

TERMS OF REFERENCE

To develop a plan to implement the Resettlement Action Plan (RAP) of ECOWAS Regional Electricity Access Project (ECO-REAP)

I. BACKGROUND OF THE PROJECT

The ECOWAS-Regional Electricity Access Project (REAP), a part of a Series of Projects (SOP) being implemented within the ECOWAS region, with a long-term view to achieving electricity distribution expansion within the Region. Funded by the IDA/World Bank, the SOP aims to increase the number of people in West Africa with access to reliable and affordable electricity, as articulated in the ECOWAS White Paper of 2006 for Increasing Access to Energy Services to People of the Sub-region.

The SOP consists of two Phases, which plan to provide 2.5 million people across six countries in West Africa, namely Guinea-Bissau, Niger, Mali, Senegal, Mauritania, and The Gambia with electricity. Phase I of the SOP is to provide access to 1.1 million people in Guinea-Bissau, Mali, and The Gambia. In The Gambia, this Phase will finance the expansion of medium and low-voltage networks from the two high-voltage 225/33 kV substations (in Soma, Lower River Region–LRR, and in Brikama, in West Coast Region–WCR) being built under the OMVG¹ Energy Project. It is expected that this will transform the power sectors of these countries and enable them to achieve their common objective of delivering more power to more consumers.

The second Phase of the SOP (Phase II) will finance the reinforcement and extension of the distribution network (MV and LV) in Senegal, Niger, Mali, Cote d'Ivoire, and Mauritania, and within the context of the ECOWAS White Paper of 2006, additional member countries will be included later (potentially through additional financing).

These participating countries will benefit from attracting larger contractors to ensure timely implementation, and furthermore, the regional approach facilitated by ECOWAS will be used to disseminate lessons learned from the World Bank's global access experiences, which will be shared with participating countries to implement the access agenda.

Project beneficiaries

In The Gambia, the Project's beneficiaries will include households, small businesses, and public institutions (including local governments, schools, and health clinics), which will be connected to the electricity grid. The project will be implemented in three Regions, viz: Lower River Region (LRR); North Bank Region (NBR); West Coast Region (WCR); and Central River Region (CRR-North and South).

The project will reduce or eliminate the connection charges of these beneficiaries and will also deploy prepaid meters to enable beneficiaries to manage their own consumption without the risk of the physical disconnection process that can arise because of unpaid monthly bills. Thus, the Project is expected to have a transformative impact on the beneficiaries, both in the short-term and long term.

A Resettlement Action Plan (RAP) was prepared because the World Bank's Operational Policy, OP/BP 4.12 requires one when peoples' assets (including land, livelihood, or access to livelihood) are negatively impacted by a Bank financed project and to minimize and compensate for the losses incurred by project affected persons. Similarly, The Gambia's Land Acquisition and Compensation Act,

¹ OMVG – "Organization pour la Mise en Valeur du Fleuve Gambie", is the French acronym for Gambia River Basin Development Organization ; OMVS – "Organization pour la Mise en Valeur du Fleuve Sénégal" is French acronym for Senegal River Basin Development Organization.

1991, also provides for compensation in cases of involuntary resettlement although it does not specifically require the preparation of a RAP. As this project is receiving funding from the World Bank, a RAP was prepared in accordance with OP/BP 4.12 and national laws.

The Environmental and Social Impact Assessment (ESIA) study has identified potential impacts of loss of land and trees or both and temporary loss of revenue because of the Project. The study has also considered alternative choices for the transmission line trajectories as well as the various design options with the aim of identifying options with the least environmental and social impacts. These include avoidance of built-up areas, forests, fruit trees and environmentally and socially sensitive sites as much as possible.

In this regard, the RAP identified the social impacts of the Project, assessed their scale, and identified the affected persons who will need to be compensated in conformity with the World Bank's Operational Procedures (OP 4.12), and Gambia's Land Acquisition and Compensation Act (LACA), 1991.

It concluded that the Project led to temporary economic displacement of people along the various transmission corridors potentially leading to loss of income, sources of income, and access to natural resources that constitute their livelihoods.

. More specifically the RAP seeks to:

- minimize, as much as possible, involuntary resettlement
- mitigate adverse impacts
- ensure that the affected persons that must leave their living environment and / or lose part of their property or assets following implementation of the project:
 - are compensated for these losses
 - are supported to restore their livelihoods
 - become beneficiaries of the positive impacts of the Project

The objective of the RAP implementation, therefore, is to ensure that those whose livelihoods and property/dwellings affected by the Project are compensated for their losses, and their standard of living improved, or at least restored to pre-project levels for sustenance of livelihoods. More specifically the RAP implementation seeks to:

- reduce the risks of poverty, exclusion, and inequitable access to benefits especially for the vulnerable and marginalized individuals and groups such as women, single-headed-households, elderly, children, etc.
- ensure the Project is socially acceptable to maintain credibility of the implementing authority and funder.

II. THE DEVELOPMENT OBJECTIVE AND PROJECT COMPONENTS

Specifically, the project aims to increase grid electricity access in the Republics of Guinea-Bissau, Mali, and The Gambia. It is expected to substantially increase the access to electricity to reach an access rate of almost 65 percent and 25 percent, in The Gambia and Guinea Bissau respectively, while Mali will increase its electricity access rate to 37 percent.

The Project consists of the following three components:

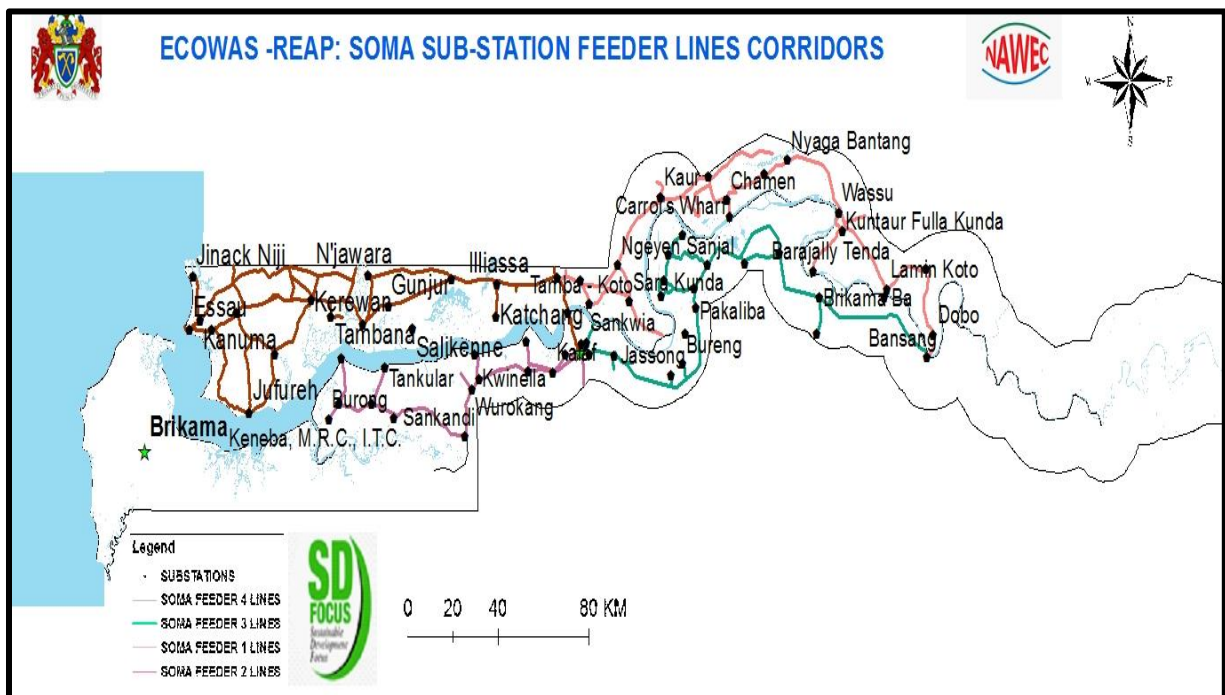
- i. component 1: Design, supply, and installation of electricity distribution infrastructures (medium voltage - MV and Low Voltage - LV)

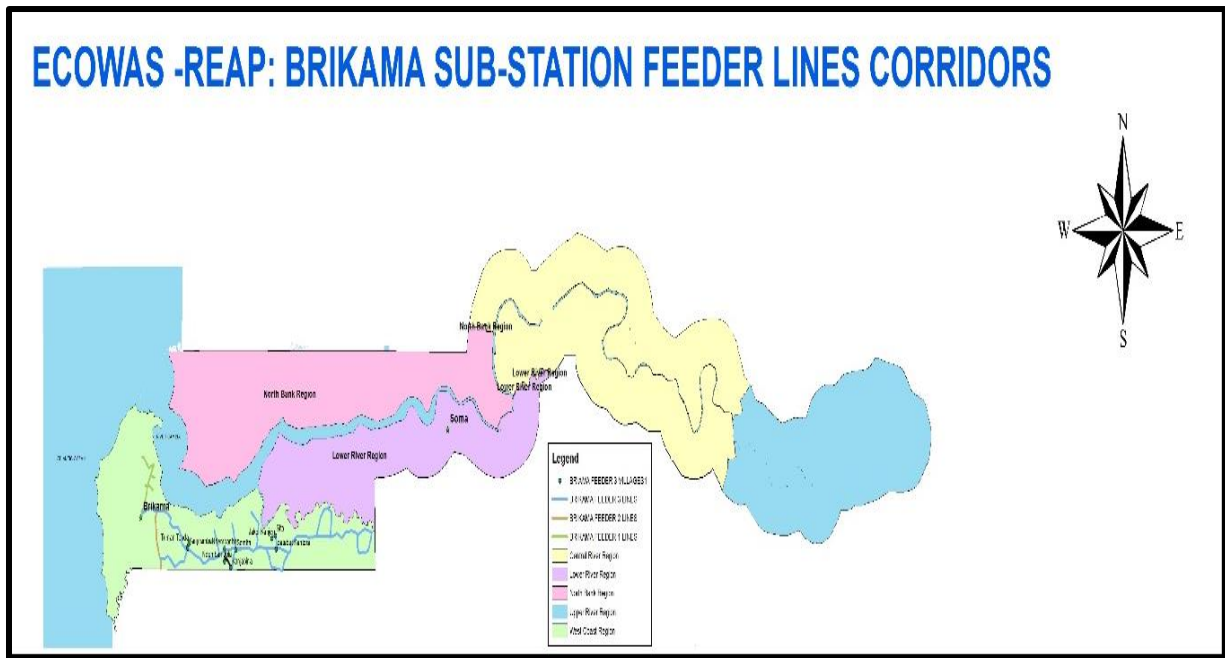
- ii. component 2: Construction supervision and technical advisory
- iii. component 3: Technical assistance and Project management.

The RAP is triggered by Component 1, which involves:

- infrastructure for 33/30 kV Medium Voltage lines
- distribution substations of 33/30 kV / 400V in each of the villages
- construction of 400V Low Voltage (LV) lines within the identified villages
- supply and installation of last-mile connection equipment, including service drops, prepaid meters, and ready boards for LV customers.

III. PROFILE OF PROJECT AREA





a) Project Location

In The Gambia, the Project’s beneficiaries will include households, small businesses, and public institutions (including local governments, schools, and health clinics), which will be connected to the electricity grid. The project will be implemented in four Regions, viz: Lower River Region (LRR); North Bank Region (NBR); West Coast Region (WCR); and Central River Region (CRR-North and South).

b) Description Land use as noted in the RAP

Most of the proposed line corridors in the project Regions run through predominantly agricultural land, used for cultivation of a variety of crops including groundnut, maize, millet, rice, etc. The populations are mainly subsistence farmers; the proposed lines will pass, for the most part, through the farmlands, behind the communities, rather than through them.

IV. CATEGORIES AND TYPES OF IMPACTS AND PERSONS AFFECTED

Categories and types of impacts and persons affected

The categories of project impacts include loss of vegetative cover, farmlands, businesses, and fruit trees that are found along the trajectory of the transmission lines.

1. Loss of vegetative cover: This relates to trimming of eight private fruit trees, during line stringing to make way for the transmission lines which will result in temporary reduction of “green cover”.
- ii. Loss of agricultural land: Each pole constructed on the farmlands will result in the loss of an area 4m² (or 2m x 2m) for the affected farmer. This is the area to be occupied by the pole.
- iii. Loss of land and structures: This involves the permanent loss of land and fence adjacent to the road, and under the proposed transmission line trajectory. Because of the risks of locating MV poles within people’s compounds, the pole and the line will

be outside the compound. As a result, one side of the compound's fence will be moved back three meters from its current position, to allow the MV pole to be located outside the compound.

- iv. Temporary loss of earnings: Economic operators along line trajectories of the transmission lines would potentially close shop to allow line construction to proceed to avoid any risks. During this period, the operators would lose business time, and thus lose earnings.

The detail of the project impacted persons and assets are in the two approved RAPs for the feeders connecting from OMVG Brikama and Soma Substations.

V. OBJECTIVES AND RATIONALE OF THE IMPLEMENTATION OF THE RESETTLEMENT ACTION PLAN

Since this project is funded by the WB, and its implementation will result in involuntary resettlement, it is a requirement that a RAP be developed according to the Involuntary Resettlement Policy of the World Bank (OP 4.12). This is because when involuntary resettlement takes place, people lose their land, assets and access to assets, their income, and livelihoods, with or without physical relocation. The effect of these losses on the persons living in the project zone would increase poverty, unless measures are put in place to compensate them for the losses incurred so that the living conditions of pre-project PAPs are recovered or even improved.

The objective of the prepared and approved RAP, therefore, was to provide guidelines for compensation of land and associated asset loss. The aims of the RAP were to:

- i. Reduce the risks of deepening poverty, exclusion, inequitable access to benefits especially for vulnerable and marginalized individuals and groups such as women, women head of households, elderly, children, persons with disabilities, etc.
- ii. Mitigate adverse impacts including those relating to loss of livelihood from the reduced opportunity of collecting plant resources, and this will consequently prevent competition and conflict
- iii. Minimize, as much as possible, involuntary physical and economic displacement
- iv. Ensure that the affected populations that must lose part of their property or assets following the completion of the project, are:
 - Compensated for these losses at full replacement cost
 - That affected livelihoods are restored or improved
 - Sensitize the PAP of the positive impacts of the Project

VI. TASKS

1) Implementation of mitigation measures, land acquisition and livelihood restoration of the approved RAP: The consultant shall be responsible for the implementation of the approved RAP. The consultant will be required to mitigate the adverse effects of involuntary resettlement, while also aiming to improve their standards of living or at least restore them in real terms to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

2) Dissemination of Information and Consultation: The consultant will be responsible for accurate and timely dissemination of information to the PAPs and the Grievance Redress Committees on the resettlement policy, provisions, and approach to land acquisition as per the RAP, time frame for implementation, roles, and responsibilities of implementing agency, and the Grievance Mechanism, and keep accurate records of consultations and communications with PAPs. The consultant must

ensure that appropriate information related to resettlement is disclosed to PAPs in a timely, understandable, accessible, and appropriate manner and format.

The consultant shall sensitize PAPs on their rights, entitlements, and obligations under the RAP. Information to the PAPs shall be disseminated on the possible impacts of the project on the communities' livelihood systems, property and physical assets, and the options available, so they can make informed decisions. The consultant shall explain to the PAPs why land acquisition was necessary, the provisions of the policy and the entitlements under the RAP, and the consultant will keep accurate records detailing communications and concerns between the consultant and the PAP. The consultant will provide regular and timely communications to the PIU on the outcomes of such discussions, especially concerns raised by the PAPs.

The Consultant will also train and sensitize the Grievance Redress Committee on the handling of the complaints and any type of litigation.

3) Land Acquisition: The consultant will facilitate the land acquisition process up to receipt of compensation payment and/or temporary physical displacement, resettlement assistance in consultation with NAWEC PIU and the PAPs.

The consultant will support PAPs to complete the required documents to access compensation cheques. Consultant will facilitate disbursement of compensation cheques. In addition, the consultant will ensure compensatory benefits to women; specifically, ensuring that the financial benefits are distributed equitably among the men and women, as per the RAP.

4) Verification: The consultant shall undertake joint verification with the PIU safeguards team to identify eligible PAPs as per the cut-off date for resettlement entitlement and shall update the database accordingly. The consultant shall verify the information already contained in the RAP and the individual losses of households and validate the same and suggest suitable changes if required.

During the identification and verification of the eligible PAPs, the consultant shall ensure that each of them are contacted and consulted. The consultant shall conduct consultation with the women including women headed households.

Verification exercise shall include actual measurement of the extent of total property loss/damage, and valuation of the same. Prepare and put-up updated data base on individual losses required for preparation of micro-plans to be submitted to NAWEC PIU. After getting approval of the same from NAWEC - PIU, the consultant shall display the list of eligible PAPs in the affected communities for PAPs to verify.

5) Distribution of Identity Files: After finalization of verification the consultant shall distribute identity files to all PAPs. The identity file will include a picture of the head of the household, the extent of loss, and entitlement i.e., compensation and resettlement assistance, as applicable. The identity files are to be signed by the following persons: the PAP, Field Officer of the Consultant, and a safeguard officer of the NAWEC PIU.

6) The final RAP implementation report shall include the following: Category of household, asset lost, compensation and all types of assistance, alternate livelihood options, details of resettlement, specific training requirement for skill up gradation and institutions responsible for training.

7) Disbursement of Assistance and Delivery of Entitlements: The consultant shall assist NAWEC in ensuring all the household obtain their full entitlements under the RAP before being, temporally, physically relocated, to ensure all benefits owed to the PAPs are provided to them, as per the requirements of the RAP. Where options are available, the consultant shall provide advice to PAPs on the relative benefits of each option. The consultant shall assist the PAPs in opening bank accounts

explaining the implications, the rules, and the obligations of a joint account and how she/he can access the resources she/he is entitled to, as per the RAP.

8) Relocation: The consultant shall assist the project authorities in ensuring a smooth transition and guide the households through the resettlement period. In consultation with the PAPs, the consultant shall inform the NAWEC PIU about the date of relocation as suggested by PAPs.

The consultant shall advise the PAPs on utilizing resettlement benefits to create productive assets. Consultant will verify files or documents proving the disbursement of the money or any kind of assistance. The funds will be disbursed against the approved plan for creating productive asset.

9) Grievance Mechanism: The consultant shall make PAPs aware of the grievance mechanism as set out in the RAP and shall assist them to resolve the grievances using this process. The consultant shall always help PAPs to file a grievance application while ensuring professionalism and ethical conduct so that PAPs do not feel pressured or that the process is otherwise compromised. The consultant will not interfere with the decision of a PAP to use the GM and will provide timely information to ensure accessibility of the GM. Should any PAP experience sexual exploitation and abuse/sexual harassment or otherwise any harassment or coercion in the RAP implementation process, the consultant shall ensure all PAPs are made aware of the GM for sensitive complaints.

The consultant shall record the grievance using the grievance monitoring log provided in the RAP and bring the grievance notice to the Grievance Resolution Committee (GRC) within 3 (three) days of receipt of the grievance from the PAPs. The GRC shall write a draft recommendation of resolution of the grievance to NAWEC's safeguards for their consideration. NAWEC's safeguards team may follow this recommendation or amend it for presentation or submission to the GRC meeting.

The Consultant will also train the members of the Grievance Redress Committee on how to handle complaints as prescribed by the World Bank Operational Policies.

10) Coordination between PAPs and NAWEC: The consultant shall facilitate consultation between the PAPs and the NAWEC PIU. This will be archived through meetings with both the NAWEC representatives and the PAPs. All consultations and meetings will be accurately documented, noting date, place, attendees, key outcomes, and concerns, including photo records.

12) Conduct Public Information Campaign: The consultant shall assist the NAWEC PIU to undertake public information campaign at the commencement of the project to inform the affected communities regarding the Resettlement action plan and as per the communication strategy for the project.

13) Awareness Creation on Gender Mainstreaming and Systemic inequalities: Consultant shall carry out awareness programs in the Transmission and Distribution network infrastructure affected areas addressing gender mainstreaming and systemic inequality issues to reduce exclusion, and inequitable access to benefits especially for the vulnerable and marginalized individuals and groups such as women, single-headed-households, elderly, children, etc.

The information/outreach materials (videos, flyers, documents) as well as technical advice from NAWEC PIU, and the WB will be utilized in a timely manner. The consultant will submit to NAWEC PIU an outreach plan that includes frequency of engagement, dates of execution, partners to assist in community and worker outreach (such as Department of Women's Affairs, Ministry of Youth, Culture and Sport, policing, and others).

VII. CONDITION OF SERVICES

i) Duration of Services

The timeline for initiating the RAP implementation will be provided by the PIU. From initiation, the duration of the services will be three months. The consultant shall help NAWEC PIU in all other matters deemed necessary to fully implement the RAP.

All documents prepared, generated, or collected during the period of contract, in carrying out the services under this assignment will be the property of NAWEC. No information gathered or generated during and in carrying out this assignment shall be disclosed by the consultant without explicit written permission of the NAWEC.

ii) Reporting

Reports are to be submitted to NAWEC PIU. All supporting documents such as photographs, video graphs, maps, primary and secondary information collected, etc., taken during the assignment shall be submitted in support of the reports, along with an electronic copy of the documents.

iii) Deliverables:

The following deliverables must be submitted:

- a) **Inception Report:** The consultant shall submit to the NAWEC PIU an inception report detailing plan of action, the team which will implement the assignment deployment, time schedule, and detailed methodology, within 21 working days of the commencement of the assignment. The monthly progress report shall have to be submitted before 10th of the following month. See section 7.ii for the required team composition.
- b) **Monthly Work Plan:** The work plan for each coming month shall be submitted in the monthly meeting along with that of the current month clearly showing site visits, targets vis-a-vis achievements, and various other elements.
- c) **Consultation record keeping:** The consultant shall document in full detail, the consultation processes (including dates, time, location, persons present, efforts to ensure women and other vulnerable groups attended and participated, noting if they are community meetings or individual/one on one meeting, etc. Photos of consultations shall only be taken with the expressed consent of participants and should be noted in consultations notes that consent was asked for and if it was obtained. No photos shall be taken of children and of women participating in women only focused discussions. Any concerns or issues which may be raised during consultation by PAPs why may impact implementation of the RAP should be brought to the attention of the PIU within 24 hours.
- d) **Training:** full description of the training imparted (or facilitated) as part of the assignment (The GRC will need to be trained on how to manage complaints).
- e) **Draft Final Report:** Consultant shall submit a Draft Completion Report at the end of the contract period summarizing the actions taken during the project, the methods used to carry out the assignment, and a summary of support, compensation and assistance given to the PAPs. This draft will be reviewed by NAWEC and commented upon. The progress archived in land acquisition as per entitlements shall be documented and shall be submitted to the NAWEC PIU as a part of the monthly progress report.
- f) **Final Report:** Consultant shall submit final completion report complying all the remarks / comments of NAWEC PIU, the World Bank on Draft Final Report at the end of the contract period summarizing the actions taken during the project, the methods used to carry out the assignment, and a summary of support, compensation and assistance given to the PAPs.

- g) Participation in Periodic Review Meeting of PIU:** Consultant’s Team Leader shall participate in the periodic review meetings of the PIU to discuss about the progress of the assigned tasks, issues, and constraints in carrying out any specific task, etc.
- h) Submission of Meeting Records:** Minutes of the meeting shall be prepared for all the meetings with NAWEC PIU and PAPs, GRC Meetings, various consultations with the PAPs, consultations with respect to shifting of community assets, joint verification of affected land and structures, etc., shall need to be recorded and submitted to the NAWEC PIU.
- i) Submission of Micro Plans:** All micro plans (this includes the resettlement plan, livelihood

iv) Data, Services and Facilities to be provided by the Client: The NAWEC PIU will provide to the consultant copies of the Transmission and Distribution network Resettlement Action Plan, PAP database, land acquisition details, and any other relevant and available reports / data related to the respective project.

V) Time Schedule

It is estimated that the consultancy services shall be required for a period of minimum three months given previous experience with RAPs for activities related to medium voltage transmission lines, for a possible upward limit of six months. The consultant shall carry out all assigned tasks based on the milestones as set out by NAWEC. The period of service shall be extended, if found necessary and based on the performance of the consultant, for a period mutually agreed upon by both the parties (NAWEC and the consultant / the consultancy firm). The PIU will notify the consultant by the end of the second month if an extension is required.

vi) Payment

All payments will be linked to the completion of tasks as per milestones assigned by NAWEC which will be provided upon awarding of the contract. The payment to the consultant will be made against outputs as given above, and per the payment schedule.

vii) Team for the Assignment

The NGO/consultant firm shall dedicate a team of professionals to the site. The constitution of the Core Team and their required qualification and experience shall be as follows.

Position	Number required	Qualification/Experience
Project Manager / Team Leader	1	Project Manager/Team Leader should be a post-graduate, preferably in social sciences with financial management background. S/he should have 10 years’ experience in implementation of resettlement plans and development of reports with good knowledge on GIS and mapping of Project affected area and PAP plots of land. S/he should have held responsible position in the previous assignments and should possess participatory management skills. Knowledge of local language (Mandinka) will be a good asset.
Social Specialists as Community Facilitators	2	The social specialists should have a graduate or post- graduate or equivalent in social sciences with at least five years field experience. They shall have experience in implementation of resettlement in project development works with knowledge of

		<p>prevailing resettlement policies including WB policies, and knowledge of social inclusion/working with vulnerable groups, and gender-based violence. They Should have at least five years of experience in community consultation (including one with demonstrated experience with gender-sensitive consultation approaches and working with women community members to create safe-spaces for discussion). Knowledge of the local language and experience of working in The Gambia are desired.</p> <p>At least one of the social specialists will be an experienced woman-consultation facilitator to be able to conduct meetings with women and also attend all consultations and participate/help facilitate.</p> <p>At least one of the two social specialists shall have knowledge about good financial and administrative management practices.</p>
Land Acquisition Specialist	1	Should be a graduate or equivalent in the social sciences with five years field experience in Land Acquisition, using maps to identify PAP assets, should have knowledge of prevailing land acquisition and compensation Act and WB policies.

APPENDICES

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2. Details of joint verification
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4. Details of consultations carried out with PAPs (including summary of key questions, concerns, and answers by the team to the PAPs; list of names)
5. Training and Support given to PAPs for income restoration
 - a. Coordination with Government Departments
 - b. Linkages with suitable schemes
 - c. Identification of skill sets of PAPs
 - d. Details of training imparted
 - e. Outcome of training
6. Disbursement of compensation package
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9. Details of Consultation in Scheduled Area
 - a. Consultation with Affected Households
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10. Awareness creation of gender equality and other social issues
 - a. Awareness creation on gender equality issues and other social issues
 - b. Health care facilities and working conditions of women in construction sites
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