Act provided for the change of name from the Forestry Department to the Forestry Division. Despite these minor amendments, the 1972 Wildlife Conservation Act and the Forestry Act of 1988 are still regarded as the substantive legislations on forest biological diversity in Sierra Leone.

10.3 National Lands Policy, 2015

The National Lands Policy addresses many of the lapses of the dual land tenure system in Sierra Leone (freehold in the Western Area and communal in the provinces). It also provides for the compulsory acquisition of land in the public interest. The principles of the land policy include among others:

- Principle of land as a common national or communal property resource held in trust for the people and which must be used in the long-term interest of the people of Sierra Leone. This principle only holds where it does not violate existing rights of private ownership;
- Compensation to be paid for lands acquired through compulsory acquisition will be fair and adequate and will be determined, among other things, through negotiations that take into consideration government investment in the area;
- No interest in or right to any land belonging to an individual or family can be disposed of without consultation with the owner or occupier of the land; and
- No interest in or right to any land belonging to an individual or family can be compulsorily acquired without payment, in reasonable time, of fair and adequate compensation

The National Land Policy makes provision for the establishment of a National Lands Commission. The Ministry of Lands, Country Planning and the Environment (MLCPE) shall establish the National Land Policy and Reform Unit (NLPRU) to support the implementation of the NLP.

The National Land Commission shall:

- i. Hold title to and administer all State/Government lands in Sierra Leone and shall perform all those functions currently performed by the MLCPE under the State’s Lands Act 1960;
- ii. Compile an inventory and keep records of Public Lands which are vested in the

- State or Government and manage or superintend the management and administration of all such Public lands;
- iii. Be responsible for the introduction of a system of registration of title to land in accordance with the relevant legislation to be enacted;
 - iv. Be responsible for the setting up a modern cadastral registration system and operation of electronic title registries at district, and where possible, at chiefdom levels;
 - v. As part of the process of the introduction of a system of registration of title, assist in the setting up of Land Adjudication Tribunals as and when necessary, to undertake adjudication as a prelude to systematic title registration;
 - vi. Levy and facilitate collection of and manage all land tax revenues except rates levied by local authorities.

10.4 National Environmental Policy (1994) and cultural heritage issues

The National Environmental Policy (1994) provides for the collection of relevant data on biological diversity and cultural heritage. It seeks to promote socioeconomic and cultural development through the preservation of biological diversity for the sustainable utilization of natural resources. There are references to the preservation and/or respectful removal (taking into consideration cultural sensitivities) of “society bushes” for large-scale agribusiness and other purposes in various regulations.

10.5 Overview of Land Tenure and Ownership

Administratively, Sierra Leone is divided into the Western Area (which includes Freetown) and three provinces from which twelve districts emanate. Each district is divided into several chiefdoms, which are in turn sub divided into sections, towns and villages. The administrative heads of the districts are the District Officers. In all, there are 149 chiefdoms, each headed by a Paramount Chief. The sections are headed by Section Chiefs, the towns by the Town Chiefs and the villages by the Village Chiefs. The chiefs are not appointed by government but by their communities under customary law.

Land administration in Sierra Leone is governed by a dual system of law, dispersed in about twenty statutes and regulations. Among these are the general Property Statutes consisting mainly of received English law adopted by the Courts Act of 1965 which regulate land tenure in the Western Area and Bonthe Island. In the rest of the country, customary law governs land tenure in conjunction with statutes.

10.5.1 In the Western Area

In the Western Area of Sierra Leone, land tenure is governed by Property Statutes. Land is either State (publicly) owned or privately owned. The right of the state to public land is inalienable and indefeasible. Rights of occupation over public land may be granted under warrant. National public property includes water flows, lakes, ponds, and springs, islands, sandbanks and riverbanks formed in rivers, underground streams, mineral and mining deposits, navigation and irrigation channels, waterways, drainage and sewage systems, communication means, airports, telecommunication systems, power generation works for public utility, and protective devices, geodesic and topographic boundaries and landmarks, national defense works and their perimeters

of protection, public monuments, and collections or objects of cultural interest belonging to the state or to a subordinate public entity.

The state has the power, conferred by the Unoccupied Lands Act, Cap 117, to take possession of unoccupied land. All land shall be deemed to be unoccupied land where it is not proved, by the person/persons claiming the same that beneficial use thereof for cultivation, inhabitation or industrial purposes, has been made for twelve years. A legal title, obtained from the Land Registry, suffices to establish private rights over land. Private Land may be held in freehold or leasehold.

The compulsory acquisition of land owned privately by government is regulated predominantly by the Public Lands Ordinance cap 116 and Defence Lands Acquisition Ordinance.

10.5.2 In the Provinces

In the provinces, customary Law co-exists with statute. The recognition of the force of customary law in the provinces is established by section 76 (1) of the Courts Act 1965. However, the validity of customary law is contingent on its being compatible with statute law. Four statutes are directly relevant to customary landholding practices in Sierra Leone. These are:

- The Provinces Lands Act Cap 122
- The Chiefdom Councils Act Cap 61
- The Local Government Act 1994

Through customary law, ownership of land is vested in the chiefdoms and communities; and can never be owned freehold. Land always belongs to the communities under the different forms of tenure under customary law. This principle is established by the Chiefdom Councils Act as well as by Section 28 (d) of the Local Government Act 1994.

The Provinces Lands Act Cap 122 regulates the ownership of land by non-natives in the provinces. According to Section 4 of Cap 122, non-natives can only acquire a leasehold interest of fifty years in land in the provinces. A non-native is defined by the Provinces Lands Act, as amended by the Adaptation Act No 29 of 1972, as “any person who is not entitled by customary law to rights in land in the provinces”. For the purposes of this policy, then, non-natives would denote those who do not have any inheritance rights in the chiefdoms.

Ironically, flowing from the above, the government of Sierra Leone was considered a “non-native” for the purposes of land acquisition in the provinces. However, this paradox was resolved by the Protectorate Lands (Amendment) Act No 15 of 1961 which excluded the government from the category of “non-natives”.

In section two of the Local Courts Act, customary law is defined as “any rule or law other than the general law having the force of law in any chiefdom in the provinces.” There is a local court authorized to administer customary law in every chiefdom. Regarding land tenure, the principles and practices of customary law common to the folk groups in Sierra Leone are:

- Family Tenure

- Communal Tenure
- Individual Tenure

10.5.3 Family Tenure

This is the most common form of tenure found in the provinces. A cluster of families constitute a clan or lineage, which is a primordial unit of social organization in most African countries. Individual members in a family trace their descent to a particular ancestor or group of ancestors who are identified as founders of that family or clan. Hence under family tenure, a person is entitled by rights to land belonging to that family if that person is able to prove his kinship which, in Sierra Leone, is established by patrilineal affiliation within a particular family in a chiefdom.

Such family units are legal bodies with the right to claim and hold land and have paramount title to the land vested in itself. The paramount title to family land is vested in the family as a group. Responsibility for the management of family land is vested in a head of family assisted by a council comprising of principal family members. The right to allocate portions of family land to members of the family and litigate on trespass on family land by outsiders is vested in the head of family. Although title to land is vested in the family, varying degrees of lesser interests in specific portions of family land may be held by some family groups or individuals.

10.5.4 Communal Tenure

For the purposes of this RPF, a community is conceived of as a bigger block of social organization than a family or clan, with members who are not necessarily related to each other. At its broadest and highest level, the community is co-extensive with the chiefdom. Under communal tenure, title to land is claimed by or on behalf of the community as a whole and not by or on behalf of families or individuals. Thus, under this tenure, the community assumes legal personage, endowing it with the capacity to legally enforce and defend its claims and rights to land.

The title to such land is vested directly in the socio-political head of the community (such as the paramount chief, section chief etc.) in trust for the community members. Thus the community heads are not owners, but trustees, of land. The trustees have direct control only of unapportioned and unappropriated portions of communal lands and strictly public lands, such as sacred bushes, common grazing lands and communal farms.

10.5.5 Individual Tenure

Individual tenure is a somewhat controversial concept in land tenure under customary law and practices. This is because the position that that no individual land ownership exists under customary land tenure is quite defensible. However, individual tenure can be found among some communities in Sierra Leone, in the following forms:

- (i) Families owning large pieces of land may allocate portions of it to individual members of the family for the purpose of establishing their individual households. Although the

- paramount title remains vested in the family, such individual members hold interest in that land. When the individual dies, the land is inherited by his immediate family or next of kin rather than by the family or clan.
- (ii) A man may allocate portions of land to which he has acquired title to each of his wives for her use and that of her own children. When that man dies, the land is inherited by the wife to whom the land was given and her children. Similarly, when a stranger marries into a land-owning family, land may be given to him for his use and for the use of his wife and children. These forms of individual ownership may be said to be acquired by deed of gift.
 - (iii) It is increasingly common in contemporary times, that the ownership alluded to in (ii) above may be acquired by straight forward purchase from a recognized owner.

10.6 The Local Government Act 2004

The Local Government Act 1994 establishes the system of local government, which is based on localities (districts or metropolis), and their sub-structures. Regarding land tenure, the Act affirms provisions of the Land Laws and Customary Law, by affirming the Chiefdom Councils Act.

Localities include District Councils, Town Councils, and City or Metropolitan Councils. The councils are constituted by a Chairman, elected councillors and a number of Paramount Chiefs, and are the highest political authorities in these localities. They are vested with legislative and executive powers, to be exercised in accordance with the Act, or other enactments. Section 20 (2) (d) of the Act invests the Councils with the responsibility of “promoting the development of the locality and the welfare of the people in the locality with the resources at its disposal”. Towards this, the council is empowered, among others to:

- (i) promote and support productive activity and social development in the locality
- (ii) initiate and maintain programmes for the development of basic infrastructure
- (iii) be responsible for the development, improvement and management of human settlements and the environment in the locality
- (iv) initiate draw up and execute development plans

the 2004 act included also a timetable for the devolution of functions from central government to local councils, and which stated that the Ministry of Lands, Country Planning and the Environment will pass over land surveying by 2008 survey units within local councils, including surveying and setting up land registration units. The land use planning has just be effected by the government in 2019.

10.7 World Bank Performance Standard on Land Acquisition, Restriction of Land Use and Involuntary Resettlement (ESS5)

The World Bank Environmental and Social Framework applies to this project, in particular Environment and Social Standard (ESS) 5: “Land Acquisition, Restrictions on Land Use and Involuntary Resettlement”. This Standard applies to physical and/or economic displacement resulting from the following types of land-related transactions:

“Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both”.

World Bank ESS 5, Introduction

- Land rights or land use rights acquired through expropriation or other compulsory procedures in accordance with the legal system of the host country;
- Land rights or land use rights acquired through negotiated settlements with property owners or those with legal rights to the land if failure to reach settlement would have resulted in expropriation or other compulsory procedures
- Project situations where involuntary restrictions on land use and access to natural resources cause a community or groups within a community to lose access to resource usage where they have traditional or recognizable usage rights
- Certain project situations requiring evictions of people occupying land without formal, traditional, or recognizable usage rights
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, freshwater, medicinal plants, hunting and gathering grounds and grazing and cropping areas.

The objectives of ESS 5 are:

- “To avoid involuntary resettlement or, when unavoidable, minimise involuntary resettlement by exploring project design alternatives;
- “To avoid forced evictions;
- “To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: a) providing timely compensation for loss of assets at replacement cost and b) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected; and (c) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher;
- “To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- “To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- “To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of

those affected”.

These objectives are adopted by this RPF, and will be applied during project implementation, governing all activities where involuntary resettlement occurs. The objectives are listed and further detailed in chapter 4 Entitlement matrix. For sub-projects that require resettlement/land acquisition, the Bank requires preparation of RAPs, which are consistent with this RPF and ESS 5.

10.7.1 Comparative analysis of national policies with World Bank Requirements

The law and regulations and requirements for resettlement in Sierra Leone are not fully compatible and there are some differences with that of WB ESS 5. For instance, the Sierra Leone statutes makes provision for compensation to be paid to only persons who have suffered any loss and can produce any form of title that is legal in the form of deeds, leaseholds, or legally binding tenancy agreement to the land in question. However, ESS 5 expects all forms of losses without exception to be catered for. In the case of any gaps between the national law and WB ESF, gap filling measures have been identifies and the provisions that provide the highest protection of the PAPs will be adopted. In this case the World Bank ESF will apply in accordance with this RPF.

Table 6 summaries a comparative analysis between the national policies and the WB requirements

Table 6: Comparison of National Legislation and World Bank Requirements for Physical and Economic Displacement

| Issue | National law | ESS 5 | Gap filling measures | Strategy |
|--|--|---|--|--|
| Public consultation and information disclosure | the owner/tenants on the land must be formally notified at least a week in advance of the intent to enter, and be given at least 24 hour notice before actual entry. | Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementation and monitoring of resettlement. | Displaced persons and their communities will be provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementation and monitoring of resettlement | The project Stakeholder Engagement Plan provides mechanisms to ensure informed participation through life of project, from inception to completion. A feedback system will be ensured during project life. MBSSE/PIU will be the responsible body for consultation and disclosure. |
| Timing of Compensation Payment | Prompt. | Prior to displacement and relocation. | Compensation payments are will be done prior to displacement | MBSSE, Local authorities, Local Community members, NGOs etc will all play a role in monitoring to ensure this provision is complied with |
| Calculation of Compensation | Fair and adequate. | Full replacement cost. | The Full Replacement Cost Approach (RCA) will be adopted for the calculation of compensation. | MBSSE, with local authorities, valuator and the affected persons will participate in the valuation process. |
| Payment of Compensation | Cash Compensation is based on market value | Entitled to in kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement Preference should be given to land-based resettlement (land to land) to PAPs whose | Compensation payments will be in-kind or cash as agreed with the PAP at full replacement cost including labor and relocation expenses, prior to displacement. | . MBSSE, with local authorities and valuator will develop compensation and MBSSE/PIU/MLHC/Local authorities will be responsible for final approval and payment. |

| Issue | National law | ESS 5 | Gap filling measures | Strategy |
|---|--|---|---|---|
| | | livelihood is land-based. | | |
| Encroachers/ squatters | no legal provisions are made for entitlements for people without titles to land i.e. squatters/encroachers | People without title may be entitled for transitional allowance to assist them relocate from land that they occupy except people who encroach on the area after the cut-off date are not entitled to compensation or any form of resettlement assistance | Squatters will be entitled to compensation for investments and assets made on land except for the land itself regardless of legal tenure Provided these investments were done before cut-off regardless of legal tenure | MBSSE in coordination with local authorities and valuers will ensure this. |
| Livelihoods restoration and resettlement assistance | No provision. National Law does not specify assistance | Provide additional targeted assistance (e.g. credit facilities, training or job opportunities) and opportunities to improve or at least restore their income earning capacity, production levels and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected. For a transitional period | Resettlement assistance in terms of moving allowances, loss of earnings etc. will form part of compensation framework, in addition to longer term livelihood development programmes. | MBSSE/PIU, MLHC and Councils will be the responsible bodies for this. |
| Support to vulnerable groups | No legal provision; compensation for expropriated property can be determined | According to World Bank policy a special attention must be given to vulnerable groups. They are entitled to additional compensation, legal assistance during resettlement and help during physical relocation | Particular attention will be made to identify vulnerable, or potentially vulnerable households at time of baseline surveys, for special consideration based on scale of impact. | MBSSE and local authorities will identify vulnerable groups during the socio-economic survey. |
| Treatment of | Fixed | Under ESS 5 : (i) | Compensation for fixed | MBSSE, MLHC/Councils will be |

| Issue | National law | ESS 5 | Gap filling measures | Strategy |
|----------------------------------|--|--|---|--|
| residential and business renters | improvements introduced by renters on the land or structures automatically belongs to the landowner, unless there is a specific provision that the owner will compensate the renter for any fixed improvements introduced by the latter. The practice is to ask the landowner to sign a waiver, allowing the renter to be paid compensation for any fixed improvements | compensation at full replacement cost for loss of structures/assets other than land; (ii) resettlement assistance; and (iii) other assistance, as may be necessary to restored to pre – project levels at least. | improvement introduced by the renter will be paid to the renter at full replacement cost. Renter will be provided compensation for transfer costs and disturbance, compensation for temporary closure of the business establishment while transfer is ongoing . | responsible for compensation. |
| Grievances | The law prescribes the possibility of appealing throughout expropriation phases with statutory limits | WB policy requires that a GRM is established to provide appropriate and accessible avenue for PAPs complaints to be received to facilitate the resolution of any grievance | Appropriate and accessible grievance mechanisms to be established in the RPF. | Detailed grievance mechanism in place and articulated through Public Consultation and Disclosure Plan, with recourse to court of law if need be. The GRM will be accessible at no cost, reliable and transparent and will be publicly disclosed. A Grievance Committee |

| Issue | National law | ESS 5 | Gap filling measures | Strategy |
|---------------------------|---------------------|--|---|---|
| | | | | will be established that will include representative of the PAPs and other stakeholders. MBSSE is responsible for ensuring effective GRM is in place. |
| Monitoring and evaluation | No provision | Requires monitoring and reporting on effectiveness of RAP implementation | Detailed monitoring, evaluation and monitoring program built into the overall project management process. | Monitoring will be internally and externally done. MBSSE, MLHC and Council are the responsible bodies. |

In a number of cases, as shown in table 1 above, the WB requirements are more favourable and provide better protection to PAPs than the provisions of the Sierra Leonean laws. In case there are gaps between the Sierra Leonean law and the requirements of ESS 5, the principles and procedures of ESS 5 will apply.

In principle, the Sierra Leone's National Land Policy and ESS 5 both adhere to the objectives of avoiding land acquisition where possible and compensating for lost land and assets at replacement cost, but Sierra Leone's legislation does not provide for rehabilitation and in practice this has been left to ad hoc arrangements made by the Government. This RPF has been developed to ensure the objectives and requirements of ESS are fully achieved and that all losses are replaced or compensated, with the goal being that affected people's standard of living are improved, or at least restored to their prior levels.

Key elements of the RPF that will ensure reconciliation of the differences between NLP and World Bank Policy include:

- All PAPs, whether legally entitled to the land or assets or not, will be entitled to compensation for lost assets and for income rehabilitation measures. This includes people using land or assets without legal rights. People without rights will be given assistance to acquire such rights, or otherwise compensated if this is not possible.
- PAPs and affected communities will be consulted on the program before the Resettlement Policy Framework is adopted and as the Resettlement Action Plan is developed, and will be informed of the impacts of land acquisition and resettlement.
- PAPs will be subject to screening to identify the level of potential impacts and appropriate mitigation measures and compensation. Gender and vulnerability status will be considered during screening.
- If land-for-land compensation is not technically feasible or socially viable, compensation will be in cash at replacement cost at current market value.
- Compensation for any other assets affected (structures, crops and trees, as well as business/income loss) will be in cash or kind at full replacement cost at current market value. This implies a separate program of valuation under Sierra Leone Law and for additional requirements.
- Special allowances will be provided to cover the expenses of affected people during the process of resettlement, with additional assistance to severely affected or vulnerable people, including women-headed households, households with disable people, and elderly households. Temporary loss of land or assets and temporary disruption of income or livelihoods will be compensated based on actual losses.

To reconcile the gaps between Sierra Leone law and the World Bank requirements, MBSSE has adopted this RPF for the project, ensuring compensation at full replacement cost of all items, the compensation of extra-legal settlers and users, and the provision of subsidies or allowances for affected people and households who will be relocated, suffer losses, are vulnerable, or will be

severely affected. This is consistent with the land policy, which allows “other rules’ to be applied when international agreements provide such rules.

10.8 Administrative and Institutional Framework

This section provides an overview of the statutory organs with mandates to supervise or monitor the implementation of the RAP. These institutions are listed below.

10.8.1 Ministry of Basic and Senior Secondary Education

The implementation of the project will be the direct responsibility of the MBSSE through the directorate in the ministry. Its major roles will be to:

- Coordinate the implementation of resettlement activities in the selected institutions
- Guide the institutions on enforcing the mandated regulatory safeguards policies such as carrying out the RAP of the developments by FEP by procuring the consultants
- Monitor and supervise the implementation of this RPF/RAP during the implementation of the project
- Liaise with the district and MLHE when need arises in ensuring the peaceful implementation of the process including handling of any grievances

The MBSSE, through the Inspectorate Director will ensure that local council’s plans are aligned with the objectives and interventions in the basic education subsector of the Free Education Project.

The MBSSE will provide oversight of the FREE Education Project implementation. A Project Steering Committee (PSC) and a project management team of the MBSSE will be established to coordinate and oversee implementation of the Free Education Project. The Project Steering Committee (PSC) will:

- Provide guidance on strategic policy and implementation issues;
- Coordinate activities of the ministries, agencies and other stakeholders involved in the project implementation
- Review and approve annual work plans, budget and annual reports
- Review and discuss quarterly and annual progress reports and make necessary recommendations; and
- Assess the progress towards achieving the project’s objectives and take corrective action if necessary;
- Resolving cross-sectoral and issues above the Project Management Team.

The PSC will be chaired by the Minister of MBSSE or his/her designee. The PSC will include representatives at the Chief District Education Officer for the ministries and at the director levels for the agencies of relevant ministries and institutions and civil society organisations, including: (i) Ministries of finance, and ministry of local government and rural development; (ii) Statistics Sierra Leone, EPA and WAEC; (iii) Civil Works Contractors, SLTU. The PSC will meet quarterly to assess the project implementation progress on the ground including ensuring safeguards due diligence and undertake site visits as necessary.

The MBSSE has overall responsibility for implementing the entire Project as well as the implementation of resettlement programmes due diligence process and the RPF. If there is

involuntary resettlement and land acquisition, the MBSSE will request to the Project Steering Committee to deal with resettlement and land acquisition in accordance to the policies and procedures set forth in this RPF.

10.8.2 Ministry of Lands, Housing and the Environment

The MLHE would be responsible for managing and protecting the environment as well as land valuation and compensation related to this project. The ministry provides advisory services to the public on land matters and is also responsible for physical planning and management of the forestry resources. The Town and Country Planning Department is responsible among others for: Planning, controlling and ensuring the harmonious, sustainable and cost effective development of human settlements in accordance with sound environmental and planning principles.

The Surveys and Lands Department

This Department is responsible for the management of public and vested lands transactions and they, in co-ordination with the relevant public agencies and governmental bodies, perform other functions related to involuntary resettlement. They will be responsible for planning layouts of the buildings. It also vets and approves layout prepared by prospective developers and specifies all reservations based on forecasted land use plans.

The Land Valuation Committees of District Councils

Aim at delivering an open, timely and cost-effective valuation service, with the view to supporting economic development.

The Land Title Registry

The Lands Title Registry aims at providing an open, cost effective and timely service in the registration of titles and interests in land that is state-guaranteed to meet the needs and expectations of the country and its inhabitants. They will be responsible for registration of title documents.

The MLHE is the key government ministry responsible for land acquisition. Activities related to land acquisition and involuntary resettlement are carried out in collaboration with a wide network of public and civil society organisations, which include the project implementing agencies and their relevant ministries, the valuation department, the survey department and land title registry.

10.8.3 Ministry of Finance (MOF)

This ministry has the broad responsibility for financial management, procurement, and monitoring and evaluation functions of the project. They have the financial responsibility for RAP implementation to pay cash compensation to PAPs. Upon receipt of the approval of the compensation data, the Ministry, subject to the availability of funds releases the total amount of compensation to PAPs to the implementing entity (MBSSE/PIU) for subsequent payment to the affected people. All other implementation-related costs including for grievance management, public disclosures, monitoring and evaluation etc. will be borne by the project funds.

10.8.4 The Environment Protection Agency

Environmental Protection Agency is a statutory agency for the protection of the environment and for other related matters. With reference to the road project, the EPA has the overall responsibility

of permitting and monitoring the project's compliance in line the Approval Conditions as well as other standards relating to environment. It is further empowered to identify projects, plans and policies for which environmental assessment are necessary and ensure that the same is done in line with the provisions of EIA regulations. Its responsibilities include managing the EIA process, making decisions and ensuring that management occurs in accordance with the decision. As such, EPA approves the terms of reference for project assessments, reviews reports including the project brief, EIA and follow-up, monitoring reports. The Agency also helps the project proponent to establish a public consultation process.

The EPA will be responsible for the overall supervision of the monitoring program and for screening and appraising the RAP as well as monitoring and evaluating resettlement/rehabilitation process.

10.8.5 Ministry of Local Government and Rural Development (MLGRD)

Ministry of Local Government and Rural Development oversees the decentralisation and devolution of functions, powers and services; and to ensure good governance and democratic participation in, and control of decision-making by the people. The local council functions under this Ministry, including the District Local Council under that Elected Councils and their executive committees have, among other, a function to receive and solve disputes from local councils. Local Councils will work with the Local District Education Office in the implementation of relevant interventions of the Free Education Project.

Local governments will be important in managing and monitoring social impacts through site visits or resolving complaints from affected communities. Hence, they have a central responsibility in this project in regard to monitoring resettlement impacts and ensuring social benefits of the project are equitably accessible to every community. Local officers will also ensure that proper resettlement, compensation and grievance management are undertaken. The local councils are important in community mobilisation during project implementation, including compensation. During compensation, local council in project-affected areas will be helpful for identification or verification of rightful property owners.

10.8.6 Ministry of Justice

The Ministry of Justice is responsible for legal matters regarding land ownership, and Office of Administrator General within the Ministry of Justice is in charge of the registration of land ownership and its transfer through purchase agreement from landowners.

In case of expropriation, MBSSE will rely on the court, which based on due legal process will have to review the expropriation cases, carry out a hearing and decide whether the land can be expropriated and at what price, in order to expedite the expropriation process MBSSE will negotiate with the courts a fast-tracked action plan. Furthermore, in cases where complaints and grievances regarding RAP implementation and compensation are not solved at the various levels as prescribed in the agreed Grievance Redress Mechanism, the PAPs will have the right to appeal the case to the court.

The Ministry of Justice and associated departments will be responsible for drafting Executive Instruments for getting the needed land for the project. They will be in charge of the recognition

of rights of rightful owners, registration of land ownership based on verification and property rights.

10.8.7 District Education Office

Under the decentralised governance system, the district local governments are responsible for monitoring and inspection of schools under their jurisdiction to ensure compliance to policy guidelines, provide supportive supervision and coordinate activities of partners. They have a role to coordinate and provide technical and professional guidance in the management of education policies, plans and programmes in the districts. In addition, they also implement approved education development plans and strategies. In the project they will have oversight roles of ensuring the works are adequately supervised by the District Engineers and in keeping with the education infrastructures standards and specifications. They will be work with the community structures in the identification of building sites for the schools. The Directorate also houses the construction/rehabilitation monitors who regularly monitor work at the construction sites. In the implementation of the RPF the Office of the District Education Office shall have the following responsibilities:

- Identification of subproject sites in consultation with the local community;
- Conduct the screening of all infrastructural investments to determine whether resettlement is involved. The screening results, as mentioned above, should be sent to the PIU;
- Conduct regular compliance monitoring of the implementation of the mitigation measures designed to reduce or minimise the negative social and economic impacts generated by project activities;
- Work with the local community particularly the traditional authorities to prevent disputes and when they occur use the traditional mechanisms to resolve them.

The DEOs will provide an important link between the communities and the Ministry. In the Free Education Project, they will be actively involved in specifying specific subproject sites in consultation with the community, conduct screening of subprojects and also sensitize the communities on the project objectives. In case of disputes relating to land acquisition they will be required to assist in resolving it through the traditional dispute resolution mechanisms.

10.8.8 School management committees (SMCs)

At the school level, the School Management Committee (SMC) is composed of representatives from the founding body of the school, teachers, parents, local authorities of the area, and the district education office. It is the statutory organ that governs the school on behalf of the government. Principally, they are to monitor project implementation mostly from economic and logistical angle of project progress, material consumption and financial expenditure. They will also be imparted with basic skills to monitor socio-environmental impacts during and after project implementation, and any issues that arise related to land.

The SMC will also form a school construction management committees (SCMCs) who will assist in the implementation of the environmental and social safeguards requirement, and they will include women representatives, person with disability, a school teacher (who understands basic building measurements, materials and structures), and a community representative.

In the implementation of RAP, the SMCs and its SCMCs will be responsible for (i) coordinating and organizing consultative meeting and public announcement with parents, (ii) checking construction progress and ensuring compliance to all safeguards particularly parents; (iii) receiving complaints from parents and communities and send to Grievance Redress Committee for action.

10.8.9 Other relevant district departments

A number of line district technical departments such as: District Environment Officers/Municipal Environment Officers, District Planners, District Engineers, Community Development Officers, and alongside political arm will have a role in the implementation of the project in keeping with their decentralised roles as enshrined in the Local Government Act of 2004 and other applicable legal and policy instruments.

11 SITE SELECTION, PREPARATION AND RELOCATION/ RESETTLEMENT MEASURES

11.1 Identification and preparation of relocation sites

Land for land compensation is one possible option to compensate for the land, houses and even small businesses that are acquired for the project. It may be an appropriate option where there are significant impacts on plots of agricultural land (including the farmer's housing) and may also be an option where small settlements have to be moved, due to significant impacts on businesses and housing.

The Entitlement Matrix for this project also includes the option of physical infrastructure improvements at existing school sites. However, it has yet to be determined whether or not the engineering solutions will actually require large-scale land acquisition in these areas.

The PIU will be responsible for identifying the alternative areas that could be developed as resettlement sites. The following measures will be considered in selecting and developing an area as a resettlement site.

- Criteria for site selection will be developed and discussed in detail with the affected people, their representatives, local officials and other relevant persons.
- The affected people will be consulted in regard to different relocation options, such as relocation on the remaining areas of the lands that will have to be acquired, purchase of plot in immediate vicinity, where their relatives are living, self-relocation, and relocation to a site selected by the agency implementing the subproject.
- A feasibility study will be carried out to assess the potential of each proposed resettlement site to ensure that it is suitable for the type of resettlement proposed (agricultural settlement, residential and business, apartment blocks, etc.) and has the infrastructure and other facilities that are needed as well as connectivity with markets and other towns.
- Wherever possible, the selected sites will be close to the affected areas, to allow people to continue in their current employment and schools, to retain existing clients and networks in the case of businesses, and to remain close their friends, families and community. It is preferred if the relocation sites could be found within a radius of 1-1.5 km from the present habitats of the affected communities.
- The resettlement sites developed for residential purposes will have the necessary infrastructure in place before any household move. The facilities would include road access, potable water, sewerage, storm-drainage, electricity, schools, health care facilities and market buildings.

11.2 Physical relocation and transitional assistance

Physical relocation may involve resettlement on the remaining area of an affected property, moving to a new plot selected by the affected household (self-relocation) or relocation to a plot in a resettlement site or housing unit developed by the project. The project will ensure that full compensation and other resettlement benefits and assistance are paid/granted to the displaced persons/households prior to their displacement. The payment of compensation will be made in accordance with the World Bank safeguard policy on Involuntary Resettlement.

Where it is necessary for affected persons to vacate the affected area before the date specified in the Section 38(a) order, an allowance for temporary accommodation will be provided as set out in

item B1 of the Entitlement Matrix. The affected persons who are relocated will also be provided with additional allowances such as for transport of their household goods and materials, vulnerability allowances etc. as stipulated in the 2008 Regulations and as set out in the Entitlement Matrix.

11.3 Relocation of businesses

The relocation of businesses will follow the same procedures as set out above in Section 7.3. However, some businesses may be entitled to additional allowances such as for transport of goods and materials, restoration of utility services, re-fixing of fixtures and fittings, advertising etc. as well as allowances to be paid to the employees as specified in the Entitlement Matrix. Where possible, the project will encourage the owners or operators of affected industries and businesses to relocate to nearby areas.

11.4 Relocation of infrastructure

The relocation of infrastructure facilities and public utility services will be undertaken by the agencies responsible for them (e.g. SALWACO and GVWC in the case of water distribution lines). The PIU will obtain the cost estimates required for relocating/shifting the affected facilities from these agencies, and then secure the necessary funds for moving or reconstructing the affected facilities. The funds will then be transferred to the respective agencies so that they can carry out the work. The PIU will monitor the progress of the reconstruction and will coordinate close with the relevant agencies to ensure that the works are completed as quickly as possible. A time frame will be agreed with the relevant service providing agencies, and the same will be communicated to the public prior to the relocation of those utility services in order to avoid/minimize any inconveniences caused to them.

11.5 Relocation of cultural heritage sites and sites of cultural and/or religious significance

It is envisaged that there are no major cultural heritage sites that would need to be relocated due to the project interventions. The project will consult the design teams to avoid any impacts on such social and religious sites. If unavoidable, measures that are required to be implemented for their relocation will be discussed and closely coordinated with the religious authorities and the communities that worship or use these sites. The project will also make available adequate funds required for their relocation such as for acquiring alternative land/sites, construction of shrines and graveyards, rituals and ceremonies to be performed during relocation etc. if additional civil works have to be undertaken to protect the sites, the project will consider alternate design options to avoid such structures/sites, and also include them as a part of the contract for construction works.

11.6 Tenure and transfer of titles

The transfer of tenure or titles to the households is an important part of the resettlement process. Those affected persons that have opted to move to resettlement sites or to housing units provided by the Project, the PIU will coordinate with the District Education Offices in which the resettlement sites are developed, in order to provide the resettled households with certificates of ownership. Further, in the interest of enhancing women's asset ownership, options will be provided to the resettled households to have joint ownership or independent ownership of the land and house among the resettled household for women.

All the activities relating to ownership transfer, etc will take place in parallel to the activities related to payment of compensation.

12 INSTITUTIONAL ARRANGEMENTS AND ORGANIZATIONAL PROCEDURES FOR DELIVERY OF COMPENSATION AND OTHER RESETTLEMENT ASSISTANCE

For this project a project implementation unit will be established hosted by the MBSSE to carry out planning, implementation and monitoring activities. MBSSE is responsible for compliance with ESS 5 and this RPF. The MBSSE PIU will be required to liaise with the various agencies and, if necessary, prepare a formal agreement with the agencies to provide their services in a timely manner as per the project schedule and/or the implementation schedule provided in the RP documents. Fiduciary management including procurement and financial management shall be within the responsibility of the PFMU (responsible for procurement and financial management) housed under the Ministry of Finance as per the agreement reached between the MoF and the MBSSE. Responsibilities will be mainly shared between MBSSE, MoF, Local Councils (Municipal and district councils) and the contractor according to Table 5.

The project will recruit Environmental and Social specialist and other collaborating agencies will play a key role while incorporating proper social safeguard measures in all project designs related to physical infrastructure improvements (renovation, rehabilitation, new buildings). The safeguard specialist in the MBSSE will be responsible for supervision and coordination of all activities related to resettlement implementation for all the sub-projects.

In this context, the responsibilities will include:

- Provide guidance and assistance to the project-engaged NGOs/CBOs/Councils in the implementation of public information dissemination, consultation and participation process among various stakeholders;
- Review and propose necessary RAP budget;
- Monitor RAP implementation and progress;
- Supervise the compensation payment process;
- Assist in redressing grievances concerning RAP activities;
- Coordinate with concerned government agencies and other ministries; and
- Consolidate all RAPs submitted by consultant and submit them to the funding donor for review.

The PIU will include the following:

- Environmental and social specialist
- Procurement specialist (MBSSE)
- Technical advisor (MBSSE)
- Architects (PFMU +)
- Quantity Surveyors (PFMU +)
- Civil Engineers (PFMU +)
- Electrical Engineer (on retainer basis)
- Project Management Consultancy firm (providing the others)

Error! Reference source not found. below is a table of the institutional arrangements and responsibilities for environmental and social assessment and resettlement monitoring.

Table 7: Institutional Arrangements and responsibilities for environmental and social assessment and resettlement monitoring

| Institutional responsibilities task | Institution(s) responsible |
|--|--|
| Project coordination and management | <ul style="list-style-type: none"> • Project Steering Committee • Project Implementation Unit • District Education Oversight Committee • School Management Committee |
| Implementation and monitoring of ESMF and RPF | <ul style="list-style-type: none"> • PMT (E&S consultants) • DEO/Councils (including Land Valuation division of MLHE) • Environment Protection Agency |
| Determination of affected persons and compensation levels | <ul style="list-style-type: none"> • PSC • PIU • DEO/Councils |
| Payment of compensation | <ul style="list-style-type: none"> • PIU • DEOs/Councils |
| Dispute resolution | <ul style="list-style-type: none"> • DEOs • Traditional leaders/authorities |
| Monitoring and evaluation | <ul style="list-style-type: none"> • Independent consultants |

Table 8 below outlines the government agencies and institutions involved in involuntary resettlement activities for the project.

Table 8: Key Institutions in process of resettlement/institutional responsibilities for the implementation of RPF

| Agency/institutions | Involuntary Resettlement Function |
|---|---|
| MBSSE – PSC and MoF for Land Acquisition | Responsible for the site/land acquisition necessary for the FREE Education Project. Responsible for implementation, management, and obtaining budget allocation from the GoSL for payment of land acquisition. Review and approve RAP and associated budget on behalf of the Government. |
| MBSSE | Overall responsibility to ensure that the RAP is prepared and implemented in accordance with the RPF. It shall establish PIU, directly manage and supervise the project, including all its components and subcomponents (land acquisition and resettlement activities) with the direction for the PSC, signatory rights on Project account. It shall ensure that funds for the timely implementation of the RAP are available and that expenses are properly accounted for. |

| | |
|---|---|
| Project Implementation Unit (PIU) | <p>The most important agency to be involved in the implementation of the whole resettlement planning and implementation process will be PIU. It will be responsible for the oversight of implementation of the RPF and provide an enabling environment for the same. The Ministry of Basic and Senior Secondary Education shall have oversight role and overall responsibility.</p> <p>The task and responsibilities of the PIU shall include:</p> <ul style="list-style-type: none"> • Designation of an environmental and social focal point within the PIU to be responsible for all the social aspects of the project including the implementation of the RPF and the project grievance mechanism/resettlement; • Ensuring that the concept of minimal relocation and resettlement is taken into account in developing sub-projects • Systematic screening of all subprojects to determine whether further environmental and/or social assessment is needed; • Ensure that bidding documents contain environmental and social clauses and that contractors fully implement those clauses • Discloses the cut-off date in public announcement • Holds public consultations in all project phases • Engages with relevant stakeholders • Establishes and administers the grievances of PAPs and stakeholders • Ensure that compliance monitoring with Bank environment and social standards and national environmental laws and regulations is periodically carried out • Conducting and disclosing subprojects-specific ESIA/EMPs/RAP • Ensure that compulsory acquisition process is initiated where it is required (preparation of plans, preparation of the necessary legal instruments for acquisition) • Monitor and evaluate process of resettlement reports to WB on all issues under this RPF • Monitor the processes of temporary land occupation until the land is given back to their owners in accordance with this RPF |
| Ministry of Finance | <ul style="list-style-type: none"> • Borrower, according to legal authority • Procurement and financial management (PFMU) • Processing payments (PFMU) |
| Ministry of Local Government and Rural Development | <ul style="list-style-type: none"> • Monitors and coordinates work at local government level |
| Ministry of Justice | <ul style="list-style-type: none"> • Identifies the land plots and ownership rights and their registration into the Office of Registrar General |
| Independent Property | <p>To be commissioned by the PIU to undertake assessment of the</p> |

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| Appraiser | affected structures and to provide estimates of appropriate compensation values to PAPs based on the RPF |
| Project Consultants (Resettlement Expert/s) | In coordination with the PIU, the Project Consultant will have the following functions: <ul style="list-style-type: none"> • Prepare the RAP • Assist the PIU in identifying affected persons and assets • Conduct necessary surveys to gather information on the PAPs and affected assets • Assist the PIU and other relevant agencies in community, meetings and other related disclosure activities; and • Provide the PM with updated information on resettlement and related activities – detailed engineering design • Conduct external monitoring and evaluation of the RAP implementation. |
| Relevant local courts | <ul style="list-style-type: none"> • Issue Writ of Possession of expropriated lands (RA 974) and • Determine “just compensation” to land/property owners (RA 10752 Sec 14), if amicable agreement has not been reached |
| MLHE | <ul style="list-style-type: none"> • Provides development permits and regulates private housing developers which includes resettlement areas |
| Banks | <ul style="list-style-type: none"> • Depository of initial payments of just compensation; • Undertakes appraisal of affected properties at the request of MBSSE; and • Accredits private sector appraisers that government agencies can tap to value affected properties |
| EPA | The EPA will have a monitoring supervisory role and shall be responsible for confirming the results of the screening process, reviewing and clearing subproject-specific safeguard instruments and conducting compliance monitoring, with national laws and regulations, as well as World Bank Environment and Social Standards. In addition, the agency shall: <ul style="list-style-type: none"> • Conduct biannual nationwide supervisory visits to FREE Education Project sites and provide technical advice and support in project implementation • At regional level conduct quarterly visits to project sites and provide support to the regional directorate in the screening and categorization of infrastructural investments • Participate in the training and sensitization of beneficiaries to enhance understanding of the national laws on social safeguards and World Bank Environment and social standards, particularly ESS5 |
| District Education Offices | The district education is an important link between the Ministry and the local communities and are responsible for implementing on the ground the policies and programs of the ministry. They work with community structures in the identification of building sites for the schools. The directorate also houses the construction/rehabilitation |

| | |
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| | <p>monitors who regularly monitor work at the construction sites.</p> <p>In the implementation of the RPF the office of the district education office shall have the following responsibilities:</p> <ul style="list-style-type: none"> • Identification of subproject sites in consultation with the local community; • Conduct the screening of all infrastructural investments to determine whether resettlement is involved. The screening results, as mentioned above, should be sent to the PIU; • Conduct regular compliance monitoring of the implementation of the mitigation measures designed to reduce or minimise the negative social and economic impacts generated by project activities; • Work with the local community particularly the traditional authorities to prevent disputes and when they occur use the traditional mechanisms to resolve them. |
| SMCs | <p>The SMC will administer the construction works, ensure compliance of safeguard issues and monitor the implementation progress. Members of SMC will be responsible for:</p> <ul style="list-style-type: none"> - Coordinating and organizing consultative meeting and public announcement among the stakeholders particularly with student parents - Checking construction progress and ensuring compliance to all safeguard related issues; - Receiving complaint from student parents and communities and send to Grievance Redress Committee for action. |
| Municipal and District Councils | <p>As local government authorities at the municipal and district level, the municipal and district councils will liaise with the MBSSE to implement the project. They will provide cash compensation for PAPs and support them to relocate to their new land parcels.</p> |
| Private sector entities | <p>RAP implementation will entail involvement of private sector consultants for various planning and implementation activities, including the assessment and verification of assets, and payment of compensation to PAPs</p> |
| Civil works contractor | <p>They will be responsible for mitigating impacts resulting from the construction activities in accordance with ESMP</p> |

13 IMPLEMENTATION SCHEDULE FOR RESETTLEMENT

13.1 Time schedule for the implementation of the RAPs

The Government of Sierra Leone will ensure that funds are delivered to organisations/institutions/NGOs implementing for timely preparation and implementation of the RAP, as applicable. Civil works contract will not be awarded unless required compensation payment has been completed. However, income rehabilitation measures may continue and be completed even after civil works has begun. An indicative schedule for implementing the RAP is shown in the following table 6 assuming a sequential order of proposed activities. Some of these steps will overlaps in their timing of implementation and will be repeated throughout the project cycle.

13.2 Linking resettlement implementation to civil works

The strong linkage between resettlement implementation and civil works initiation has already been established. As stated before, the project is not expected to require major relocation resulting from construction of school facilities as all construction work will be located in the existing school and/or public land. Experience from previous projects carried out by MBSSE (formerly MEST) indicates that most of constructions were built on lands belonging to schools. However, some unexpected low-level impacts, including disruption of access or damage to property (i.e. Land and buildings) through encroachment. Such potential low-impact will be clearly determined after target schools are selected and approved during the project appraisal stage and technical design and specification have been finalized.

For each sub-project, the resettlement schedules will be coordinated with construction schedules. Before any project civil works activity is implemented, PAPs will have to be compensated in accordance with national laws and World Bank ESF and regulations and guidelines as set in the RPF. In other words, no individual or affected household should be displaced due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual affected.

The land acquisition (for both construction and relocation) and demolition of houses should be completed within the preparatory stage of the engineering construction and before the beginning of the relevant engineering works. The schedule is expected to ensure that all PAPs, prior to their physical relocation will:

- Have been adequately consulted about the project, its impacts and compensation entitlements;
- Have received compensation entitlements in an adequate and timely manner;
- Have been provided with means to establishing livelihoods.

All PAP and Project Affected Households (PAHs), without regard to legal status of property, will receive support of various kinds, as per the principles set out in the Entitlement Matrix, to assist them in their efforts to maintain their livelihoods and living standards prevailing prior to the project. Squatters will not be compensated for loss of land but will receive compensation for loss of other assets which had been established with their own finances, and for loss of income such that they are assisted in their efforts to maintain their livelihoods and well-being. Detailed

measures to be implemented will be determined based on the census and socioeconomic survey conducted when the ARAP/RAP is developed. Compensation will be paid at replacement cost/value to respective PAP at least 30 days prior to construction commencement so that PAP have sufficient time to remove or relocate their affected structure. Likewise, PAP will be notified 30 days prior to date of construction commencement.

PAP and PAH will be notified of the project implementation schedule and consulted regarding the principles of land acquisition and loss of or damage to assets. Damages to assets, such as, land, structure, standing crops, trees, fences and kiosks, and loss of income. Any unexpected social impact occurring during construction, including disruption, PAP and PAH will be assessed based on the scope of impact, and will be compensated at replacement cost without regard to legal status of ownership according to the Entitlement Matrix provided in this RPF.

The implementation schedule of each resettlement plan must include resettlement and compensation details which must include the following:

- Target dates for start and completion of civil works
- Timetables for transfers of completed civil works to PAPs,
- Dates of possession of land that PAPs are using (this date must be after transfer date for completed civil works to PAPs and for payments of all compensation) and
- The link between RAP activities to the implementation of the overall sub-project.

If construction is delayed for more than 12 months from the date of conducting resettlement survey and the market price is significantly inflated the unit cost for compensation will be updated by conducting updated survey. Unit cost of all affected assets shall reflect the current market price.

Table 9 below shows implementation schedule for the RPF

Table 9: Key tasks and responsibilities in Land Acquisition and Resettlement

| Task | Objectives | Responsibility | Indicators |
|---|--|---|---|
| Recruitment of resettlement staff and initial training | Training and awareness raising | Sub-project implementing agencies and the PIU | Number of staffs recruited and provided initial training |
| Information disclosure and consultation of affected PAPs | Ensure that there is a continued consultation of PAPs on compensation process | MBSSE | Issues discussed and number of PAPs consulted |
| Identification of households and persons to be displaced physically or economically; confirmation of the identity of all property owners | Make sure that all eligible persons are identified and included in the RAP | MBSSE | Census and inventory of property owners' assets |
| Identification and assistance to vulnerable persons | Ensure the type of support for vulnerable groups; | MBSSE/Representatives of local authorities. | Number of persons who fulfill WB's criteria |
| Negotiations activities prior to construction commencement | To value the property both at market value and normative value | MBSSE/Valuator | project is declared as being of public interest and MBSSE issues an official decision in this respect |
| Securing the necessary funds for land acquisition | Give necessary budgetary sanction and requisition/directions to MBSSE for implementation | Ministry of Finance | compensation and livelihood restoration assistance provided equally to affected persons |
| Implementation of works and Contract Management. | Supervision of works and quality assurance. | MBSSE | monitoring and evaluation of implementation of Resettlement Plans as per RPF assured |
| Review and comment on Social Screening reports and prepare quarterly report | MBSSE | MoF/MBSSE | Due Diligent report reviewed and approved by WB |

| Task | Objectives | Responsibility | Indicators |
|--|--|--------------------------|---|
| Training and Capacity building needs | Assess training and other capacity building needs for effective RPF implementation | MBSSE/Consultant | Capacity building needs addressed |
| Review and comment on RAPs | Review and comment on Implementation of Resettlement Plans to ensure compliance with agreed Resettlement framework | WB | Requirements of the RFP ensured and RPF delivered |
| Establish coordination with relevant stakeholders | Coordinates all resettlement activities under this RPF and individual RAPs, | MBSSE | Number of payments made within the deadline |
| Disclosure and Consultation | Discloses RPF and all other documents, holds public consultations in all project phases, engages relevant stakeholders, | MBSSE | Number of PAPs consulted Type of issues discussed with PAPs |
| Monitoring and Evaluation | Monitors and evaluates process of resettlement, reports to appropriate stakeholders on all issues under this RPF; Monitoring and reporting after commencement of works | MBSSE/Steering Committee | Indicator monitoring level and submission of monitoring reports |

| Task | Objectives | Responsibility | Indicators |
|--|--|--|---|
| Compensation payment | Prepare all relevant documents and submit for compensation payments | MBSSE/MLHE/ Local Council | Cash compensation at replacement costs; Payment for relocation costs and compensation for other costs during relocation. |
| Management Information System | Systematize resettlement and compensation data information | MIS unit in the PIU, with consultant support as needed | Comprehensive information on all beneficiaries in the resettlement process |
| Finalization, negotiation and approval of amounts and payment options | Finalize and sign agreements with each PAP; Hold working sessions between the Steering Committee and affected persons to agree on compensation amounts and payment dates and methods | MBSSE | Number of agreements signed |
| Grievances | Set up institutional framework for addressing grievances; Ensure that the Grievance Settlement Committee is established as soon as possible to participate in RAP finalization and the negotiation of amounts | MBSSE | Number of complaints received, and number of complaints settled |

14 GRIEVANCE REDRESS MECHANISMS

14.1 Introduction

Strengthening system accountability is key outcome of the project. To this end, the project will to establish a grievance redress mechanism (GRM). The project is expected to strengthen accountability to beneficiaries and provide channels for project stakeholders to provide feedback on project activities. It is also expected to provide a mechanism that allows for the identification and resolution of issues affecting the project, including safeguards related complaints, misconduct of staff, misuse of funds, abuse of power, and other improper behavior. By increasing transparency and accountability, the GRM aims to reduce the risk of the project inadvertently affecting citizens/beneficiaries and serves as an important feedback and learning mechanism that can help improve project impact.

The GRM established under the project should be accessible to all, including ethnic, religious, gender, and other special groups. The mechanism focuses not only receiving and recording complaints but also on how complaints are resolved, and feedback provided. The GRM should be supported by an information campaign and training. While feedback should be handled at the level closest to the complaint, but all complaints should be registered and follow the set procedures.

14.2 GRM scope and use

SCOPE: The project should include a GRM that will be available for project stakeholders to submit questions, comments, suggestions and/or complaints, or provide any form of feedback on all project-funded activities.

WHO CAN USE THE GRM? Project beneficiaries, project affected people (i.e. those who will be and/or are likely to be directly or indirectly affected, positively or negatively, by the project), as well as the broader citizenry can use the GRM for the purposes of making complaints or providing complaints. Project affected people include those who will be affected in resettlement issues. There should be no charge for making a complaint or conveying comments or suggestions.

14.3 Procedures

14.3.1 Channels to make complaints

It is suggested that project will establish the following channels through which citizens/beneficiaries can make complaints regarding project activities.

- a. A dedicated email address [EMAIL]
- b. A dedicated phone line [PHONE NUMBER]
- c. On the project website [WEB ADDRESS]
- d. Feedback boxes located at [LOCATIONS]
- e. Letters sent to [ADDRESS]

- f. Verbal or written complaints to project staff (directly or through project meetings). (If project stakeholders provide verbal feedback/complaint, project staff will lodge the complaint on their behalf, and it will be processed through the same channels.
- g. Project Grievance Committees (which include women)
- h. Project meetings set up at the [specify] level, each of which include women.

The project shall ensure flexibility in the channels available, make sure that different contact points are available for a person to make a verbal complaint, and that complaints addressed to the wrong person or entity are redirected to the Project secretariat.

14.3.2 Confidentiality and conflict of interest

Complaints may be made anonymously, and confidentiality will be ensured in all instances, including when the person making the complaint is known. For this reason, multiple channels to make a complaint have been established and conflicts of interested will be avoided.

14.3.3 Collection/receipt of complaints

The person receiving the complaint will complete a grievance form (see Annex 6a), or make the form available to the complainant to fill out directly, and submit it without delay to the M&E officer of the Project Secretariat (GRM Manager) who is responsible for GRM. The complaints for the project will be collected and compiled by the Free Project Secretariat on a regular basis.

14.3.4 Sorting/categorization

Once compile, the Free Project Secretariat will be responsible for sorting the feedback into the following categories

| Category No. | Classification |
|---------------------|---|
| Category 1 | Safeguards, including compensation disputes, land allocation and delays in compensation |
| Category 2 | Grievances regarding violations of policies, guidelines and procedures |
| Category 3 | Grievances regarding contract violations |
| Category 4 | Grievances regarding the misuse of funds/lack of transparency, or other financial management concerns |
| Category 5 | Grievances regarding abuse of power/intervention by project or government officials |
| Category 6 | Grievances regarding Project Secretariat staff performance |
| Category 7 | Reports of force majeure |
| Category 8 | Suggestions |
| Category 9 | Appreciation |

14.3.5 Recording/logging

Once the complaint has been categorized, the GRM Manager logs the details regarding the complaint into the tracking system. This system may be manual (hard copy) or connected to the project MIS system. GRM files should be stored in a secure setting (password protected IT database or locked storage cabinet for hard copies).

Once a complaint has been logged and sorted, the Environmental and Social Specialist (ESS) refers the case to the Project Coordinator. The latter shall determine the following:

- The person responsible to investigate the complaint.
- The timeframe within which the complaint should be resolved.
- The agreed course of action (e.g. investigation, reply not requiring investigation, etc.).

The investigation process is determined based on the nature and gravity of the complaint:

- For resettlement-related complaints, regardless of the complexity of the case, the Social Safeguards Specialist with the Project Secretariat will be involved in the conduct of the investigation in addition to, or instead of the Investigating Officer
- For local level complaints, the investigation will be conducted by First Investigating Officer in 10 days.
- For complex complaints, the investigation will be conducted by Second Investigating Officer/Entity in [Y] days or as otherwise agreed with the GRM Manager.⁹

When determining who will be the investigating officer, the Project Secretariat will ensure that there is no conflict of interest, i.e. all persons involved in the investigation process should not have any material, personal, or professional interest in the outcome and no personal or professional connection with complainants or witnesses.

Once the investigation process has been established, the person responsible for managing the GRM records and enters this data into the log-book.

The number and type of suggestions and questions should also be recorded and reported so that they can be analyzed to improve project communications.

14.3.6 Notification to the complainant

If the complainant is known, the Project Secretariat will communicate the timeframe and course of action to her/him by phone, email or mail, within two weeks of receipt of the grievance.¹⁰

Where the complainant's address is available, this should be provided in writing with a tracking number and the deadlines by which they will hear back from the Project Secretariat (see Annex 6b Notification Form).

14.3.7 Investigation

The person responsible for investigating the complaint will gather facts in order to generate a clear picture of the circumstances surrounding the grievance. Verification normally includes site visits, review of documents, a meeting with the complainant (if known and willing to engage),

⁹ For complex and severe complaints, senior management should be informed and assign responsibilities for conducting the investigation. Senior management should also take part in the investigation and invite observers and external experts.

¹⁰This two-week timeframe assumes the number of grievances is relatively small. The time service standard will be adjusted if the volume of grievances increases beyond a manageable level.

and a meeting with those who could resolve the issue (including formal and informal village leaders, or other leaders).

With regards to resettlement and grievances related to valuation of assets at the expenses of the project, a second or a third valuation may be undertaken, until it is accepted by both parties. These can be undertaken by independent valuers, until it is accepted by both parties. These can be undertaken by independent valuers at the expense of the part who does not agree.

The results of the verification and the proposed response to the complainant will be presented for consideration to the GRM committee of the MBSSE.

Once the decision has been made on the course of action and on the response to provide to the complainant, the Project Secretariat describes the actions to be taken in the grievance form (see Annex 1), along with the details of the investigation and the findings and enters it into the MIS.

14.3.8 Response to complainant

If the complainant is known, the Project Secretariat communicates the proposed action to her/him via letter, email, verbally, as received. The complainants will also be informed by who on how s/he can appeal the action decided in the initial case.

The Project Secretariat will request feedback from the complainant as to whether s/he deems the action(s) satisfactory, and this will be recorded along with the details of the complaint and the response taken.

14.3.9 Possibility to appeal

In the event the complainant is satisfied with the response, discussions will be held in group or individually to further clarify the positions at stake. Senior management will take part in these meetings and a final decision on the action(s) will be made.

The Project Secretariat will form a Grievance Committee that will hear appeals. The Grievance Committee shall be comprised of staff from the Project Secretariat and persons who are independent from the project implementing authorities and the government. The terms of the Grievance Committee will be agreed prior to its format.

The complainant is not precluded from appealing outside the project/Project Secretariat GRM¹¹ if they are not satisfied with the proposed response.

14.4 Awareness-building

14.4.1 Information provided in an accessible format

Information about the grievance handling system is expected to be distributed to all beneficiaries and project affected people through regular information channels used by the project, including initiating meetings at the start of the project, public consultations held on resettlement, public

¹¹ An alternate dispute mechanisms such as a court of elders or to the formal legal system.

meetings during project implementation, brochures/pamphlets in local languages, posting on notice boards and online (including...name relevant events and channels here)

The Project Secretariat will include information provided on the scope of the GRM, the eligibility criteria to make a complaint, the procedure to make a complaint (where, when and how), the investigation process, the timeframe(s) for responding to the complainant, as well as the principle of confidentiality and the right to make anonymous complaints.

14.4.2 Proactive advertisement/regular public information campaigns

Annual campaigns will be designed by the Project Secretariat to encourage the use of the GRM and publish information on complaints received and resolved. The campaigns will use local media (e.g. TV, newspaper, radio). When organizing and conducting these campaigns, special efforts shall be made to reach vulnerable groups.

The campaigns should include information on the scope of the GRM, the eligibility criteria to make a complaint, the procedure to make a complaint (where, when and how), the investigation process, the timeframe(s) for responding to the complainant, principle of confidentiality and right to make anonymous complaints.

14.5 Staffing and capacity-building

14.5.1 Roles and responsibilities

The Project Secretariat will allocate responsibilities to Project Secretariat staff (unless the GRM is outsourced). These will be documented in the first Quarterly Progress Report and kept updated.

- Overall management of the GRM system
- Developing and maintaining awareness-building
- Collection of complaints
- Recording/logging of complaints
- Notification to the complainant
- Sorting/categorization of complaints
- Investigation
- Decision-making based on the investigation results
- Processing appeals
- Publishing responses to complaints
- Organization and implementation of information materials and awareness campaigns
- Budgeting of the GRM
- Reporting and feedback on GRM results

14.5.2 Capacity-building

Training for all relevant staff and relevant stakeholders will be held annually, or as otherwise agreed. New staff will receive training as a regular part of the onboarding process. The training will include all aspects of the GRM set out in this chapter. All trainings should include

information on the GRM principles and procedures. The training will have an emphasis on accountability to the complainant. A key focus at the outset will be shifting from informal complaint resolution, to the logging of all complaints/feedback into this system.

Dedicated trainings should be provided to staff directly engaged with beneficiaries, those handling the system, and those involved in the management and oversight of the system.

14.6 Transparency, monitoring and reporting

14.6.1 Transparency

Policies, procedures and regular updates on the GRM system, the complaints made and resolved, will be available online, as well as on local/ministerial notice boards and other permanent displays. They will be updated quarterly.

14.6.2 Regular internal monitoring and reporting

The Project Secretariat will assess the functioning of the GRM and undertake spot checks during regular supervision visits. The Project Secretariat will work with M&E Specialist to:

- Ensure accurate entry of GRM data into the management information system or other system. Produce compiled reports to the format agreed with the Project Director.
- Provide a monthly/quarterly snapshot of GRM results (as set out below) including any suggestions and questions, to the project team and the management.
- Review the status of complaints to track which are not yet resolved and suggest any needed remedial action.

During annual/bi-annual general meetings, the project team shall discuss and review the effectiveness and use of the GRM and gather suggestions on how to improve it.

14.6.3 Reporting in quarterly and annual progress reports submitted to the Bank

Quarterly and annual progress reports shall include a GRM section which provide updated information on the following:

- Status of establishment of the GRM (procedures, staffing, training, awareness building, budgeting etc).
- Quantitative data on the number of complaints received, the number that were relevant, and the number resolved
- Qualitative data on the type of complaints and answers provided, issues that are unresolved
- Time taken to resolve complaints
- Number of grievances resolved at the lowest level, raised to higher levels.
- Satisfaction with the action taken
- Any particular issues faced with the procedures/staffing or use
- Factors that may be affecting the use of the GRM/beneficiary feedback system
- Any corrective measures adopted

14.6.4 Oversight and review

The status of the development of the GRM, the levels of use by beneficiaries/ citizens, the challenges of implementation, etc. will be discussed in semi-annual/annual portfolio meetings. The Project Secretariat will discuss with the Bank during implementation support missions any corrective measures that may be needed.

An independent review/audit of the GRM, will be conducted prior to the mid-term review to assess the effectiveness and use of the mechanism, and recommend introduce improvements as necessary.

14.7 Anticipated grievances

Some of the anticipated grievances likely to arise during FREE Education Project implementation will, to a large extent, take the shape of the existing circumstances in the project areas. In all, some of the anticipated grievances under FREE Education Project will include:

- a. Land uptake issues where there could be issues of encroachment on neighboring lands;
- b. Access to water for construction works;
- c. Access and payments for project construction materials;
- d. Grazing of livestock in the school compounds;
- e. Employment opportunities offered by the projects with reference to availing jobs to community members as well;
- f. Abuse or improper use of sanitation facilities;
- g. Sexual abuse of the girl child by the project workers;
- h. Complaints by parents over punishments by the teachers; and
- i. Abuse of school infrastructures by the communities' and uprooting of trees planted within the school compound.

15 RPF IMPLEMENTATION BUDGET AND FUNDING ARRANGEMENT

An estimated budget of 654,500 USD will be required to implement RPF for four years, with provisional breakdown as presented in the table below.

Table 10: Indicative Cost for RPF Implementation

| Item | US\$ | Sources of Fund |
|---|----------------|-----------------|
| E&S Staffing | 300,000 | Project fund |
| Disclosure of the RPF | 10,000 | Project fund |
| Sub-project screening | 10,000 | Project fund |
| Setting up of the project GRM | 15,000 | Project fund |
| Safeguard training/awareness | 50,000 | Project fund |
| Internal monitoring | 50,000 | Project fund |
| External monitoring | 60,000 | Project fund |
| Preparation of RAP, completion audit and report | 90,000 | Project fund |
| Setting up of MIS system for E&S data and information | 10,000 | Project fund |
| Contingency (10%) | 59,500 | Project fund |
| TOTAL | 654,500 | |

One of the responsibilities of the Government in the implementation of FREE Education Project will be to identify and meet related land acquisition and compensation requirements before civil works start. It was not possible at the time of preparing this RPF to give a definite number of people likely to be affected by the FREE Education Project because the existing schools to benefit, the areas for the establishment of new schools, and specific site locations had not been identified. In addition, the extent of the constructions within existing schools or new schools is yet not clear. Moreover, the technical designs for the structures have not been developed. Land may be acquired for existing schools with very limited land and for new schools to be established. On assumption that land is required for expansion or construction of new schools, the FREE Education Project is projecting and estimating about 10% of the total project costs for resettlement (estimated at USD 1.6 Million). However, detailed RAP budget will be developed during RAP(s) preparation. The budget will cover resettlement activities including compensation cost for affected assets if any. The cost will be derived from expenditures relating to:

- (5) The preparation of the resettlement/compensation action plan;
- (6) Relocation and transfer;
- (7) Income and means of livelihood restoration plan and;
- (8) Administrative costs.

After sub-projects have been identified by MBSSE, FREE Education Project sub-projects specific site locations within existing schools and for new school constructions or expansion of existing structures, technical designs and land needs, site specific socioeconomic studies will be

undertaken to determine if full RAPs will be done. These will provide information on specific impacts, individual and household incomes, and numbers of affected persons and other demographic data. The information will facilitate the preparation of a detailed and accurate budgets for resettlement and compensation.

Funds for implementing inventory assessments and RAPs will be provided by the GoSL through the MoF. The MBSSE will prepare the resettlement budget and this budget will be managed through the administrative and financial management rules and manuals of the PIU. An indicative RAP budget outline is provided in Table 11 below.

Table 11: Indicative outline of a RAP Budget

| # | Asset acquisition | Amount or number | Total estimated cost | Agency responsible |
|----------|---|------------------|--|--------------------|
| 1 | Compensation for Land Acquisition and Preparation | | | |
| 2 | Land | | | |
| 3 | Structures | | | |
| 4 | Crops areas and economic trees | | | |
| 5 | Community infrastructure (school, church/mosque, sports field etc.) | | | |
| 6 | Relocation | | | |
| 7 | Transfer of possessions | | | |
| 8 | Removal and Re-Installation costs | | | |
| 9 | Economic Rehabilitation | | | |
| 10 | Training of PAPs | | | |
| 11 | Capital Investments | | | |
| 12 | Technical Assistance | | | |
| 13 | Monitoring and Evaluation | | | |
| 14 | Grievance Redress Mechanism | | | |
| 15 | Resettlement Activities' Monitoring/Regular Field Visits. | | | |
| 16 | Capacity Building for safeguards Staff. | | | |
| 17 | Independent Consultant to carry out RAP Completion Audit | | | |
| 18 | Contingency 10% of the total amount | | | |
| # | Item | Costs | Assumptions | |
| 1 | Compensation for loss of Land | /hectare | For land acquisition purposes, based on Sierra Leone's average market cost, or from similar projects | |

| | | | | |
|--|---|---|-------------------------------|---|
| | 2 | Compensation for Buildings and Structures | When applicable | This compensation may be in-kind or cash. Costs for basic housing needs should include ventilated pit latrines, outside kitchen, and storage based on current market price. |
| | 2 | Compensation for loss of Crops | /hectare of farm lost | Includes costs of labour invested and average of highest price of staple food crops and Sierra Leonean market prices |
| | 3 | Compensation for Trees | /year/tree | Includes costs of labour invested and average of highest price of trees (and tree products) and Sierra Leonean market prices |
| | 4 | Cost of Relocation Assistance/Expenses | /household | This cost reflects the moving and transportation allowance |
| | 5 | Cost of Restoration of Individual Income | /income earning adult | Equivalent or higher than the GDP/capita in Sierra Leone |
| | 6 | Cost of Restoration of Household Income | /Income earning members of HH | These costs reflect the livelihood restoration program of the RAP |
| | 7 | Cost of Training PAPs | /person | This is a mitigation measure involving capacity building and involves PAPs and affected communities |
| | 8 | Cost to assist vulnerable groups | | These costs reflect the livelihood restoration program of the RAP |
| | 9 | Cost for monitoring and evaluation | | Operational budget of the responsible body (PIU) and per diem |

16 PUBLIC CONSULTATION AND INFORMATION DISCLOSURE

World Bank's standard on Stakeholder Engagement and Information Disclosure defines the Bank's requirements for giving the public access to project information and documentation. It requires that during the planning and preparatory process, project beneficiaries and affected groups and local NGOs shall be consulted, and the environment and social aspects of the project should be presented. The consultation should be an on-going process throughout the design and implementation of investments and must be compliant with all other applicable standards. MBSSE has prepared a Stakeholder Engagement Plan (SEP). The SEP outlines the key stakeholders and the approaches that will be used to consult with them including consideration for needs of vulnerable and disadvantaged groups to ensure their participation. It contains a summary of the consultations held during preparation and a comprehensive list of the direct stakeholder and stakeholders with other interests. The SEP includes comprehensive M&E arrangement to monitor the SEP implementation and mechanism for Grievance and complaints redress. The standard also requires that any relevant material such as the environmental and assessment study, resettlement action plan etc. should be disclosed and made accessible, in a timely manner and in a form of language understandable to the groups being consulted.

16.1 Public Participation and Consultation

Participation is a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them. The decision to participate is the start of the whole participatory process in the project cycle. The Bank's ESS 5 and the Sierra Leonean law provide clear guidance and direction to project proponents in both the public and private sectors on the need for public consultation and participation and underscore the importance of getting Project Affected Persons informed about the project and, more importantly, getting their actual and active involvement in the planning and implementation.

Participation is an active and continuous process of interaction among the key stakeholders, including the communities directly affected (whether positively or adversely), national agencies and line ministries, the project consultants, civil society and international donor agencies. Participation as a generic term usually encompasses two distinct dimensions: information exchange (i.e. Dissemination and consultation) and varying forms of joint decision-making (i.e. Collaboration or participation).

16.2 Consultation and participation during the RPF project preparation

Consultation participants appreciated the invitation to discuss the project during the early stages of the project formulation process, where comments forwarded have a possibility to be included and influence the design of the project and its implementation.

Consultations were conducted in three different locations (Kenema, Bo and Freetown) between 7th and 10th May 2019, with respective ministries, department and agencies, local councils,

NGOs, CSOs, traditional leaders, government employees. The consultation aimed at exploring and soliciting feedback on key elements of the RPF, share information about the Free Education Project and identify roles and responsibilities of different stakeholders. During each of the stakeholder engagement consultation process, the consultant presented the overall project objectives, components of proposed project interventions and area of influence, potential resettlement impacts and mitigation measures, legal framework, methods of asset valuation, land acquisition and compensation, grievance redress mechanisms, community participation, and broader context of implementation arrangements and Monitoring and evaluation, in addition to other general features of the Free Education Project. Community members reflected their concerns and provided constructive comments on the proposed project and how they themselves involved in the project's implementation and suggestions based on their experiences. Table 12 below summarizes the issues raised and responses provided during the stakeholder engagement and consultation process, while the list of attendees at each of the respective communities are listed in Annex 8. Photographic documentation of the consultation sessions is provided in Annex 9.

Table 12 below is a summary of issues raised and discussed at the various locations during consultations.

Table 12: Summary of issues raised at consultative meetings

| No. | Comment/concern/question | Mitigation/action to be taken |
|-----|--|---|
| 1 | Looking at the participants, I have not been able to see any single representative from WASH elements of the project. | Well noted. The project will closely coordinate with other relevant agencies, including WASH NGOs/Agencies working in local communities and be involved in future stakeholder workshops |
| 2 | How would you hide the identity of the complainants in the Grievance Redress Mechanism record form? | The project will have a robust Grievance Redress Mechanism for resolving any grievances and complaints, while protecting the identity of the complainants |
| 3 | I have not seeing any clear approach for Grievance Redress Mechanism and how it can be channeled within our community? How would the community be involved in resolving grievance related issues in the implementation of the project? | This will be fully developed during the implementation of the project. |
| 4 | How would traditional chiefs and local contractors be involved in the implementation of the project without them been aware of? | To have involvement from the communities and support to the initiatives operational approach of Free Education Project. It will allow decision-making to devolve to |

| | | |
|---|---|--|
| | | communities, ensuring collective action and sustain the close collaboration and coordination between different stakeholders |
| 5 | There is not enough space in this project on disability related issues. The project must ensure that the site is carefully selected so that it cannot disadvantaged disabled persons from accessing the school, for example, building the schools at the top of the hills and not having rumps for easier accessibility of school buildings for disabled persons. | That is well noted. During the detailed technical design stage of the project, efforts will be made to include the concerns raised by persons with disability/disadvantaged groups in site selection and construction of school buildings. |
| 6 | How do we ensure that land use policies are developed for future development of schools without recourse to changing approaches to do it all over again? | Land use planning has recently been devolved to local council. It is now the responsibility of local councils to develop land use planning framework for the future development of their localities. |
| 7 | Increased the representation in the Grievance redress committee to include parliamentary representatives of project area, ward development committee members, religious leaders | This is well noted. We will include this in the establishment of the Grievance Redress Committee |
| 8 | Local authorities alone are not sufficient to monitor the implementation of the project in their local community, there is a need to establish Community Monitoring Group (CMG) for every community where project interventions will be taking place. | This is well noted. The inclusion of other actors will ensure effective monitoring and supervision of the project. |

16.3 Further consultations

FREE Education Project will continue to consult with the Local Councils, regulatory agencies, the beneficiary communities and other relevant stakeholders and concerned parties with interest, or likely to be affected by the project through site preparation, construction and operation phases. The project management structure also provides for continuous community and stakeholder engagement through the DEOs and/or councils.

16.4 Public Information Booklet

To ensure that PAPs, their representatives, and local government agencies in subproject areas fully understand the details of the RAP process, and are also informed about the compensation

and rehabilitation packages applicable to the project, a Public Information Booklet (PIB) will be prepared by the consultant,

This PIB will be distributed to all PAPs and communities in the subproject area. The PIB will be translated into local languages, if possible. The general contents of the PIB will include the following:

- A brief description of the project, implementation schedule;
- Project impacts, entitlements and rights of PAPs;
- Resettlement and rehabilitation policies for all types of impacts;
- Institutions responsible for resettlement and time-frame (schedule);
- Information dissemination to and consultations with PAPs and stakeholders;
- What to do if PAPs have a question or a problem;
- Outline of the grievance redress procedures; and
- Requirements for monitoring and evaluation, including independent monitoring

16.5 Disclosure plan

According to ESS 5. “The borrower informs PAPs at an early stage about the land acquisition and resettlement aspects of the Project and takes their views into account in project design.”

The MBSSE will disclose this Resettlement Policy Framework and all RAPs to be prepared under the Free Education project operations pursuant to this RPF. These instruments will be disclosed in-country and on the World Bank website. In-country disclosure will include publishing on the MBSSE website, publications in local newspapers. MBSSE will make available hard copies at the district education officers and local councils. Notices in the local Language will be posted in an accessible and prominent place accessible to project affected persons. In addition, the communities in the project area of influence have to be informed about the subprojects of the Free Education projects.

According to ESS 5 and GoSL laws, the RAP shall be prepared through a process of public consultation with all interested parties. As soon as the decision to undertake the land survey is taken, the process of public information and the involvement of PAPs are expected to start. Within the early steps of RAP preparation, a public consultation plan has to be prepared for further implementation. The RAPs or Abbreviated RAPs must be approved by the Bank prior to disclosure and the implementation of the resettlement activities.

Overall, the following shall be ensured:

- PAPs opinions, concerns and suggestions for mitigation related to the project have to be taken into account;
- Community leaders have a crucial role in the Project. They have to be informed about all relevant steps of the Project, accompany the designer and should be members of the respective resettlement/ grievance redress committees;
- Final design will have to be discussed in every affected community during design process;

- The public awareness and information activities should be carried out together with the final design and followed by detailed census and inventory of affected property/inventory of losses;
- PAPs have to be informed about cut-off-date, in order to know that new constructions/improvements in the project impact corridor will not be eligible for compensation;
- PAPs have to receive a printed information leaflet of their rights for compensation and resettlement provisions, entitlements, options for cash or land/structure compensations and grievance procedure including appropriate contacts of responsible officials;
- Vulnerable PAPs are entitled to special assistance and support

Copies of the RAP will be made available to PAPs and other stakeholders in appropriate, accessible locations, especially in the project area. Information that impinges on right to privacy, like the composition of household, compensation amount of PAH etc. will not be subject to public disclosure. The local authorities of affected communities shall be consulted during design and implementation of the Project. Information includes available documents and maps, as well as information brochures. Documents shall be disclosed in advance to allow time for interested and affected parties to submit their comments and concerns about the RAP. Information disseminated to the project affected persons will include: (i) compensation rates for all categories of affected assets; (ii) eligibility criteria for all other forms of assistance that may be provided; and (iii) grievance procedures. The resettlement and environmental consultation and disclosure requirements will also be harmonized and streamlined as appropriate.

PIU is responsible for all disclosures of the documents.

17 MONITORING ARRANGEMENTS

The goal of the resettlement program is to improve, or at least restore, living standards and livelihoods of people affected by the project. Therefore, monitoring of implementation will need to assess not only whether the procedures in the RAP are being implemented, but also whether the living standards and livelihoods of affected people and households are actually being improved or restored.

To verify, the MBSSE will have the overall responsibility for monitoring the project processes, outputs, outcomes and impacts over the lifespan of the project. The PIU will establish the necessary institutional arrangements required for monitoring of the implementation of the resettlement plan, beginning at the time of initial consultation with potentially affected people during preparation of the draft RAP. The objectives of the program will include:

- Verifying that the principles and procedures of the RPF are followed during development and implementation of the RAP;
- Ensuring that stakeholders are meaningfully engaged during preparation and implementation of the RAP;
- Verifying that the procedures of the RAP are being implemented as intended and required;
- Determining whether RAP implementation is proceeding as per schedule and that timeliness are being met;
- Ensuring that the standards of living and livelihoods affected people and households are actually being restored or improved, including whether compensation and assistance are sufficient to achieve this;
- Verifying solutions are sufficient to overcome the issues they were designed to address.

In case ARAP/RAP is prepared and implemented, internal monitoring is required in order to ensure transparency and full compliance. External monitoring is required only when the project has significant resettlement impacts.

17.1 Internal monitoring

The PIU will design a monitoring framework which will include the key areas for monitoring methodologies and relevant indicators and plans for disclosure of monitoring results well in advance of the project implementation.

The Monitoring officer will be recruited to undertake regular field visits to project sites, maintain a dialogue with affected persons and ensure that consultations are conducted regularly and effectively. The monitoring will include: (i) the progress reports, status of the RAP

implementation, information on location and numbers of people affected, compensation amounts paid by item, and assistance provided to PAHs (ii) implementation and effectiveness of the livelihood restoration plan; (iv) disclosure of monitoring results to Affected Parties (APs) and other stakeholders; (v) the level of consultations conducted with APs and other stakeholders to address gaps in resettlement plan implementation and to identify necessary measures to mitigate, avoid or minimise adverse impacts arising from project implementation, (vi) status of land acquisition and payments on land compensation, (vii) selection and distribution of replacement land areas (if any) and (viii) follow up of and resolution of AP's grievances. Monitoring will also include reviews of census information, interviews of affected people and households, sample surveys, and periodic community meetings.

The report of monitoring results will be prepared by the Monitoring/Safeguard Officer and submitted to the World Bank on a quarterly basis to review the progress of the safeguards implementation of resettlement activities and any other compliance issues and corrective actions adopted. The reports will closely follow the involuntary resettlement monitoring indicators agreed at the time of resettlement plan approval.

17.2 External monitoring

The external monitor/consultant has the specific responsibility of studying and reporting on RAP implementation and on social and economic situations of Project Affected Household particularly relocated Project Affected Persons or disrupted by the construction/rehabilitation/renovation works. The external monitor to review and evaluate the social safeguards management in the FREE Education Project and its compliance with the WB ESF and the government. If necessary, external monitor will be expected to independently evaluate the project twice a year until the completion of the civil works of the project and resettlement activities spelled out in the RAPs are completed. The External Monitor will focus on the following:

- Reviewing and monitoring of the overall implementation progress and performance of the RAPs developed for different phases including timely payment of compensation, grievance redress and mitigating adverse impacts arising from construction work
- Determining the level of compliance of the implementation of RAPs with the policies of the Bank and the GoSL as defined in the RPF of the FREE Education Project MBSSE, and to recommend corrective actions to improve implementation, as required
- Providing consolidated reports to the PIU of FREE Education Project MBSSE with copies to the Bank on overall management of resettlement implementation progress and performance
- Carry out a satisfaction survey with at least a 20 percent sample of affected people and households
- Assessing the overall adequacy and the effectiveness of the safeguard measures adopted to restore and improve the livelihoods, living standards and overall well-being of the affected persons, households, and communities and provide recommendations on additional measures required.
- Upon completion of RAP implementation and full compensation payments, prepare a Compliance Report for review and approval by MBSSE and the World Bank;
- If the Compliance Report, or an earlier Addendum to the Report, requires corrective

actions, conduct follow-up reviews/audits and prepare an Addendum to the Compliance Report for review and approval by MBSSE and the World Bank.

The consultant’s work will involve both desk and field activities and will be carried out in close communication with MBSSE. The monitoring activities assigned to the consultant will start immediately after Government approval of the RAPs and will last until RAP implementation is concluded.

The project will make all the resettlement progress reports available to the public by posting them in the Project website to be established or MBSSE website.

17.3 Indicators of monitoring

The indicators for safeguards monitoring as presented in Table will broadly include the following:

Table 13: Monitoring Indicators

| Level of monitoring | Area of monitoring | Monitoring indicators |
|---------------------|--|--|
| | Sub-project identification and screening | <ul style="list-style-type: none"> - Have all Sub-projects been screened for E&S risk? - How many sub-projects require the preparation of follow up RAPs/ARAPs after E&S screening? |
| Process | Resettlement planning | <ul style="list-style-type: none"> - Update of RAP census after final engineering design - RAP updating - Disclosure of RAP to APs and other stakeholders - Receive WB clearance for updated RAP |
| | Land acquisitions | <ul style="list-style-type: none"> - Land acquisition process for private lands commenced with the clearance of the RAP by WB - Receiving clearance from relevant government agencies for state land to be obtained |
| | Entitlements | <ul style="list-style-type: none"> - Entitlement Matrix (EM) included in the RAP approved by GoSL and required funds allocated |
| | Consultations and disclosure | <ul style="list-style-type: none"> - Continuous consultations are conducted with APs and other stakeholders - Disclosure of updated RAP, entitlements, compensation payment procedures and project implementation timeframes |
| | Grievance redress | <ul style="list-style-type: none"> - Grievance Redress Mechanism established and functional - Level of awareness among APs and other stakeholders on GRM, its location, reporting procedures, timeframe for grievance resolution - Number of grievances resolved within the stipulated time frame |
| | Livelihood restoration | <ul style="list-style-type: none"> - A Comprehensive Livelihood Restoration Plan (LRP) developed based on a comprehensive assessment of |

| | | |
|---------|--|---|
| | | <p>APs needs</p> <ul style="list-style-type: none"> - A non-governmental organisation/consulting firm is engaged to implement the LRP. |
| | Impact mitigation | <ul style="list-style-type: none"> - resettlement mitigation measure prepared and included in contractors' bidding documents |
| | Institutional arrangements | <ul style="list-style-type: none"> - Institutional arrangements for RAP implementation and monitoring are established |
| Outputs | Compensation payments | <ul style="list-style-type: none"> - Compensation for private land acquired paid prior to taking over the land - Compensation for APs' relocation cost paid prior to displacement - Compensation for income losses paid prior to displacement - Special allowances for vulnerable APs provided prior to displacement - Other R&R assistance to APs provided prior to displacement |
| | Livelihood Restoration | <ul style="list-style-type: none"> - Implementation of LRP commenced prior to displacement of APs - APs are assisted in the process of shifting to their new business premises - APs are provided access to credit facilities and other business development support services - Unemployed youth among APs receive technical and vocational skills development training - APs who lose their employment are assisted to find alternate employment |
| | Relocation | <ul style="list-style-type: none"> - Displaced households who opted for relocate in resettlement sites/housing units (provided by the project) are resettled - Displaced households are provided titles/certificates to their land/housing units - Displaced households who opted for self-relocation have settled in places of their choice - APs are assisted in the process of shifting to their new residential dwellings - All vulnerable persons/households are provided with special assistance during relocation/resettlement process - Relations with host communities established - Affected religious, cultural community resources are either relocated or restored to better conditions |
| | Mitigation of construction related impacts | <ul style="list-style-type: none"> - Social and environmental safeguards officers are appointed by the contractor - Labor influx for project construction work effectively managed |

| | | |
|----------|---|---|
| | | <ul style="list-style-type: none"> - Implementation of S&EIMP are regularly monitored by PIU - Unforeseen impacts are effectively addressed |
| Outcomes | Resettlement programmes | <ul style="list-style-type: none"> - Number of households relocated at alternative sites/housing units (provided by the project) re-establish their living conditions including livelihoods - Number of households opted for self-relocation reestablish their living conditions including livelihoods - Number of businesses relocated at alternative sites reestablish their business operations - Infrastructure and utility services are in operation in the resettlement sites/housing units - Social and economic support systems are in operation to assist the displaced vulnerable persons/households |
| Impacts | Resettlement and Livelihood Restoration | <ul style="list-style-type: none"> - Households are relieved from the threats of frequent flooding - Households are able to sustain their livelihoods and incomes without disruptions caused by flooding - Unemployed youth are engaged in productive employment and economic activities - New and/or expanded business operations are established by displaced households - Educational and health standards of the displaced population enhanced - Incidence of crime and drug abuse in the project impact area reduced - Incidence of poverty among displaced households reduced - Overall wellbeing of the displaced households and others in the project impact area improved. |

17.4 Capacity Building for Management of Resettlement Activities

The proposed Free Education Project will fund physical infrastructure improvement and strengthen monitoring and evaluation capacities of key stakeholders. The PIU will require some additional training and capacity enhancement particularly in relation to social safeguards management in both resettlement and post-resettlement phases. The Project will conduct a series of key capacity building activities which will include:

- a) Adaptation of checklists for social and economic impacts from resettlement activities to be used at local level. Such tools would guide the communities in avoiding involuntary resettlement in site identification processes.
- b) Training and awareness in use of resettlement screening forms in appraisal of project's activities with the assistance of national and international safeguards experts
- c) Establishment of appropriate computer-based information management systems for resettlement activities at local council level/district education offices. This is necessary so as to capture systematically data related to resettlement at local level.

- d) Arrange visits to and experience sharing workshops with resettlement and social safeguards specialists working in other projects that require land acquisition and resettlement.

17.5 Methods for measuring impacts

The following methods will be used for measuring impacts:

1. Questionnaires with data stored in a database for comparative analysis (before-after and with-without resettlement);
2. Documentation and recording of PAPs situation, including subsequent uses of assets/improvements;
3. Relocation/resettlement and Compensation Reports
4. Consultations

The PIU will review these statistics to determine whether RAP implementation arrangements, as defined in this RPF, are effective in addressing RAP related issues. Financial records will be maintained by the sub-projects and the PIU, to determine the final cost of RAP implementation. The indicators listed above can be used to monitor implementation of the RAP

17.6 Audit

The audit of resettlement implementation, and as applicable RAP implementation in subproject(s), includes: (i) a summary of RAP performance of each subproject; (ii) a compliance review for RAP implementation process; and (iii) a progress report on the quality of RAP implementation in terms of application of guidelines as provided in this RPF.

The audit will verify results of monitoring of RAP implementation indicators and assess whether the project achieved the resettlement objectives. A specific measure of whether livelihood and living standards have been restored or enhanced will be completed. The audit will also assess the efficiency, effectiveness, impact and sustainability of RAP sub-projects or other projects in the sector.

Finally, the audit will ascertain whether the resettlement entitlements were appropriate as defined in the RPF guidelines. If the implementation of FIUT project is eventually funded by the World Bank. To be effective, the completion audit will take place after all RAP activities have been completed including development initiatives, but before the completion of financial commitments to the programme. This will allow for flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

17.7 Storage of PAPs Details

MBSSE/PIU as executing ministry will be the custodian of all documents related Project and the Project Affected Households or Persons.

17.8 Updating

If during project implementation or in case of changes in project design or alignment, additional adverse social impacts are identified, and/or additional affected households are found, they are entitled to receive project entitlements as provided for in this RPF and associated legal instruments.

Updating of RAP information and costs should be undertaken if the implementation will be delayed by twelve months, there is a significant scope change to the project and/or there is material evidence of inflation significant enough to influence the increase of the resettlement budget.

In the case that are variations made to the land acquisition and resettlement related legislation of the GoSL or of the World Bank, a review of, and amendments to the RAP may also be triggered.

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ANNEX 1: RESETTLEMENT SCREENING CHECKLIST

| | | | |
|--|-----|----|--|
| Social screening form and trigger for sub-projects | | | |
| Land acquisition and access to resources | | | |
| | Yes | No | |
| Type of activity – will the sub-project | | | |
| Require that land (public or private) to be acquired (temporarily or permanently) for its development | | | |
| Require land acquisition by expropriation or exercise ownership rights over state owned land? | | | |
| Will the land be bought by negotiations (willing buyer willing seller) | | | |
| Use land that is currently occupied or regularly used for productive purposes (e.g. gardening, farming, pasture, fishing locations, forests) | | | |
| Restrict use of adjoining land | | | |
| Require physical displacement of individuals, families or businesses | | | |
| Require economic displacement | | | |
| Is there squatting in the state owned land or buildings | | | |
| Result in the temporary or permanent loss of crops, fruit trees or household infrastructure | | | |
| Result in the involuntary restriction of access by people to legally designated parks and protected areas | | | |
| Result in loss of livelihood, through loss of access or otherwise | | | |
| Will access to services, amenities or resources be lost/restricted | | | |
| Have impact to any vulnerable individuals or groups | | | |
| Be a government assisted resettlement | | | |

If any of the boxes attributed to the questions is ticked with the “Yes”, a Resettlement Action Plan or Abbreviated Resettlement Action Plan shall be prepared.

Certification

We certify that we have thoroughly examined all the potential adverse effects of this sub-project. To the best of our knowledge, the subprojects Resettlement will be adequate to avoid or minimise all adverse social impacts

Project promoter representative

Name: ----- signature: -----

Date: -----

PIU/District representative (signature): -----

-

Name: ----- signature: -----

ANNEX 2: TERMS OF REFERENCE FOR RESETTLEMENT ACTION PLAN (RAP)

Description of the project: General description of the affected areas.

Potential Impacts: Identification of the: (i) components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.

Objectives: The main objectives of the project activities or components that may require a resettlement program as these apply to the Project should be described in relation to the project.

Socio-economic studies: This section summarizes the findings of socio-economic studies to be conducted with the involvement of potentially affected people if a RAP were to be developed. These generally include the results of a census of the PAPs covering:

- Current occupants of the affected area as a basis for design of the RAP and to clearly set a cut-off date, the purpose of which is to exclude subsequent inflows of people into the area who may seek compensation and resettlement assistance;
- Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the potentially displaced population;
- Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
- Information on vulnerable groups or persons, for whom special provisions may have to be made; and
- Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

There may be other studies that the RFP can draw upon, such as those describing the following, as needed:

- Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;
- Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
- Public infrastructure and social services that will be affected; and

- Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework: The analysis of the legal and institutional framework in the country should cover the following:

- Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc;
- Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the resettlement for the sub-project;
- Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc related to displacement and resettlement, and environmental laws and social welfare legislation;
- Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- Gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and
- Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc and which are specific to the sub-projects.

The institutional framework governing implementation of a RAP, when needed, would generally cover:

- Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in implementation;
- Institutional capacities of these agencies, offices, and civil society groups in carrying out implementation, monitoring, and evaluation; and
- Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

Eligibility and entitlements: Definition of potentially displaced persons or PAPS and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates

Valuation of and compensation for losses: The methodology to be used in the RAP for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).

Resettlement Measures: A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the resettlement objectives. Aside from compensation,

these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation: If a resettlement site is an option, this section describes the alternative relocation sites as follows:

- Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- Legal arrangements for recognizing (or regularizing) tenure and transferring titles to resettlers.

Housing, infrastructure, and social services: Plans to provide (or to finance resettlers provision of) housing, infrastructure (e.g. water supply, feeder roads), and social services to host populations; and any other necessary site development, engineering, and architectural designs for these facilities should be described.

Environmental protection and management. A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

Community Participation: Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPs and host communities, should include:

- Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;
- Summary of the consultations and how PAPs' views were taken into account in preparing the resettlement plan; and
- Review of resettlement alternatives presented and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
- Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including indigenous peoples, ethnic minorities, landless, children and youth, and women) are adequately represented.

The consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

- Consultations with host communities and local governments;
- Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
- Conflict resolution involving PAPs and host communities; and

- Additional services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

Grievance procedures: The RFP should provide describe the mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms.

Implementation responsibilities: The RFP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover: (i) delivery of compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in implementation; and (iii) measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g. community-based livelihood restoration; participatory monitoring; etc).

Implementation Schedule: An implementation schedule covering all resettlement related activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to PAPs and hosts and a clearly defined closing date. The schedule should indicate how these activities are linked to the implementation of the overall project.

Costs and budget: The specific activities or sub-projects should provide detailed (itemized) cost estimates, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

Monitoring and evaluation: Arrangements for monitoring and evaluation of RAP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs' livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPS in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation and using the results of RAP impact monitoring to guide subsequent implementation.

Arrangements for adaptive management. The plan should include provisions for adapting resettlement implementation in response to unanticipated obstacles to achieving satisfactory resettlement outcomes.

ANNEX 3: OUTLINE OF ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP)

Annotated Document Contents and Information Requirements

Introduction

- Project description in brief: refer to the RPF that covers the project and provides the policies and principles for the ARAP;
- Brief description of the project and school construction project development objectives and intended beneficiaries; and
- Describe the activities that will give rise to impacts that require "resettlement" {i.e., anything that causes loss of land, assets or elements of PAP livelihood - not only physical relocation, but also, loss of trees, temporary relocation of roadside stall (kiosk), and comprised access.

Census of PAP and Inventory of Assets

- Brief description of how the data was gathered (e.g., household survey);
- Table of PAP and PAH, contact details, affected livelihoods, assets, value of affected dwelling/structures/assets; and
- Brief comment about any significant differences, sources of vulnerability of PAP and different populations {ethnic peoples and vulnerable groups - women and female/male youth and children, the elderly and disabled, landless, and poor, etc.}, or state that they are representative of the general socio-economic profile of the country.

Compensation to be provided

- Forms of compensation to be provided {e.g., cash or in-kind};
- Description of the conditions for voluntary donation (if applicable), including:
 - Free, prior and informed consultation {FPIC} made of the PAP own volition and is uncoerced with the decision-making ability to withhold consent;
 - No severe impacts on living standards; no physical relocation and less than 5 percent of PAP livelihood assets affected;
 - Availability of complaints and compensation procedure; and
 - Documentation and independent verification of the donation of land or assets.

Consultation with Affected Persons

- Brief description of the general public disclosure communications to announce the project and invite comment;
- Subsequent consultations with known or self-identified PAP;
 - Alternatives discussed with PAP and the community; and
 - Dissemination of information about the cut-off date for registering as PAP; availability of a complaints/grievance mechanism
- Arrangements for formal disclosure of resettlement instrument; availability for public disclosure, review and comment, and posted on MBSSE and the World Bank websites.

Institutional Responsibilities for Delivery of Compensation

- Responsible agencies;
- Method of notification to PAP;
- Timing of settlement (before the incidence of the loss to be compensated);
- Method of verification, disclosure and witnessing of the settlement (i.e., annex form for recording and witnessing handover of entitlement); and
- Process for handling complaints or grievances and appeals.

Implementation Reporting and Monitoring

- Institutional responsibilities for reporting and monitoring of the ARAP;
- Participation in monitoring (e.g., CSOs, research institutes, etc.); and
- Summary report on consultation with the wider community {append attendance register to document).

Timetable and Budget

- Time and task matrix;
- Source and flow of funds;
 - Consultation costs;
 - Personnel costs;
 - Office overhead expenses;
 - Compensation funds; and
 - Monitoring and reporting

**ANNEX 4: FRAMEWORK FOR CONDUCTING A CENSUS OF AFFECTED ASSETS
AND AFFECTED PEOPLE**

a) AFFECTED PLOT OR LAND SHEET

Reference:.....

Location: Region: District: Village:.....

GPS Coordinates:.....

Surface:.....

Description of soil:.....

Crops

| | | |
|------------------|---|-------|
| Perennial Crops: | 1 | Owner |
| | 2 | Owner |
| Annual Crops: | 1 | Owner |
| | 2 | Owner |
| Trees: | 1 | Owner |
| | 2 | Owner |

Structures: Channels: Owner:

Anti-erosive structures: Owner:

Buildings: Owner:

Users:

User 1: Surface used: Regime of tenure:

User 2: Surface used: Regime of tenure:

User 3: Surface used: Regime of tenure:

User 4: Surface used: Regime of tenure:

Valuation proposal (details of calculation on attached sheet):

Crops:

Structures:

Proposed distribution of compensation:

User 1:

User 2:

User 3:

User 4:

Date: Prepared By:

b) AFFECTED BUILDING SHEET

Reference:

Location: Region: District: Village:

GPS Coordinates: Photograph number:

Owner: Address:

Description:

Permanent Non-permanent

Surface: Number of rooms:

Walls: Material Condition

Roof: Material Condition

Floor: Material Condition

Annexes outside: Latrine: Bathroom: Kitchen: Others:

Additional features:

Permanently Inhabited: By: Regime of occupation:

Periodically Inhabited: By: Regime of occupation:

Valuation proposal (details of calculation on attached sheet):

Proposed distribution of compensation:

User 1:
 User 2:
 User 3:
 User 4:
 Date: Prepared By:

c) AFFECTED HOUSEHOLD SHEET

Household Reference:

Location: Region: District: Village:

Reference of Affected Asset:

Type: Structure Plot Crop

Reference of Affected Asset Sheet:

Location: Zone: Region:.....

Household Information:

Head of Household: Name: Age: Sex:

Identity Document: Type: Number:

Composition of Household:

Socio-Economic Information:

Occupations:

Head of Household:

Other members of Household:

Number: Occupation:

Number: Occupation:

Total Estimated Household Cash Income:

Education level of Household Members:.....

| | | | | |
|--------|------|-------------------------------------|-----|-----|
| Number | Name | Relationship with Household Head | Sex | Age |
|--------|------|-------------------------------------|-----|-----|

Project Impact:

Assessment of the Impact of the Loss of the Affected Asset on Household's Livelihood:

Proposed Compensation or Resettlement Package

Household's Wishes.....

Proposed Package

Proposed Livelihood Restoration Package:

Household's Wishes

Proposed Package.....

Number Level;

Number Level;

Date:..... Prepared By:.....

ANNEX 5 A: GRIEVANCE LOG AND RESOLUTION FORM

| GRIEVANCE/INQUIRY RECORD | | | | |
|---|------------|---|---------|---------|
| <i>Instructions: This form is to be completed by staff receiving the inquiry or grievance and sent to the Free Project Secretariat at the national office. Attach any supporting documentation/letters as relevant.</i> | | | | |
| Date Grievance Received: | | Name of Staff Completing Form: | | |
| Grievance Received (check <input checked="" type="checkbox"/>): <input type="checkbox"/> National <input type="checkbox"/> District <input type="checkbox"/> Chiefdom | | | | |
| Mode of Filing Inquiry or Grievance (check <input checked="" type="checkbox"/>): <input type="checkbox"/> In person <input type="checkbox"/> Telephone <input type="checkbox"/> E-mail <input type="checkbox"/> Phone Text Message <input type="checkbox"/> Website <input type="checkbox"/> Grievance/Suggestion box <input type="checkbox"/> Community meeting <input type="checkbox"/> Public consultation <input type="checkbox"/> Other _____ | | | | |
| Name of Person Raising Grievance: <i>(information is optional and always treated as confidential)</i> | | | | |
| <i>Gender:</i> <input type="checkbox"/> Male <input type="checkbox"/> Female | | | | |
| Address or contact information for Person Raising Grievance: <i>(information is optional and confidential)</i> | | | | |
| Location where grievance/problem occurred [write in] | | | | |
| National: | District: | Chiefdom: | Others: | Others: |
| Brief Description of Grievance or Inquiry: <i>(Provide as much detail and facts as possible)</i> | | | | |
| | Category 1 | Safeguards, including compensation disputes, land allocation and delays in compensation | | |
| | Category 2 | Grievances regarding violations of policies, guidelines and procedures | | |
| | Category 3 | Grievances regarding contract violations | | |
| | Category 4 | Grievances regarding the misuse of funds/lack of transparency, or other financial management concerns | | |
| | Category 5 | Grievances regarding abuse of power/intervention by project or government officials | | |
| | Category 6 | Grievances regarding Free Project Secretariat staff performance | | |
| | Category 7 | Reports of force majeure | | |
| | Category 8 | Suggestions | | |
| | Category 9 | Appreciation | | |
| Who should handle and follow up on the grievance: | | | | |
| Progress in resolving the grievance (e.g answered, being resolved, settled): | | | | |
| Other Comments: | | | | |

ANNEX 5B: NOTIFICATION FORM

GRIEVANCE ACKNOWLEDGEMENT

Instructions: This form is to be completed by the Free Project Secretariat and mailed or delivered to the complainant.

Date Grievance Received:

Tracking Number:

Grievance Received (check):

National District Chiefdom

Mode of Filing Inquiry or Grievance (check):

In person Telephone E-mail Phone Text Message Website

Grievance/Suggestion box Community meeting Public consultation Other

Name of Person Raising Grievance: *(information is optional and always treated as confidential)*

Gender: Male Female

Contact information for the Person Raising Grievance: *(information is optional and confidential)*

Email:

Phone:

Address:

Annex 7: Content of a RAP Consultation Report

1.0 Introduction.

- 1.1 Project Description
- 1.2 Applicable Laws, Regulations, and Policies to Public Engagement
- 1.3 Project Lenders

2.0 Stakeholder Analysis

- 2.1 Areas of Influence/Stakeholders
- 2.2 Description of Stakeholders

3.0 Stakeholder Engagement

- 3.1 Previous Consultation Activities
- 3.2 Implemented Community Engagement Activities
- 3.3 Project Sponsor's Community Engagement Plan
 - 3.3.1 Phase 1 – Initial Stakeholder Consultation
 - 3.3.2 Phase 2 – Release of the RAP Terms of Reference and Draft RAP
 - 3.3.3 Phase 3 – Release of RAP Consultation Summary Report

4.0 Summary of Key Issues

5.0 Future Consultation Events

- 5.1 Phase 4 – Release of the RAP Report and Action Plans
- 5.2 Phase 5 – Planning of more Consultations
- 5.3 Phase 6 - Ongoing Project Communication

6.0 Disclosure Plan

Tables

- Table 1: Consultation Activity Summary
- Table 2: Initial Government Agency Consultations
- Table 3: Summary of NGO Meetings
- Table 4: Summary of Local Government Discussions
- Table 5: Summary of Community Discussions
- Table 6: Local Community Comments
- Table 7: Summary of Key Issues and Responses
- Table 8: Summary of Future Consultation Activities per Stakeholder Group

ANNEX 8: LIST OF PARTICIPANTS

| No. | NAME | INSTITUTION/DESIGNATION | LOCATION | TELEPHONE |
|-----|---------------------------|-------------------------------|-----------|-----------|
| 1 | Franklyn M Saffa | NaCOHT | Kenema | 076741442 |
| 2 | Saffa B Moriba | AWOKO/SLBC | Kenema | 077646571 |
| 3 | Martin A Samai | Ward 65 | Kenema | 076418658 |
| 4 | Paul Bannister | KENDC | Kenema | 076526949 |
| 5 | Sheku Mattia | KENDC | Kenema | 076786767 |
| 6 | Mustapha Teewoh | KENDC/Education Committee | Kenema | 076945635 |
| 7 | Tamba S Bockarie | TSC/DD | Kenema | 076485294 |
| 8 | Ing Gabriel Penyikie | KENDC Engineer | Kenema | 076402338 |
| 9 | Moseray S Tarawali | ONS/DISCORD | Kenema | 076466234 |
| 10 | Darlington Kajue | MSWGCA | Kenema | 078703065 |
| 11 | Mustapha Sheriff | Education | Kenema | 099673395 |
| 12 | Mohamed Karimu | KENDC | Kenema | 078269577 |
| 13 | Saidu Sankoh | Handicap International | Kenema | 088028045 |
| 14 | Augustine A Sannoh | CSO/Regional Head | Kenema | 076643117 |
| 15 | Richard S Samu-Njia | Ward Education Chairman | Kenema | 076938081 |
| 16 | Joseph Kamara | SMC | Kenema | 076355833 |
| 17 | Hanasi Sowa | SLUDI | Kenema | 076935459 |
| 18 | Alhaji F Kamara | SEND-SL | Kenema | 076411866 |
| 19 | Mohamed L Turay | FSU | Kenema | 076114455 |
| 20 | Alimamy Rufu | KCC | Kenema | 076376204 |
| 21 | Mohamed E Ngevao | KSS – ESO | Kenema | 079662455 |
| 22 | Abubakarr Kamara | MLHE | Kenema | 076795252 |
| 23 | Kamal M Barrie | Media | Kenema | 076919455 |
| 24 | Ann-Marie Bangura | KCC | Kenema | 078552828 |
| 25 | Princess J Fatoma | Kenema City Council | Kenema | 076795281 |
| 26 | Francess N Kamara | MBSSE | Kenema | 078203413 |
| 27 | Alhaji Sheku Kamara | IRC | Kenema | 076643376 |
| 28 | Mohamed Sheik Kargbo | Provincial Secretary Res. Min | Est/Prov. | 076729096 |
| 29 | Sahr Brima Saffa | FQSE | Kenema | 076896097 |
| 30 | Prince Ngebeh | MBSSE | Kenema | 076803134 |
| 31 | Kandeh Dumbuya | MBSSE | Kenema | 076464770 |
| 32 | Abdul R Turay | Decentralisation Secretariat | Kono | 076662331 |
| 33 | Mattu Sumana | Councillor, KDC | Kono | 078689501 |
| 34 | Sahr Mattia | SMC, KDEC | Kono | 080565322 |
| 35 | Dominic Sossah | CPSS | Kono | 076818947 |
| 36 | Abel K Fallah | Councillor, KDC | Kono | 080747450 |
| 37 | Joshua S Pettiquiri | SLBC/HoP | Kono | 088858460 |
| 38 | Josiah Kondewa | KNSCC, M& E | Kono | 078222244 |
| 39 | Thomas Kpanabum | World Vision | Kono | 076729166 |
| 40 | Rev. Sahr Christian Fayia | Inter-religious council | Kono | 076713090 |
| 41 | Kenneth Lahai | Kono District Council | Kono | 079959775 |
| 42 | Emmanuel Abu | Kono District Council | Koidu | 076990756 |
| 43 | Foday M Marrah | Kono District Council | Koidu | 088818402 |
| 44 | Fongowa Mustapha | Kono District Council | Koidu | 076603859 |
| 45 | Ronald Turay | ONS DS Coord. | Koidu | 076935026 |
| 45 | Abu Bakarr Kanu | MSWGCA – SSO | Koidu | 078931344 |
| 46 | Mohamed A Fofana | ActionAid | Koidu | 078274757 |

| | | | | |
|----|----------------------|---|------------|-----------|
| 47 | Desmond Kanneh | ActionAid | Kono | 078965990 |
| 48 | Ibrahim Foryoh | SMC Nyamundu | Nimikoro | 030130165 |
| 49 | Alpha Sesay | MBSSE | Koidu | 076513896 |
| 50 | Abubakar Bayoh | MBSSE – FQSE | Koidu | 078428273 |
| 51 | Ahmed | KNSCC | Koidu | 076645059 |
| 52 | Moiwa B Gandi | NACOHT | Kono | 076412079 |
| 53 | Paul F T Morsay | Chief Secretary General | Kono | 078174800 |
| 54 | Steven Komba Quee | TSC Deputy Director Rep. | Kono | 077944267 |
| 55 | David Sahr Joe | ANFEGG -S | Koidu City | 079886866 |
| 56 | Ibrahim Bockarie | KNSCC | Kono | 078812882 |
| 57 | Tamba Nyanquee | KNSCC | Kono | 030540229 |
| 58 | Tamba S Ngaujah | Eastern Radio | Kono | 088562137 |
| 59 | Sahr E Sessie | Yorma Engineering Construction and Services | Kono | 078406965 |
| 60 | Kemoh Koroma | Kono New Nation | Kono | 076682433 |
| 61 | Sylvester T Bayoh | CA KDC | Kono | 099322776 |
| 62 | Idrissa Sheku | Voice of Kono 98.0 | Kono | 079916122 |
| 63 | Rev. Saa P Missah | SLUDI | Kono | 076763313 |
| 64 | Foday Konteh | DEO – MBSSE | Kailahun | 076379944 |
| 65 | Sandy M O Taiweh | Chairman SMC | Kailahun | 076761352 |
| 66 | Jacob Y Amara | Ward Education Committee | Kailahun | 076575398 |
| 67 | Edith Amara | Commuteet | Kailahun | 030150445 |
| 68 | Johnson S Bolimba | FSU/SLP | Kailahun | 030056648 |
| 69 | Gendemeh Jusufu Jr. | Radio Moa | Kailahun | 078820966 |
| 70 | Titus M Foday | NACOHT | Kailahun | 088283414 |
| 71 | Mohamed Nyallay | Action plus | Kailahun | 076547756 |
| 72 | Stella M Ansumana | TSC Deputy Director | Kailahun | 078768372 |
| 73 | Patrick A Kai | Source Newspaper | Kailahun | 078266139 |
| 74 | Amara Babawo | Chairman CPSS | Kailahun | 076651467 |
| 75 | Joseph A Musa | Chairman CSMC | Kailahun | |
| 76 | Mohamed A Koroma | ESO | Kailahun | 077440316 |
| 77 | Tamba Jusu | IRC | Kailahun | 079233818 |
| 78 | Momoh O Sesay | SLBC | Kailahun | 088816980 |
| 79 | Mohamed Kabba | CSO | Kailahun | 076700100 |
| 80 | Jusufu Gbondo | MSWGCA – SSO | Kailahun | 078241297 |
| 81 | James Vandy Sullah | Handicap International | Kailahun | 088028044 |
| 82 | Chief Lahai Bockarie | SMC | Kailahun | 076650301 |
| 83 | Momoh Foray | Print media | Kailahun | 078180533 |
| 84 | Michael M Jusu | District Coordinator FQSE | Kailahun | 076969191 |
| 85 | Awuni M Makieu | Chairman Edu Committee | Kailahun | 076642283 |
| 86 | Amie Samba | Save the Children | Kailahun | 076903338 |
| 87 | William B Ngegbai | MLGRD | Kailahun | 076775248 |
| 88 | Amadu J Jalloh | NYSC/ONS | Kailahun | 078209777 |
| 89 | Sellu Njiawa | SLUDI | Kailahun | 078356669 |
| 90 | Michael B Mannah | SENE-SL | Kailahun | 078887744 |
| 91 | Abdul Dugba | Edu/Chairman | Kailahun | 077684012 |
| 92 | Ing David H Conteh | Karene District | Karene | 076326217 |
| 93 | Kadiatu Samai | MSWGCA/SAS | Freetown | 076913404 |
| 94 | Mohamed Marah | Falaba Council, Deputy Chairman | Falaba | 078312734 |

| | | | | |
|-----|----------------------------|--|-----------|-----------|
| 95 | Thomas Lebbie | Sierra Leone Association of the Blind (SLAB) | Freetown | 076978765 |
| 96 | James Kenneh | Sierra Leone Association of the Blind (SLAB) | Freetown | 078442690 |
| 97 | Marie A Gbla | NACOHT | Makeni | 076907161 |
| 98 | Ibrahim S Kanu | MBSSE | Port Loko | 033402468 |
| 99 | Pa Alimamy Konteh II | Chief | Port Loko | 077816466 |
| 100 | Mohamed Y Bangura | Kambia District Council | Kambia | 088882597 |
| 101 | Barba S Marah | District Coordinator | Koinadugu | 079076910 |
| 102 | Abu D Bangura | National Council of Head Teachers | Karene | 078443543 |
| 103 | Peter S Marah | National Council of Head Teachers | Falaba | 078218776 |
| 104 | Issa Opex Sesay | TSC P/L, DO | Port Loko | 079482840 |
| 105 | Alhaji Ahmed Yillah | DD TSC | Falaba | 078291666 |
| 106 | Balla Kargbo | CPSS | Falaba | 079420298 |
| 107 | Musa K D Mohamood | CPSS | Kambia | 076864240 |
| 108 | Abu Mohamed Koroma | FQSE | Tonkolili | 076704347 |
| 109 | Mjustapha Kemokai | Koinadugu District Council | Koinadugu | 076820692 |
| 110 | Alhaji Momodu Koroma | Inter Religious Council | Freetown | 076609166 |
| 111 | Joseph B Sesay | SMC | Tonkolili | 088581858 |
| 112 | Mohamed S Kamara | District Works Engineer | Kambia | 078059977 |
| 113 | Samuel Conteh | SMC | Koinadugu | 079189604 |
| 114 | Momodou Turay | FQSE | Falaba | 076250097 |
| 115 | Hege Lind | Technical Adviser, Handicap International | Freetown | 078256305 |
| 116 | Koria Marah | SMC Chairlady | Falaba | 079597477 |
| 117 | Mamuru Mansaray | SLTU | Falaba | 078062106 |
| 118 | Isata Bangura | SLTU | Bombali | 076858870 |
| 119 | Abu Bakarr Jalloh | Education Committee – Chairman | Falaba | 078605047 |
| 120 | Amadu B S Conteh | M&E officer | Tonkolili | 076793031 |
| 121 | Naziru Coker | Ward Edu. Committee | Bombali | 030033152 |
| 122 | PC Gbawuru Mansaray 111 | PC Wara Wara Yagala | Kabala | 076994625 |
| 123 | Jebbeh S Bangura | MLGRD Dec Sec | Freetown | 076463850 |
| 124 | Mohamed Conteh | SMC BDCA | Makeni | 088832512 |
| 125 | Camillo Akamara | Dist. Coord FQSE | Bombali | 076954584 |
| 126 | Chillor A Jalloh | Vice President SLTU | Kamakwie | 076222505 |
| 127 | Bai S Kanu | Inspector of School, MBSSE | Port Loko | 076864679 |
| 128 | Dennis A A Koroma | NEC SLTU | Kabala | 076225599 |
| 129 | Umaru Deen Sesay | SLTU District Secretary | Tonkolili | 077553421 |
| 130 | Abu Bakarr Bangura | SMC Chairman | Port Loko | 076432966 |
| 131 | Andrew A Sesay | CPSS | Port Loko | 077235405 |
| 132 | Amara S Conteh | Koinadugu Civil works Engineer | Kabala | 078400292 |
| 133 | Alhaji M Jalloh | TSC Deputy Director | Koinadugu | 076944896 |
| 134 | Mohamed M Foday | Karene District Council, M&E | Kamakwie | 076539535 |
| 135 | Salfu Conteh | Karene District Council ESO | Kamakwie | 076142023 |
| 136 | Mohamed J Tholley | FCC Education Committee Chair | Freetown | 088310399 |
| 137 | Ibrahim S Sesay | TSC – District Officer | Karene | 076768857 |
| 138 | Santigie Kamara | Koinadugu District Council | Koinadugu | 078212308 |
| 139 | Mohamed A Conteh | Kambia District Council | Kambia | 077500430 |

| | | | | |
|-----|--------------------------------|---------------------------------|--------------|-----------|
| 149 | Lahai B Marah | MBSSE – Inspector | Koinadugu | 076378746 |
| 150 | James Rogers | Ag. ESO | Port Loko | 078512826 |
| 151 | Issa Mansaray | Secretary Head Teachers Council | Port Loko | 077425501 |
| 152 | Sulaiman Cole | SLTU Chairman | Port Loko | 077527001 |
| 153 | Yenku Mansaray | CPSS | Koinadugu | 075568180 |
| 154 | Samuel A Kargbo | Ag. M&E | Koinadugu | 078325864 |
| 155 | Lansana Sesay | CHT | Kabala | 076476050 |
| 156 | Morlai Sesay | PLDC – Education Chairman | Port Loko | 030426368 |
| 157 | Simeon Kamara | MBSSE/Coordinator | Kambia | 030551144 |
| 158 | Ibrahim Dabor | Falaba | Falaba | 078 |
| 159 | Gibrilla A Sesay | Deputy Director of Education | Karene | 076673284 |
| 160 | Philip T Bangura | WEC | Karene | 076851799 |
| 161 | Halimatu P Sesay | MBSSE/FQSE | Karene | 077637432 |
| 162 | Aliieu Dausy Wurie | MBSSE/FQSE | Western Area | 075345105 |
| 163 | Emmanuel M Mansaray | MBSSE/DD Rep | Falaba | 079933122 |
| 164 | Amadu F Kamara | MBSSE/Coordinator | Kambia | 080743953 |
| 165 | Mohamed O Turay | Karene District Council | Kamakwie | 076982101 |
| 166 | Idrissa M Conteh | NACOHT Kambia District | Kambia | 076412296 |
| 167 | Paul Idriss Kamara | Port Loko District Council | Port Loko | 076723283 |
| 168 | Sahid O C Conteh | MBSSE | Freetown | 025214977 |
| 169 | Hon P C M P Marah | Falaba District | Falaba | 078681213 |
| 170 | Solomon K Boxi | WERM | Freetown | 079114208 |
| 171 | Bryan Koroma | WERM | Freetown | 077846254 |
| 172 | Ibrahim A Kanu | Bombali District Council (ESO) | Bombali | 088974500 |
| 173 | PC Bai Shebura | Mambolo | Kambia | 076605989 |
| 174 | Sallieu Konneh | TDC – Engineer | Magburuka | 078841909 |
| 175 | Yabom Sesay | TDC Chairman | Magburuka | 079729826 |
| 176 | James M S Kamara | Chairman Education | Tonkolili | 076786352 |
| 177 | Andrew U Mansaray | BDC | Bombali | 077240718 |
| 178 | Hon PC Bai Seboru Kasanguru | PC | Bombali | 076680788 |
| 179 | PC Masakama III | CPC | Tonkolili | 076497500 |
| 180 | Albert Coker | Tonkolili – ESO | Tonkolili | 088616177 |
| 181 | Konta Marah | BDC , M&E Officer | Makeni | 076448824 |
| 182 | Chernor Koroma | Ward committee (Edu officer) | Tonkolili | 077299191 |
| 183 | Yusuf A Kamara | DD MBSSE | Tonkolili | 076862825 |
| 184 | Momorie G P Marah | Chairman Edu. Comm. | Koinadugu | 076748857 |
| 185 | Princess Jabba Mansaray | Port Loko District | Port Loko | 076424881 |
| 186 | Amidu U Fornah | CPSS | Bombali | 078214535 |
| 187 | Alex S Konteh | Koinadugu District Council | Koinadugu | 076812181 |
| 188 | Augustine B Amara | Koinadugu District Council | Koinadugu | 076424041 |
| 189 | Foday Osman Bangura | Rep. CPSS | Karene | 077646994 |
| 190 | H M Nelson-Williams | Executive Secretary BES | Freetown | 030289962 |
| 191 | Santigie B Mansaray | FCC Deputy Mayor | Makeni | 076828392 |
| 192 | Abdul T Conteh | MCC Chairman Education | Makeni | 030899304 |
| 193 | Michael Yamba | LoGADE | Freetown | 076104523 |
| 194 | S L Thomas | LoGADE | Freetown | 076735940 |
| 195 | Joseph I Kargbo | TSC Bombali | Bombali | 076894952 |
| 196 | Ibrahim P Sheriff | Comm.Spec. MBSSE | Freetown | 078848287 |

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|-----|-----------------------|-----------------------------|--------------|-----------|
| 197 | Koni Gabriel Sesay | Makeni City Council | Makeni | 088546817 |
| 198 | Maurice G Ellie | MCC | Makeni | 076995314 |
| 199 | Saio Marah | ESO | Falaba | 080026636 |
| 200 | Victor H Kamara | TSC | Tonkolili | 077200698 |
| 201 | Zainab Y Koroma | Head Teachers Council | Tonkolili | 076811881 |
| 202 | Andrew U Dumbuya | ESDN | Makeni | 088213220 |
| 203 | Momoh H Kamara | Edu. Chairman | Kambia | 076495353 |
| 204 | Olu James | SLBC TV | New England | 088872446 |
| 205 | Abdul B Kallon | FBC/Engineer | Falaba | 076310756 |
| 206 | Paul I Kamara | TSC | Kambia | 079830785 |
| 207 | PC A Kandeh Parian | PC | Karene | 088619529 |
| 208 | Abdul R Sesay | SMC | Kambia | 077957198 |
| 209 | Aruna I Conteh | SMC | Karene | 076738574 |
| 210 | Sahr E Dambosu | Tonkolili District Council | Tonkolili | 076414363 |
| 211 | Abdul K Turay | Karene District Council | Karene | 076767794 |
| 212 | Hawanatu Bangura | SLBC/TV | Freetown | 076692954 |
| 213 | Mustapha Njai Sesay | M&E | Falaba North | 076626369 |
| 214 | Memunatu Bangura | AYV TV | Freetown | 076690500 |
| 215 | Geron Forster | EPA – SL | Freetown | 076363642 |
| 216 | Joseph S Turay | EPA – SL | Freetown | 078053178 |
| 217 | Sorie Gbawuru Sillah | Kambia District Council | Kambia | 076993366 |
| 218 | Braima Koroma | Consultant | Njala | 078676597 |
| 219 | Saidu Dumbuya | New Vision | Freetown | 077973041 |
| 220 | Abdul B Kanu | Bombali District Council | Bombali | 078545555 |
| 221 | Usman R Kabba | MBSSE DD Rep. | Bombali | 076690796 |
| 222 | Alimamy Kama | DD Kambia MBSSE | Kambia | 076443762 |
| 223 | Aan L J Konneh | AD Gender MBSSE | Freetown | 076600958 |
| 224 | Salimatu N Koroma | AD JSS/SSS MBSSE | Freetown | 076761863 |
| 225 | Abdul K Sesay | DC W/Rural FQSE | Waterloo | 076618084 |
| 226 | Thomas S Kembay | Exclusive Press | Freetown | 076206560 |
| 227 | Edward L Williams | DC FQSE Port Loko | Port Loko | 078697036 |
| 228 | Sylvanus Bundu | SLUDI | Grafton | 077593742 |
| 229 | Morlai P Kamara | Falaba District Council | Mongo | 076164034 |
| 230 | John S Koroma | Bombali District Council | Bombali | 076307229 |
| 231 | John Dito Kamara | Karena District Council | Kamakwie | 078979740 |
| 232 | Ransford Wright | AYV TV | Freetown | 088480304 |
| 233 | Nannah Jalloh | MCC | Makeni | 076974648 |
| 234 | Hon. Dominic Tsombe | C/Man Education Committee | Moyamba | 078524635 |
| 235 | Isatu Sesay | Handicap International | Freetown | 088028883 |
| 236 | Moses E N Sesay | FQSE | Freetown | 078545692 |
| 237 | Joshua P Amara | Kambia District Council M&E | Kambia | 076740544 |
| 238 | Philp Byrne | Ministry of Finance | Freetown | 076686548 |
| 239 | Augustine M Kambo | EFA – SL | Freetown | 078684445 |
| 240 | Foday Kuyateh | SLTU | Freetown | 076674944 |
| 241 | Marylyn Kaday Shinu | Kambia District Council | Kambia | 076559120 |
| 242 | Mustapha Sesay | MBSSE | Freetown | 076246805 |
| 243 | Francis M Sankoh | CPSS – Chairman | Tonkolili | 076892605 |
| 244 | Reg. Alimamy P Kargbo | IRCSL – Nat. Coord. | Freetown | 076643186 |
| 245 | Nancy V A Smart | ESDN/Sightsavers | Freetown | 079251100 |

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|-----|-----------------------|----------------------------------|-----------|-----------|
| 246 | Eric Musa Junior | ECDN/Sightsavers | Freetown | 079795497 |
| 247 | Ing. Sheik G Sesay | Makeni City Council | Makeni | 076787373 |
| 248 | Patrick Jukemu | Port Loko District Council | Port Loko | 076768595 |
| 249 | Santigie Kafor | Port Loko District Council | Port Loko | 078196336 |
| 250 | Edward Amara | Works Engineer | Port Loko | 076634080 |
| 251 | Abdul K Koroma | Every child | Freetown | 078211722 |
| 252 | Mustapha Harding | MBSSE | Freetown | 078903281 |
| 253 | Monica A Lamin | MBSSE | Freetown | 076751181 |
| 254 | Wadia Fomba | MBSSE Admin. | Freetown | 078452097 |
| 255 | Alpha Conteh | Bombali District Council | Bombali | 079433099 |
| 256 | Willary Noldred | MBSSE | Freetown | 076645405 |
| 257 | Joseph Lamin | MBSSE | Freetown | 078893837 |
| 258 | Adama J Momoh | Director, Planning and Policy | Freetown | 076611920 |
| 259 | Brima Turay | DD/PRO MBSSE | Freetown | 076450134 |
| 260 | Augustine B Anthony | Comm. Officer | Freetown | 076846377 |
| 261 | Maybelle Gamanga | MBSSE – Ass. Director | Freetown | 078551133 |
| 262 | Solomon S Gbondo | Kono District Council Chairman | Kono | 076727757 |
| 263 | Sahr A K Lamin | Kailahun District Council | Kailahun | 076726172 |
| 264 | Mohamed A Sesay | Kenema District Council Chairman | Kenema | 076784642 |
| 265 | Sylvester T Bayoh | Kono District Council | Kono | 099322776 |
| 266 | Ahmed M Lahai | Koidu City | Kono | 076044451 |
| 267 | John L Swaray | Kailahun District Council | Kailahun | 076767587 |
| 268 | Vivian Senesie | Chief Administrator, KCC | Kenema | 076602583 |
| 269 | Mohamed S K Banya | Paramount Chief (Luawa) | Kailahun | 076679341 |
| 270 | PC Tamba E T Foyoh | Paramount Chief | Kono | 078739143 |
| 271 | PC FSK Faba | Paramount Chief-Dodo | Kenema | 076693497 |
| 272 | Esther N Kaisamba | Kenema City Council | Kenema | 076726829 |
| 273 | Komba Matthew Sam | KNSCC – Mayor | Kono | 078409940 |
| 274 | Musa K Mansaray | FQSE/MBSSE Dist. Coordination | Bonthe | 076625935 |
| 275 | Johannes H Brima | PC Representative | Moyamba | 078525712 |
| 276 | Josephine Vandy | SMC | Moyamba | 077889535 |
| 277 | Michael A Fullah | NCPD | Pujehun | 078599874 |
| 278 | Foday Abdulai | FQSE District Coord. | Bo | 076797852 |
| 279 | Elizabeth A Dambo | Councillor | Moyamba | 076941039 |
| 280 | Mariam J Tucker | BODC | Bo | 076914369 |
| 281 | Lucy Veile | BCC | Bo | 076239188 |
| 282 | Alexander P Wanga | Chairman, BODC | Bo | 076899501 |
| 283 | Juliana Bah | BCC ESO | Bo | 078609922 |
| 284 | Saidu Bangura | BCC Rep. Engineer | Bo | 078188744 |
| 285 | Abdul S K Muana | SMC | Bo | 076578784 |
| 286 | Sahr Foa Dunbar | FORUT | Moyamba | 078178355 |
| 287 | Ibrahim Yahaya Fofana | MBSSE District Director | Pujehun | 076902888 |
| 288 | Unisa Turay | SLP | Bonthe | 079126207 |
| 289 | Sylvester Dongoma | Bonthe Municipal Council | Bonthe | 078289652 |
| 290 | Arthur J Kposowa | MSWGCA | Bonthe | 079858279 |
| 291 | John C Vanjah | Head Teachers council | Moyamba | 076922740 |
| 292 | Patrick M Rogers | SLTU | Pujehun | 076581417 |
| 293 | Abu B Kpukumu | District Coordinator | Pujehun | 088125777 |
| 294 | Joseph D Sivalie | CSO | Bonthe | 076840346 |

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|-----|------------------------|------------------------------|------------|-----------|
| 295 | Rev Can Steven S Allie | IRCSL District Cord. | Pujehun | 076581417 |
| 296 | Vandi Massaquoi | MLHE | Pujehun | 078946273 |
| 297 | Abdulai Caulker | Paramount Chief | Pujehun | 088017071 |
| 298 | Hassan Sama | SMC Chairman | Bo | 076491576 |
| 299 | Charles W Mboka | SLTU – District Chairman | Moyamba | 078614272 |
| 300 | Mohamed M Mansaray | Pujehun District Council | Pujehun | 099802310 |
| 301 | Siladu S Simbo | Pujehun District Council | Pujehun | 076787770 |
| 302 | James Davies | SMC | Bonthe | 075772526 |
| 303 | Sakpa M Kamara | SMC | Pujehun | 079959338 |
| 304 | Teabeh N Masuba | PS Office – Finance | Bo | 076735525 |
| 305 | Abdul S Mansour | Bonthe District Council | Matru Jong | 076726512 |
| 306 | Willie A Parker | Bonthe District Council | Bonthe | 076987886 |
| 307 | Jeneba Williams | SLUDI | Moyamba | 076552574 |
| 308 | Lahai Feika | MBSE Snr Inspector | Bo | 078808562 |
| 309 | Edison Sharka | MBSSE Inspector | Bo | 076770057 |
| 310 | Timothy A Kamara | PDDC | Pujehun | 079416468 |
| 311 | Ibrahim M Mansaray | MBSSE Supervisor | Bo | 076102155 |
| 312 | Lansana Rogers | TSC | Pujehun | 076434582 |
| 313 | Mohamed Alpha | NCPD | Bonthe | 079881280 |
| 314 | Edmond J Momoh | DD TSC | Moyamba | 076639892 |
| 315 | Peter Rogers | WECM | Pujehun | 099748445 |
| 316 | Amadu Sheriff | BoDC | Bo | 076977908 |
| 317 | Steohen Gorgra | MBSSE | Bo | 078209969 |
| 318 | Mustapha Conteh | SLC – Gobaru | Pujehun | 078618886 |
| 319 | Andrew M Goba | IRC | Bo | 076151081 |
| 320 | Sheik Ibrahim A Kamara | IRC | Moyamba | 075064428 |
| 321 | Aminu Sandy | PDC | Pujehun | 078222928 |
| 322 | Charlie M Katie | MLGRD DO | Pujehun | 076718287 |
| 323 | Joseph Benya | DD TSC | Bonthe | 076768814 |
| 324 | Sulaiman A Sengeh | CPSS | Bonthe | |
| 325 | Leslie T Kemokai | Bonthe District Council | Bonthe | 078190813 |
| 326 | Abdulai J Sillah | CSO | Pujehun | 078316845 |
| 327 | Alieu S caulker | M&E Rep | Bonthe | 075555898 |
| 328 | Mamusu Feika | ESO | Moyamba | 078314621 |
| 329 | Isata D Musa | BoDC | Bo | 076676563 |
| 330 | Lahai Koroma | FSU/SLP | Pujehun | 076648959 |
| 331 | Jonathan Cobera | FQSE/District Coordinator | Moyamba | 076728959 |
| 332 | Rev Joseph V Gbondo | IRCSL District Coordinator | Bonthe | 079135095 |
| 333 | Rev. Emmanuel S Farma | IRCSL – District Coordinator | Bo | 076648844 |
| 334 | Christopher M Saffa | Bonthe District Council | Matru Jong | 076624067 |
| 335 | Amara Brima | Voice of Women Radio | Matru Jong | 076394986 |
| 336 | Daniel Kaitenoh | MODCAR | Moyamba | 076270461 |
| 337 | M F Koroma | SMC Chairman | Bo | 076645468 |
| 338 | Foday K Rogers | Regional Cordinator | Bo | 078268657 |
| 339 | Sheku A Kanneh | CPSS – Chairman | Pujehun | 076929738 |
| 340 | Anthony Tucker | District Coord. MBSSE | Bonthe | 076960761 |
| 341 | Augustine S Josiah | MDC | Moyamba | 076518211 |
| 342 | Gibrilla Issa | Bonthe Municipal Council | Bonthe | 079625003 |
| 343 | Philip J B Coker | SMC Moyamba | Moyamba | 078865880 |

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|-----|-----------------------|---------------------------------|------------|-----------|
| 344 | James M Massaquoi | Chairman, HT Council | Bo | 076846935 |
| 345 | Anthony Fortune | PDC | Pujehun | 076870239 |
| 346 | Mohamed Feika | District Council | Moyamba | 076787272 |
| 347 | Mohamed Kamara | D MBSSE | Bonthe | 076944946 |
| 348 | Augustine Will | MDC | Moyamba | 078691758 |
| 349 | Samuel Fofanah | Pujehun District Council | Pujehun | 076736375 |
| 350 | Joseph Sivalie | BONDC | Bonthe | 078433822 |
| 351 | David Saboleh | Bonthe Municipal Council | Bonthe | 079212341 |
| 352 | John Conteh | NCPD | Bo | 076747142 |
| 353 | Julia T Amara | District Council | Bo | 076392770 |
| 354 | Edward Alpha | BCC – CA | Bo | 078400102 |
| 355 | Brima M Turay | MBSSE | Freetown | 076450134 |
| 356 | Augustine B Anthony | MBSSE | Freetown | 076846377 |
| 357 | Momoh S Kamara | CSO/CASOT | Bo | 078469502 |
| 358 | Alpha Jalloh | MBSSE | Bo | 076929667 |
| 359 | John S Kpaka | Bonthe | Matru | 030982284 |
| 400 | Issa Alie Gbla | MSWGCA | Bo | 076415413 |
| 401 | Christopher Lavahun | CPSS | Bo | 076852438 |
| 402 | John J Smith | VoF 95.5 FM | Bo | 079043612 |
| 403 | Isatu A Peacock | CPSS | Moyamba | 076667198 |
| 404 | Philip Nabieu | FSU/SLP | Moyamba | 076928912 |
| 405 | Claudius Wilson | MBSSE | Moyamba | 076617933 |
| 406 | Alhaji Mansaray | MSWGCA | Pujehun | 078221254 |
| 407 | Abdulai Koroma | MSWGCA | Moyamba | 076202801 |
| 408 | George Gbenga | NeSPE/CSO | Moyamba | 078320567 |
| 409 | Mohamed Gassama | Action Aid District Coordinator | Moyamba | 076607292 |
| 410 | Stephen M Minah | SLTU | Bonthe | 078300448 |
| 411 | Allieu Musa Bindi | BoDC | Bo | 076327266 |
| 412 | Rashid F Mansaray | MDC – M&E | Moyamba | 076190087 |
| 413 | Adamson Tarawally | | Moyamba | 079442066 |
| 414 | Mamusu Feika | MDC – ESO | Moyamba | 077443312 |
| 415 | Foday Tejan | MDC – GDO | Moyamba | 076445886 |
| 416 | Mohamed Gibril Kamara | ActionAid | Bo | 077456227 |
| 417 | Lahai T M Jah | Head Teacher Council | Pujehun | 078261361 |
| 418 | Aiah Wurie Kembay | Regional Head, EPA | South - Bo | 078463417 |
| 419 | Amy Kposowa | EPA-SL | Bonthe | 076193876 |
| 420 | Bundu Kargbo | EPA-SL | Pujehun | 076249694 |
| 421 | Michael Kpange | BoDC | Bo | 078679804 |
| 422 | Amara G Sonnie | Bonthe District Council | Bonthe | 077538309 |
| 423 | Mohamed Mansaray | BCC, M&E | Bo | 078748274 |
| 424 | Matthew G Jayah | World Vision | Bo | 078941460 |
| 425 | David M Tucker | MBSSE | Freetown | 099120725 |
| 426 | Aminata Kobba | MBSSE | Freetown | 076629016 |
| 427 | Haroun Keh Turay | MLGRD | Moyamba | 076357192 |
| 428 | John Foray | Ward Education Committee | Bonthe | 076645492 |
| 429 | Sahr Moigua | MLCPE | Bo | 077352476 |
| 430 | Edward Bangali | Ward Education Committee | Bonthe | 076549846 |
| 431 | Momoh Jengula | MLCPE | Bo | 076925367 |
| 432 | Veronica J Fortune | CA | Moyamba | 079184370 |

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|-----|--------------------|--------------------------|---------------|-----------|
| 433 | Tawo Kamara | SLBC – Bo | Bo | 076757242 |
| 434 | Davidson A Showers | MLSS – Snr OSH Officer | Bo | 079349281 |
| 435 | Edmond Koroma | BoDC | Gbagboima | 076402401 |
| 436 | Awasoie W Kain | TSC | Bo | 076619484 |
| 437 | Martin M B Goba | Bo District Council | Bo | 076982490 |
| 438 | Richard Margao | Ministry of Lands | Bo | 078995512 |
| 439 | Abdul M Lahai | Lands ministry | Bonthe | 078606672 |
| 440 | Eric Williams | Ministry Lands | Bonthe | 078610394 |
| 441 | Ishaga M Turay | MLGRD – District Officer | Bonthe | 076547356 |
| 442 | David J N Smart | Deputy Mayor | Bo City | 080769849 |
| 443 | ABC Foray | Chairman Rep | BoDC | 076550344 |
| 444 | Francis M Tiffa | Bonthe Municipal Council | Bonthe Island | 078289652 |
| 445 | Abdul Lahai | MBSSE | Bo | 078606672 |
| 446 | Josephine Scott | MBSSE | Bo | 076703517 |
| 447 | John Swaray | MBSSE | Bo | 076664560 |

ANNEX 9: PHOTO OF THE CONSULTATIVE MEETINGS



