

**Environmental and Social (E&S) Risk Assessment Toolkit**  
**Alliance for a Green Revolution in Africa (AGRA)**

*This Toolkit is a compilation of several separate E&S Tools within AGRA’s Environmental and Social Management System (ESMS).*

*This Toolkit is intended to be used by AGRA for the E&S Risk Assessment during the Review of submitted Proposal within AGRA’s Grant Management Process.*

*After the short-listed Grantees successfully submitted a project proposal it is AGRA’s responsibility to perform a review of the proposals, especially in terms of potential E&S risk and issues.*

*This Toolkit therefore includes an assembly of different Guidelines, Checklists and Tools, which enable the user to adequately assess potential E&S risks within the Grantee’s proposal and overall project design.*

**THIS TOOLKIT INCLUDES THE FOLLOWING TOOLS AND GUIDELINES:**

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**1. Introduction and Project Background**

- (i) Purpose and scope of the ESDD report
- (ii) Project description: title, type of project, location and setting, amount, size (e.g. Production capacity, number of affected people)
- (iii) Environmental and social (E&S) categorization and rationale
- (iv) Applicable E&S Requirements (see ESMS Manual for further information)

**2. Scope of review and methodology**

- (i) Documents reviewed (e.g., project proposal and ESAP as submitted by shortlisted grantees/consortia, environmental assessment reports (ESIA, ESMP), Resettlement Action Plan, Indigenous Peoples Plan as applicable)
- (ii) Methodology adopted (site visit yes/no, desktop review, etc.)

**3. Applicable E&S Requirements**

- (i) Overview of the applicable AGRA E&S standards and requirements applicable to this Project
- (ii) Summary of relevant local legislative context, permitting requirements

**4. Alignment of the Project with applicable AGRA E&S requirements**

Examine issues in terms of E&S risks and impacts. Evaluate mitigation measures to address these issues (as outlined in the ESMP submitted by the shortlisted grantee/consortia) and compliance status with applicable AGRA E&S requirements and national laws, regulations, and standards. The assessment should validate:

- (i) appropriate identification of major anticipated environmental and social, resettlement, health and safety and labour impacts and risks
- (ii) adequacy of environmental assessments undertaken to date, in terms of scope as well as process
- (iii) status of alignment on (i) information disclosure, (ii) consultation with affected people and other stakeholders, (iii) occupational and community health and safety, (iv) labour and working conditions, (v) biodiversity conservation and sustainable natural resource management, and (vi) physical cultural resources
- (iv) adequacy of mitigation measures and ESMP (mitigation measures, monitoring and reporting, institutional arrangement, budget)

The report should be structured around the key topics listed within the IFC Performance Standards as per the following table. It lists the key aspects of each Performance Standard to report against. (Please note this list is not considered comprehensive neither are all aspects applicable to all projects. The sample question should be used to determine the scope of the due diligence and to identify aspects that are relevant for the management of E&S risks of the project. At this stage, the level of information may vary for each project and the below questions should therefore be used to identify key actions to be included in the final project ESAP in order to ensure sound management of E&S risks by grantees.)

IFC Performance Standard	Key Elements
PS 1. Assessment and Management of Environmental and	<ul style="list-style-type: none"> <li>• Has an adequate Environmental and Social Management System (ESMS) been established or proposed for the project?</li> <li>• Does the project/grantee have an organizational structure to implement the ESMS/manage the key E&amp;S risks identified during pre-screening?</li> </ul>

Social Risks and Impacts	<ul style="list-style-type: none"> <li>• Does the ESMS have an emergency preparedness and response system? If yes, is it adequate?</li> <li>• Does the project/grantee have a Stakeholder Engagement/ Communications Plan or is planning to develop it? Have all stakeholders been identified?</li> <li>• What consultations has been carried out to date and with who? Are meeting records available that include meeting minutes, registers and photos?</li> <li>• Do grantees have a Grievance Mechanism in place or are planning to do so?</li> <li>• Does the project/grantee have all necessary permits/licences or are there plans to obtain them?</li> </ul>
PS 2: Labour and Working Conditions	<ul style="list-style-type: none"> <li>• Do grantees have labour/HR policies in place that align with national requirements and international laws/conventions</li> <li>• Have grantees adopted policies/engagements against child and forced labour?</li> <li>• Do grantees issue formal worker contracts and pay at least minimum wage?</li> <li>• Are worker's rights communicated within the grantee organisation(s)?</li> <li>• Does the project expect worker influx from outside the region(s) and if so how are these being managed?</li> <li>• Do grantees have procedures for local content and procurement and the management of supply chain?</li> <li>• Do grantees have policies/procedures for non-discrimination and equal opportunities (eg migrant and non-migrant workers)?</li> <li>• Have grantee employees the right to form worker's organisations?</li> <li>• Does the project/grantee promote and provide safe and healthy working conditions?</li> <li>• Are adequate control measures in place at grantee organisation(s) to protect workers' health and safety (eg do they have the right PPE/equipment to safely do their job? Are incident records in place? Note the number / type of incidents that have taken place over the last year and lessons learned/how they have been addressed?</li> <li>• Is a worker grievance mechanism in place or is planning to be?</li> <li>• Are contractor and subcontractor Health and Safety procedures in place at the grantee organisation(s)?</li> </ul>
PS 3: Resource Efficiency and Pollution Prevention	<ul style="list-style-type: none"> <li>• Is the project/grantee compliant with all domestic regulatory requirements?</li> <li>• Have sensitive receptors at project sites been identified?</li> <li>• Have air and noise emissions of the project been assessed and plans for managing these been provided by the grantee?</li> <li>• Have water and energy consumption of the project been assessed and plans for managing these been provided by the grantee?</li> <li>• Waste and wastewater plans in place?</li> <li>• Have the storage, use and transportation of hazardous materials, fertilizers and agrochemicals been assessed and management measures proposed?</li> <li>• Is the project expected to emit significant GHG emissions, if so, are adequate management measures in place?</li> <li>• Is an Emergency Preparedness and Response Plan in place or are there plans to develop one?</li> </ul>
PS 4: Community Health, Safety and Security	<ul style="list-style-type: none"> <li>• Has the presence of local communities near project sites been adequately assessed?</li> <li>• Are ecosystem services of local communities impacted by the project?</li> <li>• Have impacts on local communities been adequately assessed (eg pesticide use, traffic, noise, site security, hazardous materials) and are management measures in place?</li> <li>• If the project has high risk structural elements in place located close to populated areas, has the project considered these populated areas in preparing these risk assessment and emergency response plans?</li> <li>• Are project sites near existing natural hazard such as landslides or flood area, which may be exacerbated as a result of the Project activities or any proposed future activities</li> <li>• Is worker influx expected and if so, are management measures in place to mitigate negative impacts on communities?</li> <li>• Will the grantee implement measures to avoid or minimize the potential for community exposure of water-borne, water-base, water- related, and vector borne diseases that could result from Project activities</li> </ul>

		<ul style="list-style-type: none"> <li>• Have gender based issues such as harassment, gender based violence been assessed and management measures proposed by grantee(s)?</li> <li>• Is a Community Grievance Mechanism in place or will be established?</li> </ul>
PS 5: Land and Involuntary Resettlement		<ul style="list-style-type: none"> <li>• Will the project require physical or economic displacement?</li> <li>• Will there be physical assets/ecosystem services used by local communities impacted by the project</li> <li>• If the project/grantee has or will acquire land, have feasible alternative designs to avoid or minimize physical and/or economic displacement been considered?</li> <li>• If the project/grantee has or will acquire land,, has sufficient baseline data been collected and assessed with respect to affected person's current socio-economic characteristics (i.e. through a census or baseline of the affected persons)? Have vulnerable groups been identified and considered in the compensation process?</li> <li>• If the project/grantee has or will acquire land, will the project/grantee offer displaced communities and persons adequate compensation, including in-kind compensation such as replacement land, livelihood restoration programs, improved housing etc.?</li> <li>• Has a market valuation study been carried out?</li> <li>• What is the legal / land tenure status of the land in the affected area?</li> <li>• How will/ has the land been acquired?</li> <li>• Have resettlement / livelihood restoration steering committees been established? What is the composition of these?</li> <li>• Has there been an informed and participatory consultation process with affected communities?</li> <li>• Is there a stakeholder engagement plan in place to communicate with affected communities or are there plans to establish it?</li> <li>• Is there an adequate grievance mechanism in place that is accessible, transparent and free of retribution or are there plans to establish it?</li> <li>• Who is responsible for the land acquisition and resettlement process? Has a resettlement specialist/third part expert been hired?</li> <li>• What measures are in place to monitor and evaluate the implementation of a Resettlement Action Plan or Livelihood Restoration Plan and take corrective action as necessary?</li> </ul>
PS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources		<ul style="list-style-type: none"> <li>• Are project location(s) near sensitive habitats (e.g. protected area)?</li> <li>• Does the project impact ecosystem services used by local communities?</li> <li>• Have supply chain impacts been adequately assessed?</li> <li>• Have impacts on flora/fauna been adequately assessed and have management measures been proposed to avoid/minimize/compensate negative effects?</li> <li>• Does the project/grantee implement measures to avoid the potential for accidental or unintended introductions of alien species?</li> </ul>
PS 7: Indigenous Peoples		<ul style="list-style-type: none"> <li>• Has the presence of Indigenous Peoples in the project area(s) been adequately assessed and reported?</li> <li>• Are lands and natural resources subject to traditional ownership impacted by the project? <ul style="list-style-type: none"> <li>• What has the project/grantee done to address impacts on IPs?</li> </ul> </li> <li>• Has the project/grantee undertaken a process of Free, Prior and Informed Consent (FPIC) or established a mechanism to do so? What measures have been undertaken to consult with IPs? Have meetings been documented (e.g. registers/meeting minutes/photos)</li> <li>• Will the project require relocation of IPs?</li> <li>• Have adequate compensation measures been developed by the grantee(s)?</li> <li>• Has an Indigenous Peoples Plan been developed or will be developed by the grantee?</li> </ul>
PS 8: Culture Heritage		<ul style="list-style-type: none"> <li>• Are cultural heritage sites known in the project area(s) (e.g. archology, sacred/traditional sites, graves etc.)</li> <li>• Has the project/grantee retained competent professionals to assist in the identification and protection of cultural heritage or is planning to do so?</li> <li>• Did the project/grantee consult with host/ neighboring communities / IPs that use, or have used sites for traditional/cultural purposes?</li> <li>• Has consultation been undertaken with relevant national or local regulatory agencies that are entrusted with the protection of cultural heritage?</li> <li>• Is a chance finds procedure in place or will be?</li> </ul>

	<ul style="list-style-type: none"> <li>• If the project will remove, significantly alter, or damage critical cultural heritage, has the Project used a process of Informed Consultation and Participation (ICP) of the communities? Has/will the project/grantee retain external experts to assist in the assessment and protection of critical cultural heritage?</li> </ul>
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***Appendix to ESDD Report: Environmental and Social Action Plan (ESAP)***

The assessment should identify any gaps with the requirements listed above. These must be summarized in a final project Environmental and Social Action Plan (ESAP) to include mitigation measures, monitoring indicators and frequency, responsibilities and timelines. A template for an ESAP is provided as Annex to the ESMS Manual.

If the project includes operation of existing facilities and/or facilities under construction, examine whether the responsible company/organization paid pollution charges or fines/penalties for non-compliance in the last two years in accordance with national laws or whether the responsible company/ organization is exposed to potentially significant liabilities, such as those arising from known or suspected land/groundwater contamination, major accidents and incidents related to the company’s past or ongoing operations, health and work safety measures or community severance issues. State further actions required/planned by the project, in particular actions to address any non-compliance problems and liabilities. Also examine whether there are complaints from the public or local communities on the project company’s environmental and social performance.

State any risk control or mitigation measures to be taken by the project, such as conditions, loan covenants or monitoring and reporting requirements

**Other project specific issues, if any:**

**Conclusion and Recommendations:**

## ENVIRONMENT & SOCIAL ACTION PLAN (ESAP) - TEMPLATE

Environmental & Social Action Plan (ESAP)<sup>1</sup>

No	[Reference standard]	Actions (examples)	[Priority Low, Medium, High]	Responsibility	Timeframe for Completion	Monitoring/ Completion indicator	Cost [USD/EUR]
1	IFC Performance Standard No	Identified mitigation measure as per ESDD	Low/Medium/High	Responsible staff or in case of consortium applications responsible grantee	Timeline for implementation	KPI to be measured at the specified timeframe	[XXX]
	[STANDARD]	[ACTION 2]					
	[STANDARD]	[ACTION 3]					
	[STANDARD]	[ACTION 4]					

### GENERAL ELEMENTS OF GOOD ENVIRONMENTAL AND SOCIAL ACTION PLANS

- Concise, with specific descriptions of the identified actions to be undertaken.
- Each action should be written to specifically address the gaps identified, and not the company/organisation as a whole. It is useful to reference the relevant standard associated with the gap e.g. IFC Performance Standard 6; or local regulation reference.
- Each action should be linked to timeframe for completion. Consider the steps within the grant decision-making process and project design and implementation schedule.
- Each action should be assigned to an appropriate responsible person or entity.
- Actions should include defined elements (e.g. documentation, audit) to demonstrate or indicate their completion (e.g. documented stakeholder engagement plan).
- The actions should be prioritised such that the more urgent gaps are closed sooner and obtain greater attention.

<sup>1</sup> \*Based on the template and guidance for an Environmental, Social and Governance (ESG) Action Plan developed by Commonwealth Development Corporation (CDC) available here: <http://toolkit.cdcgroup.com/esg-in-the-investment-cycle/cdc-guidance/esg-action-plans>

## ENVIRONMENTAL & SOCIAL LEGAL REGISTER - TEMPLATE

*This template serves as reference for the development of a legal register of environmental and social laws and regulations for AGRA's countries of intervention. Each country should have a Legal Register in place which should be regularly updated by the Country Team with the latest changes in legislation. The table below serves as reference as to what should be referenced in each Legal Register. Please add as many rows as necessary.*

<b>Category</b>	<b>Legislations</b>	<b>Description / Purpose</b>	<b>Responsible Authority</b>	<b>Remarks</b>
<i>Environment/ Social</i>	<i>Name of legislation document</i>	<i>Description of the content of the document and the main points relevant to AGRA operations</i>	<i>Name of the Authority responsible for the implementation of the legislation</i>	<i>Any specifics/clarifications, eg from supplementary information provided</i>

# ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) REPORT - OUTLINE

*An environmental and social assessment report is required for all environment category A projects. Its level of detail and comprehensiveness is commensurate with the significance of potential environmental impacts and risks. A typical ESIA report contains the following major elements. The substantive aspects of this outline will guide the preparation of environmental impact assessment reports, although not necessarily in the order shown.*

## **Executive Summary**

This section describes concisely the critical facts, significant findings, and recommended actions.

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

This section discusses the applicable safeguard requirements, including lender requirements and national laws, regulations and standards on environment, health, safety, involuntary resettlement and land acquisition, indigenous peoples, and physical cultural resources.

## **Description of the Project**

This section describes the proposed project; its major components; and its geographic, ecological, social, and temporal context, including any associated facility required by and for the project (for example, access roads, power plants, water supply, quarries and borrow pits, and spoil disposal). It normally includes drawings and maps showing the project's Area of Influence and components and specific project sites (eg construction sites).

## **Environmental and Social Baseline**

This section describes relevant physical, biological, and socioeconomic conditions within the project Area of Influence. It also looks at current and proposed development activities within the project's Area of Influence, including those not directly connected to the project. It indicates the accuracy, reliability, and sources of the data.

## **Anticipated Environmental and Social Impacts and Mitigation Measures**

This section predicts and assesses the project's likely positive and negative direct and indirect impacts to physical, biological, socioeconomic (including occupational health and safety, community health and safety, vulnerable groups and gender issues, and impacts on livelihoods through environmental media, and physical cultural resources in the project's Area of Influence, in quantitative terms to the extent possible; identifies mitigation measures and any residual negative impacts that cannot be mitigated; explores opportunities for enhancement; identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions and specifies topics that do not require further attention; and examines global, transboundary, and cumulative impacts as appropriate.

## **Analysis of Alternatives**

In case the project involves construction of facilities or infrastructure, this section examines alternatives to the proposed project site, technology, design, and operation – including the no project alternative – in terms of their potential environmental and social impacts; the feasibility of mitigating these impacts; their capital



and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements. It also states the basis for selecting the particular project design proposed and, justifies recommended emission levels and approaches to pollution prevention and abatement.

## **Information Disclosure, Consultation, and Participation**

This section:

- (i) describes the process undertaken during project design and preparation for engaging stakeholders, including information disclosure and consultation with affected people and other stakeholders;
- (ii) summarizes comments and concerns received from affected people and other stakeholders and how these comments have been addressed in project design and mitigation measures, with special attention paid to the needs and concerns of vulnerable groups, including women, the poor, and Indigenous Peoples; and
- (iii) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for carrying out consultation with affected people and facilitating their participation during project implementation.

## **Grievance Mechanism**

This section describes the grievance framework (both informal and formal channels), setting out the time frame and mechanisms for resolving complaints about environmental performance.

## **Environmental and Social Management Plan**

This section deals with the set of mitigation and management measures to be taken during project implementation to avoid, reduce, mitigate, or compensate for adverse environmental and social impacts (in that order of priority). It may include multiple management plans and actions. It includes the following key components (with the level of detail commensurate with the project's impacts and risks):

- (i) Mitigation:
  - (a) identifies and summarizes anticipated significant adverse environmental and social impacts and risks;
  - (b) describes each mitigation measure with technical details, including the type of impact to which it relates and the conditions under which it is required (for instance, continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate; and
  - (c) provides links to any other mitigation plans (for example, for involuntary resettlement, Indigenous Peoples, or emergency response) required for the project.
- (ii) Monitoring:
  - (a) describes monitoring measures with technical details, including parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits and definition of thresholds that will signal the need for corrective actions; and
  - (b) describes monitoring and reporting procedures to ensure early detection of conditions that necessitate particular mitigation measures and document the progress and results of mitigation.
- (iii) Implementation arrangements:
  - (a) specifies the implementation schedule showing phasing and coordination with overall project implementation;
  - (b) describes institutional or organizational arrangements, namely, who is responsible for carrying out the mitigation and monitoring measures, which may include one or more of the following additional topics to strengthen environmental management capability: technical

- assistance programs, training programs, procurement of equipment and supplies related to environmental management and monitoring, and organizational changes; and
- (c) estimates capital and recurrent costs and describes sources of funds for implementing the environmental management plan.
- (iv) Performance indicators: describes the desired outcomes as measurable events to the extent possible, such as performance indicators, targets, or acceptance criteria that can be tracked over defined time periods.

## **Conclusion and Recommendation**

This section provides the conclusions drawn from the assessment and provides recommendations.

## STAKEHOLDER ENGAGEMENT PLAN (SEP) - OUTLINE

*This document represents a Guide to Stakeholder Engagement Plan (SEP). It shall help grantees to document and set up a well-established stakeholder engagement and grievance process with those people potentially affected by the proposed project ("the Project"). The level of detail and comprehensiveness of the SEP shall be commensurate with the significance of potential risk and impacts for affected stakeholders. The following outline will guide the preparation of the SEP but can be adapted to project-specific needs.*

*The SEP shall be a living document and thus shall be updated as required during the various stages of the project. The SEP shall be written in an easy-to-understand and culturally appropriate language as it will be subject to translation and disclosure to the public.*

Further guidance on the preparation of a SEP and stakeholder engagement and grievance management can be found in:

- [IFC \(2007\): Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets](#)
- [IFC \(2009\): Good Practice Note Addressing Grievances from Project-Affected Communities](#)
- [IPIECA \(2012\): Operational level grievance mechanisms IPIECA Good Practice Survey](#)

### Background and Objective

This section shall describe:

- General information on the project and the grantee;
- Communication channels and point of contacts;
- The objective of the SEP;
- The grantee's commitment to an 'international best practice' approach (ie according to IFC Performance Standards (2012));
- The current phase of the Project

### Requirements for Stakeholder Engagement and Information Disclosure

This section shall list and describe:

- The applicable national legislation and regulations for stakeholder engagement including the relevant process
- The international best practice standards (ie. IFC)

### Past Stakeholder Engagement Activities

This section shall describe all past and ongoing stakeholder engagement activities. This may include:

- public meetings;
- public announcements in the media;
- engagement with village leaders, ministries and NGOs;

A description of the main concerns, expectations and also positive feedback gathered during past stakeholder engagement shall be provided.

## Stakeholder Engagement Program and information disclosure

This section describes the process of future planned stakeholder engagement activities by an iterative process. It shall include:

- The identification and mapping of relevant stakeholder groups,
- A full list of stakeholders including eg governmental bodies, affected communities and relevant NGOs (may be annexed to the SEP);
- Clear indication of who is considered as a stakeholder and why;
- An Action Plan in tabular format including as a minimum:
  - Activity/Element
  - Target Stakeholders
  - Description
  - Timing

## Grievance Mechanism

A detailed Grievance Mechanism shall be applied and follow the procedure outlined in the 'AGRA Grievance Mechanism'. The process of grievance management shall be outlined in this section of the SEP including the following information:

- Definition of grievance
- Grievance Procedure explained in clear and well defined steps
- Steps of documentation of grievances
- Time frame of grievance redress

## Recording and Monitoring Stakeholder Engagement

This section presents an overview of the recording and monitoring of conducted SEP activities to provide evidence of effective and adequate grievance management towards AGRA. All grievances, suggestions and positive feedback shall be documented in a logical and systematic way so that they can be tracked from issuing of a grievance through resolution and closure. This register shall include as a minimum:

- Reference number for the stakeholder;
- Name and contact details (unless requesting anonymity);
- Date of contact(s);
- Issue(s) raised (comment, suggestion, question, complaint, etc.);
- Proposed response and actions to be taken; and
- Status (recorded, active, closed).

*Please note: The register itself shall not be part of the SEP. The register is to be treated confidential as it includes personal data. The SEP shall only include the process of recording.*

This section furthermore describes the approach of monitoring and reporting of grievance management ie how the implementation of activities will be evaluated against the goals of the SEP. The results and any lessons learned shall then be incorporated into further updates of the SEP as the Project evolves and is implemented.

Recording and monitoring shall be documented to AGRA as part of the regular reporting.

### Introduction

AGRA and its grantees seek to build strong relationships with stakeholders and manage the impact of its business activities on affected communities. Nevertheless, they recognise that complaints about its activities may occur from time to time.

The Grievance Mechanism allows stakeholders to raise questions or concerns or provide positive feedback to AGRA and its grantees and have to them addressed in a prompt and respectful manner. AGRA and its grantees aim to address all complaints received, regardless of whether they stem from real or perceived issues and whether the complainant is named or anonymous. Any stakeholder who considers themselves affected by activities of AGRA funded projects will have access to this Mechanism at no cost. The statutory rights of the complainant to undertake legal proceedings remain unaffected by participation in this process. All AGRA grantees will have to acknowledge this Grievance Mechanism and ensure that the proper implementation is guaranteed by assigning the necessary competencies (see Section 4). The grantee seeks to foster trust in the process and its outcomes. To this end, the grantee will communicate this Mechanism in an understandable manner to affected stakeholder groups. Confidentiality will be respected and AGRA and its grantees will take all reasonable steps to protect parties to the process from retribution. The Grievance Mechanism should be communicated and forms made available in the relevant local languages to facilitate access to the mechanism.

### Purpose

This Mechanism establishes the process for addressing complaints raised in connection with activities of AGRA funded projects. It describes the scope and procedural steps for the complaint handling process and specifies roles and responsibilities of the parties involved. It will be revised and updated periodically by the responsible person within the AGRA organisation based on experience and feedback from stakeholders. This Mechanism is designed for the handling of grievances by each individual AGRA grantee. Each grantee is responsible for handling grievances related to its activities under the AGRA supported project and will regularly report to AGRA as part of the overall monitoring.

### Objectives

This Mechanism has the following objectives:

1. Establish a prompt, consistent and respectful mechanism for receiving, investigating and responding to complaints from stakeholders;
2. Ensure proper documentation (logging) of complaints and any corrective actions taken;
3. Identify and manage stakeholder concerns and thus support effective risk management;
4. Contribute to continuous improvement in performance through the analysis of trends and lessons learned; and
5. enhance trust and positive relationships with stakeholders.

Key principles of a successful Grievance Mechanism are outlined in *Figure 1*.

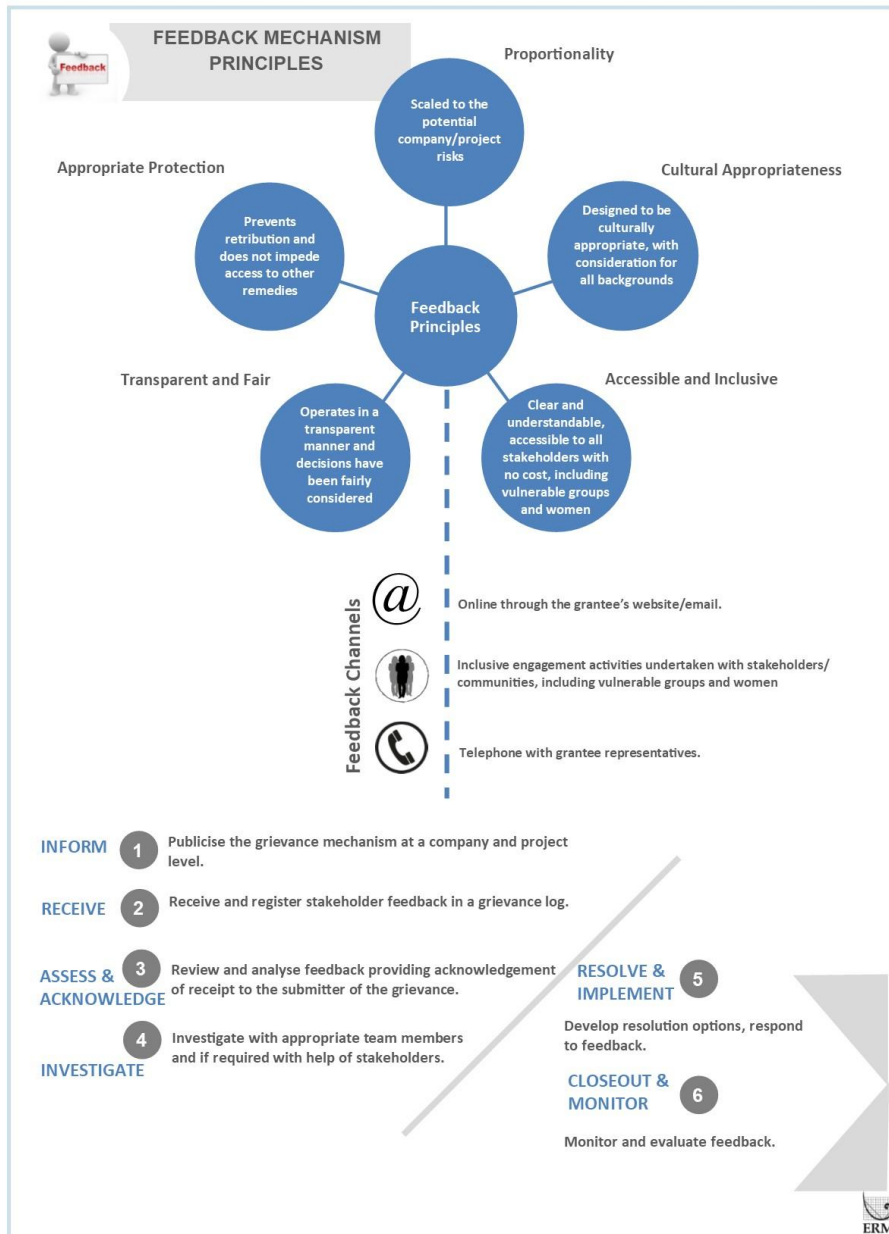


Figure 1 Grievance Principles

## Scope

This Mechanism is open to all stakeholders who consider themselves affected by the activities of the project. Complaints may be submitted on a named or anonymous basis. Although anonymous submissions may be harder to resolve, they will be treated in the same way as named complaints to the extent reasonably possible. There are no restrictions on the type of issue a stakeholder can raise under this Mechanism. However, when a complaint is received that is more appropriately handled under a separate company process established for that purpose (such as employment or business integrity related issues), it will be re-directed so as to prevent parallel processes being followed. All complaints received under this Mechanism shall be tracked until close out regardless of the process under which they are handled.

The grantee reserves the right not to address a complaint which it reasonably considers amounts to no more than general, unspecified and therefore un-actionable dissatisfaction with the grantee, is otherwise malicious

or vexatious in nature, or concerns a matter for which the grantee has no formal responsibility (for example, a matter that the government controls).

## Terminology

Terminology used in this Mechanism has the following meaning:

Term	Definition
<b>Complainant</b>	An individual, group or organisation who submits a complaint to the grantee.
<b>Complaint</b>	An expression of dissatisfaction with the activities of a grantee under an AGRA funded project, typically referring to a specific source of concern and/or seeking a specific solution. For the purposes of this Mechanism, a question or request may also be treated as a complaint.
<b>Complaint Log</b>	A database for maintaining information about complaints received.
<b>Contractor</b>	An individual or firm that has entered into a contract to provide goods or services to the grantee. The term covers parties directly contracted by the grantee and those contracted by a contractor company, also referred to as subcontractors.
<b>AGRA's grantee</b>	A company or an organisation that receives a grant directly from AGRA.
<b>Registration Form</b>	A form used to capture information about an incoming complaint.
<b>Projects</b>	Project or project activities funded by the AGRA (see also definition in the AGRA ESMS).

## Roles and Responsibilities for AGRA and the grantee

Roles and responsibilities under this Mechanism are as follows:

Role	Responsibility
<b>AGRA Environment &amp; Social Manager</b>	Responsible person within AGRA who is responsible for the implementation of this Mechanism. This includes serving as custodian of the complaints process, monitoring the handling of complaints, and suggesting changes to policies or practices based on lessons learned.
<b>AGRA Regional Environmental &amp; Social Officer</b>	Review of Grievance Log and review of closure/resolution of grievances for the projects that fall within the respective region.
<b>AGRA Project Officers / Associate Project Officers</b>	Members of AGRA having direct liaison with the grantees and thus assist and help resolving grievances on the ground.
<b>Complaint Owner (CO)</b>	A role of the grantee. Responsible for investigating and resolving a complaint. This includes conducting investigations, proposing resolutions, implementing corrective actions and co-ordinating with personnel on the ground and other parties.

## Mechanism for Resolving Complaints

This section sets out the process to be followed for receiving, investigating and resolving complaints. All grievances will be treated by the grantee who will also publicly communicate the Grievance Mechanism to affected stakeholders to make them aware of the process, their rights to submit grievances, and how the mechanism will function. The steps of the Grievance Mechanism are outlined in *Figure 2*.



*Figure 2 Grievance Mechanism*

## Receive

The grantee shall communicate the existence of this Grievance Mechanism to the stakeholders as part of their stakeholder engagement activities. Stakeholders shall be able to use the following methods to submit a grievance:

- Orally to the grantee;
- By filling the Public Grievance Form online; and
- In writing via grievance boxes located in the area of the project.

The Mechanism is initiated when a complaint is received by a staff member or contractor and referred to the Complaint Owner (CO).

If the complaint is readily resolvable and can be dealt with immediately, the CO takes action to address the issue directly and records the details in the Grievance Log.

If the complaint is not readily resolvable, the CO will ask the Complainant to complete the Public Grievance Form. An example is attached. If the Complainant is unable to complete the form, the CO will fill it out and read the contents back to verify accuracy. This method of completion will be noted on the form. If the Complainant refuses to complete the Public Grievance Form, he or she will be offered the option to have the complaint treated on an anonymous basis. The CO creates a record of the complaint in the Grievance Log.



A Complaint Register should capture the following: name (optional), contact details (optional), communication channels, type of complaint, complaint, date of complaint, steps of complaint management, and responsibilities of the relevant persons within the grantee's organisation at the project site and within the Grievance Mechanism.

## **Assess and Assign**

The CO defines the timelines for an investigation and any follow up actions. For complaints regarding issues for which a more appropriate company process already exists, the CO shall refer the matter to the appropriate process owner for further action. This will typically be the case for Complaints related to contractual or commercial issues; industrial relations and employee relations; business integrity or criminal matters; and issues subject to current or pending litigation. The CO updates the Complaint Record as appropriate.

## **Acknowledge**

Once a complaint has been assessed, the CO sends a written acknowledgement to the Complainant. The letter should normally be sent within 7 days of receiving the complaint. The CO documents the acknowledgement in the Grievance Log.

## **Investigate**

The CO investigates the factual basis for the complaint and proposes options to resolve the issue.

The CO may involve AGRA and other third parties in the fact finding process as required. The identity of the Complainant should only be disclosed to the extent necessary to resolve the issue or as required by law. If the Complainant has specifically requested that his or her identity not be disclosed, their personal information may not be shared with third parties unless required by law.

The grantee generally seeks to resolve complaints within 30 days. The maximum resolution period should not normally exceed 60 days. The CO is responsible for providing regular progress reports to the Complainant, including a verbal update every 5 working days and a written update after 10 working days. If additional time is needed to complete an investigation, the CO will notify Complainant of the reason for the delay.

When the investigation is complete, the CO documents the findings and proposes options for resolving the complaint as appropriate.

## **Response**

The CO defines a response to the Complainant. The response should communicate the findings of the investigation, set out the proposed solution and timelines, and seek feedback from the Complainant.

The CO determines next steps based on feedback from the Complainant. If the Complainant accepts the resolution, the grantee will proceed to implement (Section 6.6). If the Complainant does not accept the resolution, the Complaint can appeal the grievance (Section 6.7). The Complainant's response will be documented in the Complaint Log.

## **Resolution**

If the Complainant accepts the proposed resolution, the agreed actions are implemented.

The CO is responsible for assigning action parties, actions and deadlines to implement the resolution. These will be recorded in the Grievance Log with any supporting documentation. Monitoring arrangements may need to be put in place to verify implementation.

The CO asks the Complainant to sign the Confirmation Form. If the Complainant agrees to sign, the Complaint is closed out as Resolved (Section 6.8). If the Complainant refuses to sign, or has failed to sign within the timeframe allowed, the Complaint will be appealed (Section 6.7).

## Appeal

The grantee will seek to reach a resolution with the Complainant that is satisfactory to both sides. If the grantee and the Complainant are unable to agree on a solution, the Complaint may be escalated to the AGRA for review and final decision. The responsible E&S Officer will work with the CO and the Complainant on resolving the grievance.

In case the Complainant does not accept the resolution proposed by AGRA, the grievance will be taken to a third party for further action. Third parties may include the relevant regulatory authority (such as the Environmental Agency responsible), a lawyer or local community organisation. The third party reviews the case and determines if further reasonable action is possible. If no reasonable action is possible, the third party authorises the close out of the Complaint. A close out letter will be sent to the Complainant explaining the position of AGRA and the grantee.

Cases where the Complainant disputes or declines to acknowledge the implementation of a previously agreed resolution may also be referred to third parties for review.

If actions taken on a grievance are not successful, a stakeholder may turn to court in accordance with the existing national legislation.

## Close Out

A Complaint is closed out when no further action can be or needs to be taken.

Closure status will be classified in the Grievance Log as follows:

- **Resolved.** Complaints where a resolution has been agreed and implemented and the Complainant has signed the Confirmation Form.
- **Unresolved.** Complaints where it has not been possible to reach an agreed resolution
- **Abandoned.** Complaints where the Complainant is not contactable after one month following receipt of a Complaint and efforts to trace his or her whereabouts have been unsuccessful.

The CO is responsible for updating the Grievance Log and the logistics associated with closing out the case. At the end of a case, regardless of whether agreement was achieved, the CO will seek feedback from the Complainant on their level of satisfaction with the complaint handling process and its outcome.

## Performance Monitoring and Reporting

The CO is responsible for gathering and reporting performance monitoring data under this Mechanism. All performance monitoring data should be reported to the responsible AGRA E&S Officer at least twice a year. Key performance indicators (KPIs) will be collected to enable AGRA to analyse trends in complaints received and identify underlying systemic issues. AGRA E&S Officers are responsible for making recommendations for changes to policies or practices of the grantee based upon on-going learning from Complaints.

## Confidentiality

### Duty of Confidentiality

AGRA and the grantee are committed to protecting the identity of the Complainant and to handling personal information in accordance with legal requirements. This duty extends to all employees or representatives of the grantee or its Contractors who participate in the complaint handling process.

Information about a Complaint will be shared within the grantee's organisation on a need-to-know basis and only to the extent necessary to complete a step under this Mechanism. AGRA and the grantee will not share personal information with third parties unless required by law or authorised by the Complainant.

## **Personal Data**

Personal data contained in the Complaints Register will be kept only as long as necessary to investigate the complaint and implement a resolution. Personal data will then be either deleted or modified and transferred to an archive for a reasonable period as required by relevant laws and regulations on Data Privacy.

## **Conflicts of Interest**

A conflict of interest exists where there is a divergence between the interests of an employee or Contractor and his or her responsibilities under this Mechanism, such that an independent observer might reasonably question whether the actions of that person are influenced by his or her own interests.

This Mechanism seeks to manage potential conflicts of interest by segregating the roles and responsibilities of individuals involved in the complaint handling process and avoiding placing individuals in a position where conflicts could be perceived to arise. When a complaint relates to a specific AGRA or grantee employee, that person shall not play a role in the complaint handling process.

## **Protection from Retribution**

Retribution is any adverse action taken against a Complainant, employee or Contractor whose purpose is to frustrate the operation of this Mechanism. AGRA and the grantee will not tolerate such conduct. When concerns about retribution or victimisation are raised, they will be investigated under AGRA's Code of Conduct Mechanism.

# Public Grievance Form

Reference No (assigned by the receiving agency):

Date:

*Please enter your contact information and grievance. This information will be dealt with confidence.*

*Please note: If you wish to remain anonymous please enter your comment/grievance in the box below without indicating any contact information - your comments will still be considered by the agency.*

Full Name

\_\_\_\_\_

Anonymous submission

I want to remain anonymous

Please mark how you wish to be contacted (mail, telephone, e-mail).

By Mail (Please provide mailing address): \_\_\_\_\_

\_\_\_\_\_

By Telephone (Please provide Telephone number): \_\_\_\_\_

By E-mail (please provide E-Mail address): \_\_\_\_\_

Preferred Language for communication

English

Other, please specify: \_\_\_\_\_

Description of Incident or Grievance:

What happened? Where did it happen? Who did it happen to? What is the result of the problem?

Date of Incident/Grievance:

\_\_\_\_\_

One time incident/grievance (date \_\_\_\_\_)

Happened more than once (how many times? \_\_\_\_\_)

On-going (currently experiencing problem)

What would you like to see happen to resolve the problem?

## Example Grievance Log (Excel Spreadsheet)

Section 1 - Details						
Grievance record number	Date communicated	Time communicated	Name of complainant if not anonymous	Contact number of the complainant	Address of complainant	Name of staff member that received the complaint

Section 2 - Grievance Raised		Section 3 - Reporting and Acknowledgement				
Grievance subject (eg land acquisition, employment, health)	Description of issue/complaint	Communication channel used (eg face to face, telephone, email etc)	Has the issue been documented in a grievance record form? (Y/N)	Has an acknowledgement been submitted to the complainant with a redress date? (Y/N) if so what date?	Name of staff member that submitted the acknowledgement to the complainant	

Section 4- Grievance Management			Section 5 - Corrective Actions/Resolution								
Has the complaint been re-assigned to a different person/department?	Name of staff member managing the complaint	Expected resolution date	Description of resolution	Has the resolution been communicated to the complainant?	Method of communication to the complainant	Date resolution communicated to the complainant	Is the complainant satisfied with the resolution? (Y/N)	If not, what additional action is being taken?	Name of staff member assigned	Revised resolution, if applicable	Grievance status (not started/pending/resolved)

## Acronyms and Definitions

### Acronyms

AGRA	Alliance for a Green Revolution in Africa
E&S	Environment and Social
ESIA	Environmental and Social Impact Assessment
FAO	Food and Agriculture Organization of the United Nations
IFC	International Finance Corporation
IFC PS	International Finance Corporation Performance Standard
LARP	Land Acquisition and Resettlement Policy
LRF	Livelihood Restoration Framework
LRP	Livelihood Restoration Plan
NGOs	Non-governmental Organisations
OD	Operational Directive
PAP	Project-Affected Person
RAP	Resettlement Action Plan
RF	Resettlement Framework
SEP	Stakeholder Engagement Plan
ToR	Terms of Reference
UN	United Nations

### IFC Related Definitions

Associated facility	Facilities that are essential to the construction or operation of an IFC-financed project but are not themselves part of the overall development. The IFC policy on involuntary resettlement is intended to apply to resettlement induced by the implementation of such facilities.
Compensation	Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.
Cut-off date	Date of completion of the census and assets inventory of persons affected by a project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, are not be compensated.
Host population	People living in or around areas to which people physically displaced by a project will be resettled who, in turn, may be affected by the resettlement.
Economic displacement	Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.
Land expropriation	Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses.
Livelihood Restoration Plan (LRP)	A document in which a grantee or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects of economic displacement, including the entitlements of affected persons and/or communities ensuring that they are provided in a transparent, consistent, and equitable manner. The mitigation of economic displacement will be considered complete when affected persons or communities have received compensation and other assistance according to the requirements of the LRP, and are deemed to have been provided with adequate opportunity to re-establish their livelihoods.
Involuntary resettlement	Resettlement is involuntary when affected people or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement. This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.
Project-affected person (PAP)	Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
Project sponsor	A corporate entity/grantee seeking financing for a project either directly or through a financial intermediary supported by AGRA.

Physical displacement	Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.
Replacement cost	<p>The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs. With regard to land and structures, IFC guidance defines “replacement costs” as follows:</p> <ul style="list-style-type: none"> <li>• agricultural land – the market value of land of equal productive use or potential located in the vicinity of the affected land, plus the cost of preparation to levels similar to or better than those of the affected land, plus the cost of any registration and transfer taxes;</li> <li>• land in urban areas – the market value of land of equal size and use, with similar or improved public infrastructure facility services preferably located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;</li> <li>• 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 contractors’ fees and any registration and transfer taxes.</li> </ul> <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 an affected asset.</p>
Resettlement Action Plan (RAP)	A document in which a grantee or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects of physical displacement, <b>regardless of the number of people affected</b> . A RAP should include compensation at full replacement cost for land and other assets lost. It will be designed to mitigate the negative impacts of displacement; identify development opportunities; develop a resettlement budget and schedule; and establish the entitlements of all categories of affected persons (including host communities). Particular attention will be paid to the needs of the poor and the vulnerable. The RAP will also document all transactions to acquire land rights, as well as compensation measures and relocation activities.
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 affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.
Stakeholders	Any and all individuals, groups, organizations, and institutions interested in and potentially affected by or has the ability to influence a project.
Vulnerable groups	People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others may be, and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

## Introduction

### Overview

Land acquisition and resettlement occurs when a project requires land for a development. This can cause physical (relocation or loss of shelter) or economic (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) displacement of affected people. Displacement of people requires resettlement of such people to restore and adapt to change.

Land acquisition and resettlement can be a very time consuming and sensitive process, leading to long-term hardship and impoverishment, if not managed appropriately. However, it can also offer opportunities for affected people and grantees/developers. A summary of associated risks and opportunities is outlined in *Figure 1* below.

Risks to Affected People	Risks to AGRA / Grantees	Opportunities
<ul style="list-style-type: none"> <li>• Landlessness</li> <li>• Homelessness</li> <li>• Joblessness</li> <li>• Loss of access to common property or public services (eg community centres, schools, water, healthcare etc)</li> <li>• Poor health and wellbeing, and increased vulnerability</li> <li>• Food insecurity</li> <li>• Disruption of community structures / networks / institutions</li> <li>• Conflicts between communities and other groups</li> <li>• Disruption to cultural / traditional heritage</li> </ul>	<ul style="list-style-type: none"> <li>• Risks to reputation (locally / nationally / globally), particularly in relation to land grabbing and human rights</li> <li>• Loss of access to international partners and financing</li> <li>• Conflict with communities</li> <li>• Time and budget over-runs</li> <li>• Disruption of operations</li> <li>• Loss of social license to operate</li> </ul>	<ul style="list-style-type: none"> <li>• Alignment with national and regional development strategies</li> <li>• Increased opportunity for collaboration with communities, the government and other key stakeholders.</li> <li>• Increased diversity of livelihoods and opportunities for income generation</li> <li>• Empowerment and reduced vulnerability of groups (eg. young women/female headed households, youth, elderly etc - depending on the socio-economic context) - as result of improved infrastructure and community investment</li> <li>• Less time and budget spent on resolving grievances and disputes with communities</li> </ul>

Figure 1 Risks and Opportunities

Based on the above, this guideline sets out the best practice approach for undertaking land acquisition and resettlement in order to mitigate negative impacts and risks associated with displacement, as well as enhance positive impacts and opportunities. It should be noted that any land acquisition and resettlement process should be carried out in line with the country context and combining national laws with international requirements. International requirements embedded in guidance note include the following:

- International Finance Corporation (IFC) Performance Standards, in particular 5 on Land Acquisition and Involuntary Resettlement (2012);
- UN Basic Principles and Guidelines on Development-based Evictions and Displacement (2007); and
- Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (FAO 2012)

References for relevant documentation is provided in *Annex A*.

## Purpose and Scope of this Guideline

The purpose of this guideline is to set out the key steps and measures that should be undertaken by AGRA and grantees to mitigate the impacts of land acquisition and displacement as well as enhance the benefits of such processes, creating opportunities. Specifically, it includes the key steps required for undertaking land acquisition in line with international best practice requirements.

It should be noted that if physical and / or economic displacement is unavoidable as a direct result of the grantee activities, support from a third party professional resettlement expert, to facilitate land acquisition and resettlement will be required to ensure that international requirements are met and risks are appropriately mitigated.

## Application

This procedure shall be applied to the establishment of all AGRA funded projects that require physical and / or economic displacement thereby resulting in involuntary resettlement. As stipulated in the IFC requirements, resettlement is considered involuntary when affected persons or communities **do not have the right** to refuse land acquisition or restrictions on land use that result in physical or economic displacement. This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

Specifically, this procedure should be applied in the case of the following types of land-transactions.



- Grantee acquires Government land for an agriculture processing plant, which is being informally used by local communities for subsistence farming, leading to forced eviction;
- A local Chief has allocated land to a grantee for a maize plantation in a livestock grazing area, triggering loss of grazing land;
- Grantee acquires land formally through the Government and traditional authorities in an area where local communities have customary rights and have been using the land for generations, but no legal title;
- Grantee acquires land directly through land owners, but the land is being used by tenants renting and / or cultivating the land for / from the owner; and
- There is no evidence of a willing seller-willing buyer scenario.

Source: Adapted from IFC PS5

AGRA will need to carefully consider local country laws and practices and engage with the relevant local authorities to design an approach that matches local norms as well as AGRA requirements and standards. This will be specific to the country institutional framework and legislation for expropriation, land rights and compensation levels. In particular, where the land acquisition or land clearance is undertaken by government authorities, the Grantees and AGRA staff will need to engage directly to align approaches to compensation levels, engagement and notification practices as well as recognition of rights for land use and tenure. Specialist land acquisition and resettlement advice should be sought to identify the best approach for a country and specific context, and could include additional activities by the Grantee/ AGRA (in addition to local requirements) such as community level benefits, top-up payments to align compensation levels and possible retrospective documentation of historical processes.

AGRA will need to consider resettlement aspects in any situation where a grantee is proposing to acquire or use land for a project, particularly if a greenfield site, including expansion projects. Additionally, resettlement will also need to be considered if people will be physically or economically displaced as a result of such a project as identified also through the AGRA Strategic E&S Risk assessment (Annex 2 of the ESMS Manual).

These issues will be identified during the project conception stage and proposal development will include an in-depth assessment of the scale and impacts related to land acquisition and resettlement.

AGRA responsibilities in the land acquisition process are detailed in Section 2 of this guideline.

In case the project requires new land take, the need for displacement and resettlement, and the applicability of this guidance note needs to be determined and the following questions shall be asked during the consideration of the Grant Application:

Box 0.2 *Determine the need for displacement and resettlement*

- Are there any people or communities residing within the project site?
- Are there any people or communities using the land within the project site for farming or other economic activities?
- Is there any private land or privately-owned assets within the project site?
- Are there any natural resources within the project site that are utilised by people / communities – such as forests (for construction materials and fuel wood), pastoral land (for livestock grazing) etc?
- Are there any communal facilities situated within the project site? (eg such as schools, hospitals etc)?
- Are there any sites of cultural value situated on the project site (eg religious buildings, graveyards, sacred sites etc)?

If the answer is “yes” to any of the questions above, then resettlement may be required and grantees, with the support of a third party, will have to plan and implement this following the process as much as possible, using the approach outlined below.

Reference documents for AGRA and grantees in relation to land acquisition and resettlements is included in Annex C.

## Resettlement Principles and Requirements

## Resettlement Principles

The overarching principles that will be adopted by AGRA in the assessment of resettlement during the grantee review process are based on the key international requirements, as detailed in the previous section and are as follows:

### *Box 0.3 Principles in the Assessment of resettlement during the grantee review process*

- Avoid, and when avoidance is not possible, minimise resettlement by exploring feasible alternative project designs.
- Avoid forced eviction.
- Anticipate and avoid, or where avoidance is not possible, minimise adverse social and economic impacts from land acquisition or restrictions on land use by: (i) providing compensation for loss of assets at full replacement cost; and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and the informed participation of those affected.
- When displacement is unavoidable, compensation for loss of assets should be provided at full replacement cost to enable affected persons to improve or restore their standards of living or livelihoods. Additionally, where applicable, moving allowances should also be provided.
- Improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.
- Give particular attention to the requirements and needs of vulnerable groups, in light of their potentially disadvantaged status.
- Involve affected communities in decision making through inclusive and participatory consultation, including in planning activities, approach to compensation, livelihood restoration and monitoring
- 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

## Resettlement Measures

The measures for addressing and mitigating impacts related to land acquisition and provided below.

For all resettlement measures, particular attention will be paid to the needs of the poor and the vulnerable by providing assistance, where required, and through monitoring to ensure to mitigate the risk of impoverishment. Gender should also be considered in the development of RAPs and LRPs to ensure gender specific measures and incorporated throughout the land acquisition and resettlement process, and that women have equal opportunities to participate in decision-making and planning activities.

All transactions should be documented to acquire land rights, as well as compensation measures and relocation activities.

## Resettlement and /or Livelihood Restoration Framework

Where the exact nature or magnitude of the land acquisition or restrictions on land use related to a project with the potential to cause physical and/or economic displacement is unknown due to the stage of project development, the grantee will develop a Resettlement and/or Livelihood Restoration Framework. The RF or LRF will include;

- the general principles of resettlement;
- a general assessment of alternatives / options to avoid / minimise displacement;
- a general assessment of the resettlement impacts and the scale of displacement;
- include a draft eligibility and entitlement framework that sets out the various groups that are impacted and what they will be entitled to as a result of displacement;

- include a provisional budget and timeframe for developing a Resettlement Action Plan (RAP) or Livelihood Restoration Plan (LRP); and
- a draft monitoring and evaluation plan.

Once the project is more clearly defined and an Environmental and Social Impact Assessment (ESIA) has been drafted, the Framework will be further defined into a RAP or LRP.

### **Resettlement Action Plan (RAP)**

In the case of physical displacement, grantees are required to develop a RAP regardless of the number of people affected to guide and document the measures in place to mitigate the impacts of the physical displacement. The RAP will:

- include compensation at full replacement cost for land and other assets lost;
- be designed to mitigate the negative impacts of displacement and demonstrate the steps taken to avoid and minimise displacement;
- identify community development opportunities;
- contain a baseline to monitor displacement impacts and impacts of RAP implementation;
- develop a resettlement budget and schedule; and
- establish the entitlements of all categories of affected persons (including host communities);
- include roles and responsibilities for implementation; and
- a monitoring and evaluation plan with key performance indicators to be monitored by the grantee.

### **Livelihood Restoration Plan (LRP)**

In relation to economic displacement, a LRP will be developed that contains the above measures, but related to economic displacement. This includes the following:

- Identification of replacement land to maintain farming activities;
- Identify institutions/organisations that can support farmers with restoring land based livelihoods and increasing productivity, to benefit affected persons;
- Identifying livelihood restoration programmes that will support skills development and alternative livelihoods, where required.

### **Timing for Undertaking Resettlement Measures**

During AGRA's concept stage, the need for a Framework or a Plan will be identified by AGRA.

In order to demonstrate that the risk is being managed by the grantee, at a minimum, a Framework will be completed by the grantee and reviewed by AGRA as part of additional E&S studies during the proposal development stage in order to understand the extent and costs for undertaking a RAP or LRP, as well as to determine the associated risks. The grant for the project will include a percentage of the total for the development and implementation of the RAP / LRP in order to account for such costs.

Furthermore, a Stakeholder Engagement Plan (SEP) should be developed to guide and facilitate the consultation process during the planning and implementation stages of resettlement, as well as ensure two-way communication throughout the project lifecycle.

The main objective of an SEP is to ensure good relations and cooperation between the grantee, affected persons and key stakeholders in order to facilitate inclusive participation in decision making. Additionally, the SEP will allow for disclosure of relevant information and for the views and expectations of affected persons to be actively considered and acted upon, ensuring that needs and vulnerabilities are incorporated into the grantees plan in relation to land acquisition and environmental and social management, more broadly.

The SEP It should include a process of identifying and mapping stakeholders, establishing the most appropriate communication methods with consideration for literacy levels, gender and language. Additionally, the SEP should include a grievance mechanism that allows affected people and stakeholders to submit comments or concerns without retribution. The contents of an SEP is provided in Box 3.1 below.

*Box 0.4 Contents of SEP*

- Project overview
- National and international requirements related to engagement activities;
- Summary of the socio-economic baseline, including demographics, language, education and literacy levels, gender context, livelihoods and vulnerable groups;
- Stages of engagement throughout the planning stages and engagement requirements during implementation;
- Roles and responsibilities of the grantee, the government, and committees establish to facilitate the RAP process, where required;
- Details of a grievance mechanism that is transparent, accessible and allows affected people to submit comments or complains without retribution;
- Monitoring, evaluation and reporting of engagement activities, ensuring that they are fully documented.

### Establishing an Institutional Framework

A resettlement or livelihood restoration committee should be established by Grantees that includes representatives of government, affected communities, traditional leaders, and applicable non-governmental organisations (NGOs) or institutions. AGRA shall participate in the committee at an advisory (steering group) level, rather than at the working group level, as described below, for risk management and compliance purposes.

The principles which generally guide the formation and functioning of such a committee are summarised in Box 0.5

*Box 0.5 RAP Committee Formation Principles*

- Establish a good faith negotiation process and reach agreement on land compensation and livelihoods restoration, which is considered fair and has a broad base of support from amongst displaced persons;
- Maintain and strengthen, constructive relationships with project stakeholders, based on mutual understanding, respect and trust;
- Ensure that information sharing and other engagement activities are undertaken in a manner that is inclusive, culturally appropriate, and tailored to the language preferences, literacy levels, and gender specific needs of those affected; and
- Ensure that all engagement, consultation and disclosure activities are free of intimidation or coercion, and all participants are aware of their rights under national law and international standards.

This institutional framework will have two levels of management:

- **Steering Committee:** the higher level, more supervisory, strategic body (facilitated by Grantee senior management) with senior government representation to ensure legal compliance and coordination with relevant Ministries; and
- **Working Group:** the lower level, more hands-on, implementing body (including Grantee Community Liaison Officer (CLO), project manager or alternative representative).

Both groups should ensure a gender balance in order to ensure the views of both men and women are considered, as well as representatives of vulnerable groups, based on the context. In general, vulnerable groups may include groups that may face discrimination (such as a particular ethnic group), female-headed households, physically disabled, elderly etc.

Figure 2 provides an example of how the organisation of an institutional structure.

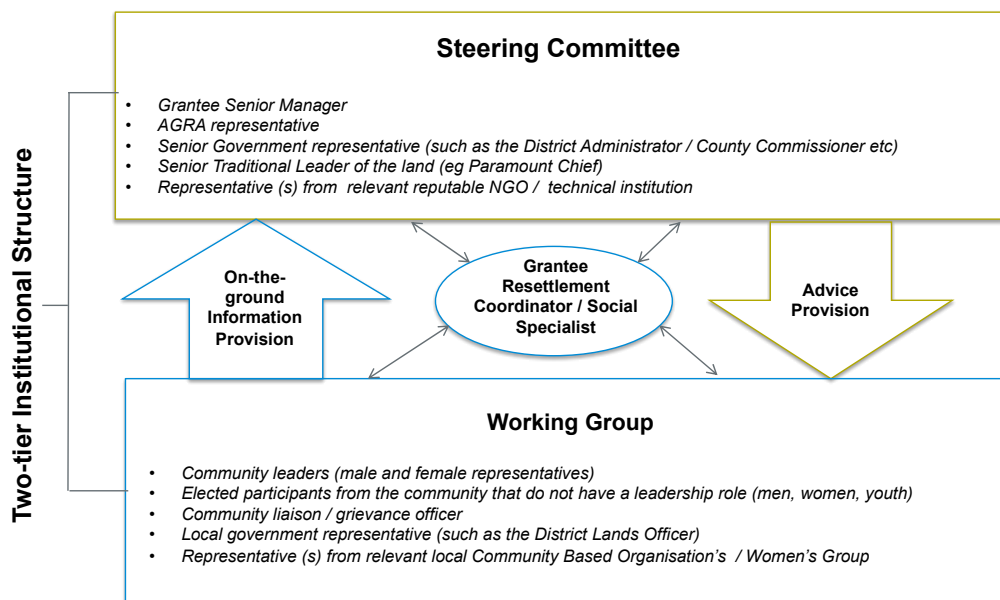


Figure 2 Example of a Grantee Institutional Framework

The Steering Committee shall constitute the highest organisational level in the land acquisition and resettlement setting and shall meet periodically to:

- ensure that legal obligations are being fulfilled through representation of a senior government representative, as well as alignment with government development plans and obligations within the agri-sector;
- Ensure appropriate representation of key influential and technical stakeholders, with consideration for gender and vulnerability;
- provide overarching guidance on strategic and practical land acquisition and resettlement issues and concerns, as they arise, and make key associated decisions;
- act as a forum for ensuring the resolution of land acquisition and resettlement-related problems; and
- instigate independent resettlement reviews, as and when necessary, to ensure compliance with national and international requirements.

An AGRA representative (e.g. Project Officer) should be responsible for sitting on the committee to feed into the decision-making process regarding planning, implementation and ongoing monitoring to be aware of and support the management of related risks.

The Working Group shall be responsible for planning and carrying out all of the land acquisition and resettlement-related activities on the ground. In particular, the Working Group shall be responsible for:

- facilitating all consultation and engagement with affected communities, ensuring a participatory and inclusive consultation approach;
- assisting with the Resettlement Plan socio-economic fieldwork (see below), as well as all other key aspects of the process, including household negotiations, the physical relocation itself, resettlement monitoring etc. (see below);
- coordinating all those participating in the land acquisition and resettlement process on the ground, including Government actors, external consultants and experts, contractors, Community Organisations, NGOs etc.; and
- ensuring conflict resolution, addressing grievances and alerting the Steering Committee to any additional problems.

All Steering Committee and Working Group meetings shall be minuted in a clear and transparent manner. These minutes will be circulated to all participants, including AGRA.

## Develop Draft RAP / LRP

The contents of the RAP / LRP are outlined in *Error! Reference source not found.*

### Box 0.6 RAP / LRP Contents

- Legal and institutional framework underpinning the land acquisition and compensation process.
- Alternatives assessment and process to avoid/minimise physical and / or economic displacement.
- Socio-economic baseline of affected communities;
- Detailed description of physical and / or economic displacement impacts;
- RAP / LRP engagement process and issues raised;
- An assessment of the appropriateness of the proposed host / replacement sites for houses and / or farmland / or business;
- Eligibility and entitlements framework;
- Description of physical planning components related to physical displacement (if applicable), including house design, access to public services and utilities etc;
- Description of livelihood restoration programmes;
- Descriptions of institutional roles and responsibilities;
- The establishment of a grievance management procedure;
- Vulnerable Peoples' Plan;
- Descriptions of internal and external monitoring and evaluation;
- A programme, schedule and action plan for implementation of the RAP/LRP; and
- Costs and budget for implementation of the RAP / LRP.

The key components of a RAP / LRP are provided below.

### Identification of Project Resettlement Impacts and the Nature of Affected Populations

Crucial to the development of a RAP or LRP is to identify affected people and the extent to which they will be impacted as a result of the project. This process will require an understanding of the socio-economic baseline that is gathered through quantitative surveys, focus group discussions (e.g. women, men, youth and other groups, key informant interviews (e.g. with NGOs, teachers, health workers etc.) and asset surveys to determine the loss and associated compensation requirements.

Prior to this socio-economic baseline study, the project will require a detailed and accurate description of the design that includes the footprint/area of the development; high resolution maps of the areas to and from which people will be displaced, including population maps, land use maps etc; available secondary government data of the affected communities; relevant information from the Land Cadastre; and the identification and employment of an appropriate Community Organisation or NGO Partner to help support the socio-economic fieldwork, particularly in relation to vulnerable groups etc.

### Public Consultation and Participation

As mentioned above, a SEP should be developed that sets out the approach for inclusive and participatory consultation throughout the life of the project/grantees project. Additionally, the RAP / LRP should include a section on all engagement activities undertaken in relation to land acquisition and resettlement.

### Eligibility and Entitlements / Compensation Framework and Resettlement Assistance

A framework shall be developed that specifies all forms of asset ownership or use rights among the affected population, and the project's strategy for the provision of compensation. The compensation framework shall include: (i) a description of the methodology used to value losses; (ii) the proposed types and levels of compensation to be paid based on a market valuation study; (iii) eligibility criteria for compensation and resettlement assistance; and (iv) how and when compensation will be paid. In addition, an entitlements matrix shall be prepared that identifies: (i) all categories of affected people; (ii) all types of loss associated with each category; and (iii) and all options for the types of compensation and resettlement assistance to which each category is entitled.

## **Livelihood Restoration Activities**

The RAP/LRP shall provide a detailed description of the arrangements that will be made to fulfil the requirement to improve, or at least restore, means of income earning capacity, productivity levels and associated livelihoods of affected communities to pre-project levels. This is because compensation alone does not guarantee this restoration or improvement of affected people's economic conditions, and AGRA and the grantee **must** ensure that communities will not be worse off as a result of the project. It must focus on how incomes based on land or natural resources will be restored and improved (in the case of rural communities) and how wage-based or enterprise-based livelihoods will be restored and improved (in the case of urban resettlement).

Through grantee activities, livelihood restoration may be inter-twined with grantee objectives to improve food security and promote economic development in order to create or enhance benefits. This approach would need to be clearly explained in the RAP / LRP, specifically with regard to those affected.

## **Institutional Framework**

As mentioned above, a RAP / LRP should include details of an institutional framework responsible for the land acquisition and resettlement process. The grantee should establish an institutional framework as early as possible in the resettlement process. If prepared by a third party, it is also vital that grantee plays an active role during the preparation, implementation and monitoring of the RAP / LRP to ensure that they are taking an active role to manage related risks, with the support of a third party.

It is important that the grantee has ongoing coordination with the relevant government regulatory bodies and institutions regarding land acquisition in order to ensure that legal obligations are fulfilled. Additionally, depending on the country context, the local government may have active role in the land acquisition process, such as land/ asset valuations and determining land rights for informal land users / settlers, for example.

The framework should also include clear roles and responsibilities for each person/representative that will participate in the Resettlement Committee.

## **Description of the Provisions for Redress of Grievances**

The RAP / LRP shall provide details of the grievance mechanism and how it will be applied, ensuring that it is responsive to the needs to affected communities. The grantee will be responsible for ensuring that there are resources available for managing this and that the grievance process is accessible and transparent to all stakeholders, in particular to affected communities and vulnerable groups.

## **Identify Alternative Host Sites**

Hosts sites should be identified for households and / or land owners/users to enable them to settle or farm in alternative locations. This process requires the participation of the government, traditional authorities and affected people to ensure that the location is feasible and has access to amenities such as access to healthcare, water, education facilities, sanitation, and other facilities, as applicable. As such as full feasibility assessment is required and should be developed by physical planners and agriculture specialists (where appropriate).

## **Framework for Monitoring, Evaluation and Reporting**

The RAP / LRP should provide details of the project's arrangements for monitoring and evaluating the resettlement process. For legal reasons and risk management, the entire process shall be documented in the form of regular reports, meeting minutes and audits to ensure alignment with national and international requirements, as well as to evaluate the success of the process.

## **Implementation Plan and Schedule**

The RAP / LRP shall provide a detailed implementation plan and schedule that will guide the project's land acquisition and resettlement process. The plan will enable careful planning of the timings associated with the implementation of the process.

The implementation plan shall outline key activities that need to take place as part of the land acquisition and resettlement process, divided into those that shall be completed: (i) in the planning for resettlement stage; (ii) during the implementation of the RAP / LRP; and (iii) during project construction.

### **Detailed Budget**

The RAP / LRP should include a detailed budget that accounts for all the elements required for implementation. It is important that AGRA reviews the budget as it will impact on the costs of the overall project and account for a proportion of the grant provided by AGRA.

### **Disclosure on the RAP / LRP and Entitlements**

In order to get 'buy in' from the government and affected people, a consultation process should be undertaken on the eligibility and entitlements matrix determined based on the results of the baseline and asset surveys. It is important that those affected have the opportunity to provide feedback and express any concerns that they have on the compensation process and entitlements that have been determined.

Additionally, consultation on livelihood restoration options should be undertaken to ensure that they are feasible and in line with the expectations of affected people. Engage with affected communities on the Eligibility and Entitlements Matrix

### **Disclosure on the RAP / LRP**

Once the RAP / LRP and the entitlements have been updated resulting from the consultation process, the document should be updated then fully disclosed to affected communities and other key stakeholders.

AGRA are required to review the document to check compliance and feasibility from a financial perspective, as a grantee, prior to finalisation, as part of the grant award considerations.

### **Individual Negotiations on Entitlements**

Once the RAP / LRP has been prepared, the initial step of implementation is the individual negotiations on entitlements including cash and in-kind entitlements, including eligibility for replacement land and access to livelihood restoration programmes. During this process, it is important that government representatives are present to sign off the agreements.

### **Preparation of Host Site Locations and Relocation**

During this stage of the process, it is important that affected people participate in the design and layout of new residential areas, in the case of physical displacement. This include being involved in the full planning aspects such as the layout of the village, design of houses, accessible utilities and recreational facilities etc. Additionally, support should be provided for land preparation, in the case of land based livelihoods and initiation of livelihood programmes, that may include financial literacy training, agricultural training and provision of inputs and specific skills trainings, depending on the context.

### **Monitoring and Evaluation**

In order to measure the success of RAPs / LRPs, a monitoring and evaluation programme should be developed to measure the success of the process and ensure that affected people are not impoverished or worse off as a result. This requires frequent visits and ongoing engagement with affected people, and should be carried out by a third party with agreed reporting requirements and timeframes for audits.



AGRA are also responsible for monitoring implementation in accordance with AGRAs monitoring procedures, through review of RAP/LRP monitoring reports. This should also include direct engagement with the grantee, affected communities and the third party resettlement specialist and site visits. The grantee shall develop a corrective action plan with timeframes to address any deficiencies issues and report regularly (every 3-6 months) until these are addressed.

## **Annex A: Reference documents**

Food and Agriculture Organisation, Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (2012): <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>

Food and Agriculture Organisation, Environment and Social Standards: <http://www.fao.org/3/a-i4413e.pdf>

Handbook for Preparing a Resettlement Action Plan, March 2002: [https://www.ifc.org/wps/wcm/connect/topics\\_ext\\_content/ifc\\_external\\_corporate\\_site/sustainability-at-ifc/publications/publications\\_handbook\\_rap\\_wci\\_1319577659424](https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/publications/publications_handbook_rap_wci_1319577659424)

IFC Performance Standards: [https://www.ifc.org/wps/wcm/connect/Topics\\_Ext\\_Content/IFC\\_External\\_Corporate\\_Site/Sustainability-At-IFC/Policies-Standards/Performance-Standards/](https://www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/Sustainability-At-IFC/Policies-Standards/Performance-Standards/)

IFC Performance Standard 5: [https://www.ifc.org/wps/wcm/connect/topics\\_ext\\_content/ifc\\_external\\_corporate\\_site/sustainability-at-ifc/policies-standards/performance-standards/ps5](https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/policies-standards/performance-standards/ps5)

World Bank Environmental and Social Framework (October 2017): <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards#ess5>

UN Basic Principles and Guidelines on Development-based Evictions and Displacement (2007): [https://www2.ohchr.org/english/issues/housing/docs/guidelines\\_en.pdf](https://www2.ohchr.org/english/issues/housing/docs/guidelines_en.pdf)

## **Annex B: Example of ToR to Develop a Resettlement Action Plan / Livelihood Restoration Plan**

*A good ToR should provide potential bidders with sufficient information to enable them to make a detailed proposal for planning and implementing the land acquisition and resettlement associated with a given project. At the same time, the ToR should not be too prescriptive. Rather, it should allow potential bidders flexibility in the application of international standards to the local context, conditions and requirements – as identified through public consultation – of the people to be affected by the project. The following is a sample ToR for a project involving both physical and economic displacement and resettlement.*

### **ToR**

- [INSERT COMPANY] has signed an agreement with the [INSERT COUNTRY] Government for the construction and operation of [INSERT NAME OF PROJECT] situated in [INSERT LOCATION]. Construction is planned to commence in [INSERT PROVISIONAL PROJECT TIMELINE]. The Project footprint will cover [INSERT AREA OF LAND TO BE ACQUIRED] and affect [INSERT APPROXIMATE NUMBER OF PEOPLE] who will need to be both physically and economically displaced and resettled.
- Insert details of who the project is being funded by and the specific requirements that the project is aiming to comply with.
- [INSERT COMPANY] requires the expert services of a resettlement specialist to prepare a Resettlement Action Plan / or Livelihood Restoration Plan that fully meets the IFC Performance Standards, specifically IFC Performance Standard 5: Land Acquisition and Involuntary Resettlement.
- The Consultant Resettlement Team will work closely with [INSERT COMPANY], Government representatives and other experts and stakeholders.
- The Consultant will design the land acquisition, resettlement and development components of the Project in accordance with the requirements outlined in IFC Performance Standard 5, together with additional IFC-provided guidance materials.
- The Consultant will include local experts with demonstrated expertise in the following areas:
  - Track record of working on IFC/World Bank Group resettlement projects, ideally in the agriculture sector, including experience in baseline/socio-economic data collection and design, implementation and monitoring and evaluation of RAPs / LRPs within the relevant country;
  - A livelihoods specialist with a track record of designing livelihood restoration programmes in the relevant country, particularly in the agriculture sector;
  - If applicable, a physical planner with experience of participatory design and implementation of community relocation programmes, including house design, community layout, community infrastructure planning etc;
  - A community engagement specialist with experience of meeting facilitation, participatory rural appraisal/participatory information gathering and communication techniques and conflict resolution.
- The team will identify the additional local expertise needed to assist in the planning of the land acquisition and resettlement process, and also in the implementation, monitoring and evaluation of the resettlement.
- Interested parties should submit proposals by [INSERT PROPOSAL SUBMISSION DETAILS].
- Proposals should include an overview of the technical approach and organisational arrangements as well as CVs of key personnel, a budget and an estimated timetable. The RAP / LRP component

(physical and economic resettlement of people) is to be completed by [INSERT DATE]. Implementation should be completed by [INSERT DATE].

## Annex C: Land Acquisition and Resettlement Guideline for Grantees

*This document is a guideline for grantees that will acquire land in order to facilitate their project whereby people will need to be relocated physically (relocation or loss of shelter) or economically (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) as a result.*

### **This Document**

This document provides guidance on AGRA’s requirements in relation to land acquisition. It includes the key principles for undertaking such processes, particularly in relation to managing compensation and entitlements for affected people/communities that will be displaced and will require resettlement.

### **What is Resettlement?**

Resettlement is the process of moving people from one location to another as a result of being displaced/relocated because of land acquisition. This includes residents, farmers using land, businesses, livestock etc.

Land acquisition and resettlement occurs when a project requires land for a development. This can cause physical (relocation or loss of shelter) or economic (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) displacement of affected people. Displacement of people requires resettlement of such people to restore and adapt to change. Land acquisition and resettlement can be a very time consuming and sensitive process, leading to long-term hardship and impoverishment, if not managed appropriately. However, it can also offer opportunities for affected people and grantees/developers.

Figure 1 shows the risks and opportunities evolving from land acquisition and resettlement.

Risks to Affected People	Risks to Grantees	Opportunities
<ul style="list-style-type: none"> <li>• Landlessness</li> <li>• Homelessness</li> <li>• Joblessness</li> <li>• Loss of access to common property or public services (eg community centres, schools, water, healthcare etc)</li> <li>• Poor health and wellbeing, and increased vulnerability</li> <li>• Food insecurity</li> <li>• Disruption of community structures / networks / institutions</li> <li>• Conflicts between communities and other groups</li> <li>• Disruption to cultural / traditional heritage</li> </ul>	<ul style="list-style-type: none"> <li>• Risks to reputation (locally / nationally / globally), particularly in relation to land grabbing and human rights</li> <li>• Loss of access to international financing</li> <li>• Conflict with communities</li> <li>• Time and budget over-runs</li> <li>• Disruption of operations</li> <li>• Loss of social license to operate</li> </ul>	<ul style="list-style-type: none"> <li>• Alignment with national and regional development strategies</li> <li>• Increased opportunity for collaboration with communities, the government and other key stakeholders.</li> <li>• Increased diversity of livelihoods and opportunities for income generation</li> <li>• Empowerment and reduced vulnerability of groups (eg. young women/female headed households, youth, elderly etc - depending on the socio-economic context) - as result of improved infrastructure and community investment</li> <li>• Less time and budget spent on resolving grievances and disputes with communities</li> </ul>

Figure 1 Risks and Opportunities

### **Resettlement Principles**

The land acquisition and resettlement process should be carried out in line with the country context and combining national laws with international requirements. International requirements embedded in this guidance note include the following:

- International Finance Corporation (IFC) Performance Standards, in particular 5 on Land Acquisition and Involuntary Resettlement (2012);

- The World Bank Environmental and Social Framework, in particular ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (October 2017);
- UN Basic Principles and Guidelines on Development-based Evictions and Displacement (2007); and
- Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (FAO 2012)

The key principles that should be adopted are as follows:

- Avoid, and when avoidance is not possible, minimise resettlement by exploring feasible alternative project designs.
- Avoid forced eviction.
- Anticipate and avoid, or where avoidance is not possible, minimise adverse social and economic impacts from land acquisition or restrictions on land use by: (i) providing compensation for loss of assets at full replacement cost; and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and the informed participation of those affected.
- When displacement is unavoidable, compensation for loss of assets should be provided at full replacement cost to enable affected persons to improve or restore their standards of living or livelihoods. Additionally, where applicable, moving allowances should also be provided.
- Improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.
- Give particular attention to the requirements and needs of vulnerable groups, in light of their potentially disadvantaged status.
- Involve affected communities in decision making through inclusive and participatory consultation, including in planning activities, approach to compensation, livelihood restoration and monitoring
- 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

## Key Elements Required for Land Acquisition and Resettlement

For any land acquisition process it is important to understand the national requirements/law relating to the process as well as the rights and entitlements of those affected. In addition, AGRA requires international standards to be integrated into the process **in proportion** with the size of the project and the extent/number of people impacted. This includes developing;

- A Resettlement or Livelihood Restoration Framework
- A Resettlement Action Plan; or
- A Livelihood Restoration Plan.

For all resettlement measures, particular attention will be paid to the needs of the poor and the vulnerable by providing assistance, where required, and through monitoring to ensure to mitigate the risk of impoverishment. Gender should also be considered in the development of RAPs and LRPs to ensure gender specific measures and incorporated throughout the land acquisition and resettlement process, and that women have equal opportunities to participate in decision making and planning activities.

All transactions should be documented to acquire land rights, as well as compensation measures and relocation activities.

Detail regarding these documents are included below.

## Resettlement and / or Livelihood Restoration Framework

Where the exact nature or magnitude of the land acquisition or restrictions on land use related to a project with the potential to cause physical and/or economic displacement is unknown due to the stage of project development, the grantee will develop a Resettlement and/or Livelihood Restoration Framework. The RF or LRF will include;

- the general principles of resettlement;

- a general assessment of alternatives / options to avoid / minimise displacement;
- a general assessment of the resettlement impacts and the scale of displacement;
- include a draft eligibility and entitlement framework that sets out the various groups that are impacted and what they will be entitled to as a result of displacement;
- include a provisional budget and timeframe for developing a Resettlement Action Plan (RAP) or Livelihood Restoration Plan (LRP); and
- a draft monitoring and evaluation plan.

Once the project is more defined and an Environmental and Social Impact Assessment (ESIA) has been drafted, the Framework will be further defined into a RAP or LRP.

### **Resettlement Action Plan**

In the case of physical displacement, grantees are required to develop a RAP regardless of the number of people affected to guide and document the measures in place to mitigate the impacts of the physical displacement. The RAP will:

- include compensation at full replacement cost for land and other assets lost;
- be designed to mitigate the negative impacts of displacement and demonstrate the steps taken to avoid and minimise displacement;
- identify community development opportunities;
- contain a baseline to monitor displacement impacts and impacts of RAP implementation;
- develop a resettlement budget and schedule; and
- establish the entitlements of all categories of affected persons (including host communities);
- include roles and responsibilities for implementation; and
- a monitoring and evaluation plan with key performance indicators to be monitored by the grantee.

### **Livelihood Restoration Plan**

In relation to economic displacement, a LRP will be developed that contains the above measures, but related to economic displacement. This includes the following;

- Identification of replacement land to maintain farming activities;
- Identify institutions/organisations that can support farmers with restoring land based livelihoods and increasing productivity, to benefit affected persons;
- Identifying livelihood restoration programmes that will support skills development and alternative livelihoods, where required.

The process for developing a RAP / LRP is illustrated in *Figure 2* below.

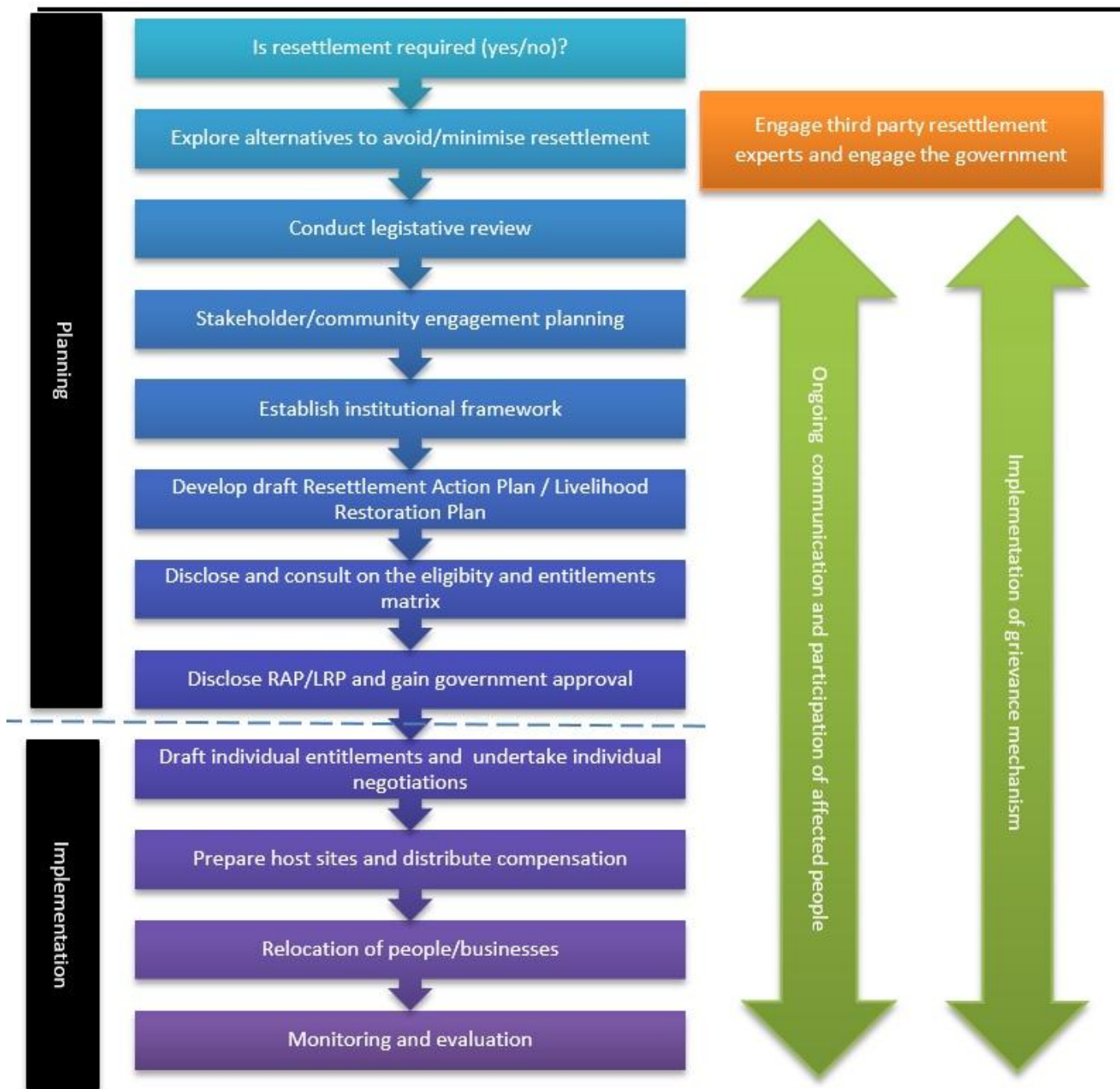


Figure 2 RAP Process

A key AGRA requirement for land acquisition and resettlement is to hire a third party specialist with the following experience to lead the process and develop the required documents;

- Track record of working on IFC/World Bank Group resettlement projects, ideally in the agriculture sector, including experience in baseline/socio-economic data collection and design, implementation and monitoring and evaluation of RAPs / LRPs within the relevant country;
- A livelihoods specialist with a track record of designing livelihood restoration programmes in the relevant country, particularly in the agriculture sector;
- If applicable, a physical planner with experience of participatory design and implementation of community relocation programmes, including house design, community layout, community infrastructure planning etc.;



- A community engagement specialist with experience of meeting facilitation, participatory rural appraisal/participatory information gathering and communication techniques and conflict resolution.

Clear scopes of work and request for proposals should be developed by grantees with inputs from AGRA. AGRA will review all scopes of work as well as participate in the selection process to ensure that the selected third party meets their requirements.