SOKOTO STATE GOVERNMENT

Involuntary Resettlement, Valuation & Compensation Toolkit

October, 2024

Prepared By: Greenswitch

This page has been intentionally left blank

TABLE OF CONTENT

ACRONYMS

ACRONYMS	MEANING
ARAP	Abbreviated Resettlement Action Plan
CBOs	Community-Based Organizations
CDF	Community Development Framework
CDP(s)	Community Development Plan(s)
CF	Compensation Framework
CNA	Community Need Assessment
CVT	Compensation and Valuation Toolkit
E&S	Environmental and Social
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management Systems
ESRM	Environmental and Social Risk Management
ESRMF	Environmental and Social Risk Management Framework
ESS	Environmental and Social Standards
FRILIA	Framework for Responsible and Inclusive Land Intensive Agriculture
GBV	Gender-Based Violence
GIS	Geographic Information System
GMoU	Global Memorandum of Understanding
GRM	Grievance Redress Mechanism
ICT	Information, Communication and Technology
SARDA	Sokoto State Agricultural and Rural Development Authority
SCSDA	Sokoto State Community and Social Development Agency
SGIS	Sokoto State Geographic Information System
SICL	Sokoto State Investment Company Limited
SIRS	Sokoto State Internal Revenue Services
SPforR	Sokoto State Economic Transformation Program-for-Results
SUDB	Sokoto State Urban Development Board
SMWSD	Sokoto State Ministry of Women and Children Affairs
SSG	Sokoto State Government
SSEPA	Sokoto State Environmental Protection Agency
SLRL	Sokoto State Land Registration Law
LGA	Local Government Area
LUA	Land Use Act
M&E	Monitoring and Evaluation
MDAs	Ministries, Department and Agencies
MoU	Memorandum of Understanding

NGOs	Non-Governmental Organizations
OG	Out-Growers
PACs	Project Affected Communities
PAEs	Project Affected Entities
PAPs	Project Affected Persons
PMU	Project Management Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SEAH	Sexual Exploitation and Abuse and Sexual Harassment
USD	United States Dollar
WASH	Water, Sanitation and Hygiene

1 INVOLUNTARY RESETTLEMENT, VALUATION AND COMPENSATION TOOLKIT

1.1 Introduction to the Toolkit

This toolkit is a combination of the involuntary resettlement toolkit, and the valuation and compensation toolkit. Both toolkits have been merged to avoid repetition of the valuation and compensation component, a sub-component of the entire resettlement process. In cases where the project triggers both physical[1] and economic[2] displacement, the entire toolkit will be applicable; however, in the case of economic displacement only, the livelihood restoration, and the valuation and compensation components shall be appropriate.

This toolkit provides frameworks and templates for designing appropriate mitigation and compensation strategies for land acquisition impacts caused by FRILIA compliant project activities. One of the core principles of FRILIA is the minimisation of displacement and sustainable resettlement of PAEs. Land-based developments, essentially large-scale agricultural projects, are often land-intensive, thus the need to ensure that such FRILIA projects are developed sustainably.

1.2 Scope of the Toolkit

The scope of application for this toolkit is for any physical and/or economic displacement resulting from developing a large-scale agricultural project. This toolkit focuses on the Resettlement Policy Framework (RPF) and its attendant templates. The RPF covers the following areas.

- Legal Framework
- Resettlement planning process
- Compensation framework and arrangements to all PAPs
- Participatory approach to stakeholder engagement
- Livelihood restoration planning
- Grievance management

Specifically, the compensation framework of the RPF supports a process for the realisation of full compensation arising from involuntary land acquisitions. It clearly defines the procedures, applicable valuation standards, legal frameworks and minimum performance requirements expected from stakeholders. The compensation framework of the RPF, therefore, seeks to:

[1] Physical displacement refers to displacement of shelter

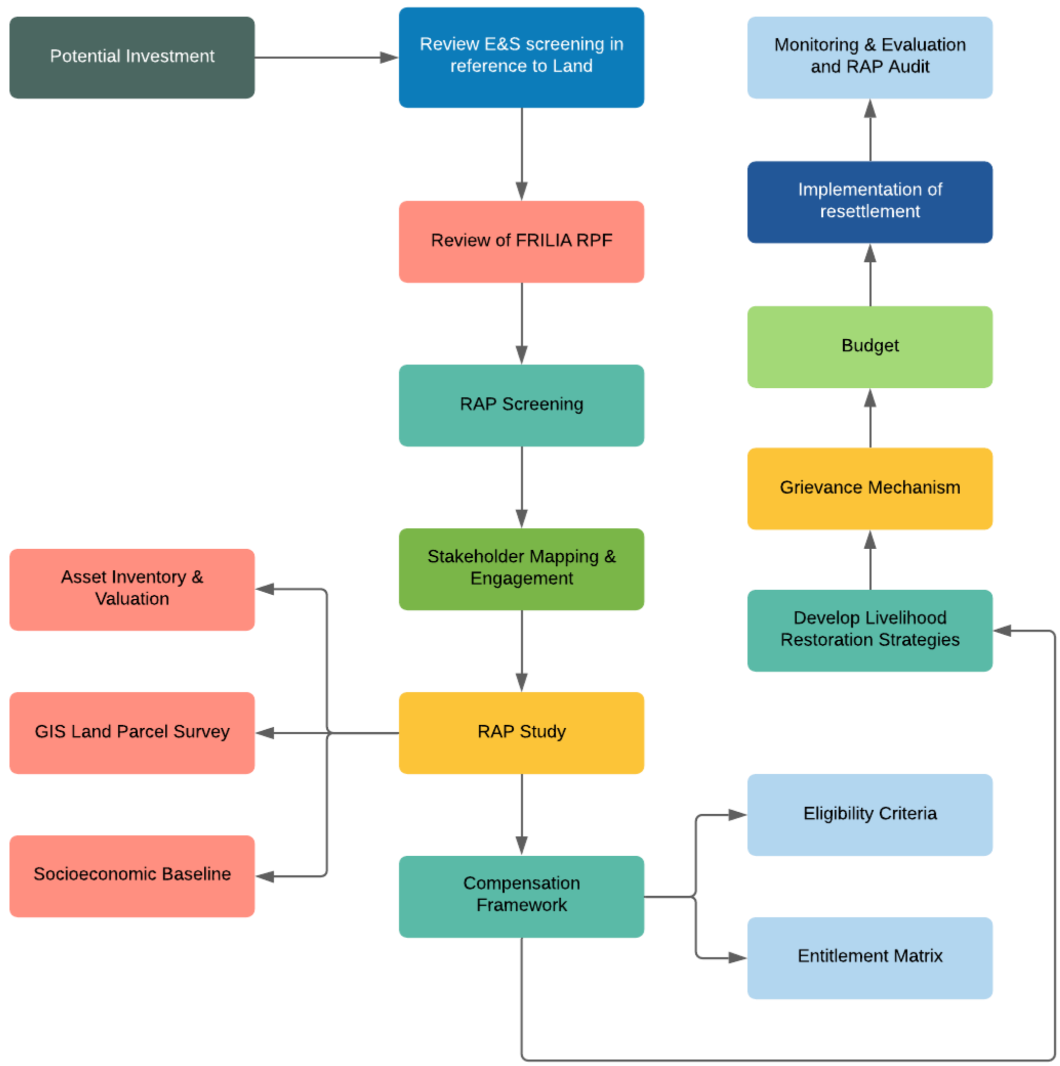
[2] Economic displacement refers to displacement that causes loss of assets or access to assets that leads to the loss of livelihood

1. Set the minimum implementable and legally permissible performance standards required in involuntary land acquisition proceedings for Agricultural projects in Sokoto State.
2. Entrench best practices in land valuation while considering existing National and State laws, SSG Regulations and the new FRILIA law.
3. Highlight all recognisable land rights, including restricted access to land resources, that a particular investment programme may cause.
4. Afford SICL a one-stop document for compensation and valuation compliance checklist.

2 VISUAL PROCESS MAP FOR INVOLUNTARY RESETTLEMENT

Figure 1: Process Map for Involuntary Resettlement

2.1



RPF Visual Process Map in line with SICL's Investment Stages

- ***Level 1: Initial enquiry***
  At this stage, the investor informs SICL of the intent to review its project for possible displacement.

- ***Level 2: Detailed enquiry (including a site visit)***
  - After enquiry, the investor reviews the Environmental and Social Impact Assessment (ESIA) for environmental and social impacts and risks discussed in the ESIA.

- Review project documents to understand the extent of land take, ascertain project nature, complexity, land requirement.

- Project reviews FRILIA RPF to understand guidelines in screening and planning resettlement

- Investor maps out all stakeholders *(Federal, State and LGA level)* and engages them based on the **FRILIA Stakeholder Engagement Framework** (SEF).

- The investor undertakes a RAP study (*See section4.3* RAP Study). This includes a socioeconomic baseline study, GIS land parcel survey, asset inventory of all assets within the project site. The investor also activates the grievance redress process based on the **FRILIA Grievance Redress Mechanism toolkit.**

- Investors undertake valuation of all assets inventoried and develop an entitlement matrix for compensation.

- Investor then develop plans for replacement housing *(in the case of physical displacement),* identifies potential locations for replacement land and designs programmes to support affected persons in the restoration and improvement of their livelihoods

- ***Level 3: Negotiations/signing of Memorandum of Understanding***
  This stage involves discussions with stakeholders, specifically PAPs, to disclose the compensation payable and other benefits available to them. At this stage, the affected people sign off on all benefits.

- ***Level 4: Due diligence and facilitation of implementation***
  At this stage, the investor sets out to implement the RAP. i.e., paying compensation and other benefits, provision of replacement land and housing, among others.

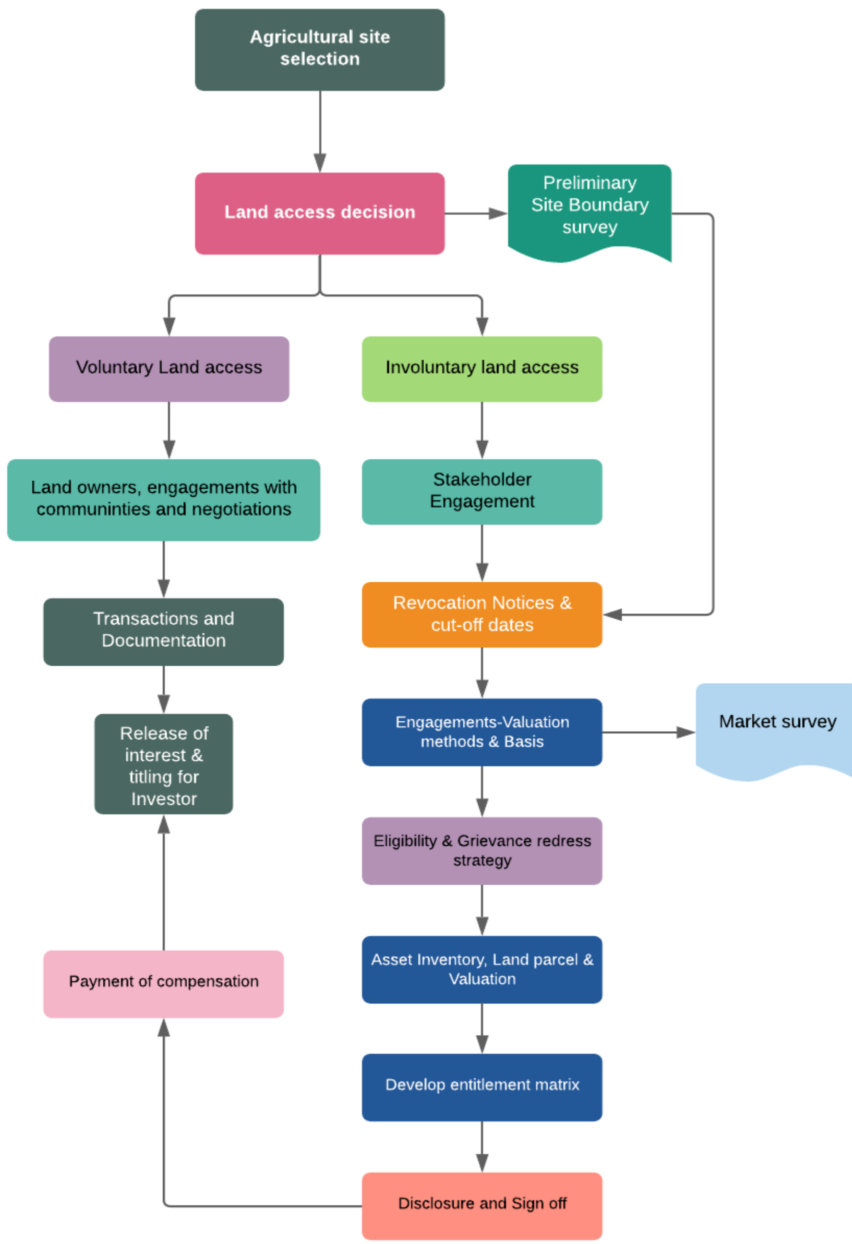
- ***Level 5: Operations initiated***
  This stage involves initiating monitoring and evaluation programmes to ensure that the objectives of the RAP are met, and completion of audits initiated.

- ***Level 6: Aftercare***
  As the investor continues operations, aftercare should focus on the continuous improvement of social performance.

3 PROCESS MAP FOR VALUATION AND COMPENSATION

Valuation and compensation principles under FRILIA are only triggered when the project land in view would be acquired involuntarily. In cases where land is acquired voluntarily (through a willing buyer and willing seller agreement) and evidence is provided in this regard; projects should follow necessary State processes to achieve land title. See Figure 2for process for valuation and compensation under FRILIA.

Figure 2: Process Map for Valuation and Compensation



4 RESETTLEMENT POLICY FRAMEWORK (RPF)

4.1 Introduction to RPF

The overall aim of the Resettlement Policy Framework (RPF) is to provide a process for identifying individuals likely to be physically and economically impacted by the land-intensive projects under FRILIA, assessing the magnitude/severity of the impact, and outlining the process for mitigating the impacts through Resettlement Action Plans (RAP). More specifically, it presents the guiding resettlement policies and procedures that must be adopted under the applicable requirements of the FRILIA principles and Law on land access and involuntary resettlement. For the purposes of this document, the term "involuntary resettlement" refers both to physical displacement and to economic displacement that leads to loss of income sources or other means of livelihood because of sub-project activities related land acquisition and/or restrictions on land use.

4.1.1 Objectives of the RPF

The RPF aims to ensure that Project Affected Persons (PAPs) are appropriately and transparently compensated for their loss of land (either permanently or temporary), unexhausted improvements and loss of access to natural resources, which affect their livelihood. The RPF's specific goals are as follows:

- Establish the legal and institutional framework underlying the Nigerian system/framework (complemented with provisions aimed at addressing the FRILIA principles and Law) for involuntary resettlement and compensation.
- Define eligibility for compensation and resettlement; describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders; provide strategies for up-taking and resolving project-related grievances and disputes.
- Establish the methodology for valuing assets.
- Establish a resettlement entitlement matrix.
- Establish consultation procedures and grievance mechanisms.
- Establish the Project's resettlement and compensation principles and implementation arrangements.

This document is a principle-based framework that would guide all future agricultural projects under FRILIA that trigger livelihood restoration and/and resettlement. Once the sub-project or individual project components are defined, and the necessary information becomes available, the RPF shall be expanded into a specific plan proportionate to potential risks and impacts. A Resettlement Action Plan (RAP) or an Abbreviated RAP (ARAP)—*depending on the scale and* *severity of impacts*[3]— will be prepared to address any negative impacts that may arise as per FRILIA principles. The various steps in designing a RAP are outlined in this document.

Principles of RPF in line with FRILIA

All resettlement and compensation activities for projects under FRILIA should be conducted in accordance with the provisions of all relevant Nigeria laws, specifically Sokoto State FRILIA law. The overarching principles of this RPF, in line with the FRILIA principles, are

- Land acquisition and related adverse impacts will as much as possible be minimized or avoided (FRILIA principle 1.1)
- Investments should be subject to consultation and participation, including the disadvantaged and vulnerable, informed of their rights and assisted in their capacity to negotiate (FRILIA principle 1.5)
- Provide for the protection of rights through grievance redress mechanisms that provide accessible and affordable procedures for the third-party settlement of disputes, including but not limited to disputes arising from displacement or resettlement. These mechanisms should consider the availability of judicial recourse and community and traditional dispute resolution mechanisms (FRILIA principle 2.3)
- Compensation standards are to be disclosed and applied consistently (FRILIA principle 3.1)
- Economic and social impacts caused by land acquisition or loss of access to natural resources shall be identified and addressed, including people who may lack full legal rights to assets or resources they use or occupy (FRILIA principle 3.2)
- Fair compensation will be provided to purchase replacement assets of equivalent value and to meet any necessary transitional expenses before taking off land or restricting access (FRILIA principle 3.3)
- Supplemental livelihood improvement or restoration measures will be provided if the taking of land causes loss of income-generating opportunities (FRILIA principle 3.4)
- Public infrastructure and community services that may be adversely affected will be replaced or restored (FRILIA principle 3.5)
- Displaced people with land-based livelihoods should be offered an option for replacement land unless equivalent land is not available (FRILIA principle 3.6)
- Principles specific to compensation, resettlement, and livelihood restoration (FRILIA principle 3.7)

4.2 Legal Framework

The legal framework expounds on the relevant land acquisition laws, regulations and policy frameworks of Nigeria and, specifically, the Sokoto State Government. The RPF represents the

[3] A RAP is prepared when the anticipated number of affected persons is more than 200, while an ARAP is prepared when the anticipated number of affected persons are less than 200.

reference to managing land acquisition issues and addressing the involuntary resettlement and displacement of people related to FRILIA projects. Resettlement and land acquisition issues for all projects under FRILIA will be addressed under the guidance of the laws governing the Federal Republic of Nigeria, Sokoto State Laws and other policies and special provisions to involuntary resettlement. A list of these laws, regulations and policies is outlined in Table 1. For the purposes of developing a RAP/LRP, project and sub-projects shall detail a comparative analysis of federal laws, regulations and policies, and FRILIA polices.

Table 1: Applicable National, Sokoto State Laws and Policies on Resettlement, valuation and compensation

Year	Law/Document	Ref#	Comments
1992	National Agricultural Land Development Authority	S.9	Provides that the Federal Government may request agricultural land from any State or Local Government.
1992	Nigeria Urban and Regional Planning Act	S.75 - S.78	For the purposes of planning, all acquisitions are to be guided by the provisions of Cap L5.
2005	Harmonised Rates for Compensation for Economic Trees, Crops and buildings		This schedule of rates is prepared by the Federal Ministry of Works and Housing to guide compensation structured geo-political zones of the Country
2014	Land Use Act, Cap L5	All	This is the principal Act governing land management in Nigeria and is contained as part of the 1999 Constitution.
2011	Sokoto State Urban Development Law	All	Improve governance in land administration.
1978	Land Use Act 1978 Sokoto State Land Registration LawCap 74	All	Principal regulation guiding land administration in Sokoto State.
2024	Sokoto State Development Plan 2024-2043	All	Agricultural investments

Year	Law/Document	Ref#	Comments
2011	` Sokoto State Urban Development Law	All	SURDB Establishment Law
1978	Sokoto State Land Registration Law Cap 74		Penalties for sharp practices
2019	Nigeria Valuation Standards (Green Book)		IVSC, RICS and NVS Standards
1958	Sokoto State Forestry Law	All	Harmonise approved names of trees and the recognition of gazetted forest reserves
2024	Public-Private Partnership Policy		Investment guide
2024	FRILIA Law 2024		To guide the development of Land-Intensive Agricultural Investments

The FRILIA Principles adopts a mixture of the best practices regarding involuntary resettlement and the standards entrenched in the State and National laws. In the event of involuntary acquisition, CAP 74 and the KNSLUR at the local level set the minimum performance benchmarks for valuation and compensation. However, to fully achieve the implementation of the principles of FRILIA, all land intensive projects shall in addition to the minimum requirements adopt FRILIA principles to address resettlement and compensation.

4.3 RAP Study

The RAP study should entail three core exercises, namely socioeconomic baseline study, asset inventory and valuation, and GIS land parcel survey. These exercises are best conducted simultaneously to maximize efficiency and to avoid stakeholder engagement fatigue.

4.3.1 GIS Land Parcel Survey

The land parcel survey involves the measurement of the extent of an individual's parcel of land using a GPS device with significant precision. With this, the exact boundary track of parcels within the project area should be recorded on-site and further processed into a geodatabase. In undertaking the parcel survey, survey forms **(see IRVC Template 4)** covering necessary land-related details of the owner and/or user should be completed on the field.

4.3.2 Asset Inventory & Valuation

Asset inventory involves the inventory of assets (all unexhausted improvements) within the land parcel of each affected person as defined by the GIS land parcel survey. In conducting an asset inventory, the certified valuer shall conduct a rapid market survey (see **IRVC Template 8**) to understand major crops within the project area and collect market information of the market prices to develop the replacement value for potentially affected assets. (*see section 4.6.1* Methodology for valuing affected assets). Asset inventory should be conducted using **IRVC Template 3**

4.3.3 Socioeconomic Baseline Survey

An essential aspect of preparing a RAP is to establish a socio-economic baseline census of all persons identified as owning or having usufruct rights for land and all unexhausted improvement made to the land under the GIS land parcel and asset inventory survey. The socioeconomic baseline survey should cover critical indicators such as demography, livelihoods, income and expenditure, access to social infrastructure, vulnerability, food security, among others. Refer to **IRVC Template 5** for sample Socioeconomic baseline survey tool).

4.4 Compensation Framework

The valuation and compensation processes for involuntarily acquired land in Nigeria are legally regulated. The process is solely governed by the Land Use Act, 1978 and provisions of the Sokoto State Land Registration Law Cap 74, which cumulatively empower the Governor to revoke rights to land for overriding public purposes and to pay compensation accordingly. The Act in S.33 also offers a Project Affected Person (PAP) the option to accept resettlement in lieu of cash compensation.

SSG adopts a modified system of land take that encapsulates the requirements of the LUA Act, 1978 and Sokoto State Land Registration Law Cap 74 and best practices. It practices the land for land compensation policy (where practicable) and pays for economic trees, crops and structures based on rates provided in a Regulation. The Government emphasises the involvement of all affected stakeholders in participatory stakeholder consultation, with an appropriate Grievance Redress Mechanism in place for all its acquisitions.

Notwithstanding the enhanced existing land valuation and compensation strategies embraced by the government, its resolve to achieve the implementation of an acceptable framework through the FRILIA Principles hereby adopts a compensation framework (CF) that addresses the following issues:

- Description of existing compensation guidelines and practices of the SSG.
- The methodology that an investor will apply in the valuation of losses.
- Types of assets and compensation for each loss classification.

- Compensation valuation methods and eligibility criteria for any assistance.
- How and when compensation should be paid.

The CF, therefore, defines and guides a performance benchmark expected of projects in the planning for compensation as a component of a general Resettlement Framework.

4.4.1 *Principles guiding (CF) in line with FRILIA*

The FRILIA Law through a Standing Committee seeks amongst other functions the monitoring and application of Compensation standards embracing the following principles:

1. Compensation standards are to be disclosed and applied consistently.
2. Economic and social impacts caused by land acquisition or loss of access to natural resources shall be identified and addressed, including people who may lack full legal rights to assets or resources they use or occupy.
3. Fair compensation will be provided to purchase replacement assets of equivalent value and to meet any necessary transitional expenses before taking care of land or restricting access.
4. Supplemental livelihood improvement or restoration measures will be provided if the taking of land causes loss of income-generating opportunities.
5. Public infrastructure and community services that may be adversely affected will be replaced or restored.
6. Displaced people with land-based livelihoods should be offered an option for replacement land unless equivalent land is not available.

4.4.2 *Eligibility Criteria*

This section sets out the eligibility criteria and entitlement matrix for projects and sub-projects that trigger resettlement. Eligibility criteria are necessary to determine who will be eligible for resettlement and benefits and discourage claims of ineligible people. The eligibility criteria for projects that trigger resettlement under FRILIA are underpinned by the FRILIA law and principles and international best practices. It is therefore essential for projects that trigger resettlement to develop comprehensive eligibility criteria.

Whether or not the PAPs must relocate, the involuntary acquisition of land results in relocation or loss of shelter, loss of assets or access to assets, as well as loss of income streams or means of livelihood. Meaningful consultations with impacted people, local governments, and community leaders will thus enable the development of criteria to determine persons eligible for compensation and other resettlement aid. The specific criteria for eligibility are as follows.

- Holder of a statutory[4] right of occupancy is eligible for compensation as a landowner

[4] Statutory right of occupancy refers to right of occupancy granted by the State Governor under the land use act of 1978

- Holder of a customary[5] right of occupancy is eligible for compensation as a landowner
- Individuals who have no recognizable legal right or claim the land they are occupying, i.e. encroachers/squatters, are eligible for compensation as a land occupier, not as a landowner.

4.4.2 *Vulnerable Groups*

Vulnerable groups are people who may be more negatively impacted by resettlement based on their age, gender, ethnicity, physical or mental disability, financial or social status. More crucially, vulnerable people may be constrained in claiming compensation or resettlement assistance and related benefits. As such, all projects and sub-projects should be committed to ensuring that the needs of vulnerable groups are given appropriate attention in the context of compensation provisions and overall resettlement assistance. To achieve this, people considered vulnerable must be consulted adequately in a fair and culturally appropriate manner.

Whilst there is no fixed compensation mechanisms currently developed, the Project shall develop these in advance of relocation, allowing sufficient time for consultation with those affected to ensure that the measures are fair and culturally appropriate. Cash compensation is unlikely to be a suitable measure for vulnerable groups, so the focus should be on specific support mechanisms and social programmes tailored to these groups. Investors may also take further steps to assess the needs of the vulnerable to sufficiently support them (See **FRILIACNA & CDP Toolkit** for guidance).

Determining Cut-Off Date

The cut-off date is the date by which no further claims for compensation to land, assets or other unexhausted improvements can be made. The cut-off date notice (**IRVC Template 2**) seeks to prevent individuals seeking compensation from filing speculative claims within the Project Area. In establishing the cut-off date, a notice should be served to the public by radio, newspapers, gong-gong beaters, information centers or any culturally appropriate medium through which information can be disseminated. After the established cut-off date, individuals who move into the Project Area are not eligible for compensation and/or assistance. Enumerated inhabitants who make further improvements to their homes or other structures after the cut-off date are likewise ineligible for additional compensation for the improvements made.

---

[5] Customary right of occupancy refers to the right of a person lawfully using or occupying land in accordance with customary law and it is granted by the LGA

4.5 Entitlement Matrix

Table 2details the eligible groups for compensation and their types of losses based on Sokoto State Government (SSG) principles on compensation and the FRILIA principles.

Table 2: Entitlement Matrix

S/N	Eligible Group	Type of Loss	Existing SSG Principles	Project Compensation based on FRILIA Principles
1	House owner: Holder of customary rights of occupancy	Land and Housing	Depreciated Replacement Cost of the structures and all accompanying improvements specified reference to Land Use Act 1978. Refunds of ground rents paid in the year of revocation (operationally replaced by the payments outlined in Land Use Act 1978)	The Project shall offer affected persons choices among feasible resettlement options, including adequate replacement housing with security of tenure or cash compensation where appropriate. The principle of full replacement (without taking depreciation into account) will underline the provisions for loss of housing. Cash compensation levels will be sufficient to replace the lost land and other assets at full replacement cost in local markets. **Relocation assistance or allowance:** Physical assistance with the relocation process or a cash amount to cover the cost of the relocation process will be provided with a transport allowance. *(if a PAP falls into more than one category, they should only be eligible for one payment of relocation assistance to assist relocation of all their assets)* **Disturbance allowance:** A cash amount will be provided related to the quantum of the disturbance caused.

2	**Occupier of Habitable asset**	**Rented Housing**	No compensation	Relocation allowance**: cash amount to cover the cost rent of equivalent housing for the residue of the year plus transportation allowance.**
3	Agricultural landowner and holder of customary and statutory rights of occupancy	Agricultural land, Crops and Economic Trees	For the farm buildings, installation or improvements for the replacement cost of the installation, building or improvement such cost may be assessed based on the method determined by the appraising officer less any depreciation. In regard of any improvement in the type of reclamation works, the cost of which may be proven by documentary evidence. Crops and economic trees on the land apart from any building, installation, or improvement thereon, for an amount equal to the value prescribed in Sokoto State Land Registration Law Cap 74 and Sokoto Forestry Law 1958	Where resettlement land is not available, the principle of full replacement cost (without taking depreciation into account) will underline the provisions for loss of all agricultural assets (buildings, trees, crops etc.). All transaction costs are to be accounted for. **Livelihood restoration and improvement programmes:** The approved RAP or LRP will determine the restoration programmes. *(Refer to section 4.7* Livelihood Improvement Strategy *on livelihood improvement strategies).* **Relocation assistance or allowance**: Physical assistance with the relocation process or a cash amount to cover the cost of the relocation process should be provided. **Disturbance allowance:** A cash amount should be provided if disturbance is specifically caused.
4	Agricultural Land User (Renting land through cash or in-kind payment)	Loss of crops and Access to income from agricultural land use.	Crops to be counted and paid in accordance with Sokoto State Land Registration Law Cap 74 and Sokoto Forestry Law 1958.	Compensation calculated at market value for all crops and additional allowance for land rent at a new site, including costs of land clearance, improvements and transaction costs.
5	Formal workers employed by agricultural land occupiers and holder of customary/statutory rights of occupancy	Loss of income and Employment (Permanent and/or Temporary)	No compensation	Inventory of workers and payment of wages not below the National Minimum Wage for the transition period (expected periods as recommended ESMP for businesses to relocate). Where this is not feasible, employees may be compensated for a minimum period of 3 months.

6	Crop cultivators, including sharecroppers or a farmer, who cultivates crops on agricultural land over which they do not hold a customary right of occupancy.	Loss of crops and rights to farming activity	Crops to be counted and paid in accordance with Sokoto State Land Registration Law Cap 74 and Sokoto Forestry Law 1958.	Full replacement cost of lost crops **Relocation assistance or allowance**: Physical assistance with the relocation process or a cash amount to cover the cost of the relocation process should be provided.
7	Owner of other (non-habitable) physical assets on land.	Immovable structures /assets (e.g. tool sheds, fence, food kraal, fishponds, traps etc.)	No compensation	Full replacement (without taking depreciation into account) will underline the provisions for loss of (non-habitable) physical assets owned by non-occupiers of the land. The project may contemplate additional allowance. **Disturbance allowance:** A cash amount should be provided if disturbance is caused.
8	Owner of movable assets on the land whether they live or work there.	Moveable assets (e.g. mobile kiosks etc.)	No compensation	**Relocation assistance or allowance**: Physical assistance with the relocation process or a cash amount to cover the cost of the relocation process should be provided.
9	Graves, Tombs and Shrines	Religious and psychological	Non-specific	**Relocation allowance:** Culturally acceptable cash amount to cover the cost of the relocation should be provided. Where the costs demanded are unreasonable, the project may conceive a top-up above any government recommended cost.
10	Utility Companies (KEDCO), Water Authority pipelines, Telcos etc.	Loss of income and service disruptions	Replacement costs – non-specific	Physical assistance and commitment with the relocation process or a cash amount to the service provider, covering the cost of the relocations. The project may conceive emergency support to community losing services.

11	Government Assets–Schools, Health Centers etc.	Loss/disruption of access to public services,		The principle of rebuilding such assets at an acceptable resettlement site in a participatory frame with the Government shall underline this loss. Where replacement is not feasible, full replacement (without taking depreciation into account) will underline the provisions for loss of community assets payable to the affected government agency.
12	Community provided infrastructure – Roads, Water sources, mosques, churches etc.	Communal benefits		The principle of rebuilding such assets at an acceptable resettlement site in a participatory frame with the community shall underlie this loss. Where replacement is not feasible, full replacement (without taking depreciation into account) will underlie the provisions for loss of community assets payable to the affected community leadership or trust.
13	Water users – Community/Individual	Loss of access to communal assets and individual rights to fishing, games etc.		Individuals who lose access to water bodies for purposes of fishing or other livelihoods should be included in livelihood restoration programmes. If the community's economy is dependent on the water source, the project should conceive a restoration programme within similar locations and additional support for improved fishing practices.

4.6.1 Methodology for valuing affected assets

This section describes the compensation standards that shall be applied to the entitlements described in Table 2and the valuation methods used to arrive at the compensation that will be payable. The FRILIA principles recognize that holders and/or occupiers of all categories of assets are eligible for participation in the compensation and valuation process. Typically, assets that may be subject to valuation are:

- Residential, commercial, agricultural, communal and recreation assets.
- Uncompleted developments at different levels of completion.
- Temporary structures are in use both for agricultural, residential and/or commercial uses.
- Makeshift/uncompleted structures in use as permanent/temporary residences.
- Undeveloped plots of lands.
- Fallow agricultural lands.
- Cultivated farmlands.
- Water bodies include fishing traps/nets.
- Game and forest reserves.
- Ancillary facilities such as boreholes, barns, outdoor cooking facilities etc.
- Cultural assets, shrines and other communal interests.
- Gravesites (Communal, individual and Family)
- Animal/Fishing/Poultry business assets.
- Categorized trees, crops and other plantations of economic value; and
- Government and privately-owned utilities assets

The basis of valuation in this regard shall be 'the current market value[6]' for all the assets – buildings, installations, improvements, ancillary facilities, economic trees and crops, plus transactional costs. This method of valuation achieves full replacement cost. The full replacement cost or the replacement cost approach of valuation involves determining the cost of reconstructing the same structures new but reflecting their stages of completion/construction. Projects or sub-projects[7] shall not depreciate assets on account of their state of repairs. To achieve this, the Project should engage the services of an independent registered/certified valuers to conduct market surveys and issue a market survey report (Template xxx) within the Project Area and develop current replacement value indices expressed per unit, per square meter and/or linear meter. The valuation must report on all assets identified and issues around them using outline detailed in **IRVC Template 9.**

---

[6]Market value is the estimated amount for which an asset should exchange on the valuation date between a willing buyer and a willing seller in arm's length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion

[7] Sub-projects are components of a project usually being developed in different locations.

With regards to crops and economic trees, the investment yield approach for valuation should be used. This method involves determining the opportunity cost of the claimants' rights to the incomes from their farms, trees and plantations through a resettlement implementation period of three months and variable crop/tree gestation periods.

4.6.2 *Compensation*

Compensation should be provided to all individuals whose assets or access to assets are affected or damaged due to land acquisition or any other activities undertaken by the projects, sub-projects, or activities under FRILIA. The compensation for the loss of tangible and intangible assets will vary depending on the type of loss and whether a PAP is eligible. Compensation can take the form of monetary payment, in-kind compensation and livelihood support programmes.

All PAPs should be entitled to monetary compensation at full replacement cost for affected assets or in-kind compensation, where the impacted assets would be replaced with an asset of similar or increased size, value, and quality. The decision on which type of compensation to be used should be jointly agreed upon between the project and the PAPs and subject to the availability of replaceable assets.

4.7 Livelihood Improvement Strategy

This RPF acknowledges the need to go beyond in-kind compensation and cash compensation for losses; provide support to PAPs to restore their livelihoods and improve their standard of living. As part of the development of the RAP, detailed livelihood restoration and improvement measures and strategies need to be established. These strategies shall ensure that livelihood and restoration packages (either land-based or non-land based) are sustainable and foster socioeconomic empowerment. Table 3Table 1details examples of restoration/improvement programmes that can be adopted to ensure the overall improvement of the livelihoods of affected people. It is important to emphasize that proposed improvement programmes should be sustainable, culturally acceptable and tailored to the predominant livelihoods in the project area.

Table 3: Examples of Livelihood Restoration/Improvement Programmes

Land-Based Programmes	**Non-Land based Programmes**
<u>*Agriculture*</u> • Access to improved seeds • Assistance for clearing tilling, planting and harvesting • Training in farm management • Out-grower programmes[8]	<u>*Food Processing*</u> • Provision of processing equipment • Training in the use and maintenance of equipment • Provision of extension services

[8]See **OG Template 2** on out-grower models

Land-Based Programmes	Non-Land based Programmes
Livestock Keeping • Improved breeds • Access to water from earth dam- all year round • Assistance in improved livestock management practices • Veterinary assistance and vaccination programmes • Livestock housing	• Setting up community/village cooperative • Project-related employment • Financial management training
Fishing • Training in aquaculture • Training in feed formulation • Access to extension services	*Technical and vocational training* to support new skills development. Training can be on sewing, basket weaving, catering, welding, among others

The restoration and improvement strategy should also detail the following.

- Beneficiaries to the restoration programmes
- Training and capacity building
- Transitional support
- Implementation of the restoration options
- Monitoring and evaluation of the strategy

4.8 Grievance Redress Mechanism (GRM)

Grievance redress represents one of the important processes that should be tackled carefully during the project development and implementation. Expression of grievances should be expected and planned for, especially considering the increased desire of individuals to express their views. See **FRILIA GRM Toolkit** for details on the grievance procedure.

4.8.1 Avoiding grievance

The priority is to avoid grievances altogether[9]. Table 4 details actions that can be taken to avoid grievances related to land access and involuntary resettlement.

Table 4: Actions that can avoid grievances

1	Confirm village & ward boundaries	18	Dispel rumormongering
2	Minimize Displacement	19	Ensure boundary neighbors present
3	Google earth area	20	Sign off on Val Forms with witnesses
4	Confirm all Project Components	21	Val Forms have beneficiary names[10]
5	Ground Truth Valuation Rates	22	Ensure that PAPs have a copy of the valuation form

[9]Avoid, wherever possible, the need to resort to judicial proceedings

6	Develop the SEP	23	Undertake Q&A on all data entry
7	Create Eligibility Criteria	24	Amend data errors immediately
8	Train field teams for every RAP phase	25	Consult on concerns and preferences.
9	Developing Key Entry Messages	26	Ensure participatory development
10	Fulfil Entry Protocols	37	Under-promise, over-deliver
11	Enable Q&A sessions	28	Coherence of Value forms & bank accts
12	Appointing Team CLO	29	Allow harvest and leave
13	Capacity build Com Reps (Inc GPS)	30	Allow early planting on new land
14	Erect & Manage Notice Boards	31	Clear message on post valuation planting
15	Be inclusive	32	Update on RAP timing
16	Identify all the vulnerable	33	Manage expectations
17	Always keep appointments with communities	34	Timely delivery

4.9 Stakeholder Engagement and Disclosure

The continuous exchange of information during resettlement is critical to completing the project on time and in full compliance with best practices and FRILIA Principle (1.5). Refer to **FRILIA Stakeholder Engagement toolkit** for details on Stakeholder Engagement Framework. As a result, two-way communication will take place throughout the preparation and implementation of the resettlement process.

As part of resettlement, projects and sub-projects shall conduct extensive, effective, and meaningful consultation and participation. Overall, projects should ensure that the following principles of stakeholder engagement[11] in line with FRILIA are maintained.

- Stakeholder Engagement should be participatory with the inclusion of the marginalized and vulnerable in society
- Recognition of community rights and interests and respect for them
- Transparency and accountability in all dealings
- Development of a relationship with stakeholders based on trust and a mutual commitment to acting in good faith.
- Respect stakeholders for opinions and aspirations.
- Work closely with stakeholders to find solutions that meet common interests.
- Strengthening implementation capacity of stakeholders

Stakeholder engagement and consultations shall be conducted and observed throughout the resettlement process. These will include consultation during the following activities.

- Project design phase

11

- Prior to the preparation of RAP
- Development of RAP
- Implementation of the RAP
- Monitoring & evaluation of the RAP

4.10 RPF and RAP implementation Arrangements and Procedures

Overall, projects under FRILIA shall be implemented through SICL, while land acquisition and compensation shall be facilitated by the Ministry of Land. The project shall ensure a systematic process and procedure to guide the preparation and implementation of the Resettlement Plan when required as follows.

- *RAP screening:* RAP screening process will determine whether the project or subproject will result in physical or economic displacements, and therefore whether a RAP is required and if so, how to prepare and implement one. Investors/projects should screen for potential resettlement using checklist provided in **IRVC Template 1**. Once screening establishes that the project triggers resettlement, Projects should develop RAP using **IRVC Template 6** as a guide.
- Development of RAP- Socioeconomic profiling, asset inventory *(see section 4.3* RAP Study
- *Disclosure, sign-off and approval:* Projects and sub-projects under FRILIA should ensure that RAPs are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected. This is essential in achieving *Principle [1.5]*. Additionally, compensation payable should be disclosed to affected persons prior to sign-off (see **IRVC Template 7**for sample sign-off certificate) on all enumerated assets.

4.11 Institutional Arrangement

For successful development, execution, and monitoring of any RAP, a functioning and effective institutional framework is required. An institutional framework therefore establishes the roles and responsibilities of all stakeholders. In developing and implementing RAPs, all projects and sub-projects should establish a robust institutional framework that clearly outlines stakeholders' roles and responsibilities. The institutional framework will serve as the interface for all stakeholders involved in RAP implementation, allowing for close collaboration between the Developer, Sokoto State Government, traditional leaders, NGOs and affected communities, among other relevant stakeholders.

4.12 Implementation Budget

The implementation budget outlines the cost of developing, executing and monitoring the RAP. At this point, it is not conceivable to estimate the exact number of people who may be affected by potential FRILIA resettlement activities because technical designs/details for subsequent projects have not yet been developed, and needs/use for land has not been established. When these locations become known, and after the finalization of the site-specific socioeconomic baseline study, information on specific impacts, and developing compensation measures to mitigate impacts, the project shall prepare a detailed and accurate budget for the RAP. An indicative budget should cover the following.

- Payment of compensation for land, crops, economic trees, buildings and other unexhausted improvements made to the land.
- Cost of resettlement allowances
- Cost of disclosure
- Cost of livelihood training
- Cost of implementation of RAP
- Cost of procurement and management
- Cost of replacement housing
- Cost of monitoring and audits

4.13 Monitoring & Evaluation

Monitoring and evaluation aim to identify and rectify implementation challenges confronting RAP. More specifically, monitoring and evaluation are critical to the success of any resettlement project because it verifies that the Resettlement Plan is being followed. The evaluation process of the RAP ensures that the resettlement benefits and options being delivered to the PAPs are coherent with the resettlement outputs in the RAP, in line with FRILIA principles.

In planning a RAP or LRP under FRILIA, projects shall develop a robust monitoring and evaluation plan and set the following performance indicators by which inputs and outputs can be monitored.

- Proper communication with affected people and communities
- Timely implementation of compensation packages
- Timely handing over of housing, where applicable
- Verification of payment/delivery of compensation packages
- Transparency of the implementation process
- Paying critical attention to the vulnerable
- Grievance redress
- Absence or prevalence of conflicts

- Continued support from local communities and stakeholders
- PAPs can maintain or improve their standard of living prior to project land-take

In cases where the above indicators are proven to be inadequate to meet the goal of monitoring and evaluation, further indicators capable of measuring the RAP performances shall be developed.

4.13.1 Completion audit

An RAP completion audit is an independent evaluation of the entire resettlement process to understand whether the Project has fulfilled its commitments to resettlement and livelihood restoration and improvement as detailed in the RAP. An essential component of the completion audit is to ensure that all forms of compensation to project affected persons have been dispensed/delivered. The completion audit will ensure that actions prescribed in the RAP/ARAP/LRP have achieved the desired effect. Services of an external party/consultant should be engaged to carry out the completion audit following the implementation of the RAP.

4 TEMPLATES

The list of templates required for the Involuntary Resettlement, Valuation and Compensation (IRVC) toolkit are outlined in Table xxx below:

Table 5: Template required for Involuntary resettlement and compensation

CDP Templates	
IRVC Template 1	Screening checklist for identifying cases of involuntary resettlement
IRVC Template 2	Cut-off date notice
IRVC Template 3	Valuation Form
IRVC Template 4	Land Parcel Survey Form
IRVC Template 5	Socioeconomic Data collection tool
IRVC Template 6	RAP Outline
IRVC Template 7	Compensation payment Sign-off certificate
IRVC Template 8	Outline for Market Survey
IRVC Template 9	Valuation Report Format
IRVC Template 10	Compensation Schedule
IRVC Template 11	Updated SSG valuation rate in line with current market rates
Other FRILIA Templates	
OG Template 2	Out-grower Model