

## TERMS OF REFERENCE

### RURAL ACCESS & AGRICULTURAL MARKETING PROJECT (RAAMP)

#### CONSULTANCY SERVICES FOR THE PREPARATION OF ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN (RAP)

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## I. Background and Context

1. The Federal Government of Nigeria (FGN) has initiated the preparation of the Rural Access and Agricultural Marketing Project (RAAMP), the successor of the Second Rural Access and Mobility Project (RAMP-2). The project will be supported with financing from the World Bank and the French Development Agency (AFD) and will be guided by the Government's Rural Travel and Transport Policy (RTTP). The lead agency for the Federal Government is the Federal Department of Rural Development (FDRD) of the Federal Ministry of Agriculture and Rural Development (FMARD). The Federal Project Management Unit (FPMU) is overseeing the project on behalf of FDRD, while the respective state government of thirteen (13) participating states will implement it. The overall objective of RAAMP is to improve rural access and agricultural marketing in selected participating states whilst enhancing sustainability of the rural and state road networks. The participating states are: six northern states (Kano, Katsina, Sokoto, Kebbi, Bauchi and Plateau) and seven southern states (Abia, Akwa Ibom, Kogi, Ogun, Oyo, Kwara, and Ondo).

2. The Nigeria road network is relatively dense consisting of about 194,000 km of roads. This includes 34,000 km of federal roads, 30,000 km of state roads and 130,000 km of registered rural roads. The road density is about 0.21 km of roads per square kilometre. In spite of the relatively high road density, the rural accessibility index for Nigeria (defined as the proportion of the rural population living within 2 kilometres away from an all-weather road) is low, at only 25.5 percent, leaving about 92 million rural dwellers unconnected. Rural access is limited where the poor population is concentrated. These considerations demand the expansion and improvement of rural road network, and, also, conservation of rural road/transport assets.

3. Furthermore, an improved rural access will enhance the agricultural potentials and marketing opportunities for the agrarian rural communities in Nigeria and, by extension, help in the improvement of livelihoods of the rural population.

4. The development objective of the proposed Nigeria Rural Access and Agricultural Marketing Project (RAAMP) is to improve rural access and agricultural marketing in selected participating states while strengthening the financing and institutional base for sustainable management of the rural and state roads network. The total financial outlay of RAAMP is US\$ 475m. Contributions from the World Bank, AFD and the participating state governments are US\$180m (38 percent), US\$ 236m (50 percent) and US\$ 59m (12 percent) respectively.

5. RAAMP has four components however this Consultancy will be focused on the following component;

(a) **Component 1: Rehabilitation and maintenance of rural access and state roads.**

## II. Goal of The Assignment

6. The project has triggered four environmental and social safeguards policies namely: Environmental Assessment OP/BP 4.01, Natural Habitats OP/BP 4.04, Physical Cultural Resources OP/BP 4.11 and Involuntary Resettlement OP/BP 4.12. The project has been assigned an Environmental Assessment (EA) Screening Category "B". This rating is based on the scope of the project, which indicates limited adverse environmental and social impacts. It is expected that no adverse negative impacts are likely during project implementation; especially as the project does not

contemplate constructing new roads and will essentially remain within the existing right-of-way. The agro-logistics centres will be established by upgrading the existing markets. It is expected that the rehabilitation of prioritized rural roads and establishment of the agro-logistics centres would result in net positive environmental and social impacts.

7. In fulfilment of the World Bank’s safeguards policies, the Environmental and Social Management Framework has been prepared. The approved framework was disclosed locally on July 30, 2018 and at the World Bank website on September 6, 2018.

8. The goal of the assignment is to manage the social and environmental risks and impact sustainably by an assessment of the social and environmental impact and developing the social and environmental instruments for managing the impacts.

### III. Description of Proposed Interventions

9. The rehabilitation of the prioritized 500km rural roads would involve engineering works such as but not limited to marking, site clearing, mobilization of equipment; removal of top soil, dewatering, earth works, cutting through existing roads, excavation, drainage structure and facilities, earth filing, road surfacing (either with gravel or low-cost surfacing with bituminous sealing) and any other ancillary works etc. These activities have the potential to generate environmental and social impacts including noise and dust generation; loss of vegetation; soil impacts and sediment transport; solid and liquid waste generation; obstruction of mobility of people living in the project area; occupational health and safety; public safety and traffic issues; resettlement of people living within the right-of-way; gender-based violence including sexual exploitation and abuse etc.

10. In line with the above, [state name] State RAAMP wishes to engage the services of eligible consulting firms (“Consultants”) to prepare an Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) prior to commencement of the civil works. The assignment comprises two distinct strands of work scopes: ESIA and RAP. Annex 1 and 2 provide objectives, scopes and reporting requirements of the ESIA and RAP respectively.

### IV. Staff Requirements

11. This assignment is expected to be delivered over a 4 months period. An indicative staff requirement is provided below. The Consultant’s proposal should clearly indicate the type of technical staff requirements and the duration of consultant inputs. The Consultant is expected to make full use, where possible, of appropriately qualified local experts, and work closely with and transfer knowledge to the Client staff. The Consultant team will be required to arrange its own transport, logistics and equipment (e.g. provide its own computers, printers, and office supplies. All information, data and reports shall be treated as confidential

No	Key Expert	Minimum qualification and experience
1	Environmental Management/Scientist cum Team Leader.  (Person-month: total four)	<ul style="list-style-type: none"> <li>The candidate should have at least a Master of Science degree (MSc) in Environmental Science and Management or related field with at least 7 years post graduate experience of preparing ESIA’s on World Bank and/or donor funded projects from AfDB, AFD, etc and such experience in Nigeria will be an added advantage; with at least 2 years as a Team Leader.</li> </ul>
2.	Sociologist (Co-Team Leader, Social Safeguards)	<ul style="list-style-type: none"> <li>The candidate should have at least a master’s degree in Social sciences (Economics, Sociology, Anthropology, Human Geography, Law,) or similar qualification and at least ten (10) years relevant post qualification experience. He/she must</li> </ul>

	(Person-month: total four)	have experience in conducting Resettlement Action Plan study and preparing resettlement instruments (ARAP/RAP/Compensation) reports on World Bank and/or donor funded projects from AfDB , AFD and such experience in Nigeria will be an added advantage; conducting census and socioeconomic studies and public consultation; working knowledge and experience and application of the World Bank Policy OP4.12 Involuntary Resettlement Policy on World Bank funded projects.
3.	Gender and Gender-based Violence (GBV) Specialist.  (Person-month: total two)	<ul style="list-style-type: none"> <li>• The candidate should have at least an advanced University degree in social studies or other related areas including public policy, community health, gender, development studies;</li> <li>• At least 8 years of increasingly responsible relevant professional experience, including experience in program management, including large multi-sectoral projects, designing and appraising proposals and actively liaising with relevant and potential project partners;</li> <li>• Knowledge of gender issues in development, particularly GBV, including ethical considerations when researching on GBV and relevant international human rights standards;</li> <li>• Knowledge of reproductive health, HIV and protection issues</li> </ul>
4.	Communications and Public Consultation Facilitator  (Person-month: total one month)	<ul style="list-style-type: none"> <li>• The candidate should have at least a Master of Science degree (MSc) in Development Communication or Mass Communication or related field and shall be Professionally Registered with at least 5 years post graduate engineering experience. The candidate shall also have been involved on at least 1 rural road Design Assignments in Nigeria or similar regions.</li> </ul>
5.	Land Valuation Specialist  (Person-month: total two)	<ul style="list-style-type: none"> <li>• The candidate should have at least a Master’s Degree (MSc) in Surveying, Estate Management, Urban and Regional Development or related field. The candidate shall have the experience in valuation exercise including land valuation in at least one project of similar nature.</li> </ul>
6.	GIS Specialist  (Person-month: total two months)	<ul style="list-style-type: none"> <li>• The candidate should have at least a Master’s Degree in GIS, or MSc Geography or MSc in Geo-Informatics/Survey with at least 5 years relevant post qualification experience</li> </ul>
7.	Public Health Specialist  (Person-month: total two months)	<ul style="list-style-type: none"> <li>• The candidate should have at least a Master’s Degree in Public/Occupational health with at least 5 years relevant post qualification experience</li> </ul>
8.	Field Assistants  (Person-month total eight months)	<ul style="list-style-type: none"> <li>• Secondary school certificate &amp; fluency in local language with at least 2 years relevant field experience</li> </ul>

## V. Deliverables and Timing

12. The Consultancy will have to submit the following deliverables as per the mentioned timing:

- **Inception Report:** This report shall include a detailed work plan. This will be discussed by the consultant, client and other experts to ensure quality of the final outcome at the scoping stage. The inception report shall integrate results from the review by the Client and from the consultation of all stakeholders. Six (6) copies shall be submitted to the client. In addition, there shall be an electronic version. This will be delivered within two weeks after contract signing; 6 hard copies and 1 soft (electronic) copy of).
- **Draft report:** A Standalone draft ESIA and RAP Reports for the respective specific intervention shall be submitted for comments in 10 weeks from the date of signing the contract. It will identify all the areas, the mitigation measures, and the environmental and social issues associated with the site intervention sub-projects, as well as the adequacy of the monitoring and institutional arrangements in the intervention site. Six (6) copies of the draft ESIA and 6 copies of the draft RAP as well as 1 electronic copy each shall be submitted to the client.
- **Draft Final Reports:** A standalone draft final ESIA and RAP Reports for the respective specific sites will take into account all comments from the client and World Bank and will be submitted to the SPIU at the end of 2 weeks after the review and clearance of the ESIA and RAP draft reports. Six (6) copies of the draft final ESIA and 6 copies of the draft final RAP as well as 1 electronic copy each shall be submitted to the client.
- **Final Reports:** A standalone ESIA and RAP shall integrate results from the review by the Client, WB and from the consultation of all stakeholders. In addition, it shall include a concise Executive Summary and shall have all annexes, maps and diagrams and bibliography and the disclosure plan. The report shall contain clear conclusions as to the project's environmental and social viability. All relevant information and data shall be presented in appendices in separate volume(s). This will be delivered not later than 4 months after the signing of the contract. Six (6) copies of the final ESIA and 6 copies of the final RAP including in 1 electronic version each shall be submitted to the client

## **Annex 1: Environmental and Social Impact Assessment (ESIA) including a detailed Environmental and Social Management Plan (ESMP)**

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### **I. Objective**

The specific objective of the study will be to assess the potential environmental and social risks and impacts of the proposed works as described below in the scope of work and prepare an Environmental and Social Impact Assessment (ESIA) that will include a detailed Environmental and Social Management Plan (ESMP). The ESIA will outline the main procedures and responsibilities to manage environmental and social risks and impacts associated with the implementation of civil works. The study will be carried out to establish modalities of implementing the projects in line with Nigeria environmental and social policies and laws and the World Bank Safeguard policies.

All work undertaken and output produced must comply with:

- World Bank safeguard policies, while taking into consideration the environmental and social procedures of the Federal Government of Nigeria and respective State Governments.
- World Bank guidance and structure provided on ESIA and ESMP.

### **II. Scope of Works**

The core tasks for the Consultancy assignment shall include but not limited to the following:

- Review the existing ESMF prepared for the RAAMP.
- Review Environmental Safeguards policies of the World Bank safeguards policies triggered on the project;
- Describe the proposed project by providing a synthetic description of the project relevant components and presenting plans, schematics, maps, figures and tables of the project area of influence
- Identify the policy, legal and administrative framework relevant to the project.
- Define and justify the project study area for the assessment of environmental and social impacts.
- Describe and evaluate the current environmental and social situation;
- The following socio-economic issues shall be addressed in the ESIA:
  - Establish social baseline information before project intervention
  - Determine the project's social impacts on health and social well-being; quality of the living environment; economic material well-being; Family and community; and gender relations
  - A summary of the impacted communities for the project: location, access, population (number, demographic and social characteristics); economy (employment rate, income distribution); land use and land tenure; services (types, capacity, and adequacy) and housing.
  - The report should identify and assess social impact identified during the public consultation process and those that, based on consultant's experience, are also likely to occur. In some instances, the affected communities may not be aware of or be in a position to identify all the social impact that may occur. However, this does not mean that they will not occur. In such cases the consultant should use his/her experience to identify additional social impact that have not been raised by the public. A summary of the views of the population including vulnerable groups, determined through thoroughly documented discussions with local communities. These meetings and discussions must be documented and should show how issues and problems raised are or will be resolved.<sup>1</sup>

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<sup>1</sup> In terms of GBV, there should be absolutely no data collection related to GBV with anyone who may be a survivor without making referral services available to support them. If data collection is necessary, Task Teams should confirm that protocols are in place to enable referral of participants disclosing experiences of violence before data collection commences to avoid retraumatizing survivors. Training of researchers must cover all safety and ethical guidelines related to GBV. No focus group discussions with community members asking

- Pay attention to the impacts of the project on people and groups in a situation of vulnerability (including but not limited to people with disabilities)
- Detail measures that will need to be taken to mitigate the negative social impact identified and the procedures for their implementation;
- Identify key uncertainties and risks: Identify and communicate any key uncertainties and risks associated with the accuracy of the findings of the social assessment, as well as of the proposed project. Some sources of uncertainty and risk commonly associated with projects are linked to: (a) Lack of adequate information at the community level; (b) Creation of employment and business opportunities for members from the local, historically disadvantaged communities; (c) The influx of job seekers and construction workers to the area and the impact on services; etc.
- Assess the impact of the construction on individuals and groups whose livelihoods are tied to the route/road (motor cycle taxi and tricycle operators etc.). As part of consultations, the ESIA should identify the potential negative impact on the livelihoods of these individuals and groups and propose appropriate mitigation measures
- Assess potential impact of the project on property access and suggest measures to minimize the effects on property access
- Information will be gathered from field surveys and secondary data sources (interviews, structured questionnaires, in-depth interviews and focus group discussions).
- Identify the preliminary 'social area of influence' of the project, likely impacted and beneficiary communities (nearby and distant), and stakeholders.
- Through analysis, determine the environmental and social changes and impacts that will likely result from the project and its various alternatives.
- Consider how the project will contribute to the cumulative impacts being experienced by the host communities.
- Assist the proponent in facilitating stakeholder input and drafting a Social Impact Management Plan (SIMP) which puts into operation the benefits, mitigation measures, monitoring arrangements and governance arrangements as well as plans for dealing with any ongoing unanticipated issues as they may arise.
- Put processes in place to enable proponents, government authorities and civil society stakeholders to implement the arrangements implied in the SIMP, establish respective roles and responsibilities throughout the implementation of those action plans, and maintain an ongoing role in monitoring.
- Describe and analyse the physical, biological and human environment conditions in the study area before project implementation, and describe how these may be affected by the project either positively or negatively. This analysis shall include the interrelations between environmental and social components and the importance that the society and local populations attach to these components, to identify the environmental and social components of high value or presenting a particular interest.
- The following biophysical issues shall be taken into consideration; Climate, Air and Noise, Topography, Surface Water Quality, Ground Water Quality, Storm Water runoff, drainage pattern and aquifer characteristics, Soil, biological aspects: flora and fauna, endemic and endangered species.
- Sampling of relevant biophysical parameters within the project area of influence including air, noise, water and soil using in-situ and laboratory analysis as appropriate. Discuss the results and its implications for the project. Sampling should be done in an accredited Federal Ministry of Environment Laboratory.
- Outline environmental sensitivities that may affect the project and propose recommended change to project design as required

- Present and analyse alternatives to the proposed project, including the “without project” option, by identifying and comparing the alternatives on the basis of technical, economic, environmental and social criteria.
- For the selected alternative, identifying and assessing potential importance of beneficial and adverse environmental and social, direct and indirect, short and long-term, temporary and permanent impacts, based on a rigorous method.
- Present the potential environmental and social risks and impacts of the proposed project
- Define appropriate mitigation/enhancement measures to prevent, minimise, mitigate, or compensate for adverse environmental and social impacts or to enhance the project environmental and social benefits, including responsibilities and associated costs.
- Address potential cumulative environmental and social effects taking into account other initiatives planned in the study area.
- Develop an environmental and social monitoring program, including indicators, institutional responsibilities and associated costs.
- As appropriate, prepare an occupational/community health and safety plan including an analysis of the risk of accident, the identification of appropriate security measures and the development of a preliminary contingency plan.
- Assess the capacity available to implement the proposed mitigation measures and identify institutional responsibilities and needs for capacity building if necessary, to implement the recommendations of the environmental and social assessment and associated costs
- Carry out consultations with primary and secondary stakeholders in order to obtain their views on and preoccupations about the project. These consultations shall occur during the preparation of the ESIA Report to identify key environmental and social issues and impacts, and after completion of the draft ESIA Report to obtain comments from stakeholders on the proposed mitigation/enhancement measures.
- Assess the risk of Sexual Exploitation and Abuse associated with the project and provide mitigation measures.
- For ESIA to capture the socio-economic, cultural and risk context for women. The following should be considered:
  - Existing gender country diagnostics/country action plans;
  - Data on partner/non-partner physical violence against women;
  - Data and/or information on cultural practices vis-à-vis women (early marriage, physical practices);
  - Existing services available from GBV Services Providers;
  - Where health centres are located and what types of services are offered (e.g., whether they treat sexually transmitted diseases, provide reproductive health services, have supplies of rape kits including post-exposure prophylactics and emergency contraception, etc.);
  - Whether women have easy access to these services, and if they have mobility and/or economic constraints that may impede access; and,
  - Information obtained from consultations carried out in the preparation of the project.
- Assess labour influx risk and develop a Labour Influx, Sexual Exploitation and Abuse, and Occupational Health and Safety Response Plan
- Prepare an Environmental and Social Management Plan (ESMP). The ESMP should capture:
  - The potential environmental and social impacts resulting from project activities
  - The proposed mitigation measures;
  - The institutional responsibilities for implementation;
  - The monitoring indicators;
  - The institutional responsibilities for monitoring and implementation of mitigation measures;
  - The estimated costs of activities; and

- A calendar for implementation.

### III. Report Outline

#### (a) Environmental and Social Impact Assessment (ESIA) Report

The typical contents of an ESIA Report are presented hereafter. It shall be noted that the presentation of the Report may be adapted pending on the nature and specific requirements of the priority sites.

##### **Executive Summary**

This section shall present in a non-technical language a concise summary of the ESIA Report with an attention on the processes and procedures used; baseline conditions; the alternatives considered; mitigation/enhancement measures; monitoring program; consultations with stakeholders; capabilities of environmental and social units and actions to strengthen those capacities; and cost implications. This Executive Summary shall be written in English and a local language, if necessary, for public consultations.

##### **Introduction**

The Introduction shall indicate the purpose of the ESIA, present an overview of the proposed project to be assessed, as well as the project's purpose and needs. This section identifies the project sponsor and the consultant assigned to carry out the ESIA. It shall also briefly mention the contents of the ESIA Report and the methods adopted to complete the assessment.

##### **Policy, Legal and Administrative Framework**

This chapter concerns the policy, legal and administrative framework within which the ESIA is carried out. It presents the relevant environmental and social policies of the Bank and borrowing country, as well as the national legal requirements relevant to the project. It provides information on the environmental requirements of any co-financiers and identifies relevant international environmental/social agreements to which the country is a signatory. The World Bank Policies triggered by the project should be outlined in this chapter.

##### **Project Description and Justification**

This chapter shall describe the proposed project and its geographic, ecological, social, economic and temporal context: project location, various project components, capacity, construction activities, facilities, staffing, working conditions, availability and source of raw materials, production methods, products, schedule of works, land tenure, land use system, potential beneficiaries, affected groups (directly and indirectly), and offsite investments that may be required.

This section shall determine and characterise the anticipated liquid, solid and gaseous discharges from the processes, as well as the sources of nuisance such as noise, odours, visual nuisances, etc. It shall indicate the need for any resettlement plan or vulnerable group's development plan. It shall at least include a map showing the project location and area of influence.

The project justification should be based on combined economic, environmental and social assessments. This chapter shall describe the current situation in the sector, explain the problems or the needs to be satisfied by the project and present the constraints associated with the project implementation.

Overall the description and justification of the project shall cover at least the following elements:



- Partial requirements (sites required for works).
- Project layout characteristics (including site location map).
- Socio-cultural factors or constraints, such as customs and beliefs.
- Natural and human resources requirements.
- Temporary (during construction) and permanent infrastructures.
- Existing and proposed location of human settlements and public services such as health centres and accident and emergency units.
- Construction activities (land clearing, burning, excavation, blasting, extracting, filling, compacting, waterways crossing, use of heavy machinery, etc.).
- Anticipated liquid, solid (including waste) and gaseous emissions, and sources of nuisances (at construction and operation stages).
- Construction schedules and costs.
- Maintenance works and associated costs.
- Consultation approaches and participation mechanisms.
- Barriers for women and men to participate in road rehabilitation and maintenance

### **Description of the Project Environment and Baseline Studies**

The description and analysis of the physical, biological and human conditions shall address relevant environmental and social issues within this area, including any changes anticipated before project implementation.

Within the human environment, key issues that shall be considered include population characteristics and trends, revenue disparities, gender differences, health problems, natural resource access and ownership, land use patterns and civil society organisation level.

It shall also address the interrelations between the environmental and social components and the importance (value) that the society and local populations attach to these components, to identify the environmental and social components of high value or presenting a particular interest. Attention shall be given to the rare, threatened, sensitive or valorised environmental and social components.

The information presented shall be relevant to decisions about project location, design, operations as well as environmental and social management. Maps, figures and tables shall be included in this chapter to better illustrate the various environmental and social components.

### **Analysis of Project Alternatives**

This part of the ESIA Report consists in analysing the various feasible alternatives of the project, including the "without project" option. It normally comprises two sections. The first section identifies and describes the potential feasible alternatives that would allow reaching the project objectives. The second section presents a comparison of the potential alternatives on the basis of technical, economic, environmental and social criteria, as well as of public views and concerns.

The alternative comparison shall address the proposed project site, technology, design, and operation, in terms of their potential environmental and social impacts and the feasibility of mitigating these impacts. For each of the alternatives, the environmental and social impacts shall be quantified as possible, including their economic values where feasible. The selected alternative shall be the most environmentally and socially sustainable, taking into account the technical and economic feasibility.

## **Potential Environmental and Social Impacts and Mitigation/Enhancement Measures**

This chapter should present a detailed analysis of beneficial and adverse impacts of various components of the selected project alternative on the physical, biological and human (social, cultural and economic) environments. The methodology of assessment, based on a rigorous scientific method, shall be first presented. Then all environmental and social, direct and indirect, short and long-term, temporary and permanent impacts shall be described and assessed, indicating their importance level and their probability of occurrence. The importance level may be assessed on the basis of the nature, extent, intensity and duration of the impact, as well as on the sensitivity of the concerned environmental and social components and perceptions of the public. Irreversible or unavoidable impacts shall be clearly identified. Cumulative effects shall also be addressed taking into account other projects or actions planned in the study area.

Appropriate mitigation measures shall be identified to prevent, minimise, mitigate or compensate for adverse environmental and/or social impacts. Specific mitigation measures to mitigate and respond to GBV shall be established. Moreover, enhancement measures shall be developed in order to improve project environmental and social performance. Roles and responsibilities to implement measures shall be clearly defined. The cost of the measures shall be estimated, including the cost for environmental and social capacity building and gender mainstreaming, if necessary. Residual impacts shall be presented.

### **Environmental Hazard Management**

Whenever relevant, this chapter shall describe the security measures and propose a preliminary contingency plan for the construction and operation phases of the project (possible contingency situations, major actions to properly react to accidents, responsibilities and means of communications).

For projects that may cause major technological accidents whose consequences may exceed the project site, the ESIA shall include an analysis of the technological accident risk: identification of hazard and potential consequences, estimation of the consequences' magnitude and frequency, and risk estimation and evaluation.

### **Environmental and Social Monitoring Program**

The first section of this chapter shall describe the surveillance measures aiming at ensuring that the proposed mitigation and enhancement measures are effectively implemented during the implementation phase. The second section concerns the environmental and social monitoring activities designed to measure and evaluate the project impacts on some key environmental and social components of concern and to implement remedial measures, if necessary. Indicators, roles and responsibilities shall be clearly defined. The cost of the program shall be estimated, including the cost for environmental and social capacity building if necessary.

### **Public Consultations**

This chapter shall summarise the actions undertaken to consult the groups affected by the project, as well as other concerned key stakeholders including Civil Society Organisations. The detailed record of the consultation meetings shall be presented in annex to the ESIA Report.

### **Summary and Recommendations**

The summary and recommendations shall specify the environmental and social acceptability of the project, taking into account the impacts and measures identified during the assessment process. It shall also identify any other condition or external requirement for ensuring the success of the project.

## Annexes

The Environmental and Social Impact Assessment which includes a detailed ESMP shall include, but not limited to the following:

- Cover page
- Table of Contents
- List of Tables
- List of Figures
- List of Acronyms and their definitions
- Executive Summary
- **Chapter 1:** Introduction
- Background
- Objectives and Justification of the Proposed Project
- **Chapter 2:** Policy, legal, institutional and administrative framework
- **Chapter 3:** Description of the Proposed Project
- **Chapter 4:** Description of Project Environment and Baseline Studies
- **Chapter 5:** Analysis of Project Alternatives
- **Chapter 6:** Identification of Potential environmental and social impacts and Mitigation Measures
- **Chapter 7 :** Environmental & Social Management Plan (ESMP) including:
  - Discussion of the potential adverse environmental and social impacts of the proposed project
  - Proposed mitigation measures and institutional responsibilities for Implementation including cost estimates;
  - Environmental and Social Monitoring programs and instructional responsibilities for implementation including cost estimates;
  - Capacity Building Plan
  - Implementation schedule of project activities
  - Contractual measures
  - Indicative budget for ESIA implementation
  - ESIA disclosure
- **Chapter 8:** Preparation of an Environmental & Social Monitoring Programme.
- **Chapter 9:** Public/ Stakeholder Consultations
- **Chapter 10:** Grievance Redress Mechanism (GRM)
- **Chapter 11:** Recommendations
- **References**
- **Annexes**
  - Annex 1: Terms of Reference
  - Annex 2: Summary of World Bank safeguards policies
  - Annex 3: Records of Stakeholder Consultations and List of Persons met including photos
  - Annex 4 : General Environmental Management Conditions Construction Contractes
  - Annex 5: Occupational Health and Safety (OHS) Plan
  - Annex 6: Sample of Questionnaire for socio-economics
  - Annex 7: Waste Management Plan
  - Annex 8: Traffic Management Plan
  - Annex 9: Environmental and Social Performance Monitoring Checklist
  - Annex 10: Labour influx management plan (if required)

- Description of the GBV risk (including a GBV Action Plan), and more broadly the ESHS expectations, and include appropriate mitigation measures. The basis of the GBV Action Plan should be provided as part of the ESMP.<sup>2</sup>

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<sup>2</sup> The GBV Action Plan needs to include specific **arrangements** for the project by which GBV risks will be addressed. This includes considerations such as: a) Awareness Raising Strategy, which describes how workers and local communities will be sensitized to GBV risks, and the worker's responsibilities under the Code of Conduct (CoC); b) GBV Services Providers to which GBV survivors will be referred, and the services which will be available; and, c) GBV **Allegation Procedures**: How the project will provide information to employees and the community on how to report cases of GBV CoC breaches to the GRM.

### I. Objectives

The specific objective of the study will be to assess the potential resettlement impacts of the proposed works as described below in the scope of work and prepare a Resettlement Action Plan (RAP). This plan would outline procedures that the project proponent will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected.

All work undertaken and output produced must comply with:

- World Bank safeguard policies, while taking into consideration the environmental and social procedures of the Federal Government of Nigeria.
- World Bank guidance and structure provided on RAP.

### II. Scope of Works

The following sections of the RAP correspond to the scope of work to be completed by the Consultant.

- 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 resettlement program as these apply to RAAMP should be described in relation to the interventions.
- Socio-economic studies: The findings of socio-economic studies to be conducted with the involvement of potentially affected people will be needed. These generally include the results of a census of the PAPs covering:
  - (i) 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 from eligibility for compensation and resettlement assistance;
  - (ii) 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 displaced population (information should be disaggregated by sex);
  - (iii) Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
  - (iv) Information on groups or persons in a situation of vulnerability, for whom special provisions may have to be made; and
  - (v) 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 (disaggregated by sex), and to measure impacts (or changes) in their livelihood and living conditions.
  - (vi) 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 (disaggregated by sex);

- (vii) Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
  - (viii) Public infrastructure and social services that will be affected; and
  - (ix) 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 Nigeria. This should cover the following:
    - (i) 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.;
    - (ii) 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 RAP for the interventions;
    - (iii) 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;
    - (iv) Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
    - (v) Gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and
    - (vi) 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.
    - (vii) Analysis on the impact of the legal framework on women's land ownership
  - **Institutional Framework:** The institutional framework governing RAP implementation generally covers:
    - (i) Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
    - (ii) Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and

- (iii) 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 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 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, describe the alternative relocation sites as follows:
  - (i) 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;
  - (ii) Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
  - (iii) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
  - (iv) Legal arrangements for recognizing (or regularizing) tenure and transferring titles to resettlers.
- **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:
  - (i) Description of the strategy for consultation with and participation of PAPS and hosts in the design and implementation of resettlement activities;
  - (ii) Summary of the consultations and how PAPS' views were taken into account in preparing the resettlement plan; and
  - (iii) 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

- (iv) 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:
  - (i) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
  - (ii) Conflict resolution involving PAPs and other stakeholders; and
  - (iii) Livelihood restoration and any additional services.
- **Grievance procedures:** The RAP should provide 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 (please refer to the IUFMP Grievance Redress Mechanism Reports).
- **RAP implementation responsibilities:** The RAP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover (i) delivery of RAP compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in RAP 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 RAP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to resettles and hosts and a clearly defined closing date. The schedule should indicate how the RAP activities are linked to the implementation of the overall project.
- **Costs and budget:** The RAP for the specific sub-projects should provide detailed (itemized) cost estimates for all RAP activities, 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 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.



After completion of the review of the draft RAP, including consultations with PAPs and communities on the main finding of the RAP, a final RAP will be disclosed by the implementing agency. During the review process, the Consultant is expected to make the necessary changes to the RAP and organize the disclosure and consultation process.

### **III. Report Outline.**

#### **Executive Summary**

#### **I. Introduction**

1. Project Objectives
2. Project components

#### **II. Project Location**

#### **III. Project Description**

1. Technical description of the Project (taken from the RAP)
2. Coverage of the RAP

#### **IV. Review of Policies, Legal, and Institutional Frameworks**

1. Country policies on resettlement
2. Country laws
3. Country institutional arrangements

#### **V. Methodology**

1. Sensitization and familiarization: Evaluation of the RAP
2. Assessment of identification and project impact boundary delineation
3. Evaluation of socio-economic surveys and property registration
4. Findings from community level surveys (to assess RAP impacts)
5. Qualitative methods

#### **VI. Description of the Project Affected Areas**

1. Realignment of roads
  - a. Population and settlements
  - b. Economic conditions and livelihood activities
2. Other affected areas
  - a. Population and settlements
  - b. Business or commercial areas
3. Agricultural areas
4. Livestock, grazing, other areas
5. Population and settlements

- a. Economic conditions and livelihood activities
- b. Economic and social impacts

#### **VII. Census and Socio-Economic Surveys**

- 1. RAP outcome surveys
- 2. Income and expenditures profiles
- 3. Community relations, social capital, etc.

#### **VIII. Impact of the Project**

- 1. Impacts on Gender
- 2. Impacts on Vulnerable Groups

#### **IX. Public Consultation and Disclosure**

- 1. Major findings from consultations with PAPs and community groups
- 2. National consultations

#### **X. Assessment of Valuation and Compensation**

- 1. Compensation for loss of land
- 2. Compensation for loss of annual crops
- 3. Compensation for loss of perennial crops
- 4. Compensation for loss of other assets

#### **XI. Evaluation of Income and Livelihood Restoration Strategies**

- 1. Communities affected by the project
  - a. Income restoration and improvement
  - b. Land based
  - c. Non-farm components
  - d. Social and community development plans
- 2. Communities in adjacent (but non-project) areas
  - a. Income restoration and improvement
  - b. Land based
  - c. Non-farm components
  - d. Social and community development plans
- 3. Communities along broader corridor
  - a. Income restoration and improvement
  - b. Land based
  - c. Non-farm components

- d. Social and community development plans

**XII. Quality of Institutional Arrangements for RAP Implementation**

**XIII. Monitoring, Reviews, and Evaluation**

1. Monthly monitoring
2. Annual review (RAP Audit)
3. RAP evaluation

**XIV. Effectiveness of Grievance Mechanism**

1. Steps for submitting grievances, complaints, etc.
2. Dispute resolution process
3. Follow up activities

**XV. RAPs Implementation Budget and Schedule**

1. Adequacy of budget for RAPs
2. Realism of implementation schedule

**Annex 1: Sample Table and Contents of Consultation Activity Summary**

Location Communities Represented	and	Meeting Dates	Attendees	Discussion Summary
Example:				

**Sample Contents: Public Consultation and Disclosure Plan (PCDP)**

**Introduction**

- Project Description
- Applicable Laws, Regulations and Policies to Public Engagement
- Stakeholder Analysis
- Areas of Influence/Stakeholders

**Description of Stakeholders**

- Stakeholder Engagement
- Previous Public and Agency Consultations
- Community Engagement Activities
- 
- Phase 1 - Initial Stakeholder Consultation
- Phase 2 Release of the RAP Terms of Reference and Draft PCDP
- Phase 3 - Release of RAP Consultation Summary Report
- Summary of Key Issues
- Future Consultation Events
- Phase 4 - Release of the RAP Report and Action Plans

- Phase 5 - Planning Consultation
- Phase 6: Ongoing Project Communication
- Disclosure Plan
- Suggested Samples of Tables
  
- Consultation Activity Summary
- Summary of Previous Key Issues
- Initial Government Agency Consultations
- Summary of Phase 1 NGO Meetings
- Summary of Community Discussions
- Summary of Issues from Community Meetings
  - Key Issues/Actions from Community Meetings
    - Summary of Key Issues and Responses
    - Summary of Future (Phase 4) Consultation Activities per Stakeholder Group
    - Summary of Previous Consultation Activities
    - Consultation Materials
    - Grievance Form