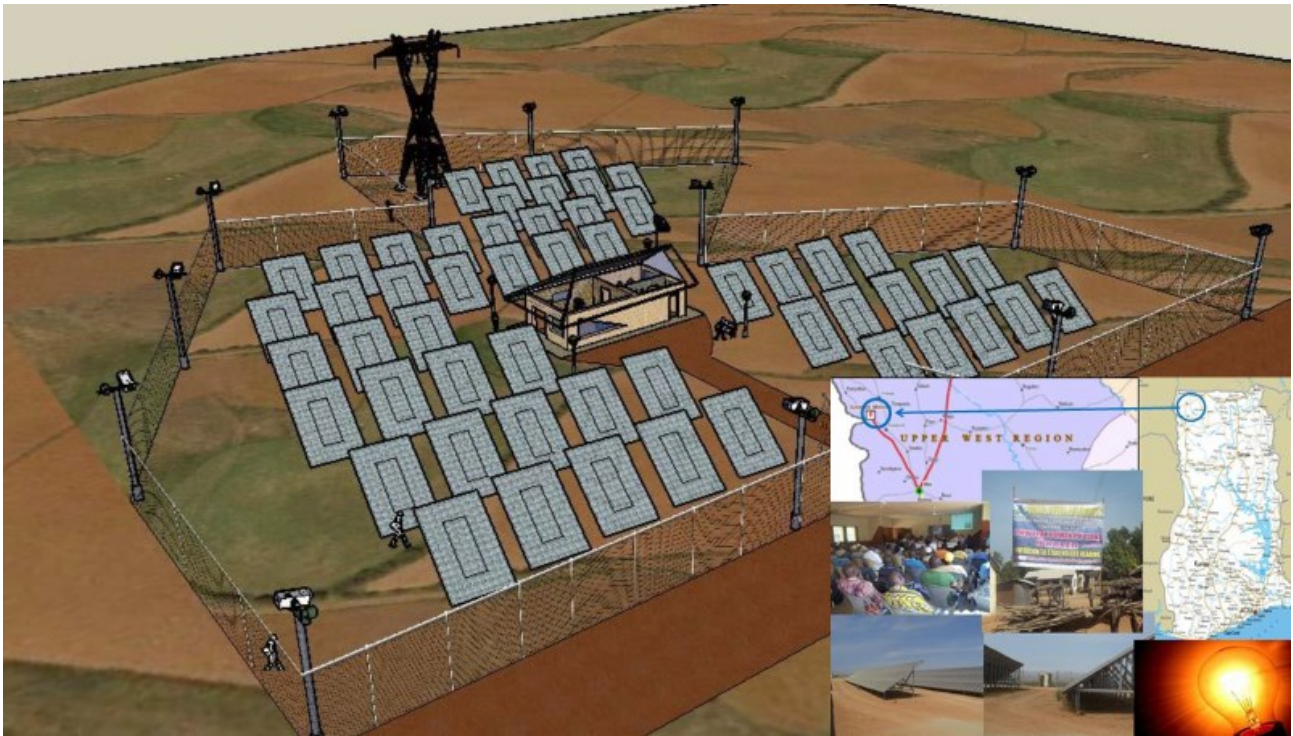


# 35MW Solar Power Project: Upper West Regional Project Sites



## Land Acquisition & Resettlement Plan



**VOLTA  
RIVER  
AUTHORITY**

**JANUARY 2020**

### CORPORATE ENVIRONMENTAL POLICY STATEMENT

The Volta River Authority (herein referred to as "the Authority") is a public power utility and supplies electricity to industries and mining companies as well as distribution companies in Ghana. The Authority commits to ensuring continuous improvement of environmental performance that minimizes potential impacts of all its operations on the environment in accordance with the principles of sustainable development and complying with national and international environmental protection regulations.

In respect of the above, VRA will:

1. Make environmental considerations a priority in all business planning and decision-making and comply with relevant national and international environmental protection regulations.
2. Take reasonable steps to mitigate the impact of its actions with regard to the development, operation and management of its assets.

VRA will thus pursue the following specific objectives:

- a. Develop and implement Environmental Management Systems for all its business units to:
  - i. Assess environmental impact of processes, operations and products.
  - ii. Focus on pollution prevention and waste reduction.
  - iii. Ensure compliance with national/international environmental protection regulations.
  - iv. Set annual environmental targets to ensure continuous improvements.
  - v. Monitor and report on environmental performance as required to the appropriate stakeholders.
- b. Ensure minimum environmental impact of VRA's projects and take adequate steps to mitigate any such anticipated adverse impacts as far as is practicable.
- c. Promote environmental awareness and individual sense of responsibility among its employees through print material for distribution, safety meetings, and the corporate website which will continue to be updated, and provide adequate empowerment and training for personnel to perform environmental jobs satisfactorily.
- d. Support research efforts on materials, products, processes and pollution reduction techniques that are directly related to its operations.
- e. Contribute to the development of public policy and programmes that enhance environmental awareness and protection.
- f. Promote open communication on environmental issues.
- g. Undertake projects and programmes in collaboration with relevant agencies to preserve the Volta Lake resource, and reasonably restore/mitigate ecological imbalance caused by the creation of the lake.
- h. Undertake projects and programmes to mitigate the impact on the livelihood of individuals and communities displaced or affected by VRA's developmental projects.

VRA shall design evaluation procedures for all processes that fall under this policy to ensure that these processes comply. Deficiencies, in the policy or in the evaluation procedure, shall be addressed as required. Each employee of VRA is charged to exercise his or her responsibility on behalf of VRA to assure that the intentions of this Policy Statement are diligently carried out.

Approved: .....

Emmanuel Antwi-Darkwa  
CHIEF EXECUTIVE

Date: 18-6-2019



## REPORT DETAILS

<b>Title:</b>	Land Acquisition & Resettlement Plan (LARP) for the proposed 35MW Solar Power Project: Upper West Regional Project Sites
<b>Report Description:</b>	<p>This LARP forms part of a series of reports and information sources that are being provided during the environmental and social impact assessment process for the Project.</p> <p>The EIA is a process designed to ensure that new developments, and extensions to existing developments, are located and designed in such a way as to minimise environmental impact. and that all concerns are addressed as a project gains momentum through to implementation.</p> <p>Specifically, the LARP is to help VRA seeks to keep stakeholders informed on the land acquisition and compensation process.</p>
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<b>Mapping:</b>	Engineering Services Department, VRA
<b>Date:</b>	January 2020

## DOCUMENT CONTROL SHEET

REPORT TITLE:

**35MW Solar Power Project: Upper West Regional Project Sites - Land Acquisition & Resettlement Plan**

**DATE: JANUARY 2020**

**REPORT STATUS: DRAFT**

**PROPONENT: VOLTA RIVER AUTHORITY**

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## ABBREVIATIONS

DBH	-	Diameter at Breast Height
EHS	-	Environmental Health and Safety
EIA	-	Environmental Impact Assessment
EP	-	Equator Principles
EPA	-	Environmental Protection Agency
EPC	-	Engineering, Procurement and Construction
EPFI	-	Equator Principle Finance Institution
ESDD	-	Environment and Social Due Diligence
ESIA	-	Environmental and Social Impact Assessment
ESS	-	Environmental and Social Standards
ESSF	-	Environmental and Social Standards Framework
FC	-	Financial Cooperation
FIDIC	-	International Federation of Consulting Engineers
GEDAP	-	Ghana Energy Development and Access Project
GMMB	-	Ghana Museums and Monuments Board
GoG	-	Government of Ghana
GPS	-	Global Positioning System
GRIDCo	-	Ghana Grid Company
GRM	-	Grievance Redress Mechanism
IFC	-	International Finance Corporation
ILO	-	International Labour Organization
KfW	-	Kreditanstalt für Wiederaufbau
LARP	-	Land Acquisition and Resettlement Plan
LC	-	Lands Commission
LMC	-	Local Mediation Council
LRP	-	Land Restoration Plan
M&E	-	Monitoring & Evaluation
NEDCo	-	Northern Electricity Distribution Company
PAP	-	Project Affected Person
PEA	-	Project Executing Agency
PPP	-	Public-Private Partnership
PV	-	Photovoltaic
RAP	-	Resettlement Action Plan
RoW	-	Right of Way

## EXECUTIVE SUMMARY

1. The “35MW Solar Power Project: Upper West Regional Project Sites” (hereinafter referred to either as the “Project”) is a solar power project in development, located within Kaleo in the Nadowli-Kaleo District and Lawra in the Lawra Municipal, all in the Upper West Region of Ghana. The Project Executing Agency (PEA) is the Volta River Authority (VRA), a public utility company, established on April 26, 1961 under the Volta River Development Act, 1961 (Act 46) of the Republic of Ghana with the mandate to generate, transmit and distribute electricity and is partly financed by the KfW Development Bank (KfW). Details of the VRA can be accessed on its website [www.vra.com](http://www.vra.com).
2. The project is being developed in two phases by utilizing four (4) separate sites with a total land area of 49.79Ha. Developments activities under Phase 1 will allow for relevant modifications and ease of installations for those under Phase 2. Constructional activities for Phase 1 are expected to commence latest by June 2019, and depending on financial closure, that of Phase 2 is targeted by March 2020. Thus, based on the timing of financial closure for Phase 2, project construction for both phases may run concurrently.
3. VRA as a matter of policy, considers involuntary resettlement as an integral part of project design, and deals with resettlement issues from the earliest stages of project preparation. This has been applied to this project. Implementation of the resettlement exercise is already underway, and land search commenced in 2010. Consultations regarding the EIA and resettlement planning have been ongoing since with the relevant state institutions, traditional authorities, community members and Property Affected persons. Land and crops were fully compensated for by June 2019. Registration of the lease at the Upper West Regional Lands Commission Office at Wa, commenced in March 2019 and completed in August 2019.
4. VRA is however yet to prepare a formal documentation to inform stakeholders on the process of the land acquisition and resettlement associated with the project. It is for this reason that the VRA has prepared this “*Land Acquisition & Resettlement Action Plan for the “35MW Solar Power Project: Upper West Regional Project Sites”*”. This is to ensure that the planned development of the solar power plant and associated land acquisition and involuntary resettlement actions at Kaleo and Lawra does not cause major adverse impacts among the people affected and is effectively communicated. It also to help conceive of and execute resettlement activities in a socially responsible manner as sustainable development programs, providing enough resources to enable persons displaced by the project to share in project benefits.
5. Land compensation was paid to four landowners who voluntarily leased out their plots as well as economic trees that are found on them. VRA acquired the lands for the PV sites through voluntary means and private treaties and therefore there is no involuntary acquisition associated under this

project. Compensation was assessed based on an arm's length discussions on current market values within the neighbourhood. In actual sense the final value of amount payable for the land is a negotiated sum. In line with established procedures, compensation have been paid in full to the landowners for both the lands and economic crops. VRA negotiated with the Land-owning families and obtained Leases from them. A term of fifty (50) years each was granted. In order to establish a cordial and continuous relationship between the Landowners (Lessors) and VRA (Acquiring Agency - Lessee), parties also negotiated on the annual ground rent payable by VRA, aside the cost of the land consideration. This arrangement is to accord the landowners some level of rights within the 50-year term. The ground rent is subject to review every 5 years till the lease expires in 31st December 2069.

6. The financial implication of this LARP has been determined to include associated stakeholder engagements, land and crop enumeration, valuation and compensation payments, preparation of leases and various administrative activities for implementation and monitoring and evaluation. To ensure that the project is perfectly managed to its logical conclusion, the project has made the necessary budgetary provisions to ensure that mitigation commitments stated in this LARP and monitoring programs, can be implemented effectively as assessed. The total cost implication for the implementation of the LARP is GH¢985,320.
7. Through the various engagements, the community members have been requested to channel all grievances through the District Chief Executives or their Assembly persons. Currently, a Grievance Redress Mechanism – Operational Manual (June 2016) has been released by the Ghana Environmental Protection Agency. The Manual seeks to ensure an efficient and transparent execution of the GRM process and was developed to provide a standardized mode of addressing grievances across board. It is therefore planned that the strategies recommended in the Operational Manual is to be adopted by the VRA in project implementation.
8. Project affected citizens will be closely monitored on regular basis. Monitoring will be carried out in the compliance with this LARP during the implementation of the Project in order to ensure adequate compensation for the affected parties, restoration and improvement of the project affected parties, protection of the rights of the affected community under relevant Ghanaian laws and World Bank ESS5 - “**Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**” and this LARP, and timely response to any concerns and grievances from the local citizens.

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**1 INTRODUCTION**

**1.1. Background**

The “35MW Solar Power Project: Upper West Regional Project Sites” (hereinafter referred to either as the “Project”) is a solar power project in development, located within Kaleo in the Nadowli-Kaleo District and Lawra in the Lawra Municipal, all in the Upper West Region of Ghana. The Project Executing Agency (PEA) is the Volta River Authority (VRA), a public utility company, established on April 26, 1961 under the Volta River Development Act, 1961 (Act 46) of the Republic of Ghana with the mandate to generate, transmit and distribute electricity and is partly financed by the KfW Development Bank (KfW). Details of the VRA can be accessed on its website [www.vra.com](http://www.vra.com). The location of project districts within the Upper West Region in the context of Ghana is shown in Figure 1-1.

The purpose of the project is the promotion of electricity generation from renewable energy sources. Therefore, the project contributes to an environmentally friendly, cost efficient and reliable electricity supply in Ghana as well as to a diversification of the electricity mix in Ghana in complementarity to the Reform and Investment Partnership between the Government of Ghana and the Government of the Federal Republic of Germany in the energy sector.

The project is being developed in two phases by utilizing four (4) separate sites with a total land area of 49.79Ha. Developments activities under Phase 1 will allow for relevant modifications and ease of installations for those under Phase 2. Constructional activities for Phase 1 are expected to commence latest by June 2019, and depending on financial closure, that of Phase 2 is targeted by March 2020. Thus, based on the timing of financial closure for Phase 2, project construction for both phases may run concurrently. The breakdown of the developmental phases and land sizes to be utilized under the project is as shown in Table 1-1. VRA has consequently embarked on relevant activities to ensure all required permits and licenses have been obtained by preparing the necessary documentations for such approvals, including the acquisition of Environmental permit from the Environmental Protection Agency (EPA) and Construction Permit from the Energy Commission.

**Table 1-1: 35MW Solar Power Project: Upper West Regional Project Sites**

Name	Size (Ha)	Phase 1 (MW)	Phase 2 (MW)	Total (MW)
Kaleo Site 1	10.22	8	0	8
Kaleo Site 2	18.39	0	13	13
Kaleo Site 3	10.18	5	2	7
Lawra	11.00	4	3	7
<b>Total</b>	<b>49.79</b>	<b>17</b>	<b>18</b>	<b>35</b>

*Source: “Requirements for modifications of Phase 1 to accommodate Phase 2 (2018)*

35MW Proposed Solar Power Project: Upper West Region

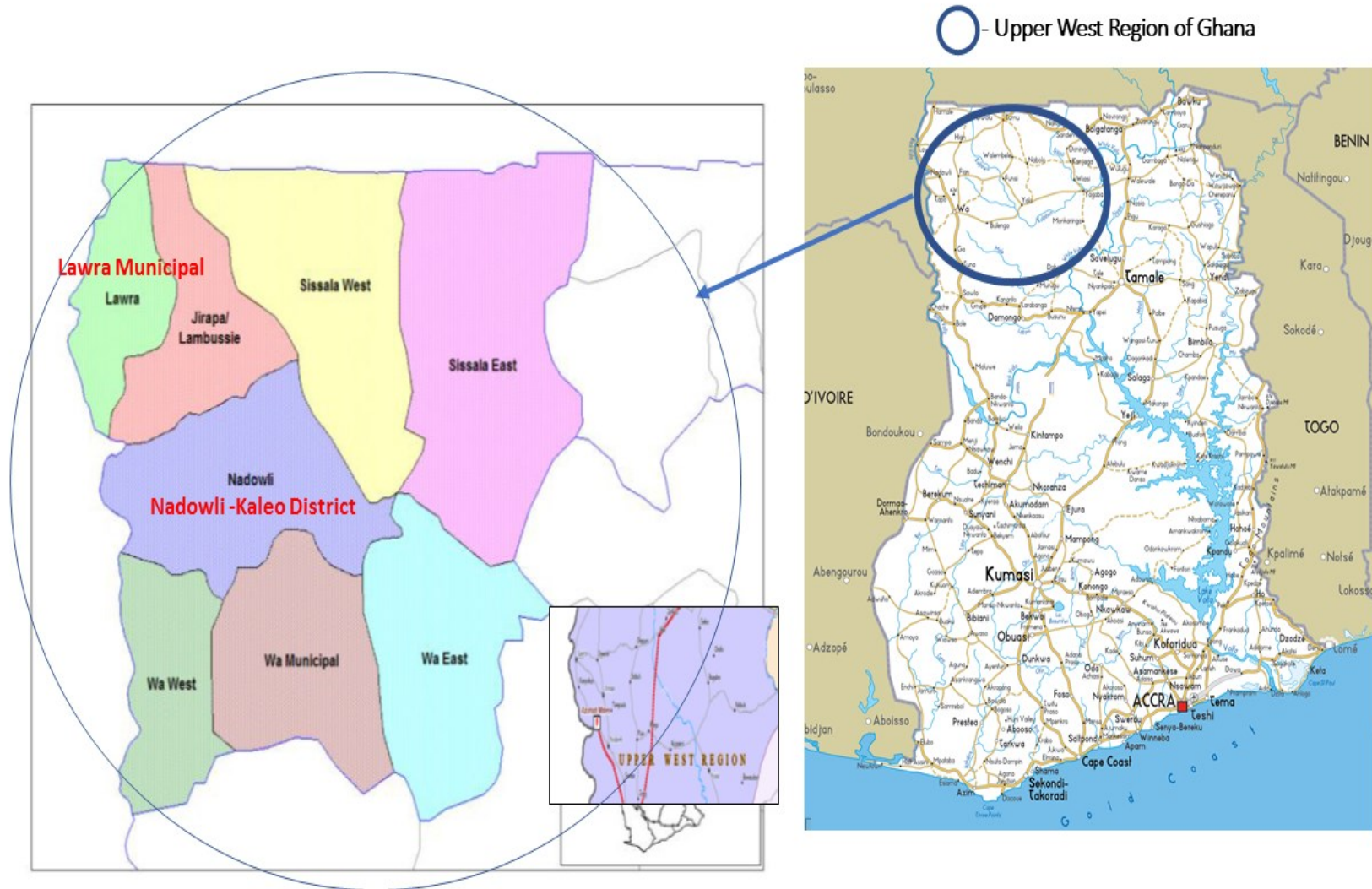


Figure 1-1: Location of Project Districts in the Upper West Region in the Context of Ghana

## 1.2. Objectives of the Resettlement Planning

Properties affected by the project includes land, various economic crops that were available on the land as well as nearby culture properties. Project-related land acquisition and restrictions on land use such as the one associated with this project can have adverse impacts on communities and persons. This may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. Thus, even though the project is expected to have widespread positive impacts on the overall socio-economic status and livelihoods of electricity users within the country and beyond, it could have some minor negative effects to those who may be involuntary displaced from the wayleave.

The planning of resettlement activities is an integral part of preparation for projects that cause involuntary resettlement. The fundamental objective of resettlement planning is to avoid resettlement whenever feasible, or, when resettlement is unavoidable, to minimize its extent and to explore all viable alternatives. Where land acquisition and involuntary resettlement are unavoidable, resettlement and compensation activities are carried out in a manner that provides enough opportunity for the people affected to participate in the planning and implementation of the operation. Subsequently, it is expected that VRA as part of project execution plans to 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 replacement cost and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.

VRA as a matter of policy, considers involuntary resettlement as an integral part of project design, and deals with resettlement issues from the earliest stages of project preparation. In this respect, VRA seeks to avoid land acquisition and involuntary resettlement wherever feasible, and to minimize land acquisition and unavoidable resettlement wherever such is unavoidable. This has been applied to this project, however, VRA is yet to prepare a formal documentation to inform stakeholders on the process of the land acquisition and resettlement associated with the project. Following, an appraisal mission by a team from KfW in January 2020, a request was made for the VRA, as Project Executing Agency (PEA), to conduct a (retrospective) detailed assessment of land acquisition, resettlement, economic displacement and compensation (including the land needed for the transmission lines) and prepare a project specific Land Acquisition and Resettlement Plan (LARP) in compliance with World Bank Environmental & Social Standards 5 (ESS5) - “**Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**”.

It is for this reason that the VRA has prepared this “*Land Acquisition & Resettlement Action Plan for the “35MW Solar Power Project: Upper West Regional Project Sites”*”. This is to ensure that the planned development of the solar power plant and associated land acquisition and involuntary resettlement actions at Kaleo and Lawra does not cause major adverse impacts among the people affected. Specifically, the objectives of VRA Resettlement Planning activities are:

- To conceive of and execute resettlement activities in a socially responsible manner as sustainable development programs, providing sufficient resources to enable persons displaced by the project to share in project benefits.
- Identify and assess all project-related social impacts and risks and develop the appropriate corresponding measures to avoid, minimize, mitigate or compensate them.
- Identify and quantify different categories of Project-Affected Persons (PAPs) who would require some form of assistance, compensation, rehabilitation or relocation.
- Provide measures to assist PAPs to restore their livelihoods and regain and ideally improve their pre-project living standards.
- Generate baseline data for monitoring and evaluation of how well the LARP will be implemented during the project cycle; and
- Recommend cost effective measures for the overall implementation of all resettlement-related activities in accordance to the laws of Ghana and the ESS5.

These policy objectives apply to all direct economic and social impacts that result from the project and that are caused by the involuntary taking of land that results in relocation or loss of shelter, loss of assets or access to assets, or the loss of income sources or means of livelihood, whether or not the affected persons must move to another location. Further, these policy objectives apply to all components of the project that result in involuntary resettlement, regardless of the source of financing.

The LARP is part of the suite of documents in place to guide the mitigation of the various aspects of the environmental and social impacts associated with the implementation of the “**35MW Solar Power Project: Upper West Regional Project Sites**”. It is therefore important that the implementation of this LARP is linked to the requirements of these documentations. The documentations include the following:

- a. Environmental Impact Assessment (EIA) for the 35MW Solar Power Project – Upper West Regional Project Sites, Final Report. September 2019
- b. Stakeholder Engagement Plan (SEP) for the 35MW Solar Power Project – Upper West Regional Project Sites, Final Report. January 2020

**1.3. Structure of LARP**

The World Bank Environmental & Social Standards 5 (ESS5) - “**Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**” indicates the scope of which a Resettlement Action Plan should be prepared. According to ESS5, the scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is expected to be based on up-to-date and reliable information about:

- a. The proposed project and its potential impacts on the displaced persons and other adversely affected groups,
- b. Appropriate and feasible mitigation measures, and

- c. The legal and institutional arrangements required for effective implementation of resettlement measures.

From the environmental and social impact assessment process, lands were acquired from four (4) separate families for the project. On these lands were some economic trees that must be paid for. This acquisition was however through and private treaties. There has not been any compensation for the associated Right of Way as this was developed within existing Right of Way of sub transmission lines and or roads wayleaves. Considering, the numbers of the affected persons, the minimum requirements for a Resettlement Action Plan as required under ESS5 has been adopted in the preparation of the LARP for the project. Subsequently, the LARP for the project has been structured as shown in Table 1-2 to ensure adherence to international standards.

Table 1-2: Structure & Content of the LARP

Title	Content
Executive Summary	
Chapter 1: Introduction	Background and main objectives of the resettlement program.
Chapter 2: Project Description	General description of the project and identification of the project area.
Chapter 3: Legal Framework	The findings of an analysis of the legal framework
Chapter 4: Institutional Framework	The findings of an analysis of the institutional framework covering
Chapter 5: Potential Impacts	Identification of the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;
Chapter 6: Socio-Economic Profile of Project Affected Persons	The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project.
Chapter 7: Eligibility.	Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
Chapter 8: Valuation of And Compensation for Losses.	The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
Chapter 9: Community Participation	Involvement of displaced persons (including host communities, where relevant)
Chapter 10: Implementation Schedule.	An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

Title	Content
Chapter 11: Costs and budget.	Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
Chapter 12: Grievance Redress Mechanism.	The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
Chapter 13: Monitoring and Evaluation.	Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.



## 2 PROJECT DESCRIPTION

### 2.1. Overview

As shown in Table 1-1, the “**35 MW Solar Power Project Phase: Upper West Regional Project Sites**”, is being developed in two phases and developing land areas within Kaleo and Lawra. Developments activities under Phase 1 will allow for relevant modifications and ease of installations for those under Phase 2. In the case of Lawra and Kaleo Site 3, modifications in network connections needed to allow easy installation of the solar capacity under Phase II would be provided under the Phase I Project. The scope of the project are as follows:

- Feasibility study
- Update of Grid connection and Grid Impact Study
- Environmental Impact Assessment Study
- Licensing and permitting of PV plant
- Competitive Procurement of EPC contractor
- Entering the required Project Implementation Agreements
- Construction and commissioning
- Operations & Maintenance

An associated 34.5kV sub transmission and water supply systems are to be constructed under both phases. The programme for the sub-transmission line works is critical to the optimum timing for the project and it will be essential to have this infrastructure in place prior to completion and commissioning of the substation. Tractebel Engineering (formerly Lahmeyer International GmbH) as the Owner’s Engineer for the project is responsible for site verifications, design, specification and all technical aspects of the tender and contracting as well as working as specialist environmental advisors. The services also cover the supervision of the whole construction process and commissioning. The procurement of an EPC Contractor, Elecnor SA of Spain was completed in June 2019 and constructional activities commenced in November 2019. The project schedules supplied by the Contractor shall be used by VRA to monitor the overall progress of the work. The Lawra Site is expected to take 7 months to complete whilst that of Kaleo will take 15 months. Depending on the timing of financial closure, project construction for both phases at the various sites may run concurrently to achieve the total of the 35MW PV power plants. Key events shall be clearly identified on all project schedules and be integrated into the program logic. The construction schedule has been created according to FIDIC contract standards and is deemed suitable for both projects. It must be noted however, that the construction time of this type of projects is largely based on the logistics and the manpower of the EPC contractor.

Elecnor SA has provided a Health & Safety Plan, an Environmental Protection Plan as well as a Quality Assurance Plan as part of the contract documentations. These obligations notwithstanding, Elecnor SA is to implement all measures necessary to restore the sites to acceptable standards and abide by environmental performance indicators specified in the EIA Report to measure progress

towards achieving objectives during execution or upon completion of any works. In line with the VRA Local Content Policy, the Contractor is required to have a local component. All sub-contractors for the project shall assume full professional liabilities regarding fulfilment of any statutory requirements and shall be expected to carry out all civil based works in line with VRA approved specifications and drawings as well as national/international standards and codes.

The VRA, as Project Executing Agency, is expected to provide funding for the project. A loan facility from KfW is to be used to partly finance the Phase 1 of the project (17MW), through an on-lending Agreement between VRA and the Government of Ghana, which has since been executed. The amount to be provided was initially for the 12 MW facility (8MW Kaleo and 4MW Lawra), however, due to the falling prices of solar PV equipment, with the same financing facility, VRA is able to realize a total 17MW for the two sites (13W Kaleo and 4MW Lawra). Discussions are ongoing for the financing details for remaining 18MW under the Phase 2 component.

**2.2. Project Setting**

**2.1.1 Kaleo Site**

The project site is located on the eastern side of the Kaleo township within the Nadowli-Kaleo District, formerly known as the Nadowli District. Three sites of land sizes totaling 38.79 Ha, is to be utilised for the Project. The geographic coordinates of the PV Sites at Kaleo are provided in Table 2-1.

Table 2-1: Geographical Coordinates of Kaleo PV Sites

Name	Size (Ha)	Latitude	Longitude
Kaleo Site 1	10.22	10°10'22.89"N	2°32'1.07"W
Kaleo Site 2	18.39	10°10'49.91"N	2°32'4.98"W
Kaleo Site 3	10.18	10°10'49.91"N	2°32'4.98"W

The terrain of the three (3) project sites are mostly flat with a slight slope towards south. They are rectangular shaped which is regarded as suitable for PV installation. However, it needs to be adequately prepared for some part. Kaleo is an attractive site for PV development due to its direct access to the distribution grid and the flat terrain surface. This indicates that ramming the foundations of the support structure will be possible. The only significant constraint which needs to be considered for the future operation is the anticipation of the growing of the town and farms towards the PV area. Consequently, safety margins close to property borders are essential not only for safety reasons but also to avoid any energy production losses from shadows (small houses, pylons etc.). It is recommended to re-establish the existing footpath at the north of the site. This path is used by dwellers from the town to arrive at their farms. Keeping those paths would certainly prevent any conflicts.

The sites are all degraded and characterized by annual bush fires, continuous farming, and animal grazing. Parts of the area were previously used as a major farmland but is now mainly fallow. It is

now used partly for farming of annual crops and legumes as well as animal grazing. Specifically, some tall trees, comprising mostly of Dadawa, Sheanut, Red Flowered Silk cotton, Neem Trees as well as shrub vegetation exist on the land.

Located within the project vicinity across the main road of Kaleo Site 1 are the Kaleo DA Nursery and Primary schools, and the Church of Pentecost. One key historical resource in Kaleo is the burial ground of the Late Hon. Jatoe Kaleo, who died on June 6, 1998. This site is about 500 m to the Kaleo Site 1. The Late Hon. Jatoe Kaleo was one of the leading Ghanaian politicians who led Ghana into independence. The Kaleo Police Station and the Ahmadiya Mission Hospital are both located close to the western side of the Kaleo Site 2. There are 2 Fulani nomadic settlements, one just outside the Kaleo Site 2 and the other located within the site, made up of 2 hamlets. Discussions with the landowner indicate these Fulanis was contracted by him to look after his cattle and the landowner himself (upon request by VRA) will oversee and provide for the adequate resettlement to another equivalent plot on his property for them.

As shown in Table 1-1, Kaleo Site 2 is to be utilised for the Phase 2 Development which is planned for September 2020 and therefore the Fulani shall not directly be affected by the Phase 1 developmental activities. The neighbouring features around the immediate impact of the project area and their coordinates as well as distances from the project sites are shown in Table 2-2 and a satellite view shown in Figure 2-1. See Appendix 1 for images of the Kaleo Site.

**Table 2-2: Neighbouring Infrastructure Within the Impact Area of the Kaleo PV Sites**

Name of Infrastructure/facilitie	Latitude	Longitude	Distances (km)		
			Site 1	Site 2	Site 3
Kaleo Police Station	10° 9'56.28"N	2°32'24.91"W	1.1	0.48	1.76
Ahmadiyah Mission Hospital	10°10'10.81"N	2°32'30.27"W	0.96	0.72	1.42
Kaleo R/C Primary	10°10'19.27"N	2°32'32.54"W	0.96	0.93	1.26
Kaleo DA Nursery	10°10'27.62"N	2°32'20.89"W	0.62	0.93	0.84
Kaleo DA Primary School	10°10'35.84"N	2°32'5.12"W	0.42	1.12	0.43
Burial Site of Late Hon. Jatoe Kaleo	10°10'27.10"N	2°32'21.66"W	0.64	0.92	0.87
Church of Pentecost	10°10'34.12"N	2°32'15.65"W	0.56	1.1	0.59
Fulani Settlement 1	10° 9'54.26"N	2°32'10.14"W	0.92	0.17	1.72
Fulani Settlement 2	10° 9'58.61"N	2°32'18.41"W	0.92	0.28	1.63
Emmanuel Worldwide Synagogue	10°10'46.92"N	2°32'8.53"W	0.77	1.46	0.14
Kaleo Community Dam	10°10'53.74"N	2°32'32.19"W	1.35	1.8	0.83
Kaleo Site 1	10°10'22.89"N	2°32'1.07"W	-	0.76	0.84
Kaleo Site 2	10° 9'59.70"N	2°32'9.38"W	0.76	-	1.55
Kaleo Site 3	10°10'49.91"N	2°32'4.98"W	0.84	1.55	-

For the Kaleo Sites, an approximately 12.5km overhead line system outgoing from Kaleo PV substation to the 34.5 kV busbar of the Wa GRIDCo Substation will be developed. In order to allow ease of the expansion of Phase I from 12 to 17MW and Phase 2, the general interconnection concept is to extend the Kaleo-Wa MW line to Kaleo Site 3 and for each site to aggregate the PV arrays through a 34.5 kV bus to the MV line. The transmission line is also intended to be upgraded from 23MVA to 30MVA. The Kaleo Site 2 Capacity of 13MW would have a complete Control Room and Substation for evacuation via the Kaleo -Wa MV line. The proposed line is to run parallel to the existing 34.5kV from the Wa GRIDCo to Hamile, and thus no additional wayleave is required, and there is no associated compensation for loss of economic crops.



Plate 2-1: Pictures of Pentecost Church and Kaleo Primary near the Kaleo PV Site



Plate 2-2: Pictures of neighbouring features of near the Kaleo PV Site



Plate 2-3: Pictures of Fulani Hamlets and Police Station near the Kaleo PV Site

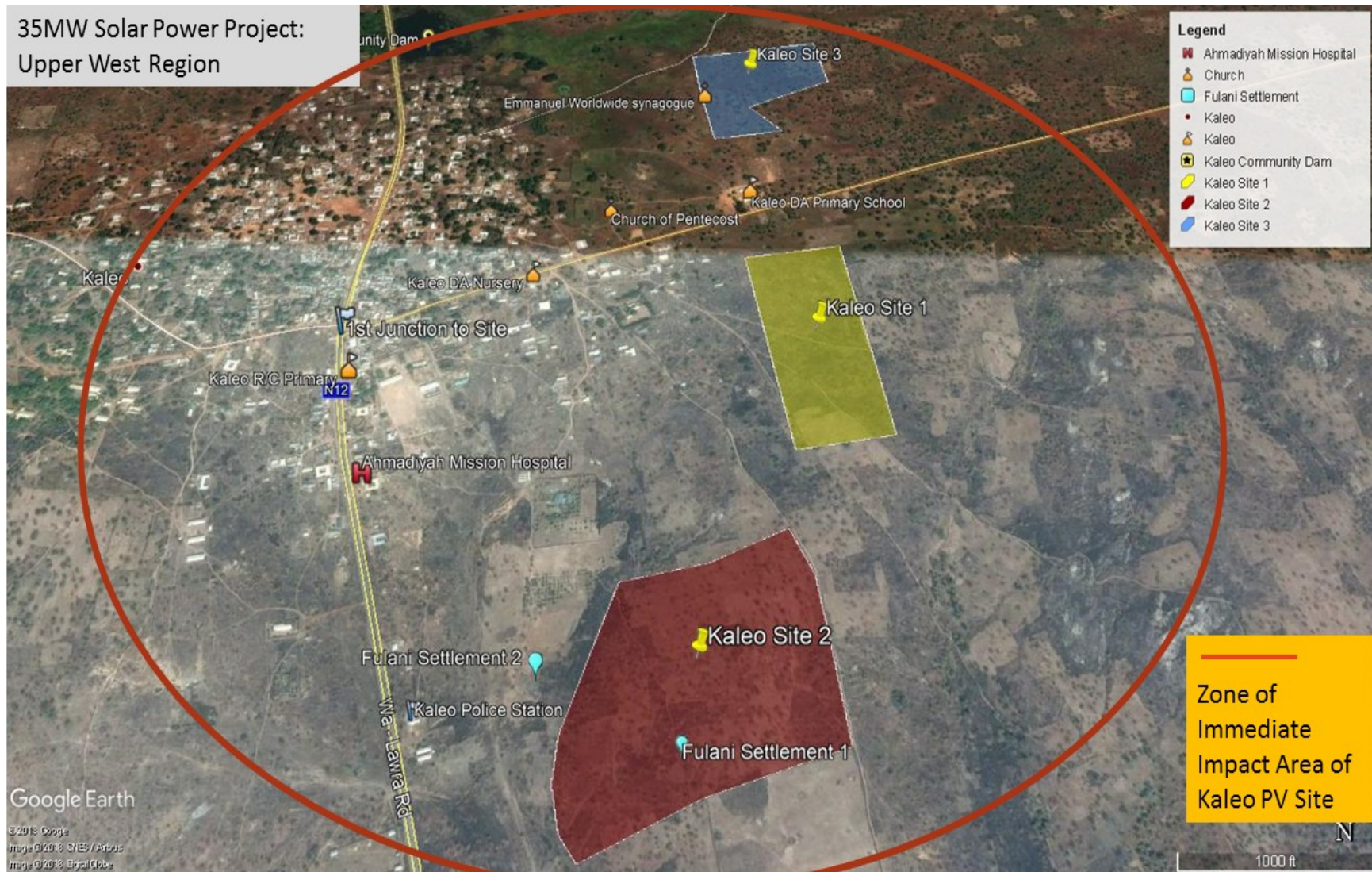


Figure 2-1: Location Map showing relation between Kaleo PV Plants and neighbouring features

**2.1.2 Lawra Site**

The Lawra PV Site is located in Lawra in the Lawra Municipal. The geographic coordinates of the PV Site at Lawra is 10.6624010 N, 2.8992180 W. This site has an area for installation of 11 hectares and the terrain is not completely flat showing small bumps and slight slope descending towards North with 2.5-3% in average. The slope needs to be considered in the design by adjustment of the row to row spacing. Based on the recorded GPS logs, the difference along the longer side of the property next to the road was estimated with 3 m. On each row of the mounting structure two PV modules are fixed in portrait position. Consequently, the distance between the front and back row is set to a minimum value of approximately 2.1 m in order to maintain the annual row to row shading losses to -1.8%. A 3 m bushfire buffer, 8-10 m towards road Wa-Lawra-Hamile is to be established. For the construction of the PV collector field, ground levelling will need to be conducted and tall trees as well as smaller vegetation will have to be removed in the terrain here as well.

The site is located 3.96 km Northwest of Lawra village on the Lawra-Hamile road, which has now been asphalted. There are no settlements on this site, and the land is largely fallow with shrubs and Acacia and Sheanut being the most dominant trees. The land is also used for farming of annual crops and legumes as well as animal grazing. There is an untarred road located on the southern end of the site that leads to the Black Volta, which will serve as access route prior during construction. The waters of the Black Volta serve as the demarcation between Ghana and Burkina Faso. The water body also serves as a recreational facility during public holidays for the youth of Lawra. Just by the side of this road, but outside the project area, is a tree shrine, comprising of Ebony / Nim Tree, known as the Kulbonuo Shrine belonging to the Nuo-ire Family of Lawra.

The neighbouring features close to the Lawra PV sites and their coordinates and distances is shown in Table 2-3 and a satellite view shown in **Figure 2-2**.

**Table 2-3: Neighbouring Infrastructure Within Immediate Impact Area of the Lawra PV Site**

Name	Latitude	Longitude	Distance from Solar Site
Black Volta	10°40'9.79"N	2°54'41.68"W	1.50 km
FSD - Lawra Office	10°39'13.27"N	2°53'22.55"W	1.80 km
Forest Reserve	10°39'16.02"N	2°53'27.82"W	1.64 km

In the case of the Lawra PV plant, a 4.5km of a new sub-transmission line is to be constructed to interconnect the PV Site at Lawra to the existing 34.5 kV Domwini – Lawra Line. It is noted that about 0.5Km section of this new line shall traverse through the Lawra Station Forest Reserve, with a total land area of 143.87 Ha. Out of this the transmission line will cover 0.25ha (150m) in the Lawra Station Forest Reserve, representing 0.17% of the reserve, and the remaining 350m falls within Off-reserve areas. Even though it passes through the Lawra Forest Reserve, the transmission line route will still be within the right of way of the road corridor. The substation to be built at Lawra as part of the first phase would have some minor modifications to accept an additional 3 MWp capacity. This includes

fencing of the additional land and upgrading the evacuation and communication/control facilities for a total station capacity of 7MWp.



Plate 2-4: Site for the Lawra PV Plant During Dry Season



Plate 2-5: Status of Lawra – Hamile N12 Highway Road, near the Lawra PV Site, in 2011 and 2018



Plate 2-6: Site for the Lawra PV Plant During Wet Season





Figure 2-2: Location Map showing relation between Lawra PV Plant and neighbouring Features

### 3 REGULATORY RAMEWORK

#### 3.1. Overview

Currently, various legal requirements exist in Ghana that seek to avoid, and when avoidance is not possible, minimise avoid forced eviction. The Project will need to adhere to such legal requirements to ensure the project is implemented according to the legal structure in place in Ghana. This is particularly relevant if resettlement and livelihood restoration are needed such as the one associated with the proposed solar project. A list of relevant corporate and national policies as well as national legal framework and international standards that guides project and acquisition are outlined below. As the Project Executing Agency, the VRA will need to ensure that all relevant legal requirements, both local and international, with regards to land acquisition and resettlement planning.

#### 3.2. Corporate Policies

VRA has developed corporate policies regarding environmental and social protection, health and safety of its workers as well as welfare of the affected populations. These corporates polices all aim at conducting its operations in such a manner that the safety, health and welfare of its workers, impacted communities and the integrity of the environment are safeguarded. Key applicable corporate policy relating to land acquisition and resettlement requirements is the VRA “*Land Acquisition & Resettlement Policy Framework*” (2017) which establishes broad principles, organizational arrangements and fair criteria to be applied in acquiring various interests in land and handling the attendant impacts on Property Affected Persons. The Framework document was prepared under Ghana Energy Development and Access Project (GEDAP), however, is relevant for all VRA projects. under implementation. The plan and mode of dealing with issues regarding compensation for the acquisition of land for this proposed solar project is outlined in the Policy Framework document.

Other applicable Corporate Policies and its relevance to the resettlement planning process are listed below and expanded upon in the EIA Report and the SEP:

- Environmental Policy Statement <sup>1</sup>
- Community Development Programme, 2012
- Corporate Social Responsibility, 2015
- Memorandum of Understanding Between VRA and the Forest Services Division
- Local Content Policy

#### 3.3. National Regulatory Context

##### 3.2.1 The Constitution of Ghana

The protection of individual property is outlined in Article 20 and this provides for the protection from deprivation of property unless such acquisition is made in the interest of defence, public safety, public order, public morality, town and country planning, or the development or utilisation of property to promote public interest. Under the same Article 20 of the Constitution, such compulsory acquisition of property by the State should be made under a law which makes provision for prompt payment of fair

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<sup>1</sup> See Front Page (i)

and adequate compensation as well as a right of access to a High Court by any person who has interest in or right over the property for the determination of his interest or right and the amount of compensation to which he is entitled.

The Constitution further states that everyone has the right to own property, either individually or in conjunction with a group, and that “no person shall be subjected to interference with the privacy of his home, property, correspondence, or communication except in accordance with law and as may be necessary in a free and democratic society for public safety or the economic well-being of the country, for the protection of the rights and freedom to others.” (Constitution, Article 18). There are three types of land ownership in Ghana:

**a. Customary Ownership**

- Allodial Title: This is the highest interest recognized by customary law. It is normally communally owned and is generally held or vested in stools or skins.
- Freehold Title: This is divided into customary law freehold and common law freehold.
- Customary Law Freehold (Usufructuary Title) refers to an interest held by subgroups or individuals in land that is known to be owned allodially by a larger community.
- Common Law Freehold refers to an interest in land that stems from the sale or gift to a person outside the community, by the community that holds the allodial title to the land.
- Leaseholds: This is the right to occupy and develop the land granted for a certain period of time. Ghanaian law specifies 99 years for Ghanaian citizens, and 50 years for non-Ghanaians.
- Customary Tenancy: Owners of the allodial title or customary freehold can create various lesser interests (than those described above). These types of tenancies are usually share-cropping arrangements. For example, under “abusa” tenancy, the tenant farmer is entitled to a third of the produce from the land, whilst under “abunu” tenancy, the farmer is entitled to half of the produce.

**b. State Ownership**

State land is land which the state has compulsorily acquired for public purposes or in the public interest, as specified in the Constitution.

**c. Split Ownership**

Split ownership occurs when the state takes legal ownership of the land, but the customary owner retains the equitable interest in the land. The state, as the legal owner, thus has the right to sell, lease, manage, and collect rent on the land.

**3.2.2 New Lands Commission Act (2008) Act 767**

Act 767 provides for the management of public lands and other lands and for related matters. The Commission manages public lands and any other lands vested in the President by the Constitution or by any other enactment or the lands vested in the Commission. The act advises the Government, local

authorities and traditional authorities on the policy framework for the development of particular areas to ensure that the development of individual pieces of land is co-ordinated with the relevant development plan for the area concerned. The commission formulate and submit to Government recommendations on national policy with respect to land use and capability; advice on, and assist in the execution of, a comprehensive programme for the registration of title to land throughout the Republic in consultation with the Title Registration Advisory Board established under section 10 of the Land Title Registration Act, 1986.

### ***3.2.3 State Lands (Amendment) Act (2005) Act 586***

**Act 586** relates to compulsory acquisition in the country which has relied on State Lands Act, 1962 (Act 125) and State Lands (Amendment) 2005, Act 586. The two statutes are limited to the acquisition of private interest in real estate whiles stool lands are acquired drawing on Administration of Lands Act, 1962 (Act 123). States Lands (Act 125) also provide for lump sum of compensation payable to property owners affected by acquisition. Section 4 also spells out the procedure for making claims whiles section 11 also outlines mechanism for settlement of disputes generating from dissatisfaction of compensation.

### ***3.2.4 The State Lands Regulations (1962) LI 230***

LI 230 was passed for the purpose of inspecting and making a recommendation as to the suitability or otherwise of any land proposed to be acquired. The Regulation requires the setting up of a Site Advisory Committee for this function. After the submission of an application to acquire land, a Site Advisory Committee'' is set up in order to assess the application. The application is then assessed by the Ministry to a Land Commission, which prepare an executive instrument. Once this instrument is accepted and endorsed by the Minister, it is published in the newspapers and property owners can submit claims. The valuation board estimates the corresponding compensation. Compensation is then made to the property owners and sometimes resettlement is followed. Administration of Lands Act 1962 (Act 123) empowers the Minister responsible for lands to manage stool lands in accordance with the provision of the law.

### ***3.2.5 Stools Lands Act, 1994 (Act 481)***

Act 481 establishes the management and administrative processes applicable to Stool land and describes the appropriate distribution of any revenue accrued from stool lands.

### ***3.2.6 Concessions Act, 1962 (Act 124)***

Act 124 is an Act to provide that **concessions** of the **Concessions Ordinance** shall cease to apply in respect of Stool lands, to continue in force certain existing **concessions** subject to their terms and to provide for purposes connected therewith or incidental thereto.

### ***3.2.7 The Immovable Property Rate Regulations (1975) LI 1049***

I 1049 applies for the purposes of valuation of immovable property.

### **3.2.8 Lands (Statutory Wayleaves) Act 1963 (Act 186)**

Act 186 provides for entry on any land for the purpose of the construction, installation and maintenance of works of public utility, and for the creation of rights of way for such works. The owner / occupier of the land must be formally notified at least a week in advance of the intent to enter and be given at least 24 hours' notice before actual entry. An authorized person may enter at any time for the purpose of inspecting, maintaining, replacing or removing any specified works (Section 5). Any damage due to entry must be compensated in accordance with the established procedure, unless the land is restored or replaced. In the case of roads, not more than one-fifth of a plot may be taken and the remainder must be viable, or the entire plot must be taken; Section 6-3(b). The Act and its accompanying Regulation, **the Lands Statutory Wayleave Regulation 1964 (LI 334)** provides the modalities and procedures for the acquisition of the Statutory right of ways.

### **3.2.9 National Museums Act, Act 387 of 1969**

Executive instrument (EI 42) of 1972 and the National Museums Regulation (EI 29) of 1973 provides for the management of any antiques and archaeological finds. This is the law governing the activities and operations of the Ghana Museums and Monuments Board (GMMB). Procedures to be followed on the discovery of any such artefacts are outlined in NLCD 387. Any archaeological finds during the construction activities shall be reported accordingly. Ghana ratified the World Heritage Convention in 1975. Therefore, GMMB is guided by the operational guidelines for the implementation of the World Heritage Convention.

### **3.2.10 Survey Act 1962, Act 127**

Act 127 relates to geological, soil and land survey. Part II of the Act deals with demarcation and survey of lands. Under the law, the sector minister may appoint official surveyors and the Chief Survey Officer (Director of Surveys) may license private surveyors. It is the official surveyor or licensed surveyor that shall certify plans for attachments to instruments of conveyance, leases, assignment, charge or transfer. Under the law it is an offence to damage, destroy or alter any boundary mark. The Act 127 with its amendments gave legal backing to the Director of Surveys to carry out cadastral and other surveys through official surveyors who work directly under him at the Survey Division of the Lands Commission. It also gave authority to the Director of Surveys to recommend from time to time experienced surveyors to the Minister responsible for Lands to be licensed to undertake surveys.

### **3.2.11 Volta River Authority (Transmission Line Protection) Regulations, 1967 (LI 542)**

LI 542 defines “transmission line right of way” and provides security for VRA Transmission Lines and ensure public safety. An amendment to LI 542, the “Volta River Authority (Transmission Line Protection) (Amendment) Regulation, 2004 (LI737)” provides for the right of way distances for 69 kV, 161 kV, 225kV, 330 kV transmission lines. The RoW for 225 kV and 330 kV transmission towers is 40 meters, whilst that of 69kV and 161 kV is 30 m.” This regulation prohibits several activities in the RoW including mining, construction of buildings, and cultivation of some types of crops, which are only allowed with prior consent from the VRA.

### **3.2.12 Resettlement Policy Framework (RPF), 2011**

The RPF was developed in 2011 by the Ministry of Finance and Economic Planning as part of the Government of Ghana's Public-Private Partnership (PPP) programme. This programme was established to increase investment in public service delivery and infrastructure in support of the country's growing development needs. The developments and projects proposed by the PPP are likely to involve land acquisition and resettlement impacts, which are addressed by the RPF.

## **3.4. International Standards**

### **3.3.1 Sustainability Guideline - KfW Development Bank**

The objective of the Environmental & Social Due Diligence (ESSD) planning of KfW and climate assessments is to anticipate and appraise any foreseeable impacts and risks a Financial Cooperation (FC) measure may have on the environment, social factors (including human rights) and the climate, and to identify and prevent any adverse impacts and risks, or minimise them to an acceptable level and (provided that the adverse impact is inevitable but still tolerable) introduce compensation measures. In addition, the assessments should identify, monitor and manage any residual risks. The foundation of the assessment of environmental, social and climate impacts of a FC measure is its compliance with relevant national standards and legal requirements as well as the assessment requirements of KfW Development Bank.

Compulsory for the ESSD of a FC measures are the standards of the World Bank Group (i.e. for public agencies the Environmental and Social Safeguards of the World Bank and the IFC Performance Standards for cooperation with the private sector) and their General and sector-specific Environmental, Health and Safety (EHS) Guidelines as well as the Core Labour Standards of the International Labour Organization (ILO). The ESSD requires that if there is a considerable loss of livelihood due to land take or if project affect-ed people are affected by involuntarily resettlement, a stand-alone livelihood restoration plan (LRP) respectively a resettlement action plan (RAP) or resettlement policy framework (RPF) must be developed. This plan must be available at the time of the FC measure assessment.

### **3.3.2 International Finance Corporation (IFC) Performance Standards**

The IFC Performance Standard 5 - Land Acquisition and Involuntary Resettlement (2012), recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons that use this land. By the PS5, Stakeholder engagement and Grievance mechanism are key components to ensure success of the compensation and relocation raised by displaced persons or members of host communities in a timely fashion, including a recourse mechanism designed to resolve disputes in an impartial manner. This Performance Standard does not apply to resettlement resulting from voluntary land transactions (i.e., market transactions in which the seller is not obliged to sell and the buyer cannot resort to expropriation or other compulsory procedures sanctioned by the legal system of the host country if negotiations fail). It also does not apply to impacts on livelihoods where the project is not changing the land use of the affected groups or communities.

### 3.3.3 *Equator Principles*

The Equator Principles (EPs) are a set of standards, adopted voluntarily by Equator Principle Financial Institutions (EPFI's) that seek to determine, assess and manage social and environmental risks in project financing. Of the EPs, Principle Five, Six and Ten contain engagement specific requirement. Specifically, Principle Five dictates that an informed consultation and participation process be conducted with stakeholders, facilitating their informed participation in new developments and projects. Additionally, Principle Six includes requirements for establishing a grievance mechanism, and all reporting and disclosure requirements are now included within Principle Ten. Under the "Equator Principle 10: Reporting & Transparency", clients are committed to ensure that, at a minimum, a summary of the EIA is accessible and available online. The requirements under EP5, EP6 and EP10 are critical to ensure success of the compensation and relocation raised by displaced persons or members of host communities in a timely fashion, including a recourse mechanism designed to resolve disputes in an impartial manner.

### 3.3.4 *World Bank Environmental and Social Standards Framework*

The World Bank Environmental and Social Framework Standards (ESSF) sets out the World Bank's commitment to sustainable development, through a Bank Policy and a set of Environmental and Social Standards that are designed to support Borrowers' projects, with the aim of ending extreme poverty and promoting shared prosperity. The Environmental and Social Standards Framework (ESF) therefore enables the World Bank and Borrowers to better manage environmental and social risks of projects and to improve development outcomes. The "ESS5: **Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**" requires that Involuntary resettlement should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented.

### 3.5. **Comparison of Ghanaian Laws with International Standards**

As required under ESS5: "**Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**", there is the need to identify any gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS 5, and the mechanisms to bridge such gaps. Table 3-1 provides a comparison of local laws and practices and the "and proposed mechanisms to bridge such gaps to ensure adherence.

Table 3-1: Comparison of Ghanaian Laws with World Bank Policies

Topic	Ghanaian Laws	World Bank ESS5 Requirements	Gaps Filling Procedures
Timing of compensation Payment	Prompt	Prior to displacement and relocation	Compensation payments are done prior to displacement, and this has been affected by the VRA and leases executed with the landowners.
Calculation of compensation	Fair and adequate.	Full replacement cost	For negotiations in Private Treaties, the subject matter of the transaction is the market value of the properties. This method was adopted for the lands; However, values of the economic/tree crops were determined using the approved rates as determined by the Land Valuation Division of the Lands Commission (2018).
Squatters	No provision, they are deemed not to be eligible	Are to be provided supplementary assistance	Squatters are to be provided resettlement assistance (but no compensation for land). Landowner at Kaleo is to provide support for the 2 Fulani’s regarding their relocation from the project site.
Resettlement	In situations where inhabitants must be displaced, the state is to resettle all on “suitable land with due regards for their economic well-being and social and cultural values”	Affected persons who are Physically displaced are to be provided with residential housing, or housing sites, or as required, agricultural sites at least equivalent to old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based.	In Ghana, physically displaced PAPs are to be provided with housing sites at least equivalent to the old site. Preference to be given to land-based resettlement for displaced persons whose livelihoods are land-based (i.e. farmers, etc.). The livelihoods of 2 women are to be affected by the project, but it must be noted that these women are part of the households of the landowner who has been paid



Topic	Ghanaian Laws	World Bank ESS5 Requirements	Gaps Filling Procedures
			compensation package for both the land and economic crops.
Resettlement Assistance	No specific provision with respect to additional assistance and monitoring	Affected persons are to be offered support after displacement, for a transitional period	Affected people are to be offered resettlement support to cover a transition period, however, this will not apply under this project.
Information and consultation	The owner/tenants on the land must be formally notified at least a week in advance of the intent to enter and be given at least 24 hours' notice before actual entry.	Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementation and monitoring of resettlement	Displaced persons and their communities are provided timely and relevant information,
Vulnerable groups	No specific provision	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children.	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children. As indicted, the livelihoods of 2 women are to be affected by the project, but it must be noted that these women are part of the households of the landowner who has been paid compensation package for both the land and economic crops.
Grievances	Formal and informal mechanisms, including Alternate Dispute Resolution and formal access to court of law	Appropriate and accessible grievance mechanisms to be established	Appropriate and accessible grievance mechanisms to be established for the project, and this has been provided in the EIA, SEP and the LARP.

## **4 INSTITUTIONAL & ADMINISTRATIVE FRAMEWORK**

### **4.1. Overview**

Various institutions have been established in Ghana to have either direct or indirect responsibilities for compulsory acquisition of properties in line with the 1992 Constitution. This is to ensure that project affected persons are provided with prompt, fair and adequate compensation and that they are not worse off following the implementation of any project. The bodies that will be directly responsible for overseeing the resettlement planning activities at all stages of the project and legal framework within which these institutions exist, and their roles are explained as follows:

### **4.2. Volta River Authority**

The VRA is the Project Executing Agency and is directly responsible for all resettlement planning issues. Various legislations are in place to assist the VRA in its power generation installations and these have been applied as relevant in the associated land acquisition processes:

### **4.3. Northern Electricity Distribution Company**

NEDCo as a wholly owned VRA subsidiary and is responsible for distributing electricity in the Bono, Bono East, Ahafo, Northern, Upper East, Upper West, and parts of Ashanti and Volta Regions of Ghana. NEDCo will be responsible for distributing and direct sale of the power generated from the project and is to assist VRA, as its subsidiary, in the consultations and identification of PAPs.

### **4.4. The Lands Commission**

The Lands Commission is responsible for the management of public and vested lands and the certification of stool lands transactions and they, in co-ordination with the relevant public agencies and governmental bodies. The Lands Commission is structured into four (4) Divisions, and these are Land Valuation Division, Land Registration Division, Survey and Mapping Division and the Public and Vested Land Management Division. The Land Valuation Division under the LC aims at delivering an open, timely and cost-effective valuation service, with the view to supporting economic development and poverty reduction. The Survey & Mapping Division is responsible for undertaking national land surveys, mapping, licensing and supervision of land surveyors and verification and approval of survey plans.

The Lands Commission supports VRA in the Legal Acquisition processes and as a Statutory Agency assist in the registration of land documentation to formalize tenurial arrangements with identified Landowners.

### **4.5. Environmental Protection Agency**

Under the EPA Act, 1994, (Act 490) and the Environmental Assessment Regulations, 1999 (LI 1652), the EPA has the mandate and power to request, assess and generate a record of decision through an

environmental assessment for all developments which may be detrimental to the environment, including that in the energy sector. The EPA has further issued the “Environmental Impact Assessment Guidelines for the Energy Sector (2011), Volume 1 & 2 “to formally guide the regulatory requirements of the EIA process as enshrined in the LI 1652.

The implementation of the environmental and social impact assessment of this project has been guided by this guidelines document. Impacts on land acquisition, livelihood and resettlement have been outlined and discussed and reviewed by the EPA. VRA has so far paid various stipulated charges regarding the environmental assessments to the EPA. Currently, the Environmental Permit from the Environmental Protection Agency have been acquired. It must be noted that Environmental Permit is to be continuously renewed during the lifetime of the project by submitting progress monitoring reports to the EPA.

#### **4.6. Nadowli-Kaleo District Assembly & Lawra Municipality**

The Local Government Act 1993 (Act 462) mandates the Assemblies to be the representative of the central government at the local level. Under the Act, the Assembly is the planning authority and therefore responsible for physical/spatial planning of customary land. This function is performed by the Physical Planning Department of the Assembly and they are to ensure that project is implemented as per the approved planning schemes of the Assembly. The Assemblies, as government agency at the local level, play significant roles in the implementation of resettlement schemes and also serve as media for public education and community consultations. Some of the administrative structures of the Assemblies, that is, offices of the Assemblyman and the Unit Committees are normally used to inform and educate people in the project area about the intended projects, their impact and proposed mitigation measures. This role has been effectively played by the Lawra Municipal and Nadowli-Kaleo District Assemblies on the project. The Assemblies are being supported by the Upper West Regional Coordinating Council/ Administration, led by the Regional Minister.

VRA acquired the Building Permits for the Lawra and Kaleo Solar Power Sites from Physical Planning Departments of the Lawra Municipal and Nadowli-Kaleo District Assemblies respectively in October 2017 and these are available in the Final ESIA Report. The Assembly members have been very instrumental in the land acquisition process and indeed, are now acting as members of the Grievance Redress Committees in the two project areas. The Upper West Regional Coordinating Council/ Administration will have secondary responsibility by supporting the two Assemblies in monitoring and coordinating the implementation of the project, especially in ensuring that land acquisition and resettlement practices are done in line with national requirement and that all those affected are adequately compensated.

#### **4.7. Kaleo and Lawra Naa Traditional Authorities of Lawra and Kaleo**

For this project, the traditional authorities that have been involved in project are the Lawra Naan and Kaleo Naa. These traditional authorities have been key in the authentication of land ownership and associated compensation amounts as well as lead in the request for social investment programmes, labour and grievance redress mechanism under the project. Their roles are explicit under the 1992

Constitution, which is guarantees and protect chieftaincy together with its traditional councils as an important institution in the country. Traditional authorities are responsible for overseeing customary land which includes stool lands, skin lands, clan lands, and family lands. However, the State exerts considerable control over the administration of customary lands. All grants of stool land to non-subjects of the stool require the concurrence of the Lands Commission to be valid. No freeholds can be granted out of stool lands. Foreigners cannot own more than 50-year leases in stool and state lands (Article 267(5) of the 1992 Constitution).

## 5 PROJECTS IMPACTS

### 5.1. Overview

Projects are expected to improve, or restore, the livelihoods and standards of living of displaced persons as well as the living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites. Projects are also expected to protect cultural heritage from the adverse impacts of project activities and support its preservation and to promote the equitable sharing of benefits from the use of cultural heritage. Thus, there is the need for detailed assessment of such projects with a view to identifying associated impacts and provide relevant mitigation measures.

It is realised that although this project will realise tremendous economic benefits and other positive impacts, it will also have negative effects on the socio-economic environment. From the EIA Report, the project might cause increased fugitive dust, noise, and risks to personal safety. The socio-economic negative impacts of the project will be triggered mainly by challenges in land acquisition and compensation issues, land use, cultural properties, increased insecurity and community conflicts, challenges of labour force management, increased accidents from traffic and transport and occupational hazards. A socio-economic impact assessment has been undertaken and available in the EIA Report. Of relevance to the LARP are impacts that are associated with in land acquisition and compensation issues, land use and cultural properties.

### 5.2. Impacts on Land Acquisition

Details of property to be acquired has been described under Chapter 2. Land acquisition and economic displacement will require compensation. The land acquisition has far-reaching socio-economic impact on the lives of persons whose parcels of land are acquired. The effects of land acquisition include changes in income levels, land utilisation, land-ownership structure, farming practices, familial composition and cultural and social values, norms and bonds

Currently, leases covering the PV sites have been executed and fully registered at the Lands Commission. Strategies for acquisition was in line with the requirements of the VRA “Land & Resettlement Policy Framework Document” and involved extensive consultations with the land-owning families. Following payment of all customary and statutory rites, access was given to enable VRA carry out its activities. VRA has already acquired the lands for the PV sites through voluntary means and private treaties. These lands are free from any encumbrances. In addition, economic trees on these lands have also been paid for to the land-owning families. The sites are therefore not going to be accessible to the families.

### 5.3. Impact on Land Use

The acquisition of the project enclave has direct impact as it will adversely affect land tenure and ownership and land-use planning characteristics, as land will have to be acquired from some individuals, communities and/or stools. The land acquisition process, even though was voluntary, will result loss in farmlands and affect agricultural use and loss of business for the affected individuals, families and farmers. The demarcation of the land for the project would result in some potential effects on land-use characteristics such as hunting as well on the fauna within the project environment, however, on a very minimal basis. If located on land impacted by the project, the people and houses will need to be relocated to make way for the project and new land or alternative means of subsistence or livelihood generating activities may be required.

The major activity requiring mitigation is land-use as this ultimately leads to loss of farmlands, hunting and possible land-use conflicts. Most households within the social study area have high level of dependency and communal use of lands where families and individuals are engaged in subsistence farming. Subsistence cropping is not a controlled activity by any authority. Farmers with authority from landowners use portions of lands for farming. The project is to be achieved by utilizing a total land area of 38.79 Ha at three closely sited areas at Kaleo as well as 11 Ha at Lawra.

The PV plant sites have been acquired by VRA for the project as well as for future expansion. The new sub-transmission line connections have been routed such that they either fall within the right-of-way of existing MV transmission line or roads and therefore will not take up any additional lands that are under use by the communities. However, the development of the transmission line will affect forest trees within the Lawra Station Forest Reserve. All proposed PV sites are used for agricultural purposes and there are no residential facilities on it, apart from the Kaleo Site 2, where 2 Fulani nomadic settlements are settled in 2 hamlets. Discussions with the landowners indicate that they will ensure these settlers relocate prior to project construction. For the Lawra site, the use of the route to the local resort called “Meet Me There” at the Black Volta is close to the vicinity of the project site, and this could impact upon communities’ lifestyle. All three sites at Kaleo serves as route paths for the community members.

For the purpose of assessment of impacts on land use of the area, following project activities leading to an alteration in land use of the area during construction phase were considered:

- Strengthening of access roads and construction of internal access roads;
- Installation of PV modules;
- Construction of Central Monitoring Station, Switching Yard and
- Establishment and operation of temporary structures such as temporary site office and store yard.
- Removal of economic trees

During consultation, it was learnt that the cultivable land belonged to marginal farmers. The establishment of the solar plant will convert cultivable land to industrial use for long term (25 years).

Thus, the constructional activities could lead to a direct impact of physical displacement of the nomadic Fulani's (with or without legal entitlement), loss of economic trees, or economic displacement from key activities such as farming, as a result of the development and associated infrastructure and this can plunge households into poverty and / or dislocate communities severing extended support networks such as childcare. Changes in land use are also envisaged for material store yard and temporary site office. However, those changes in land use will take place only during construction period (6 months). It must be noted that the project will not require new access road, and therefore there will not be any permanent changes in land use. There will be the need to provide alternative routes for the community members to ensure that community lifestyle is not affected. However, such community routes are not planned and are generated based on convenience and therefore it is expected that as the project constructional activities are ongoing, the community members themselves will identify alternate routes to utilise.

#### **5.4. Negative Impact on Historical or Cultural Heritage Resources**

Cultural resources and heritage comprise tangible historical/archaeological sites, documents and artefacts together with religious/spiritual sites (sacred sites) and activities important to local communities, customary law, traditional beliefs, values and practices. The sensitivity of a cultural feature to direct impacts reflects the level of importance assigned to it. This is the product of several factors, including for features of present-day cultural value: its current role; its cultural or sacred associations, its aesthetic value; association with significant historical events or traditions and its role as a sacred site or local landmark; and in addition, for those of heritage value, its potential as a resource of archaeological data. It should be noted that the assessment of impacts and development of mitigation actions for some cultural features cannot be wholly segregated from other social impact assessments and there will be overlap in some mitigation actions.

With respect of cultural resources and heritage, the EA Study showed two (2) major sites of significance to the project, one (1) each at Kaleo and Lawra. At Kaleo, the burial ground of the Late Hon. Jatoo Kaleo, who died on June 6, 1998 is a key historical resource in the community. This burial site is on the Kaleo – Zaa Road, about 500 m to the Kaleo Site 1. The Late Hon. Jatoo Kaleo was one of the leading Ghanaian politicians who led Ghana into independence. With respect to the Lawra site, just by the side of the untarred road located on the southern end of the site road, is a tree shrine, comprising of Ebony / Nim Tree, known as the Kulbonuo Shrine belonging to the Nuo-Ire Community in Lawra. The site was acquired in such a way to avoid the shrine, however, its nearness to the project site is a recipe for future conflict with the shrine owners and will be advisable to relocate them as part of project implementation. It must be noted that the untarred road located on the southern end of the site also leads to the Black Volta, which serves as a recreational facility during public holidays for the youth of Lawra as well as the demarcation between Ghana and Burkina Faso. The untarred road will most likely also serve as access route prior during construction.

During construction, potential impacts may arise from site preparation, site excavation or transportation that may disturb or damage cultural heritage. For the Kaleo site, the burial ground of the Late Hon. Jatoo Kaleo will not be impacted when using the access route of the Kaleo – Zaa Road

as this road is already in use by commercial vehicle and the project does not plan to upgrade the road which may result in the relocation of this historical grave. The Kulbonuo Shrine will have to be relocated due to its nearness to the Lawra project site as it has a potential for future conflict with the shrine owners.

Throughout the construction phase and as the case with any project development that entails such construction activities there is a chance that potential archaeological remains in the ground are discovered. Thus, as with any project site, there is a potential for previously unrecorded cultural sites to lie within. As all unknown cultural heritage will be sub-surface it is only direct impacts arising from disturbance that could occur. An appropriate watching brief will be implemented to ensure that in the case of unearthing important archaeological finds during excavation, such findings will be removed and preserved accordingly, with the agreement of the authorities. It is expected that such measures for such chance find procedures are implemented in line with standard requirements by the National Museums Act, Act 387 of 1969. Those mainly require that construction activities be halted, and the area fenced, while immediately notifying the Ghana Museums & Monuments Board (GMMB). No additional work will be allowed before GMMB assesses the found potential archaeological site and grants a clearance to resume the work. Construction activities can continue at other parts of the site if no potential archaeological remains were found. If found, same procedures above apply.

The sub transmission line traverse along road wayleaves or parallel to existing lines and the possibility of impacting on any existing cultural sites is most unlikely. Currently, there are no known archaeological, historical or cultural important sites along the route alignment, hence no impact on these sites is envisaged. In the case of discovery of archaeological features during any phase of the project, a chance find procedure to notify relevant authorities in line with National Museums Regulation (EI 29) of 1973 will be put in place by EPC Contractor/VRA in line with the requirements of the mitigation measures discussed in Chapter 7 and the Environmental Monitoring & Management Plan provided in Chapter 8 of the EIA Report.



**6 SOCIO-ECONOMIC PROFILE OF PROJECT AFFECTED PERSONS (PAPS)**

In order to assess the nature and extent of impact on local populations generally, VRA undertook an analysis of the socio-cultural, economic, and demographic situation in the project area as part of its Environmental Impact Assessment and this is detailed out under Chapter 4 of the EIA Report. The social survey under the EIA recorded basic information about the population of each community (compiled by district), its social infrastructure, and its economic activities (e.g. agriculture, livestock, manufacturing, mining).

The EIA report showed that the land has been acquired from four landowners on behalf of their families. The four individuals that received payment for the lands are:

1. Nuo-Ire Beseg Raymond of Lawra (he is also the caretaker of the shrine owners Kulbonuo Shrine)
2. Kuunour Songtaa of Lawra
3. Joseph Kofi Maliwiihi of Kaleo
4. John Badingu Putieha of Kaleo

Brief on the socio-economic profile of these people outlined in Table 6-1 and Table 6-2.

Table 6-1: Socio-Profile of Landowners at Kaleo Site

Kaleo Site	Site 1	Site 2
Name:	Joseph Kofi Maliwiihi	John Badingu Putieha
Age:	59	67
Marital Status	Married	Married
Educational Status	Tertiary level (A trained teacher with the Ghana Education Service)	Elementary school
Number of Children	Four (4)	Six (6)
Religion	Christian	Christian
Occupation	Teaching/farming	Farming
Ethnic group	Dagaare	Dagaare
Language spoken	Dagaare/English	Dagaare, Akan
Land size	Kaleo site with 25.16 acres	Kaleo site with 45.44 acres
Status in family	Family head (Lawful Rep of Boo family, Kaleo)	Family head (Lawful Rep of the Nyangayiri family, Kaleo)

Table 6-2: Socio-Profile of Landowners at Lawra

Lawra site	Site 1	Site 2
Name:	Kuunour Songtaa	Raymond Nuo – Ire
Age:	60	40
Marital Status	Married	Married
Educational Status	Elementary school	Senior High School
Number of Children	Six (6)	Four (4)
Religion	Christian	Christian
Occupation	Farming	Farming
Ethnic group	Dagaare	Dagaare
Language spoken	Dagaare	Dagaare, English and Akan
Land size	Lawra site with 9.36 acres	Lawra site with 2.67 acres
Status in family	Lawful Rep of Lokuu family, Lawra	Lawful Rep of the Debuo Nuo – Ire family, Lawra.

## 7 ELIGIBILITY

### 7.1. Overview

There are three categories of affected persons as listed below who are eligible for coverage under the World Bank Environmental & Social Standards 5 (ESS5) - “**Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**”. While people in all three categories are entitled to assistance of some sort under ESS5, the nature of that assistance may vary. The three categories are as follows:

#### **CATEGORY (A):**

Affected persons who have formal legal rights to land or assets are those who have formal documentation under national law to prove their rights or are specifically recognized in national law as not requiring documentation. In the simplest case, an area is registered in the name of individuals or communities. In other cases, persons may have a lease on the land and therefore have legal rights.

#### **CATEGORY (B):**

Affected persons who do not have formal rights to land or assets, but who have a recognized or recognizable claim under national law can fall into a number of groups. They may have been using the land for generations without formal documentation under customary or traditional tenure arrangements that are accepted by the community and recognized by national law. In other cases, they may have never been provided formal title or their documents may be incomplete or lost. They may have a claim for adverse possession if they have occupied land for a certain period of time as defined by national law, without the formal owner contesting the occupation. In such cases, national law often has legal procedures by which such claims can become recognized.

#### **CATEGORY (C):**

Affected persons who have no recognizable legal right or claim to the land or assets they occupy, or use are eligible for assistance under ESS5. These can be seasonal resource users, such as herders, grazers, fishers, or hunters (although if the rights of such users are recognized by national law, they may fall into category (a) or (b)). They can also be persons occupying land in violation of applicable laws. Affected persons in these groups are not eligible for compensation for land but are eligible for resettlement and livelihood assistance and compensation for assets.

### 7.2. VRA Eligibility Criteria

#### **7.1.1 Eligibility of Land Compensation**

All persons who are directly affected economically by the loss of residence, business, land, or economic livelihood are eligible for compensation in proportion to the extent of the loss, considering any special requirements of vulnerable populations. Land is assessed at local market value. By law (State Lands Act 1962), land is valued either as the "sum of money which the land might have been expected to realize if sold in the open market" or "the amount required for

reasonable re-instatement equivalent to the condition of the land" at the date of the notification to acquire is published.

### **7.1.2 Eligibility of Agricultural Loss**

Agricultural loss covers economic trees and all annual crops. Landowners who cultivate within affected plots receive compensation for all economic trees and annual crops. When landowners and tenants or sharecroppers both have claims to the affected plot, each receives the portion of the crop compensation payment to which each is entitled under the sharecropping agreement, usually one-to-one. Economic trees that predate the tenancy agreement are credited to the landowner. Women receive compensation in their own names, just like men. Because VRA permits farmers to cultivate in the ROW, once the sub-transmission line is built, compensation for agricultural crops are mainly for loss and damage, but not for land.

### **7.1.3 Eligibility of Residential Loss**

Residential loss covers both the house plot and all structures thereon. If only part of a plot is taken, compensation is limited to those structures in the affected part of the plot if the remainder of the plot is habitable and there is room to rebuild the affected structure or structures. If it is not possible to replace the affected structures on the existing plot in a manner acceptable to the residents, the entire plot is acquired, just as if the entire plot had been affected.

### **7.1.4 Eligibility of Community Property**

If community property is affected, the owner or responsible authority is compensated for the loss. Specifically, in the case of a school, compensation is paid either to the community if they built and maintain the structure or to the Ministry of Education if they built and maintain the facility. In the case of a cemetery, compensation is paid to the community, and includes funds for locally appropriate rites. In the case of a shrine, the project consults the local chief and elders in order to determine the appropriate compensation necessary to conduct the rites necessary to relocate the religious property.

## **7.3. Project Eligibility Criteria**

Under this project, the following persons were identified as being eligible for compensation purposes and have been classified according to the ESS5 category:

1. Land compensation was paid to four landowners who voluntarily leased out their plots as well as economic trees that are found on them. These people can be said to belong to the ESS5 Category (b).
2. The two (2) elderly women who are also relatives of the landowner can be defined as being eligible as Category (b) and therefore benefited from the cash payment. Indeed, the cost of the annual crops were not reimbursed because these women could harvest their crops prior


to project development. During the discussions, they indicated that there were now interested in various alternative livelihood activities and would require some financial support in this respect. As indicated, VRA employed voluntary acquisition for the acquisition of land and compensation based on agreed values has been paid to the farmer and relatives for the land and the economic trees. This notwithstanding, it is expected that further discussion will be held on the subject to ensure that the livelihoods of all those affected by the project, especially that of vulnerable groups like the elderly women, are not negatively impacted.

3. The Fulani's can be described as under Category (c) eligibility. According to the landowner, he has received full compensation for the land and has had discussions with the Fulani herdsman regarding his relocation. He noted that the Fulani had planted corn and assured that the Fulani after harvesting their corn in September 2019 will be relocated. He agreed that it was his responsibility to relocate the Fulani and has identified other areas where the Fulani will be adequately settled. A formal commitment to this effect was made by the landowner as shown in Figure 7-1. The Kaleo Site 2 is to be utilised for the Phase 2 Development which is planned for June 2020.
  
4. The sub-transmission line is to be developed within the existing RoW and or wayleaves of existing roads, and these are already acquired lands belonging to VRA or the Government. Indeed, within these areas could be annual crops and these are not to be reimbursed because farmers will be allowed to harvest their crops prior to project development.

35MW SOLAR PHOTOVOLTAIC POWER PROJECT AT KALEO AND  
LAWRA, UPPER WEST REGION

**COMMITMENT TO RELOCATE FULANI SETTLEMENT**

I, JOHN BADINCU PUTIEHA..... (Land Owner),  
having been paid all the full compensation due me,  
hereby agree to relocate Fulani Settlement and all  
associated infrastructure including farms on the land  
by October 31, 2019 to make way for the  
construction of the 35MW Solar Photovoltaic Power  
Project.

  
JOHN BADINCU PUTIEHA  
Signature/Thumb Print 29/08/2019

Witness: HON NEMINNIE A. NOAH

Signature  29/08/2019

Figure 7-1: Commitment By landowner to Relocate Fulanis

## 8 VALUATION OF AND COMPENSATION FOR LOSSES

### 8.1. Overview

The process of land acquisition to enable valuation and compensation involved extensive consultations with the land-owning families that gave VRA opportunity to be conversant with the land tenure systems and arrangements within the project areas as well as to identify right persons to deal with. The first consultation took place in 2010. Within the context of the community engagements, the nature of the project, its impact, the process of land acquisition and consequential compensation matters were explained in detail. This was to enable respective landowners freely to give out lands willingly. Further consultations were also held with the state land agencies both at the national level and at the Regional Level (Upper West Region). These include Land Valuation Division, Survey and Mapping Division and Public and Vested Lands Management Division of Lands Commission.

### 8.2. Valuation of Entitlements

VRA has a general Framework and Strategies for acquisition in line with the requirements of its “Land & Resettlement Policy Framework Document” (February 2007), which is as follows:

- Referencing of all properties, land, crops and buildings, by officers of the VRA and reviewed by the Land Valuation Division (LVD).
- Assessment of the compensation values by the LVD and the valuation advice forwarded to VRA.
- The assessed report would be vetted, and corrections effected where necessary to ensure that the amounts are accurate and fair to both claimants and the VRA. These would then be processed for payment.
- Offers would be made to the claimants based on LVD’s advice.
- Claimants dissatisfied with the offer have a right to petition for reconsideration.
- In this regard, such claimants are required to submit counter proposals supported by valuation opinion prepared by private valuers of their choice. The private reports are considered by VRA in conjunction with the LVD to ensure that claimants are treated fairly.
- Where necessary, dissatisfied victims would be invited to negotiate and arrive at acceptable figures.
- Project affected persons may resort to legal action in order to have their grievances addressed.

In acquiring land for VRA’s project as well as assessing compensation values, two main methods are employed. These are Compulsory acquisition (which procedures are prescribed above in the Framework Document) and Private Treaty. Considering the acreages for the lands at Kaleo and Lawra, which are comparatively small, and interest inherent in the land crystallized in more or less one family / gate, the Private Treaty mode was adopted.

For negotiations in Private Treaties, the subject matter of the transaction is the market value of the properties. The market values of properties are fixed by supply of land and demand for land conditions at the specific location. In the case of Kaleo and Lawra, comparables for recent sales data obtained from the Neighbourhood as well as the Lands Commission, Wa were considered and analyzed

For the economic trees, VRA engaged the Forest Services Department to undertake a survey and advise on all economic trees within the various PV project sites as well as the impacted section of the Lawra Forest Reserve. All trees above 5 cm diameter were measured at breast height (DBH) marked and recorded. A total of One Hundred and Twenty-One (121) of diverse species have been enumerated in Lawra Station Forest Reserve whilst One Thousand, three Hundred and thirty-seven (1,337) trees of diverse species were enumerated in three (3) project sites at Kaleo and one site at Lawra. The economic trees were mainly sheabutter, Dawadawa, Neem tree, red berry, mahogany, cashew and cotton. The report by the FSD, dated August 2018, is attached as Appendix 5 to the EIA Report. The values of these crops were determined using the approved rates as determined by the Land Valuation Division of the Lands Commission (2018). These rates are usually not disclosed to the public for the purposes of confidentiality.

**8.3. Payment of Compensation**

VRA acquired the lands for the PV sites through voluntary means and private treaties and therefore there is no involuntary acquisition associated under this project. Compensation was assessed based on an arm’s length discussions on current market values within the neighbourhood. In actual sense the final value of amount payable for the land is a negotiated sum. In line with established procedures, compensation have been paid in full to the landowners for both the lands and economic crops. VRA negotiated with the Land-owning families and obtained Leases from them. A term of fifty (50) years each was granted. In order to establish a cordial and continuous relationship between the Landowners (Lessors) and VRA (Acquiring Agency - Lessee), parties also negotiated on the annual ground rent payable by VRA, aside the cost of the land consideration. This arrangement is to accord the landowners some level of rights within the 50-year term. The ground rent is subject to review every 5 years till the lease expires on 31st December 2069. Payment receipts for the lands are available and for the purposes of anonymity, the names of the landowners have been coded as shown in Table 8-1.

Table 8-1: Compensation Payments

Landowner	PV Site	Amount Paid GH¢		
		Land	Economic Trees	Total
Landowner 1	Lawra	32,160.00	1,436.94	33,596.94
Landowner 2	Lawra	112,320.00	4,300.00	116,620.00
Landowner 3	Kaleo	221,408.00	10,250.69	231,658.69
Landowner 4	Kaleo	399,872.00	36,551.21	436,423.21
<b>GRAND TOTAL</b>				<b>818,298.84</b>



## **9 COMMUNITY PARTICIPATION**

### **9.1. Overview**

As the Project Executing Agency, the VRA will need to ensure that they communicate and build relationships with the correct levels of stakeholders in the project affected communities. VRA therefore developed program of stakeholder engagements as part of the environmental assessment to avoid any risk of apprehension associated with this project like problem of destroying properties and extension of the allotments. The engagement process for the project was designed to meet Ghanaian legal requirements for public participation and to align as far as practically possible with good international industry best practice, based on the project timing and budget. Details of the various engagements undertaken to ensure that community members gain a better understanding of the project has been described in the Stakeholder Engagement Plan, January 2020 and in the Final EIA Report, September 2019. A summary of these engagements is outlined as below.

### **9.2. Local Stakeholder Hearings**

Two major stakeholder hearings have been organized within the project communities to ensure community participation. The first one was in January 2012 and was organized as part of project registration requirements under the Clean Development Mechanism (CDM). The second was in November 2017, which was basically organized to inform the community members about the change of project scope, that is the elimination of the Jirapa site and the extension of that of Kaleo and Lawra communities. Both events were held at the St. Basilde Vocational School in Kaleo at the Lawra Municipal Assembly Hall.

### **9.3. Engagement with Traditional Authorities**

There have been a series of engagements with traditional authorities regarding site identification, land acquisition and execution of relevant documentations for the land with the landowners. Indeed, one of the key issues that came out during the pre-construction stakeholder engagement in November 2017 was the need for VRA to formally introduce the contractors to the traditional authorities prior to commencement of work. This was to enable them to collaborate effectively in project implementation, especially regarding employment and grievance redress. Subsequently, following the execution of contract with Elecnor SA of Spain, and the planned commencement of physical construction in November 2019, VRA in August 2019 met with the traditional authorities in Lawra and Kaleo. The meeting at Kaleo was held at the Kaleo Townhall on August 27, 2018 (see Plate 9-1/Plate 9-2) whilst that at Lawra was at the Lawra Naa Palace on August 28, 2019 (See Plate 9-2).

The traditional authorities were informed that VRA had finally completed the process of procurement of the contractors and funding for the project had been received from the German Government. The key issue raised by the participants were on employment for the youth. The Project

team assured that they will be depending on the community leaders to assist in the employment process to ensure it doesn't affect project implementation.



Plate 9-1: Meeting with Traditional Authorities of Kaleo



Plate 9-2: Meeting with Traditional Authorities at Lawra

#### 9.4. Engagement with Property Affected Persons

Various engagements with the property affected persons concerned were undertaken to brief them about the proposed project and to ascertain their concerns and expectations. Series of consultations were done at different times. The VRA sufficiently explained the nature of the acquisition, potential impact, compensation procedure, role of the communities and any relevant information in connection with the project. Consultations were done at different levels namely, pre-acquisition during the acquisition process and after the acquisition. Enough time was given for exhaustive discussions especially during the Stakeholder Consultations. Following the listing and quantification of all economic crops on the project sites, VRA again processed all necessary documentations required for the payment of economic crops and prices which was then communicated and agreed with by the crop owners. The list of key PAPs consulted as at close of August 2019 are outlined in Table 9-1.

Table 9-1: List of Key Property Affected Persons Consulted Regarding Acquisition

Community	Affected Property	Persons Consulted	Title
Kaleo	Land belonging to the Nana Bayau Family	<ul style="list-style-type: none"> <li>• Mwini Bankuro Sanjie</li> <li>• S. Anwabiri</li> <li>• Adama Bondinuba</li> <li>• John Badingu Putieha</li> </ul>	<ul style="list-style-type: none"> <li>▪ Family Head</li> <li>▪ Elder</li> <li>▪ Elder</li> <li>▪ Elder</li> </ul>
	Economic Crops	<ul style="list-style-type: none"> <li>• Joseph Kofi Maliwiihi</li> <li>• John Badingu Putieha</li> </ul>	<ul style="list-style-type: none"> <li>▪ Crop Owner</li> <li>▪ Crop Owner</li> </ul>
	Annual crops	<ul style="list-style-type: none"> <li>• Esther Mwinndel</li> <li>• Agata Kofi</li> </ul>	<ul style="list-style-type: none"> <li>▪ Farmer</li> <li>▪ Farmers</li> </ul>
	Hamlets	<ul style="list-style-type: none"> <li>• Adams Fulani</li> </ul>	<ul style="list-style-type: none"> <li>▪ Landowner's Herdsman</li> </ul>
Lawra	Land belonging to the Debuo Family	<ul style="list-style-type: none"> <li>• Nuo-Ire Raymond</li> <li>• Nuo-Ire Imuo</li> <li>• Nuo-Ire Zom-Nang</li> </ul>	<ul style="list-style-type: none"> <li>▪ Family Head</li> <li>▪ Family Elder</li> <li>▪ Family Elder</li> </ul>
	Economic Crops	<ul style="list-style-type: none"> <li>• Nuo-Ire Raymond</li> <li>• Kuunor Sangtaa</li> </ul>	<ul style="list-style-type: none"> <li>▪ Family Head</li> <li>▪ Crop Owner</li> </ul>
	Kulbonuo Tree Shrine	<ul style="list-style-type: none"> <li>• Nuo-Ire Raymond</li> <li>• Nuo -Ire Pices</li> </ul>	<ul style="list-style-type: none"> <li>▪ Shrine Owner</li> <li>▪ Shrine Owner</li> </ul>

In August 2019, consultations were held with the two (2) elderly women who were engaged in farming activities on the Kaleo Site (See Plate 9-3). This was to help understand how they expect to continue their livelihood due to the displacement as requested by the EPA in their review comments on the Draft EIA. The women farmers, who are also related to the landowner, are engaged in annual cropping of groundnuts, millets and beans. As at the date of the consultation,

which was August 27, 2019, they had ceased all farming activities on the said land. It must be noted that farming activities have ceased on the Lawra site, and the farmers according to the landowner have moved on to other bare lands for their farming activities. VRA employed voluntary acquisition for the acquisition of land and compensation based on agreed values has been paid to the farmer and relatives for the land and the economic trees. This notwithstanding, it is expected that further discussion will be held on the subject to ensure that the livelihoods of all those affected by the project, especially that of vulnerable groups like the elderly women, are not negatively impacted.

The landowner of the Kaleo Site 2, John Bangugu Putiaha and the Adams Fulani (Fulani herdsman) were also engaged during the same meeting with the elderly women regarding the relocation of Fulani herdsman from the site (See Plate 9-4). According to the landowner, he has received full compensation for the land and has had discussions with the Fulani herdsman regarding his relocation. He noted that the Fulani had planted corn and assured that the Fulani after harvesting their corn in September 2019 will be relocated by close of October 31, 2019. He agreed that it was his responsibility to relocate the Fulani and has identified other areas where the Fulani will be relocated. Subsequently, he consented to a formal commitment to his promise. The site in question, Kaleo Site 2 is to be utilised for the Phase 2 Development which is planned for June 2020.

A meeting was also held with members of the Nuo-ire Family of Lawra regarding the relocation of the Kulbonuo Tree Shrine, located close to the Lawra Site and along the path leading to the Black Volta (See Plate 9-5). The VRA Team noted that the Lawra site has been acquired in such a way to avoid the shrine, however, its nearness to the project site could be a recipe for future conflict thus the need for the engagement. The leader of the family, Raymond Nuo-ire, indicated that when their forefathers settled at the project site, they experienced peace, thus, they decided to worship at the tree shrine due to the peaceful nature of the settlement. Traditional rites are performed at the tree shrine after the harvest of crops, usually in October. The last time such a sacrificial ceremony was performed was in year 2015, and this has been due to the demise of their father who usually led in the ceremony. However, these ceremonial rites are expected to commence in the coming years so the need to co-exist with the Lawra solar project within the same vicinity is critical for the family.

VRA reiterated that the shrine can easily co-exist with the solar power project and will do so by installing a chain linked fenced with access gate, to be kept under lock, to avoid encroachment by pedestrians. The shrine owners will therefore have direct access to the shrine as and when required for the necessary rituals and this will not have any impact on the project. A Consent Sheet has formally been executed between the shrine owners and the VRA.



Plate 9-3: Engagement with female farmers at the Kaleo Town Hall



Plate 9-4: Engagement with Landowners and Fulani Settlement



Plate 9-5: Meeting with Nuo-Ire family, Owners of Kulbonuo Tree Shrine at Lawra

**9.5. Engagement with Stakeholders of Neighbouring Facilities/Activities**

Owners / representatives of neighbouring facilities located within the project vicinity are critical stakeholders and needs to be consulted. In view of this, a meeting was held on August 29, 2019 with representatives from the said facilities at the Kaleo Community Information Centre (See Plate 9-6). The facilities are the Kaleo Police Station, Kaleo R/C Primary, Kaleo DA Nursery, Kaleo DA Primary School, Church of Pentecost, Ahmadiyah Mission Hospital, and the Emmanuel Worldwide Synagogue. VRA informed them of the status of the project and advised that the contractor will be commencing work in November 2019. Subsequently, as key stakeholders around the project facility, their expected role will be to facilitate to ensure collaboration for the smooth implementation of the project. Discussions centred on the need for education on road traffic, road safety (especially with the school children), noise making, social conflict, HIV and related sexually transmitted diseases, vandalism, theft, etc. Mitigative measures put in place as well as opportunity for employment were also discussed. The project team further requested for all concerns during project implementation to be channeled through the assemblyman for amicable resolution and encouraged participants to avoid construction of illegal road ramps as it reduces the integrity of the road resulting in pot holes which will not be conducive for the project and community.



Plate 9-6: Consultations with Stakeholders on neighbouring facilities

**9.6. Engagement with Forest Services Division**

The Forest Services Division (FSD) of the Forestry Commission is charged to protect, develop and manage the country’s Forest and wildlife resources. There will be the construction of a sub-transmission line through about 0.5km section through the forest reserve at Lawra. This has the potential of compromising on the integrity of the reserve. Series of consultations have subsequently been held with the Forest Services Division (FSD) to help discuss modalities for ensuring that the affected forest reserve does not suffer any unreasonable degradation due to the project activities. The consultations centred on work in the reserve to ensure adherence to the conditions of MOU between VRA and FSD regarding construction and operations of bulk power transmission lines within forest reserves. VRA further in 2018 formally engaged the Lawra District Office of Forest Services Division (FSD) to undertake baseline assessment of flora and fauna resources within the proposed project.

In August 2019, VRA consulted FSD about the possibility of assisting to identify areas for offsetting vegetation to be cleared under the project. The FSD official contacted was Mr. Francis Brobbey, the Lawra District Forestry Manager. FSD indicated that about 50,000 seedlings are raised annually for distribution to individual and organisations for planting. Additional FSD also undertake Youth Employment in Afforestation as well as Sustainable Land & Water Management Project. VRA could

therefore provide support in any if these areas within the District as a means of offsetting the over 1,400 trees that are to be cleared under the project. VRA informed that they intend offsetting using the ongoing Volta Gorge Reforestation Programme in Akosombo but could consider the proposed options and will liaise with FSD when due.

### 9.7. Key Issues

With respect to land acquisition and resettlement, the communities during the consultations, expressed fears and concerns regarding loss of land and non-payment of compensation. Some of the common concerns expressed by the communities are presented below:

- Effective Community Entry by Project Contractors
- Employment for Community Members
- Social Investment Programme
- Availability of Grievance Redress Mechanism
- Land Acquisition & Compensation for Loss Property
- Continued Engagement During Construction & Operational Phase
- Effective Monitoring & Evaluation Process
- Land availability for future developments after the acquisition
- Possibility that affected persons may not be adequately compensated and may worsen their poverty situation.
- Fear that those who will administer the compensation may not be fair to all affected persons.
- Risk to Public Safety, Community Health & Security Issues
- Possibility of the project having adverse impact on communities within the enclave.

The communities expressed the following expectations:

- That the benefits of the projects would attract more investors to the communities because of the VRA project.
- Employment opportunities during construction of the project and also local people to be recruited to work within the plants.
- Affected communities without electricity to be connected to power.
- The project will generate local economic multipliers, such as local restaurants to feed construction workers, rental opportunities to new workers joining the community and general employment opportunities.



## 10 IMPLEMENTATION SCHEDULE

### 10.1. Introduction

This section outlines the implementation plan and provides an indication of key tasks and timelines associated with the land acquisition and resettlement. The land acquisition and resettlement procedure for this project comprise the following activities:

#### a. Land Acquisition & Resettlement Planning

- Conduct inventory and census survey: identify people affected by land acquisition, their key characteristics and types of losses
- Identify rehabilitation requirements, in particular regarding vulnerable groups, and set up rehabilitation plan
- Conduct public information/consultations with affected people
- Prepare resettlement plan based on the principles and procedures set out in ESS5.
- Negotiate compensation rates
- Sign agreements on compensation
- Conduct final inventory and census survey
- Define cut-off date for compensation eligibility

#### b. Land Acquisition and Resettlement:

- Inform people of date of start of construction
- Pay compensation and other allowances
- Assist PAPs to evacuate the land
- Assist vulnerable groups with relocation
- Demolish structures and clear vegetation, start construction
- Income restoration/poverty alleviation program, if any
- Create employment opportunities

#### c. Monitoring:

- Monitor compensation and resettlement
- Monitor income rehabilitation

The guiding principles for the implementation schedule are:

- Land acquisition, land evacuation and demolition of structure must be completed within the preparatory stage of the engineering construction and before the beginning of relevant civil engineering works.
- It must be ensured that all PAPs, prior to their physical relocation will have: i) been adequately consulted about the Project, its impacts and compensation entitlements; ii) received compensation payments in a timely manner; and iii) provided with means to establishing livelihood.

- No person or family will be asked to relocate unless the above steps have been completed.

**10.2. General Implementation Lines**

Key activities and timelines undertaken so far is shown in Table 10-1. Implementation of the resettlement exercise is already underway, and land search commenced way back in 2010. Consultations regarding the EIA and resettlement planning have been ongoing since with the relevant state institutions, traditional authorities, community members and Property Affected persons. Land and crops were fully compensated for by June 2019. Registration of the lease at the Lands Commission WA, commenced in March 2019 and completed in August 2019.

As of August 2019, all farming activities on the said lands had ceased. As at the time of the preparation of this LARP, outstanding was the relocation of the Fulani headmen and payment of trees to be affected within the Lawra Forest reserve by the associated sub transmission line. It must be noted that the trees within the Lawra forest reserve is to be assessed during the actual construction in collaboration with FSD. Again, the land on which the Fulani herdsmen are located will be utilised under Phase 2 of the development.

It was expected that the construction of the Solar Project will commence by 2020 and was programmed that compensation payments should be completed before then and this has been achieved. The resettlement programme also has made allowance for landowners to have enough time to salvage all economic interests on the land. The stated duration allowed VRA to monitor the impacts on site. Also, residual issues that may be encountered would be considered and addressed within the period. The site was basically bare land with economic trees at various level. The fact that there were no buildings on all the parcels made the resettlement program smooth. The VRA Project Implementing Unit will provide planning oversight, with the Resettlement Planning Officers retaining responsibility for the implementation.

Table 10-1: General Implementation Lines

#	Tasks	Period
1	Initial Land Search	January 2010
2	Execution of MoU with Landowners	June 2010
3	Site Plans Development	June 2010
4	EIA Consultations with Community Members	June 2012
5	Enumeration of Trees in Lawra Forest Reserve	June 28, 2012
6	CDM Local Stakeholder Hearings	January 19-22, 2012
7	Pre-construction Stakeholder hearing	November 2-3, 2017
8	Identification of additional suitable lands	March 20-23, 2017

9	Demarcation, Pillaring and Surveying of the sites.	March 8, 2018
10	Engagement of PAPS	
	<i>Negotiations of Land Consideration (Kaleo Sites)</i>	<i>June 11- 15, 2018</i>
	<i>Negotiations of Land Consideration (Lawra Site)</i>	<i>June 11- 15, 2018</i>
11	Enumeration of Economic Trees by FSD	June 2018
12	Payment of Land Consideration	February 14, 2019.
13	Pacification Rites	February 17, 2019
14	Registration of documentation of Land Lease	August 8, 2019.
15	Introduction of Contractor to Traditional Authorities	August 27-29, 2019
17	Payment of Economic Trees with Lawra Forest Reserve	June 2020
18	Internal Monitoring & Reporting	2020 / 2021
19	Evaluation	December 2021

**11 COSTS AND BUDGET**

The financial implication of this LARP has been determined to include associated stakeholder engagements, land and crop enumeration, valuation and compensation payments, preparation of leases and various administrative activities for implementation and monitoring and evaluation. To ensure that the project is perfectly managed to its logical conclusion, the project has made the necessary budgetary provisions to ensure that mitigation commitments stated in this LARP and monitoring programs, can be implemented effectively as assessed. The total cost implication for the implementation of the LARP is GH¢985,320.00 as shown in Table 11-1.

Table 11-1: Compensation budget (Minimum Statutory Compensation Payments)

<b>NO</b>	<b>ITEM</b>	<b>GH¢</b>
1	CROP/TREE COMPENSATION	52,588.84
	LAND	765,760.00
	Pacification	4,550.00
	Estimate for 4.5 km Transmission Line route at Lawra	26,000.00
2	ESTIMATED TOTAL COMPENSATION FOR UNDEVELOPED LAND AND CROPS	848,898.84
	ADMINISTRATIVE CHARGES (Land Documentation, fuel and travel expenses)	76,422.00
3	Monitoring & Reporting	50,000.00
4	Evaluation	10,000.00
5	TOTAL COMPENSATION AMOUNT	985,320.00

**12 GRIEVANCE REDRESS MECHANISM**

**12.1. Overview**

The establishment of Grievance mechanism to receive and facilitate resolution of Affected Communities’ concerns and grievances about the client’s environmental and social performance is emphasized under Section 35 of the IFC Performance Standard 1 (2012). A grievance is any query, call for clarification, problems, and concerns raised by individuals or groups related to activities undertaken or processes applied by the project. When addressed these grievances are expected to ensure support, as well as help achieve results and sustainability of project activities. A Grievance Redress Mechanism (GRM) is therefore a system by which queries or clarifications about a project are responded to, problems that arise out of implementation are resolved and grievances are addressed efficiently and effectively. An effective and efficient GRM should have multiple avenues or channels for lodging complaints, transparency, promptness and timeliness of responses and clear procedures. The grievance mechanism is a formal procedure through which communities and individuals affected by VRA’s activities can formally communicate their specific concerns and grievances to the company and facilitate resolutions that are mutually acceptable by the parties and within a reasonable timeframe. The grievance procedure may be used by anyone without any concern or fear of retribution.

**12.2. Grievance Committees**

Consultations with the elected representatives of the communities, specifically the District Chief Executives of the Lawra District and Nadowli/Kaleo District Assemblies as well as elected representatives from Lawra and Kaleo communities on the Local Government, known as Assembly persons / Unit committee members was undertaken with a view of collating social information as well as informing them about the project and its impacts on the community members and to request them to represent as Grievance Committee Members.

Through the various engagements, the community members have been requested to channel all grievances through the District Chief Executives or their Assembly persons. Subsequently, VRA had identified the following persons as key in the two (2) project communities to perform the functions of Grievance Committees as shown in Table 12-1. Membership is to be updated depending on the contingencies of the time during implementation.

Table 12-1: Proposed Grievance Committee Members

Community	Name of Assemblyperson	Position	Contact number
Kaleo	• Hon. Katherine T. Lankono	• District Chief Executive	• 0207444484
	• Hon. Ngminnie A. Noah	• Kaleo East Assemblyman	• 0247697937
Lawra	• Naa Puowele Karbo III	• Lawra Naa	• 0244805521
	• Martin Domotier Bomba-Ire	• Municipal Chief Executive	• 0244985706
	• Hon. David Y. Kuudegi	• Yagpelle Assemblyman	• 0208816135

Members of the Grievance Committee are expected to assist VRA in the following ways;

- Serves as a liaison between the community members and VRA
- Address misleading issues/problems if any.
- Bear witness to any damages and compensations to be paid.
- Identify and testify rightful owners of properties.

### **12.3. Grievance Redress Process**

Currently, a Grievance Redress Mechanism – Operational Manual (June 2016) has been released by the Ghana EPA. The Manual seeks to ensure an efficient and transparent execution of the GRM process and was developed to provide a standardized mode of addressing grievances across board. It is therefore planned that the strategies recommended in the Operational manual is to be adopted by the VRA in project implementation. Recommended steps for grievance redress mechanism outlined in the manual are as follows:

- Receive and register grievance
- Acknowledge receipt of grievance
- Access and assign grievance for investigation
- Investigate grievance
- Select a resolution option
- Formulate and communicate response
- Institute resources or appeal mechanism
- Follow up and close out
- Monitor, report and evaluate the GRM.

Sample formats for the Grievance Procedure Form to be utilized by the project to record and register complaints as provided in the GRM-Operational Manual is now to be adopted for the project and are provided in the EIA Report. It outlines where to go, whom to talk to if there's a complaint, and understand what the process will be for handling it. VRA will make public the GRM through various media in a form and substance culturally acceptable to all project affected persons and other stakeholders. This will include publishing it on VRA website for the information of all interested and affected parties.

A database will be developed of all recorded grievances. In receiving the grievances of vulnerable affected persons (e.g. women, those over 60, the illiterate, or the physically challenged), VRA will pay careful attention to any special needs, difficulties or concerns that they may have. The grievance procedure is to be used by anyone without any concern or fear of retribution.

## **13 MONITORING AND EVALUATION**

### **13.1. Overview**

Fundamentally, Monitoring and Evaluation (M&E) has been designed for this LARP to establish the effectiveness of all the resettlement activities. The primary objective is to provide the project authorities with feedback on LARP implementation and to identify problems and successes as early as possible to allow timely adjustment of implementation arrangements. M&E in this LARP is primarily targeted to verify that:

- Actions and commitments described in the LARP are implemented,
- Eligible PAPs receive their full compensation prior to the start of construction activities on the corridor,
- Complaints and grievances lodged by PAPs are followed up and, where necessary, appropriate corrective actions are taken,
- Public consultations are held as planned and
- Timelines for resettlements and relocations are adhered to.

### **13.2. Monitoring and Evaluation Arrangements**

Project affected citizens will be closely monitored on regular basis. Monitoring will be carried out in the compliance with this LARP during the implementation of the Project in order to ensure adequate compensation for the affected parties, restoration and improvement of the project affected parties, protection of the rights of the affected community under relevant Ghanaian laws and World Bank ESS5 and this LARP, and timely response to any concerns and grievances from the local citizens. The monitoring will measure the following key indicators:

- Number of physically and economically displaced parties
- Number and results of consultation and engagement activities conducted within the project affected entities
- Land acquisition status, associated compensation payment, entitlement delivery
- Livelihood restoration activities, impacts and results of the restoration activities
- Response and effectiveness of redress grievances

An end-term evaluation will be undertaken by VRA and KfW to assess whether the outcome of the LARP complies with ESS5. The key objective of this evaluation, or completion audit, will be to determine whether the efforts made to restore the living standards of the affected population have been properly conceived and executed. The audit will verify how far the physical inputs committed in the LARP have been delivered and the services have been provided. In addition, the audit will evaluate whether the mitigation actions prescribed in the LARP have had the desired effect. The socioeconomic status of the affected population will be measured against the baseline conditions of the population before displacement, established through the census and socioeconomic studies. This evaluation will be undertaken after all LARP inputs - including payment of compensation have been paid and other supplementary development initiatives have been completed prior to project closure.