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MINISTRY OF ENERGY AND MINERALS(MoEM)

Somali Electricity Sector Recovery Project - SESRP

(P173088)

Resettlement Policy Framework (RPF)

MAY 2022

Abbreviations and Acronyms

Acronym	Details
AIDS	Acquired Immunodeficiency Syndrome
BESS	Battery Energy Storage System
HRA	Hargeisa Regional Administration
BSSF	Business Support Services Firm
CBO	Community Based Organization
CEDAW	Convention on the Elimination of All forms of Discrimination against Women
COVID-19	Corona Virus Disease 2019
CSO	Civil Society Organization
DoECC	Directorate of Environment and Climate Change
EHS	Environment Health and Safety
ESF	Environmental and Social Framework
ESI	Electricity Supply Institutions
ESIA	Environmental and Social Impact Assessments
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESP	Electricity Service Provider
ESS	Environment and Social Standard
FGM	Female Genital Mutilation
FGM/C	Female Genital Mutilation or Cutting
GOSL	Government of Somaliland
FPIC	Free and Prior Informed Consent
GBV	Gender based Violence
GBVIMS	Gender-Based Violence Information Management System
GIIP	Good International Industry Practice
GIS	Geographical Information System
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
HIV	Human Immunodeficiency Virus
HSDG	Hydrogen Storage Distributed Generation System
IDA	International Development Association
IDP	Internally Displaced Person
IP	Implementing Partner
IVA	Independent Verification Agency
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
MIS	Management Information System
MoEM	Ministry of Energy and Minerals
MoPIED	Ministry of Planning and Economic Development
MoPW&T	Ministry of Public Works and Transport
NGOs	Non-Government Organization
OCHA	Office for the Coordination of Humanitarian Affairs

Acronym	Details
OE	Owners Engineer
OHS	Occupational Health and Safety
PAP	Project Affected Person
PIU	Project Implementing Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SDF	Somaliland Development Fund
SEA/SH	Sexual Exploitation & Abuse / Sexual Harassment
SEP	Stakeholder Engagement Plan
SESRP	Somaliland Electricity Sector Recovery Project
SME	Small and Medium Enterprise
SNA	Somaliland National Army
SOP	Series of Projects
TPMA	Third Party Monitoring Agent
UN	United Nations
VAC	Violence Against Children
VLD	Voluntary Land Donation
VMG	Vulnerable and Marginalized Group

Definition of Terms

Terminology	Definition
Census	<p>A field survey 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. This would involve identifying characteristics of households, information on vulnerable groups, public/community infrastructure as the overall baseline conditions for the overall monitoring and evaluation process.</p> <p>A complete and accurate count of the population that will be affected by land acquisition and related impacts. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation and for preparing and implementing the Resettlement Action Plan (RAP).</p>
Compensation	The payment in kind, cash, or other assets in exchange for the taking of land, or loss of other assets, income/profits including fixed assets thereon, in part or whole.
Cut-off Date	The date the census and assets inventory of persons affected by the project begins. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages.
Displaced Persons	The people or entities (whether natural or legal) directly affected by a project through the loss of land and the resulting loss of residences, other structures, businesses, or other assets.
Economic Displacement	Loss of assets (including land) or access to assets that leads to loss of income sources or means of livelihood because of project-related land acquisition or restriction of access to natural resources. People or enterprises may be economically displaced with or without experiencing physical displacement. Usually, the term economic displacement is used when affected persons are not also physically displaced (see below “physical displacement”).
Environmental and Social Standard	The Environmental and Social Standards set out the requirements relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the Bank through Investment Project Financing. There are ten Environmental and Social Standards that establish the standards to be met through the project life cycle.
Eligibility	The criteria for qualification to receive entitlements outlined as part of the resettlement process.
Forced eviction	The permanent or temporary removal against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures and principles in ESS5.
Grievance	Complaint mechanism is a locally based formalized way through which project

Terminology	Definition
Redress Mechanism	affected people and communities may raise their concerns directly with the project when they believe the project has caused or may cause them harm. The Grievance Redress Mechanism ensures that complaints are being promptly received, assessed, and resolved by those the responsible for the project.
Host Community	A host community is any community of people living in or around areas to which people physically displaced by a project will be resettled.
Household	The term household refers to a group of people who reside together and share in the functions of production and consumption operating as a single economic unit. It is also the smallest unit of consumption, and sometimes production.
Household Head	For purposes of a census, the household head is that person among the household members who is acknowledged by other members of the household as the head and who is often the one who makes most decisions concerning the welfare of the members of the household.
Inventory of Loss	The pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
Involuntary Resettlement	<p>Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets, or access to assets, including those that lead to loss of income sources or other means of livelihood), or both.</p> <p>Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement</p>
Land Acquisition	<p>Methods of obtaining land for project purposes, which may include outright purchase, expropriation of property, and acquisition of access rights, such as easements or rights of way. It may also include:</p> <p>(a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes.</p> <p>(b) repossession of public land that is used or occupied by individuals or households; and</p> <p>(c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.</p>
Livelihood	Refers to the full range of means that individuals, families, and communities utilize to make a living such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.
Livelihood Restoration	<p>The measures required to ensure that Project Affected Persons (PAPs) have the resources to at least restore, if not improve, their livelihoods.</p> <p>Specific allowances or activities intended to support displaced people's efforts to improve or at least restore their livelihoods to pre-project levels. Livelihood</p>

Terminology	Definition
	restoration should preferably be distinguished from compensation. Livelihood-restoration measures typically include a combination of cash or other allowances and support activities such as training, agricultural assistance, or business enhancement.
Physical Displacement	Loss of dwelling or shelter because of project-related land acquisition, which requires the affected person(s) to move to another location. Physical displacement typically entails economic displacement too, as physically displaced people usually lose access to land, employment, or business opportunities associated with their former location, and most specialists use physical displacement to cover both physical and economic impacts.
Project Affected Person (PAP)	persons who, for reasons of the involuntary taking of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not the said Project Affected Persons physically relocate. These people may have their: (i) standard of living adversely affected, whether or not the Project Affected Person must move to another location; (ii) right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed, temporarily or permanently, adversely affected; (iii) access to productive assets adversely affected, temporarily or permanently; or (iv) business, occupation, work or place of residence or habitat adversely affected.
Rehabilitation Assistance	the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.
Replacement Cost	a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. In determining replacement cost, depreciation of the asset and the value of salvage materials are not considered, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.
Resettlement Action Plan	the planning document that includes measures to address physical and/or economic displacement expected from a project.
Resettlement Entitlements	the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category. These measures ensure that project affected persons who may require to be physically or economically displaced are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.

Terminology	Definition
Resettlement Policy Framework (RPF)	a framework prepared to guide resettlement action and in particular the preparation of Resettlement Action Plans during Project implementation. The RPF will be publicly disclosed in impacted areas to set out the resettlement and compensation policy, organizational arrangements, and design criteria to be applied to meet the needs of the people who may be affected by the project implementation. Resettlement Action Plans will be prepared consistent with the provisions of this RPF.
Restrictions on land use	limitations or prohibitions on the use of agricultural, residential, commercial, or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones
Security of Tenure	means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are weaker than the rights they had to the land or assets from which they have been displaced.
Vulnerable People or Groups	Refers to those individuals or groups who, by virtue of, for example, their age, gender, race, ethnicity, religion, physical, mental, or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits.

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EXECUTIVE SUMMARY

The Government of Somaliland (GoSL), is preparing the Somaliland Electricity Sector Recovery Project (SESRP) to be financed by International Development Association IDA to the tune of US\$50 million. The SESRP aim is to increase access to electricity services and to re-establish the Electricity Supply Industry (ESI) in the Project Areas. The GOSL has created the Ministry of Energy and Minerals (MoEM) to define and implement overall energy sector policies and to regulate the sector. The (MoEM) hosts the Project Implementing Unit (PIU).

The proposed Somaliland Electricity Sector Recovery Project has been conceptualized as the first of a series of three projects. The SOP vision has four themes: (a) infrastructure development, (b) renewable energy generation, (c) electricity supply to public institutions, and (d) sector capacity enhancement. Sector institutional, legal and regulatory enabling environment for sustained sector operations, including enhancing both the public and private capacity to manage and operate the sector. These themes aim to achieve the following outcomes:

1. Increased access to lower cost electricity supply from diverse energy resources especially from renewable energy resources for climate change mitigation; and increased access to electricity services.
2. Improved access to functional health and education services.
3. Sector institutional, legal, and regulatory enabling environment for sustained sector operations, including enhancing both the public and private capacity to manage and operate the sector.

Rationale and Objective of the of Resettlement Policy Framework (RPF): The purpose of the resettlement policy framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation (see ESS5, paragraph 25). Once the subproject or individual project components are defined and the necessary information becomes available, resettlement action plan(s) proportionate to potential risks and impacts shall be prepared through the supervision of PIU and approved by the Bank, disclosed and later implemented. The objective of the RPF is to ensure that the Project Affected Persons (PAPs) get compensation for their losses, are offered resettlement measures, and are supported in improving or at least restoring their levels of living and income after the project impact to pre-project levels. This RPF is intended to safeguard the interests of the population impacted by the project activities, especially the poor and vulnerable and will be based on applicable Policies of Somaliland Government (GoSL), and the World Bank standards.

Resettlement Principles: The physical and/or economic displacement of local populations will be avoided or minimized to the extent possible. When displacement of population is necessary and unavoidable, affected people are provide adequate information to understand and opportunities to choose among alternatives to re-establish their livelihoods and maintain or improve their standards of living. Where the impact of Project land taken is such that the sustainability of people’s livelihoods is curtailed, preference will be given to land based/in-kind compensation over cash compensation. Compensation at full replacement cost for losses of assets attributable directly to the Project will be provided prior to impact. Special assistance tailored to the needs and constrains of vulnerable populations will be established.

Development of RAPs: The outline for subsequent RAPs as well as the proposed socioeconomic questionnaire have been incorporated into this RPF as the basis for the development of the subproject RAPs once the locations of the subprojects have been defined. The RAP will include more detailed description and a proposed livelihood restoration program in line with the needs, nature of losses and profiles of the affected individuals and or communities based on consultations and the results of the socioeconomic survey.

Eligibility: Any individual, group, organization who is located within the project area of impact prior to the established cut-off date, and is affected by the project is eligible for compensation under the project guidelines. To address this, an entitlement matrix has been developed as part of this RPF and will be further refined with the development of the subproject RAPs. A PAPs eligibility for compensation was determined with the guidance of the World Bank's Environmental and Social Standard 5 ("Land Acquisition, Restrictions on Land Use and Involuntary Resettlement") requirements and their compensation and other support are outlined in the entitlement matrix. Vulnerable groups will also be entitled to tailored supplementary support based on their specific needs.

Legal framework: A gap analysis with a description of how these will be mitigated is incorporated into this RPF. Both the Somaliland Provisional Constitution of 2012 and the World Bank Environment and Social Framework Standard ESS5, "Land Acquisition, Restrictions on Land Use and Involuntary Resettlement", aim to ensure that involuntary resettlement should be avoided or minimized, wherever feasible, exploring all viable alternative project designs, and where displacement is unavoidable, people losing assets, livelihood or other resources shall be assisted in improving or at a minimum regaining their former status of living at no cost to themselves will be carefully planned and implemented. ESS5 also requires consultation with PAPs during planning and implementation of resettlement action plan and public disclosure of drafts. Once the draft is prepared it is to be made available at a place accessible to—and in a form, manner, and language understandable to—the displaced or affected people as well as any other interested local stakeholder groups. For the avoidance of doubt, for the purpose of this project, the regulation that provides the better benefit to the affected party shall prevail conditional to the requirements under ESS5 being the minimum requirement.

Valuation Methodology: The principle of replacement cost will prevail and there should be great care in doing asset valuations. Where feasible, experience from other projects (WB or other IFIs) will be leveraged for experience as well as any formal documentation on land value and current market prices to be taken into account by the independent land assessors. For crops and trees, a clear calculation including the unit prices, maintenance and seedling cost as well as the annual production loss until maturity should be considered to provide for net income. On structures, this will be calculated based on current market cost for the materials, plus labor and other administrative costs towards re-establishment. Any losses on business or agricultural wage income should be discussed based on the case-by-case situations and information from the socio-economic survey, as outlined in the subproject RAPs.

Implementation responsibilities: The PIU will oversee the implementation of this RPF and subsequent RAPs in line with implementation arrangements outlined. As soon as locations, implementing partners and specific project level designs have been developed, tailored community consultations with regard to the land and resettlement impact will be undertaken and accordingly resettlement action plans will be prepared. In principle, no civil works / land take should commence prior to the provision of the full entitlements to PAPs.

Local government(s) have a major role and responsibilities of land take from the citizen or institution for development purposes. The Somaliland Ministry of Public Works jointly work with other government lead agencies, for example, Hargeisa Local Government Particularly Land Department, in order to oversee and observe how the process of land take is undertaken in line with the Somaliland Land Act. This process helps the government to acquire community and private land for development projects through laid down procedures, namely: (i) land assessment, (ii) review of the reports from the land assessment, (iii) application in line with the rules and regulations that exists in the state (i.e., Land Act), (iv) registration of the land into the citizens or institutions regarding to their purposes, and (v) issuance of certification for the land.

Grievance Redress: The project has established a Grievance Redress Mechanism (GRM) which will function to receive, evaluate and facilitate the resolution of project affected person's concerns, complaints and grievances.

The GRM has been developed based on the existing complaint handling mechanism which specifies in detail the resettlement management including implementation arrangement and the review processes. The Land Tribunal Committees established within the Local Authorities (Municipalities) shall play a key role in resolving the emerging concerns, together with other locally existing structures such as the elders and religious leaders' platforms. A description of the GRM can be found in section 11 of this document with full details (as well as any subsequent updates as needed) found in the project's Stakeholder Engagement Plan (SEP)

Financing Arrangements: Accordingly, land acquisition and resettlement expenses for consultation and participation, grievance redress, the cost of relocation, income restoration, transitional allowance, livelihood programs, monitoring and evaluation, administration, contingencies, etc., will be included as cost estimates for social management. Respective government entities – recipients of subprojects – are responsible for financing the cost of resettlement and will provide an adequate budget for all land acquisition compensation from the counterpart funding. The budget estimates and its sources will be reflected in RAPs and adjusted accordingly.

In order to implement the RPF measures, budgetary provisions will be made available, in terms of each subproject. Budgetary estimates for subprojects where resettlement implementation is necessary, including resettlement management will be incorporated into the cost estimates.

Stakeholder consultation, participation and disclosure: This RPF will be publicly disclosed for comments from a broad range of stakeholders. Stakeholder consultations regarding this RPF are planned targeting specific government Agencies involved in land matters, namely: Ministry of Energy and Minerals, Ministry of Labor and Social Affairs, Ministry of Public Works, Ministry of Labor and Social Affairs, Somaliland Energy Development Agency, Internally Displaced Person (IDP) Camp Leaders with regard to the potential land and resettlement issues. More detailed consultations on other resettlement instruments will be carried out once these are developed.

Monitoring and evaluation: The PIU will be responsible for concurrent Monitoring and Evaluation (M&E) of resettlement implementation. M&E will include monitoring and verification of processes and activities in RAP implementation and will prepare and submit to the respective Ministries quarterly reports. This RPF will be updated when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learned. Any changes made to these resettlement instruments will follow the established disclosure and approval/no objection processes outlined in the project documents.

1 INTRODUCTION

The Government of Somaliland (GoSL), is preparing the Somaliland Electricity Sector Recovery Project (SESRP) to be financed by International Development Association IDA to the tune of US \$50 million. The SESRP aim is to increase access to electricity services and to re-establish the Electricity Supply Industry (ESI) in the Project Areas. The GOSL has created Ministry of Energy and Minerals (MoEM) to define and implement overall energy sector policies and to regulate the sector. The (MoEM) hosts the Project Implementing Unit (PIU).

The most significant energy resource currently used in Somaliland is biomass, and heavy dependence on petroleum fuels. Estimates of the energy needs met through traditional biomass fuels, wood and charcoal vary between 80% and 90% over the whole country. Petroleum products, accounting for about 10% of total energy use, are essentially used for transport and electricity generation and in smaller quantities for cooking and lighting. Electric power generation (almost entirely diesel-fueled) accounts for about 2% of the energy provided by petroleum fuels. Transportation fuels (gasoline and diesel) account for most of the rest. Liquefied Petroleum Gas (LPG) is used for cooking by the wealthier urban population, while about 5% of households use kerosene for cooking.

Somaliland is a country of vast rangelands, pockets of cultivated agricultural land, and growing urban areas which are governed by a diverse land tenure regime that suffered significant disruption during the country's prolonged civil war. About 46-56 percent of the country's land area is permanent pasture, while 20 percent is classified as forest. Approximately 13 percent is suitable for cultivation. The remaining land is not economically exploitable (UN-HABITAT 2006).

Because of weak enforcement of the law, large disparities have appeared between customary land tenure systems and statutory law, engendering illicit appropriation on the part of those most powerful and exacerbating the clan divisions. As a consequence of the prolonged absence of a clear central government authority and the subsequent erosion of legal systems, land and property have been subject to illegal occupation and land grabbing; this remains the main source of violent conflict (UN-HABITAT 2006).

In the rainfed agricultural areas in the central and southern parts of the country, local farmers continue to rely on customary land tenure. Community elders and clan leaders have the authority to allocate plots of land to individual households and households enjoy rights over land they have historically owned. Land disputes within villages are less common today, partly because of the partial depopulation of rural areas due to high displacement caused by the civil war.

The pastoral rangeland remains a commons area, where claims on water and grazing areas are seen as very communal and are possessed by clans and not by individuals. However, in some pastoral areas, private claims of land ownership are being made. This is common in Somaliland, where the wealthier and more powerful pastoral households want to reserve good grazing areas for the dry season for their exported livestock (Farah, I. 2005). In many areas, clan presence and territorial ownership do not exactly match. In areas dominated by pastoralists, there is a general convergence between clan and territory, though over time this ownership may change (Farah, I. 2005).

Deegaan plays an important role in the dynamics of communal clan tenure. Deegaan is the exclusive control by a group sharing similar language, identity or clan affiliation over a land area and the natural resources found there. The process of acquiring Deegaan is complex and involves continuous negotiation among subclans and groups. Such interaction sequences typically include several factors such as transhumant grazing, trading activities between two subclans and intermarriages that eventually blur group identities and claims to own particular Deegaan.

1.1 Project Description

The Project Development Objective is to increase access to electricity services and to re-establish the electricity supply industry in the Project Areas.

Component 1 – Sub-transmission and distribution network reconstruction, reinforcement, and operations efficiency in the major load centers of Hargeisa and Hargeisa

This component will improve network reliability and operational efficiency by interconnecting the current ESPs' distribution networks and existing generation to optimize overall distribution network operations. These activities will support the ESPs to (a) decrease the cost of operations (increased generation efficiency, reduction in distribution network losses, and distribution network duplications) and (b) improve electricity supply and reliability.

Sub-component 1a. Generator Synchronization and Automation. Currently, most of the ESPs have not implemented synchronization and automation as part of their generation processes. Therefore, separate generator units are connected to exclusive feeder lines. As a result, many generators operate below their expected optimal performance criteria. Further, the absence of automation and synchronization prevents the ESPs from utilizing parallel generation to ensure optimal generator performance and dynamic reactivity to electricity load variations. This kind of operation results in significant amounts of “wet stacking” (diesel fuel waste, extra pollution, and performance degradation). These all combine to reduce the potential maximum generation power output, reduce lifespans of the generator engines, and elevate maintenance costs and unscheduled generation downtime. Investments under this sub-component will support equipment supply and installation that will enable synchronization and automation of the numerous generators presently in operation. The investment in each of the targeted major load center (Hargeisa) will provide reduced cost of generation accruing from augmentation in generation capacity and reduced wet stacking resulting in lower fuel consumption and maintenance costs, reduced pollution levels and GHG emissions

Sub-component 1b: Transmission and Distribution network integration in the major load centers Hargeisa and Hargeisa. Most of the ESPs with a presence in the targeted project areas operate independently with significant infrastructure and operations duplication.¹ In addition, lack of network interconnection limits the opportunity to share existing generation facilities and the prospect of investing in larger capacity and more efficient generation systems. The subcomponent activities will support investments in the sub-transmission, and distribution network infrastructure required to enable generation synchronization and interconnection between the different ESP networks in addition to increased network capacity and reduced network losses. The intention to focus on establishment of an interconnected sub-transmission and distribution network is deliberate, considering the need to consolidate the currently existing investments in infrastructure and concretize the “bottom-up” infrastructure building blocks required to meet increasing electricity demand. The increased interconnectivity also provides a better demand base for future regional interconnections to the Eastern Africa Power Pool (EAPP). (See Figure 1 and 2):

¹ There are three major ESPs in Hargeisa (Sompower, Gaafane, Telesom). In Hargeisa there are four ESPs, of which three led by SomPower are in talks to merge their operations.

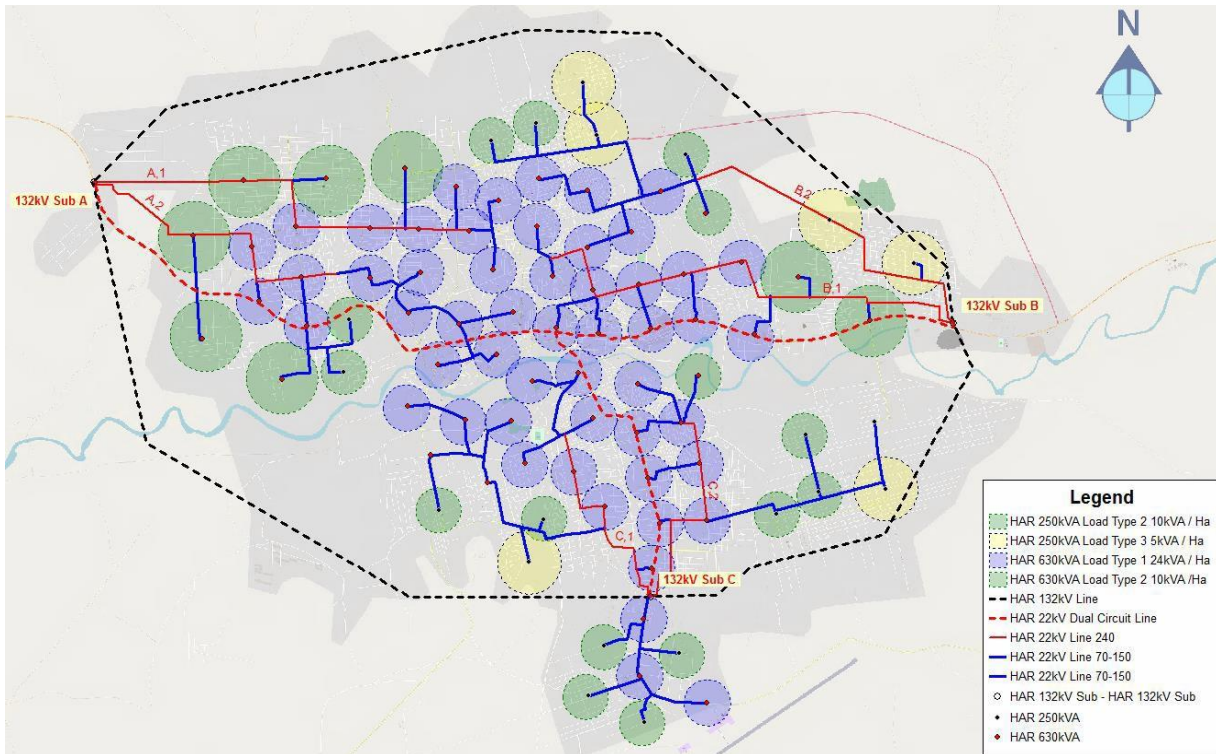


Figure 1: Proposed Sub-transmission and Distribution Network Development for Hargeisa

Component 2 – Hybridization and battery storage systems for minigrids

This component will support activities aimed at the hybridization and optimization of existing mini grids. It will support installation of Battery Energy Storage Systems (BESS) and Solar Photovoltaic (SPV) systems at existing diesel-based generation stations in selected load centers. Possible load centers to be considered under this component have not been agreed upon, but may include other cities, such as, Berbera, Borama, Burao, Erigavo, & Las,anod and other cities as may be determined by the government. This component aims at increasing the efficiency of the existing hybrid mini grids (diesel and solar) by optimizing the generation capacity and, where possible, reducing the diesel consumption by augmenting the installed capacity with BESS and additional SPV generation. There are several ESPs that have commenced converting their generation systems into hybrid electricity generation, mostly via SPV. These systems are synchronized to operate as part of SPV-HSDG hybrid generation, with the solar component providing daytime generation. Such hybrid opportunities offer significant improvements in fuel efficiency, fuel consumption, extended generator lifespans, reduced GHG emissions, and reduced combustion pollution, along with less reliance on fuel imports. In addition, hybridization has enabled some ESPs to reduce the electricity tariffs by about 40 percent. The beneficiary ESPs will be selected taking into account the following criteria: (a) regional balance with regard to the project scope coverage, to include some of the large load centers in the GOSL; (b) maximum impact (reduced GHG emissions) based on the existing load demand; (c) optimized investment costs, for example, ESPs with existing hybrid SPV already installed but without battery storage would be ranked higher due to the lower cost; (d) availability of land at the existing ESP generation sites for additional infrastructure; and (e) ESPs' willingness to enter into agreement with government on the operations and maintenance of the assets; and commitment to achieving minimum performance standards².

Component 3 – Stand-alone solar off-grid access to public institutions (Health and Education)

The component will finance the delivery, installation, and operation and maintenance (O&M) for Lighting Global–certified SPV systems over the lifetime of the project for selected education and health facilities. Besides playing a key role in enablement of community co-benefits, facilities that have access to electricity may be better positioned to attract and retain skilled workers, especially in rural areas. Further, this component will equip public service institutions to better respond to emergencies, such as COVID-19. The activities under this component support the resilience of the Somali population from the conflict's impact on livelihoods through improved access to functional basic services, such as health and education facilities.

Selection of the facilities will be underpinned by the Least-Cost geospatial analysis and the list of priority facilities identified by the GOSL (in consultation with the GOSL). The overall financing needs for providing access to the 4,141 health and education facilities identified by the government is about US\$160 million. The project will provide electricity access to 585 facilities prioritized by the government following the identification of selection criteria agreed with the ministries of energy, health, and education³. Selection criteria include (a) rural and remote areas with no connectivity, (b) priority connectivity to maternal health centers and secondary schools, (c) presence of both health and education facilities, and (d) presence of internally displaced persons (IDPs) and high levels of poverty and

² These include but not limited to: (i) hours of service; (ii) expansion of service access (i.e. increase connections and area of coverage, as well connection of targeted educational and health facilities); (iii) reduction of technical losses; (iv) improved receivables collection; (v) reduction of service tariffs; (vi) corporate financial management ratios; and (vii) minimum social and environmental standards for service provision and assets management and operation (including operational health and safety standards).

³ Prioritization was also informed by the mapping of health facilities conducted under the Improving Healthcare Services in Somaliland (Damal Caafimaad, P172031) project.

vulnerability. The project activities will also be complemented by similar interventions under the Somaliland Education for Human Capital Development (P172434) and the Improving Healthcare Services in Somaliland (P172031) projects. The component will contribute to about 25 percent of the overall investment needs to provide access to all the priority facilities identified.

Component 4 - Institutional Development and Capacity Building.

Component 4 consist of five activities tailored to the re-establishment of the sector's soft infrastructure for the adequate day-to-day management and establishment of an enabling institutional and regulatory environment for sector operations. Together, these activities will lead to the rebuilding of the electricity supply industry in the country and establish the fundamentals for sector development and private sector participation sustainable in the long run. They include the establishment of the institutions with clear roles and responsibilities⁴, and the development and implementation of policies, sector strategies and secondary regulations for the sector. The component will also support the implementation of the recommendations provided under the ongoing Electricity Supply Industry (ESI) Institutional Design option analysis for sector development and project implementation arrangements:

Sub-component 4.1 – Policy and regulatory development. The technical assistance is aimed at strengthening sector governance and regulation to foster autonomy, accountability, and transparency. Specific activities will include sector policy, regulation, planning, management, and operations. This sub-component would also provide technical assistance for renewable energy development; and how ESPs would be regulated in the future.

Sub-component 4.2 - Sector Planning and Feasibility Studies for Renewable Energy Projects. Following the adoption of the PSMP, there is a need to undertake detailed feasibility studies, such as site-specific wind resource measurements and geothermal prospecting, as well as renewable minigrids pre-feasibility studies building on the results of the geospatial Least Cost assessment prepared under the SEAP project. The technical assistance will also support (MoEM) to undertake integrated planning, including preparation of a Least-Cost Development Plan covering generation, transmission, and distribution as well as an Electricity Access Strategy and Investment Prospectus.

Sub-component 4.3: ESP and (MOEM) Business Support Services. The technical assistance will support ESPs to enhance their capacity in utility business management operations. It will also assist them in setting up business processes to enable their compliance with license obligations and support growth of businesses and revenues for long-term additional sector investments. The assistance aims to enhance and increase the role of the ESPs, and the private sector in general, in sector ownership, management, and operations - initially through support and guidance of the day-to-day sector undertakings with a business support services firm (BSSF) approach. The BSSF would also potentially promote renewable energy development and/or resilient energy infrastructure through capacity building of the ESPs by integrating potential activities such as operations and management of solar PV and hybrid facilities and climate and disaster screening and management for energy assets.

Sub-component 4.4: Project Implementation Support including for environment and social safeguards. This sub-component will finance execution, design, and supervision consultants to assist the (MoEM) Project Implementation Units (PIU) and associated agencies in project implementation, sector management, and coordination. This sub-component will also support key functions of the PIU project management teams (project management, procurement, financial management [FM], safeguards, and

⁴ i.e. the GOSL National Electricity Authority to be established after the electricity bill is enacted; and Somaliland Energy Regulatory Commission.

monitoring and evaluation) required for project implementation. The sub-component will also include technical assistance to enhance sector fiduciary arrangements as well as setting up an E&S risk management system, enhancing the E&S capacity through staffing and training on the Environmental and Social Framework (ESF) requirements based on a robust capacity building plan. The Sectoral Environment and Social Assessment shall inform the sector-wide development framework and E&S risk management capacity and performance for the sector. Specifically, the sub-component will finance the owner's engineer (OE) consultancy services to support the PIU regarding project design, procurement, and contracts' management, including fiduciary and E&S aspects. A dedicated E&S firm will support the PIU in the areas of health, safety, labor management, land, resettlement, community engagement and security. In addition, the sub-component will support other technical assessment and capacity-building activities for the successful implementation of the project. This will include, for instance, trainings for the Ministries of Health and Education for the management and operations of the SPV systems beyond the lifetime of the project.

Sub-component 4.5: Implementation of a Gender Action Plan. This sub-component will support a series of interventions envisioned to close the identified gender gaps. A preliminary gender assessment was conducted at project preparation to identify specific gender gaps in the energy sector, particularly barriers that limit career progression for women. The following activities will be conducted: (a) development and endorsement of a detailed Diagnostic Gender Gap Assessment, (b) Pilot incubator for women's employment, (c) development of detailed gender actions plan, including capacity building on gender issues in the sector.

1.2 Land and Socio-Economic Context

1.2.1 Land Issues

Land conflicts in Somaliland have risen to be one of the key issues of instability at the community and inter-community level. This is partly due to a complex situation of land tenure. While the Agricultural Land Law of 1975 abolished private ownership, the current situation is very unclear. Only a few locals registered their land at the time, and the civil war further impacted the situation negatively. Customary land tenure has therefore taken the center stage in ordering land ownership and usage. It is focused on clan relations and on pastoral land use rather than norms of individual ownership. The Provisional Constitution defines land as public property. The government has created means to transfer some land into private ownership by granting ownership for urban and agricultural land. Formal legal frameworks now exist alongside customary land management.

Land disputes and grievances have been identified in the existing literature as a major issue of contestation. There are different categories of causes of land-related grievances. First, powerful groups and individuals take land illegally, often from the poor or minority groups, who cannot defend themselves. This is based on the fact that land prices in Hargeisa have skyrocketed in recent years, and land has become a popular commodity.⁵ Second, Somalis returning from overseas to Hargeisa often claim back their land, which causes a variety of land grievances, as the land has often been occupied by others in their absence⁶. Third, there are multiple questions of land inheritance, especially given the large group of members in a family, as well as the return of Diaspora members who may have claims to inherit land⁷.

5 Rift Valley Institute / Heritage Institute, Land Matters in Hargeisa. Settlement, Ownership and Displacement in a contested city, 2017, p. 53

6 RVI 2017, p.54

7 RVI 2017, p.57

Fourth, given Hargeisa's history of contestation, occupation and civil war, multiple title deeds have been issued over the years and continue to be manufactured. This is a key cause for land disputes when multiple owners put claims on a piece of land.⁸ Fifth, of concern to the citizens of Hargeisa is the unregulated sale of public property, as well as the destruction of historic property. Sales often take place between government representatives and private interest groups, without any possibility for recourse by citizens. Sixth, land occupation in Hargeisa and HRA is ongoing, and has the potential to result in greater conflicts. This is underpinned by an overlapping and uncoordinated land administration system. A study on land in Hargeisa by the Rift Valley Institute (RVI) even estimated that 80% of cases filed at the Supreme Court are connected to land grievances.⁹

Furthermore, ongoing forced evictions are a key challenge for IDPs in Somaliland. Due to insecure land tenure arrangements in IDP settlements, it is often difficult for IDPs to secure their rights. According to ReDSS^{10,11}, an annual average of 155,000 individuals have been evicted across Somaliland, mainly in Hargeisa and Baidoa. Evictions take place from both, public and private infrastructure. Key protection challenges are that IDPs settle on public land or private lots with contested ownership. Women and Cultural Heritage

Somaliland has rich cultural heritage due to its own cultural goods 'dhaqan', including the fundamentals of a segmentary society and the resulting social fabric. Traditions often originate in the proto-Somali cultural era or originate in the many interactions Somali populations had with other cultures, including those from the Arabian Peninsula, India, and sub-Saharan Africa. The protracted conflicts and the civil war in Somaliland, however, have had significant impact on the loss of tangible and intangible cultural heritage. Deliberate efforts have to be made to protect cultural heritage. Unfortunately, the country's legislation around these issues has not yet been developed and does not legally enforce the protection and preservation of cultural artefacts, cultural heritage and distinct sub-national identities. Especially infrastructure development project therefore needs to support the protection of places of cultural and religious significance, including graveyards, religious buildings, and historical sites.

1.2.2 Vulnerability and Social Exclusion

Internal Displacement: The capital city of Somaliland, Hargeisa, is an expanding urban metropolis. Over the years, it has become host to many different population groups that have been forcibly displaced as a result of conflict, insecurity or drought, or migrated to the city for economic purposes. Over the last decades, internally displaced people, refugee returnees from Ethiopia and elsewhere, asylum seekers, refugees and economic migrants have arrived in the city, where the majority join communities residing in government recognized settlements, while others have mingled with the host populations across the city. Before this profiling exercise, little data existed on displaced and displacement-affected populations in Hargeisa.

8 RVI 2017, p.58

9 RVI 2017, p.67

10 ReDSS Forced Evictions as an obstacle for durable solutions in Somaliland, March 2018, accessed at: <http://regionaldss.org/wp-content/uploads/2018/03/Forced-evictions-as-an-obstacle-to-durable-solutions-210318.pdf>

In a context where people with varying migration and displacement histories are mixed with the urban poor population, no previous attempt had been made to systematically identify different population groups and understand their respective needs and living conditions. Additionally, no systematically collected or analyzed data existed on the displaced populations living out of settlements. It was to address this lack of comprehensive, reliable and agreed upon data on displaced and other displacement-affected populations, that UNHCR, with the support of the Ministry of Repatriation, Rehabilitation and Reconstruction (MRRR) and partners, conducted a collaborative profiling exercise of different target groups in Hargeisa's IDP settlements between January and June 2015, with the intention of informing stakeholders' work in support of durable solutions. Somaliland finalized the drafting of its policy framework on internal displacement in 2014, which is currently in Cabinet for adoption.

1 Developed in a participatory and consultative way, the policy aims to provide common guidance on improving IDPs' living conditions, protecting their rights and facilitating durable solutions and establish a systematic, coordinated and principled response to displacement. The need to establish a coordinated response is particularly pertinent given the changing institutional setting in Somaliland with the phase out of the Protection and other clusters. Moreover, in a context of declining humanitarian funding, the Somaliland Development Fund makes considerable resources available that could be made fruitful to support durable solutions, through a Ministry with access to these resources.

The emphasis on development interventions presents an opportune moment to inform and shape how the needs of displaced and other communities living in Hargeisa's settlements could be incorporated in the development agenda.

<https://www.iips.org/uploads/2018/10/Profiling-Report-Somaliland-Hargeisa-2015.pdf>

1.2.3 Gender-Related Vulnerability

Gender-Based Violence and Gender Dynamics Somaliland and Somalia. Differentiated social roles and responsibilities between men and women across livelihood systems have implications on the available mechanisms to cope and respond to external shocks such as drought. Sexual violence against women and girls in Somaliland, an abominable crime less prevalent in Somaliland pre-civil war history. Recent figures show 76% of all recorded cases happen among the IDPs whereas 14% occur in the hosting communities. In the face of crisis, such as insecurity, drought or famine, men and women adopt different coping strategies to increase household resilience. Preventing and combating sexual violence requires informed participatory not limited to education and awareness campaigns, safeguarding and robust reporting, effective law enforcement and judicial process which can furnish proportionate remedy and penalty.

Available economic opportunities, however, are still quite limited for both men and women and female-headed households remain among the most vulnerable populations. Unemployment rates remain particularly high for women, and especially female IDPs who often remain reliant on charity through social protection mechanisms and contributions from the diaspora in the form of remittances. Women who are engaged in income generating activities are often engaged in the informal sector and further bear the double domestic burden of earning an income and taking care of the home. The consequences of this

burden often fall to girls in the family, who are expected to contribute to the maintenance of the home, often at the expense of girls' education and skills development¹².

Women representation in politics and governance bodies has remained scarce. Political power and authority are perceived as masculine spaces, and the few women who are included in politics mostly act through their husbands or other male family. Analytical work on political economy in Somaliland has shown that political power is deeply rooted in access to resources. Women's economic empowerment should therefore play a fundamental role in their rise in politics and decision-making spheres. However, to date no analysis has explored the links between economic empowerment initiatives and political empowerment, nor has rigorous political economy analysis been coupled with a gender analysis. At least 30 per cent of seats in the national Parliament are reserved for women; while women's representation in Parliament has improved in recent years, at 24 percent representation, this quota remains unmet.

While there is a lack of statistical data on the situation of women in Somaliland, the available evidence shows that Somali women are still far from enjoying equal rights and treatment. The Social Institutions & Gender Index for 2014 places Somaliland on the 6th lowest position in the world, with 'very high' discriminatory family codes, 'very high' levels of restricted physical integrity, and a 'very high' level of restricted resources and assets.¹³ Lack of access to services, such as education and health, or lack of access to agricultural production or other livelihoods and employment opportunities have kept most of the female population of Somaliland disempowered.

The Provisional Constitution and the GoSL have made commitments on women's empowerment and gender mainstreaming. The Constitution provides for the protection of women¹⁴, including the outlawing of female circumcision (Article 15) and protection from sexual abuse (Article 24(5)).

Most domestic violence and sexual violence cases are dealt with through the customary and Sharia legal systems. Anecdotal evidence indicates that some customary practices result in a double victimization of women and girls, denial of justice for many survivors, and impunity for perpetrators. The customary justice system is focused on clans. Justice is delivered for the clan rather than for the survivor of the sexual violence. Traditional approaches to dealing with rape seek resolution or compensation through negotiation between clan. Restitution is paid to the clan and not to the survivor. Once restitution is paid,

¹² OECD Development Center, Social Institutions and Gender Index, 2014, accessed at: http://genderindex.org/ranking?order=field_sigi_value14_value&sort=asc

¹⁶ LOGICA, Gender and Conflict Note Somaliland, March 2013, p. 2, accessed at: http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2014/03/31/000333037_20140331154002/Rendered/PDF/862980BRI0Box30gic_a0DissNoteSomaliland.pdf

¹²UNDP 2018

¹² Interagency Working Group on Disaster Preparedness for East and Central Africa.

¹³ OECD Development Center, Social Institutions and Gender Index, 2014, accessed at: http://genderindex.org/ranking?order=field_sigi_value14_value&sort=asc

¹⁴ LOGICA, Gender and Conflict Note Somaliland, March 2013, p. 2, accessed at: http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2014/03/31/000333037_20140331154002/Rendered/PDF/862980BRI0Box30gic_a0DissNoteSomaliland.pdf

the perpetrator of the sexual violence is free from further punishment and the case is considered finalized. In some cases, the woman or girl is forced to marry the perpetrator of the violence as a form of “restitution” ordered by customary courts. The customary system is widespread, and many families and clans choose it over other justice systems^{15,16}.

1.2.4 Clan Dynamics and Minority Groups

Deegaan plays an important role in the dynamics of communal clan land tenure. Deegaan is the exclusive control by a group sharing similar language, identity or clan affiliation over a land area and the natural resources found there. The process of acquiring deegaan is complex and involves continuous negotiation among subclans and groups. Such interaction sequences typically include several factors such as transhumant grazing, trading activities between two subclans and intermarriages that eventually blur group identities and claims to own particular deegaan. Occupancy and defense of uninhabited land was considered a legitimate way to claim deegaan historically. Similarly, if a clan has inhabited a particular area for generations, then their rights to ownership of land are stronger.

Another way of gaining access to land and resources was to become sheegad, a client of a land-owning clan, i.e., affiliated with a clan other than that into which one was born. Becoming sheegad is still a common strategy to secure land and resource rights today, particularly among weaker clans. Local leaders of brotherhoods, tariigas, customarily asked lineage heads in the areas in which they wished to settle for permission to build their mosques and communities. A piece of land was usually freely given; often it was an area between two clans or one in which nomads had access to a river. The presence of a jamaat provided a buffer zone between two hostile groups. Tenure was a matter of charity.

The elders hold an important place in the resolution of land conflicts in Hargeisa, but they are usually the entry point into the legal conflict and rarely the exit point because of powerful clans’ ability to impose their preferred decisions on weaker clans, resolution depends on the willing cooperation of the contesting parties, and the elders are unwilling or unable (lack of mandate and power) to enforce agreements and resolve the issues¹⁷.

1.2.5 Forced Displacement

The IDPs face challenges in the access and ownership of the land. The typical example is: Land provided to the IDPs in Somaliland through municipal government negotiation with private landowners is supposed to enjoy temporary security of tenure guaranteed under a 5-year rent-free arrangement. In practice however this requirement is regularly flouted. There are multiple reported examples of landlords demanding rents or a return of the land before the end of the 5-year period. In cases where IDPs have entered into private housing agreements there are also cases where landlords have cancelled tenancies or hiked rents arbitrarily and without consultation or due notice. All of these actions constitute a breaking of the lease agreement by the landlord. However, the IDP tenant invariably has little scope to object due to the lack of adequate documentation setting out the precise terms of the lease.

¹⁵UNDP 2018

¹⁶ LOGICA, Gender and Conflict Note Somaliland, March 2013, p. 2, accessed at: http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2014/03/31/000333037_20140331154002/Rendered/PDF/862980BRI0Box30gic_a0DissNoteSomaliland.pdf

¹⁷ Rift Valley Institute and Heritage Institute for Policy Studies. Land Matters in Hargeisa: Settlement, ownership and displacement in a contested city. 2017. (available at <https://www.refworld.org/pdfid/58b973e84.pdf>)

There may in fact be no lease documents with some agreements being only verbal ones. Corruption within the municipal government and other authorities favour the landowner who is able to seek advantage through bribery. Disadvantageous power differentials also exist between the landlord and the IDP tenant, especially in cases where the IDP is from a weak or minority clan, is a female or is otherwise vulnerable. In the vast majority of cases the IDP tenant, due to these factors and a lack of awareness of their rights or avenues for assistance, does not formally complain or pursue any other course of action but instead defers to the wishes of the landlord by accepting either eviction demand or rent increase.

Risks of forced displacement of IDPs by the government: Forced displacement of IDPs, who fled from drought and violence and have settled on idle private or public lands in Somaliland cities, is rampant especially in urban centers such as Hargeisa, where land is scarce and land values are high. Between January and July 2018, over 204,000 people were evicted without any prior notice or due process. While project-related economic and physical displacement will be managed through ESS5, there are risks that the project might inadvertently involve areas where such forced displacement of IDPs have been conducted. The screening during ESIA as well as socio economic survey and consultants during RAP preparation as per sub project design will help identify any such cases or any legacy issues related to the project in order to provide appropriate remediation measures in line with the requirements of ESS5.

1.2.6 Displacement Prior to Sub-project Approval

As evictions of IDPs are rampant in Somaliland, as indicated in the socio-economic baseline sections of the ESMF, Project management and its IPs need to ensure that respective local authorities, as well as communities, are aware that no forced displacements will be carried out to pave way for implementation of project activities prior to the development and implementation of the RAP.

If such evictions for the purpose of implementing a Project activity have taken place prior to the preparation of the RAP, ESS 5 requirements will be implemented retroactively. During the screening and the assessment phase, the local authorities and local communities need to state that no such eviction has taken place. These findings are subject to review by the PIU and the World Bank. Information on the illegality of such evictions will be disseminated prior and during the activity to allow for potential affected parties to file respective complaints or grievances. The information dissemination will be instituted following the approaches outlined in the Stakeholder Engagement Plan (SEP).

Where forced evictions to pave way for project investments have occurred, an assessment will be included in a social audit, in which a) the adequacy of the mitigation measures that were undertaken are assessed against the requirements of ESS 5; b) possible gaps in the requirements of ESS 5 are identified where applicable; c) a corrective action plan is developed and implemented to mitigate and offset any harm done and close gaps; and d) any grievances related to the displacement or any other outstanding issue are identified.

While the PIU will implement the assessment, the IP will need to budget for all mitigation measures identified in the RAP and in the social audit conducted under the assessment. The commencement of activities in this case will require approval of the audit findings and the identified corrective actions from the PIU and the World Bank.

The project will not resort in forced evictions of affected persons who are in the project affected areas. Furthermore, due diligence efforts will be carried out on all areas proposed for intervention to understand the historic land tenure situation and these will be detailed in the specific RAPs to be prepared.

To avoid such risks, if forced displacement was conducted in the right of way (ROW) of any proposed project-financed infrastructure, relevant ESS5 requirements will be applied retroactively.

When the screening is conducted, the municipalities will ascertain that the land acquisition has not experienced such forced displacement. This will be also re-confirmed with the host communities of project roads (subject to review by the engineering and supervision consultant and the World Bank). If the occurrence of such forced displacement is identified, a due diligence review (also called as "social audit") will be conducted to:

- (a) document and assess the adequacy of mitigation measures that were taken for the forced displacement.
- (b) identify gaps in meeting the requirements of ESF.
- (c) identify any complaints, grievances, or other outstanding issues; and
- (d) determine measures to close identified gaps and address complaints

1.3 Rationale for Preparing RPF

There is recognition that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use 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.

When land acquisition or restrictions on land are unavoidable, Environment and Social Standard 5 of the Environment and Social Framework (ESF) becomes relevant and the project is required to prepare a plan (proportionate to the risks and impacts) to address the issues identified in the social assessment. When there are multiple, undefined subprojects, the guidance recommends the preparation of a Resettlement Policy Framework (RPF). This RPF clarifies resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation. This is specific to cases where the zone of impact of specific subprojects are not yet known or determined at the time of project appraisal as is the case for the SESRP.

Once the subproject or individual project components are defined and the necessary information becomes available, resettlement action plan(s) proportionate to potential risks and impacts shall be prepared and approved by the Bank. This RPF is intended to safeguard the interests of the population impacted by the project activities, especially the poor and vulnerable. The RPF is based on applicable Policies of Somaliland Government (GoSL), and the World Bank standards.

For the SESRP, the specific 132 kV transmission lines, among other sub-projects to be financed in the project, may be subject to change as they are currently not known. Once the subproject or individual project components are defined and the necessary information becomes available, the RPF further detailed into specific resettlement action plans (RAPs) as needed. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been implemented successfully.

1.4 Development of the Resettlement Policy Framework

The RPF was prepared through literature review and preliminary stakeholder discussions, survey questionnaires and key informant interviews. The consultant undertook a review of the Project Appraisal Document and Environment and Social Review Summary (ESRS) for the SESRP, as well as a review and analysis of national legislation concerning land acquisition, policies, and guidelines, including the World Bank Environment and Social Standards (ESS) related to this Project.

Considering the importance of resettlement issues in this project, this Resettlement Framework (RF) is being developed before project effectiveness, consulted upon and disclosed before identification of sub-project sites to detail measures to avoid, minimize, manage and compensate for risks and impacts associated with land acquisition (physical and or economic displacement), restriction to land use and resettlement.

Due to the current situation on the ground, consultations have been limited to relevant government and institutional leadership. Further consultations are planned following the development of this RPF to obtain feedback from the relevant stakeholders (government, civil society and general population) on the proposed entitlements and compensation methodology proposed in this framework. Information from these activities will be incorporated into the subsequent revisions as well as the resulting RAPs.

2 PRINCIPLES AND OBJECTIVES OF THE RESETTLEMENT POLICY FRAMEWORK

This RPF is intended to ensure that any possible adverse land-related impacts of subproject activities are addressed through appropriate mitigation measures. The overarching objective regarding resettlement in the implementation of SESRP is to minimize as fully as possible the extent of land acquisition and land-use change and to entirely mitigate the adverse impacts of all unavoidably necessary land acquisition and involuntary resettlement. Minimization of resettlement and mitigation of its unavoidable consequences requires careful planning and conscientious implementation. When the details of land acquisition and involuntary resettlement are fully known, a RAP can be defined to provide an implementation guide for the operation.

These risks will be minimized by:

- Avoiding and minimizing the impact of the physical and economic displacement of people to the extent possible with a well-designed compensation and relocation process.
- Compensating for losses incurred and displaced incomes and livelihoods; and
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their wellbeing.

2.1 Guiding Principles

The following are key principles that will guide the implementation of this RPF and the subsequent RAPs:

- The policy applies to displaced or impacted persons regardless of the total number involved, severity of the impact, the socio-economic status of affected persons, whether or not they have legal right or claim to the land they are occupying, including those who may not be protected through the national and state level compensation legislation.
- Where feasible, involuntary resettlement and land acquisition should be avoided or minimized by exploring all viable alternatives;
- Physical displacement (relocation or loss of shelter) will be considered only on an exceptional basis where the timely compensation and assistance pursuant to this RPF is feasible;
- Where relocation or loss of shelter is considered, measures to assist displaced persons should be implemented;
- The planning and implementation of the resettlement process should be conducted in a consultative manner with all PAPs and stakeholders;
- Absence of legal title to land should not be a basis for denying compensation and Resettlement assistance. All eligible PAPs will be compensated for losses resulting from project interventions.
- Displacement or restriction to access should not occur before necessary measures for resettlement and compensation are in place. Apart from compensation, these measures should include provision of other assistance required for relocation, prior to displacement, and preparation and provision of settlement sites with adequate basic facilities;
- The displaced must be relocated to areas with social infrastructure and basic amenities like schools, potable water, health facilities, etc.;
- All eligible PAPs should be assisted to restore their incomes and livelihood sources to at least pre-resettlement levels. Particular attention will be paid to the needs of vulnerable groups;
- Wherever possible, those impacted by involuntary resettlement should be considered for employment in various project activities including construction works and provision of other services;
- Vulnerable groups may need further support in addition to compensation entitlement;
- All compensation will be calculated at replacement value;

- There will be no deduction of depreciation and salvage value from compensation for assets;
- No voluntary land donation will be accepted; and
- A Grievance Redress Mechanism will be available to all.

2.2 Objectives

The objective of this RPF is to cover the following elements and establish a guiding framework for the development of subsequent subproject specific RAPs. This document will cover the following aspects:

- A brief description of the project and components for which land acquisition and resettlement are required
- An explanation of why a resettlement policy framework rather than a resettlement plan is being prepared
- Describe principles and objectives governing resettlement preparation and implementation
- A description of the process for preparing and approving resettlement plans. Provide an outline and guidance for development of RAPs
- Description of project and components for which land acquisition and resettlement are required.
- Describe the legal and institutional framework underlying national approaches for resettlement, compensation and rehabilitation and how these compare to the requirements under ESS5.
- Develop the gap analysis and gap filling measures that will apply to the project to ensure compliance with local legislation as well as the ESF.
- Estimate displacement impacts, to the extent feasible.
- Organizational procedures: Define the eligibility criteria for identification of PAPs and entitlements.
- Methods of valuing affected assets
- Funding arrangements and responsibilities for resettlement costs
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders.
- A description of the customary dispute resolution mechanisms as well as the project Grievance Redress Mechanism

3 THE RESETTLEMENT POLICY FRAMEWORK AND RESETTLEMENT ACTION PLANS

3.1 Preparation and Implementation of RAPs

The preparation and implementation of subproject-specific RAPs will be carried out by the PIU, and led by the PIU's safeguard specialist, who, depending on available funding, may rely on outside consultants for technical assistance. The schedule will be prepared based on the principles of this RPF, and must be agreed between the PIU, relevant municipality and/or other government jurisdiction, and affected PAPs as outlined in the Somali laws and World Bank. The schedule for the implementation of individual RAPs will be determined once subproject sites have been identified and finalized.

The RAPs will be prepared by the hired specialist, with assistance from the PIU. They will be reviewed and approved by the PIU and the World Bank. The Social Specialist of the PIU will be responsible for supervising the preparation of the RAPs, as well as for the monitoring and supervision of its implementation. The PIU will be responsible for project management and timely transfer of activity funds.

The RAPs will further be implemented by the selected IP. IPs – in the bidding process – will need to demonstrate their capacity to implement the RAP, including through the deployment of social specialists that will lead on their implementation.

The timeline for implementing the RAP will ensure that no individual or affected household would be displaced (economically or physically) due to civil works activity before compensation and other entitlements are paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected as per RAP. Guidelines are as follows which are closely related to the necessary stakeholder engagement activities to inform on project activities and progress:

- Once designs are completed and project sites are finalized, the socio-economic survey may commence as the first step towards the preparation of the RAP.
- Identify all stakeholders; Inform local government, village leaders, and local community organizations of the plan for the project as soon as feasible and ask them to inform their constituents. This will include information on the established cut-off-date
- Project information should be translated into local dialects and indigenous languages and broadcast through media that are accessible to the literate and non-literate alike (radio, television, mobile video broadcasting, public notice board, newspapers, leaflets and flyers, town crier, and door-to-door canvassing). Special efforts should be made to reach vulnerable groups lacking access to public media and information exchange.

3.2 Census of Project Affected Persons and Cut-off Dates

A census of PAPs will be conducted of the required land or area as per the proposed design for the subproject to determine their number and record their socio-economic profile to be included in the RAP prior to the award of civil works contract. This information will be used to measure the magnitude of the impacts on PAPs and for future monitoring. A cut-off date will be publicly announced to indicate the beginning of the census. The cut-off date will be announced in community centers; posters will be displayed in visible congregation areas (subject to overriding security concerns); and will be published in local newspapers. Information to be collected will at least include personal details of PAPs including

family members and the monthly income generated from the ongoing economic activities before the census.

The cut-off date is the date of commencement of the census of PAPs within the sub-project area boundaries. Cut-off dates are essential in the process of drawing up lists to ensure that ineligible persons do not take the opportunity to claim eligibility. Those who encroach on the project area after cut-off date are not eligible for compensation and assistance under this RPF, provided that the cut-off date has been clearly established and made public.

After completion of census and the public notice of the eligibility cut-off date, arrange for the government to issue formal notice banning the construction or approval of construction of new buildings or capital improvements in areas to be affected by the project.

Keeping affected people fully informed of their rights and responsibilities is crucial to the success of resettlement planning. The project will prepare an illustrated resettlement information booklet providing details on eligibility, rates of compensation and other entitlements, a timetable for implementation and all applicable grievance procedures, prepare and issue regular resettlement information updates.

The resulting information from the Socio-economic census will be the basis for the development of the sub-project specific RAPs (including tailored support such as what is required for livelihood restoration) in line with the general framework outlined in this RPF. The site specific conditions will be taken into account at this point as well as the results from discussions with affected persons. This process will ensure that PAPs are:

- Informed about their options and rights pertaining to resettlement.
- Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives; and
- Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the Sub-project(s)

4 GENERAL CATEGORIES OF PROJECT IMPACTS

The project activities will lead to potential land acquisition due to the installation of green field sub-transmission and distribution network. The project may need to manage past issues around unsettled/multiple claims to land and assets proposed for sub-project level investments inside or outside the existing facilities occupied by private or public service providers.

4.1 Potential Positive Impacts

- **Increased profitability of productive enterprises and job creation.** Improved reliability of electricity supply will contribute to increased productivity and income of productive enterprises and thus create opportunities to increase jobs for the general populace.
- **Sector institutions.** Sector institutions, including the public ((MoEM)) are expected to benefit from the reestablishment of the ESI. Associated improvements in the efficiency, transparency, and accountability of the sector operations will not only shore up the sector's performance but also enhance the image and credibility of the institutions and thus build support for sustained operations.
- **Improved performance of the ESPs.** The project will improve the efficiency in the utilization of the existing and expanded assets of the beneficiary ESPs under components 1 and 2. In addition, the whole private sector in the country will benefit from the support provided under component 4 for improved commercial and operational performance.
- **Households.** The project will support improved electricity service delivery in the major load centres of Hargeisa and Hargeisa and in seven major load centres identified for renewable energy generation optimization through hybridization of mini grids (component 2). The project will also provide benefits from improved health and education services. Overall, the project will benefit about 1.1 million households, equivalent to almost 7 million people, of which 3.5 million will be females, including those benefiting from improved health and education services.¹⁸
- **Health centres and schools.** The project will also benefit the Ministries of Health and Education and their service delivery. The project will provide electricity access to 585 social institutions, 205 health facilities (including hospitals, health centres/units, and maternal health clinics) and 380 schools (including primary, secondary, tertiary, and non-formal education facilities).

4.2 Direct and indirect negative impacts

- **Loss of land due to land take:** Land will be acquired for the installation of 132 kV sub-transmission network and associated substations, medium voltage line (<33kV) corridors and possible expansion of existing and green field mini-grids and distribution network. The requirement for a RoW (Way leave) as service road on both sides of the transmission, further increasing the corridor widths for high voltage power evacuation lines. The required land will be acquired permanently, and this land will be compensated before project commencement. The requirement for a RoW (Way leave) as service road on both sides of the transmission, further increasing the corridor widths for high voltage power evacuation lines. The service roads are important for delivery of construction material during the construction period and for movement of maintenance trucks during the Operation & Maintenance phase. For these reasons, a number of

¹⁸ This assumes 6.2 people per household, an electricity access rate of about 70 percent in urban areas, and a 50 percent female population.

structures, (both permanent and temporary) will be affected by the Project. A detailed breakdown of the land take for the project will be done in the project specific RAP, and shall be implemented by GOSL.

- **Loss of livelihood due to impact to trees, standing crops, other properties (including businesses), perennial and non-perennial crops.** The project will require the land for temporary acquisition, such as for camp sites and materials lay down area this will be a responsibility of the contractor, supervised by PIU. Nevertheless, during the preliminary field studies and survey, it was observed that a number of people have business activities along the possible transmission lines RoW i.e., kiosks, commercial buildings, or shops, roadside retail businesses. These, when widening of the RoW, will be affected through economic displacement and will thus need support to restore their livelihoods. In other areas, people own land on which they grow crops as a source of income. There were also commercial trees planted and or occurring along the possible RoW. These being a source of livelihood, those affected will also need to be adequately compensated. Those renting agricultural land or employed as agricultural wage labor may also see a decline or complete loss in income due to project activities.
- **Impact on tenants:** Tenants residing in the affected residential house occurring within the project areas of direct influence may be forced to look for the alternative residential houses. These tenants will be negatively affected though for short while as they look for the alternative residential houses.
- **Impact on social and cultural resources:** The activities of the civil works with regard to the preparation of the civil works foundations of the Sub-Station, and transmission towers may encounter physical cultural resources and or burial sites and shrines or other non-visible and cultural resources that would be affected by the project.
- **Impacts on the vulnerable groups.** Vulnerable Groups is a term given to individuals, households, or groups of people that may be disproportionately affected by the resettlement process based on their specific status. Construction and or the installation of 132 kV sub-transmission network and associated substations, medium voltage line (<33kV) corridors and possible expansion of existing and green field mini-grids and Distribution network will have a range of effects on PAPs. They include loss of livelihood, social network, access to education, transport and health services. Particular emphasis, however, should be put on ensuring that the needs of vulnerable persons are identified and addressed during RAP implementation. While vulnerable groups differ from project to project, it is important that they are identified and profiled.

4.3 Estimated impacts and numbers and categories of displaced persons

Given the nature of the project which requires subprojects to be identified at later stages of development, there is no information at the moment on the numbers and categories of displaced persons. These will be identified and detailed as part of the preparation of the subproject RAPs during project implementation.

Generally speaking, physical relocation is not expected to take place and impacts will be limited to loss of access during construction. The persons who are likely to be affected by the project will be small neighborhood businesses. These businesses will include small shops, most of which are part or extensions of residential plots.

Preliminary investigations of potential Right of Way required for the 132kV Transmission Lines indicate the presence of structures, including those of established roadside vendors with mobile carts or tables and roadside wooden or iron sheet kiosks. The number of PAPs including determination of physical or

economic displacement will only be established through a census to be undertaken as part of the preparation of the investment specific RAP(s).

5 ELIGIBILITY AND ENTITLEMENTS

5.1 Project Affected Persons

Paragraph 10 of ESS5 defines three categories of affected persons who are eligible for coverage under ESS5. While people in all three categories are entitled to assistance under ESS5, the nature of assistance may vary, as subsequent paragraphs of ESS5 clarify. Affected groups under sub-project investments in this RPF may include:

- 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.
- Affected persons who do **not have formal rights** to land or assets, **but who have a recognized or recognizable claim under national law**. 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.
- 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. Affected persons in these groups are not eligible for compensation for land, but are eligible for resettlement and livelihood assistance and compensation for assets and improvements to the land.

The method of assigning the degree/formality of ownership for each of the land and assets impacted will be established through available records of ownership (ex. through taxation records, deeds of sale) and also to be confirmed by the GRC which is comprised of community members including elders. Other mechanisms to determine ownership may be identified and outlined in the subproject specific RAPs based on the specific circumstances in the project affected areas.

5.2 Categories of potential Project Affected Persons

These can be divided into the following core categories:

1. Affected Individuals or households

Any individual or household who risk losing land, property or investments made on land or property, livelihoods and/or access to natural and/or economic resources as a result of a subproject. This could be persons who run small kiosks/businesses, etc. While the number of family members impacted in a household would provide information on the severity of impact and call for additional support, compensation is provided as one unit (see definition of household).

2. Affected Communities

A community is affected if project activities impact on their socio-economic and/or social-cultural relationships or cohesion. Impacts may be claimed collectively, e.g., as a community or religious group and does not necessarily have to be individuals or families. Communities (on communal lands) that permanently lose land and/or access to assets and or resources under statutory or customary rights will be eligible for compensation. For example, project activities could lead into loss of access to a community

asset (such as a school, mosque, playground, etc.), social welfare or cultural erosion, etc. In addition, the investments can cause breakdown of communities and social networks due to physical separation as a result of the investment specific infrastructures if not mitigated.

These individual and group types are not mutually exclusive, and a female heading a household may be a small business owner or an orphan may be an HIV/AIDS affected person. These groups are particularly vulnerable to physical or economic displacement, and as such the following considerations will be made when sub-project sites are identified and PAPs listed. In addition, the list above is not an exhaustive list and the socioeconomic survey which will be done for preparation of sub-project specific RAPs needs to be thorough in identifying the categories of affected people and their sources of livelihoods.

These groups could be identified as being particularly vulnerable to land acquisition or other physical or economic displacement, and as such the following considerations will be made when project sites are identified and PAPs listed:

- Special consideration should be paid to these groups by identifying their needs from the socio-economic and baseline studies to be undertaken as part of the RAP process;
- The groups should be individually consulted and given opportunities to participate in the resettlement decision-making process, as well as project activities;
- Consultation with these groups should ensure that resulting resettlement and compensation improves their pre-project livelihood;
- The RAPs should be designed to ensure special attention is paid to the monitoring of the resettlement process in order to ensure that pre-project livelihoods are indeed improved upon;
- PAPs should be given sufficient technical and financial assistance to make use of the grievance mechanisms of the project where required; and
- Decisions concerning them should be made in the shortest possible time.

3. Disadvantaged or Vulnerable Groups and Households

Paragraph 11 of the ESS 5 refers to the importance of taking into account resettlement impacts on the poor and vulnerable in project design. It is especially important to avoid physical or economic displacement of those socially or economically vulnerable to hardship as a result. Vulnerable groups may have different land needs from most households or particularly adverse impacts from resettlement. For this project in general, these are:

- Widows/Female headed households;
- Single women who may be dependent on sons, brothers, or others for support; Elderly;
- Persons with disabilities;
- Persons living with HIV/AIDS or other debilitating illnesses; and
- Internally displaced persons (IDPs), refugees or returnees, living by themselves as a group or with host families;
- Orphans and/or street children; and
- Socially or economically marginalized groups.
- Other groups as identified during the subproject specific RAP assessments.

5.3 Eligibility criteria

All potential PAP's need to be identified and defined in terms of eligibility arising from both physical and economical displacement. In line with ESS 5, criteria for affected persons that are eligible to receive assistance under this Project are as follows. The type of assistance may hereby vary based on the type of Project Affected Person and ownership as indicated in the entitlement matrix below (Table 2).

It is important to note that those who encroach on the project area after cut-off date are not eligible for compensation and assistance under this RPF, provided that the cut-off date has been clearly established and made public.

5.4 Entitlement Matrix

An entitlement matrix was developed to detail the entitlements per identified category of PAP, as shown in the table below. The matrix was developed to detail the range of measures comprising cash or in-kind compensation, relocation cost, livelihood support and relocation assistance (to name a few) which PAPs are entitled depending on the type and degree nature of their losses, to restore their social and economic baseline status. The matrix provides a framework to guide in the development of subproject specific entitlements and where necessary, the RAPs will build on this and specify in more detail.

Table 1: Entitlement Matrix

Asset	Type of Impact	Entitled Person or Group	Entitlement	Other Considerations
A. LAND				
Commercial Land	No Physical Displacement: Land use partially affected, limited temporary loss	Owner	<ul style="list-style-type: none"> - Compensation in cash at full replacement value¹⁹ - Where land use is partially affected or with temporary losses, replacement value will be determined for 'loss of use of land' and for temporary losses. - Livelihood Restoration Support 	<ul style="list-style-type: none"> - Assistance in any bureaucratic / administrative requirements to allow PAPs to obtain project benefits - Ensuring security of tenure in all the support provided to PAPs regardless of previous situation. - Additional assistance for vulnerable PAPs for (identification of alternative locations, relocation, livelihood restoration as needed.
		Tenant or existing occupant (incl. IDPs/returnees)	<ul style="list-style-type: none"> - Assistance with identification of new rental location for the duration of the works - Rent and deposit (including any other expenses) refund - Relocation assistance - Livelihood Restoration Support 	
	Physical Displacement: Premise used severely affected, remaining area insufficient or unsuitable for	Owner	<ul style="list-style-type: none"> - Land for land replacement with land of equal size and market potential / compensation in cash at full replacement value. - Assistance in finding new location - Livelihood Restoration Support 	
		Tenant or existing occupant (incl. IDPs/returnees)	<ul style="list-style-type: none"> - Cash compensation equivalent to three months of net income based on estimates from comparable businesses - Assistance in finding new rental/lease location - Relocation assistance including one-month rental assistance and moving costs to re-establish business 	

¹⁹ Where market prices are used to estimate the 'replacement value', market prices are 'current market prices'

Asset	Type of Impact	Entitled Person or Group	Entitlement	Other Considerations
	continued use		- Livelihood Restoration support if required	
Residential Land	No Displacement: Land used for residence partially affected, and/or limited temporary loss, and the remaining land remains viable for use	Owner	- Compensation in cash at full replacement value for affected land - Where land use is partially affected or with temporary losses, replacement value will be determined for 'loss of use of land' and for temporary losses	<ul style="list-style-type: none"> - Assistance in any bureaucratic / administrative requirements to allow PAPs to obtain project benefits. - Ensuring security of tenure in all the support provided to PAPs regardless of previous situation. - Additional assistance for vulnerable PAPs for (identification of alternative locations, relocation, land development, livelihood restoration as needed. -
		Tenant or Existing occupants (regardless of tenure including informal dwellers, IDPs or returnees)	- Assistance with finding new rental/lease location - Rent and deposit refund - Relocation assistance to cover moving costs (egress and ingress)	
	Displacement: Premise used for residence severely impacted, remaining area insufficient for use or smaller than minimally accepted	Owner	- Land for land replacement with land of equivalent size and market potential or compensation for full replacement value in cash - Assistance with finding new land of similar characteristics	
		Tenant / Existing occupants (regardless of tenure including informal dwellers, IDPs or returnees)	- Assistance with finding new rental location - Rent and deposit refund - Relocation assistance and moving costs	
			-	
Agricultural or pasture land	Full use or seasonal use	Persons who's agricultural or pasture land (or other productive land) is in part, or in total, affected	<ul style="list-style-type: none"> - pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. - Or replacement land of similar productive capacity and land development to prepare the land for production - The value of the labor invested in preparing agricultural land 	<ul style="list-style-type: none"> - Assistance in any bureaucratic / administrative requirements to allow PAPs to obtain project benefits. - Ensuring security of tenure in all the support provided to PAPs regardless of previous

Asset	Type of Impact	Entitled Person or Group	Entitlement	Other Considerations
		(permanently or temporarily) by the Project	<ul style="list-style-type: none"> will be compensated at the average wage in the community for the same period of time. - Livelihood Restoration Support 	situation. <ul style="list-style-type: none"> - Additional assistance to vulnerable PAPs in the identification of replacement land, land development, livelihood restoration.
B. STRUCTURES				
Residential structure	Permanent loss including if the remaining land is not sufficient to rebuild upon	Owner	<ul style="list-style-type: none"> - Cash compensation at full replacement costs for the entire structure and other fixed assets without depreciation, or alternative structure which is acceptable to the affected PAP - Right to salvage material without deduction from compensation - Relocation assistance to cover moving costs - Assistance with finding alternative plot for relocation or relocation to a resettlement site developed by the project. 	<ul style="list-style-type: none"> - Assistance in any bureaucratic / administrative requirements to allow PAPs to obtain project benefits. - Ensuring security of tenure in all the support provided to PAPs regardless of previous situation. - Additional assistance for vulnerable PAPs for (identification of alternative locations, relocation, and construction as needed.
		Tenant	<ul style="list-style-type: none"> - Assistance in finding new affordable rental accommodation - Refund for rent and deposit - Compensation for any immovable property improvements that cannot be relocated 	
	Temporary Loss of access	Owner/Tenant	<ul style="list-style-type: none"> - Allowance for the duration of the impact sufficient to rent similar property - Relocation assistance to cover moving costs (ingress and egress) - Reinstatement of any changes to the previous status or as agreed with the owner 	
	Permanent or Temporary Loss	Informal dwellers (including IDPs/Returnees)	<ul style="list-style-type: none"> - Assistance in finding new affordable rental accommodation - Relocation assistance covering moving costs 	
Commercial Structures	Permanent loss		<ul style="list-style-type: none"> - Cash compensation at full replacement costs for the entire structure and other fixed assets without depreciation, or alternative structure which is acceptable to the affected PAP 	<ul style="list-style-type: none"> - Assistance in any bureaucratic / administrative requirements to allow PAPs to

Asset	Type of Impact	Entitled Person or Group	Entitlement	Other Considerations
			<ul style="list-style-type: none"> - Right to salvage material without deduction from compensation. - Relocation assistance to cover moving cost. 	obtain project benefits. <ul style="list-style-type: none"> - Additional assistance for vulnerable PAPs for (identification of alternative locations, relocation, and construction as needed.
Other Structures	Permanent loss		<ul style="list-style-type: none"> - Cash compensation at full replacement costs for the entire structure and other fixed assets without depreciation, or alternative structure which is acceptable to the affected PAP - Right to salvage material without deduction from compensation. - Relocation assistance to cover moving costs. 	
C. TREES AND CROPS				
Trees - Timber	- Cut/ uprooted/ permanently damaged (loss of timber)	All PAPs	<ul style="list-style-type: none"> - Cash compensation for full replacement value of the tree including for the one-time sale of timber. 	
Trees - Fruit	Cut/ uprooted/ permanently damaged (loss of timber)	All PAPs	<ul style="list-style-type: none"> - Productive: Cash compensation for full replacement market value of the tree including the cost of seedling as well as maintenance and produce for the number of years required to reach productivity. - Not Productive: Cash compensation for full replacement market value of the tree including the cost of seedling with present age and productive life the tree factored in. 	
Standing Crops	Crops affected by land acquisition or temporary acquisition or easement	All PAPs	<ul style="list-style-type: none"> - Cash compensation equivalent to average of last three years of market value of mature and harvested crops 	
D. BUSINESS INCOME and WAGE				
Business	Loss of assets	All PAPs	<ul style="list-style-type: none"> - Permanent: 	<ul style="list-style-type: none"> - Project shall give reasonable

Asset	Type of Impact	Entitled Person or Group	Entitlement	Other Considerations
	or access	operators of business or employees	<ul style="list-style-type: none"> o Assistance to help find alternative permanent locations o Up to three months income - Temporary: <ul style="list-style-type: none"> o Assistance to help find alternative temporary locations to establish business and o Cash compensation to 50% of net monthly income based on estimates from comparable businesses for length of time access is lost. - Right to salvage material without deduction from compensation - Livelihood restoration assistance if required (assistance with job placement skills training). 	<p>time for PAPs to continue their business operation while rebuilding their structures. PAPs will rebuild their structure as soon as payment is released and clear the area in the agreed timeframe.</p> <ul style="list-style-type: none"> - Temporary compensation is developed with the assumption that support is required while business operations are carried out in an alternative location.

E. COMMUNITY ASSETS

Community Buildings and other Infrastructure	Temporary loss of access	All PAPs users of the building / infrastructure	- Cash compensation to cover public transportation cost to the nearest equivalent facility in the town/city for the period of loss	
		Owner/ Community	<ul style="list-style-type: none"> - Cash compensation and rental to relocate to similar facility and/or storage of equipment and materials - Cash compensation of any financial losses from the impact. - Relocation assistance to cover moving costs - Assistance with finding new location 	
	Permanent loss	Owner/ Community	<ul style="list-style-type: none"> - Structure replacement or cash compensation at full replacement costs for the entire structure and other fixed assets without depreciation, or alternative structure which is acceptable to the affected - Right to salvage material without deduction from compensation - Relocation assistance to cover moving costs - Assistance with finding new location 	-

Asset	Type of Impact	Entitled Person or Group	Entitlement	Other Considerations
		Tenant	<ul style="list-style-type: none"> - Cash compensation at full replacement cost for any verifiable improvement of the property - Rent and deposit refund - Relocation assistance to cover moving costs - Assistance with finding new location 	-

5.5 Compensation Modalities

Given the nature of the activities, and as outlined in the entitlements above, compensation may be provided to the PAPs in through in kind, cash, in the form of assistance or a combination based on the specific circumstances.

To compliment the compensation for the lost asset as described above, the Livelihood restoration program will be developed to assist in the re-establishment of pre project income levels. These interventions will be tailored within each of the subprojects based on the needs, nature of losses, profile of PAPs and discussion with affected parties. While the overall description and guidance can be provided within this framework, the exact nature of the interventions cannot be determined until more information is available and will be integrated into the RAPs in line with their development.

6 SOMALILAND NATIONAL LEGAL AND REGULATORY FRAMEWORK

The Republic of Somaliland is in the process of developing national laws and at the moment there are many parts, including land related matters such as expropriation, which are going through the parliamentary processes. Notwithstanding this, in the current State system the different levels of government have developed laws that address land issues or reverted to laws that existed prior to the collapse of the Somaliland Democratic Republic.

6.1 The Constitution of Somaliland

The key legal instrument for environment management in Somaliland is the Constitution. The Constitution of the Republic of Somaliland enshrines the basic principles that relate to the environment and natural resource management thus, providing the keystone to the National Policy on Environmental Management . Article 18 of the Constitution affirms that: The state shall give a special priority to the protection and safeguarding of the environment, which is essential for the well-being of the society, and to the care of the natural resources. In this regard, development projects have to comply with the Constitutional provision which obliges developers to ensure a clean and healthy environment. In addition to this, Somaliland Constitution postulates other basic principles relevant to the project. Article 12 of Somaliland Constitution sets directive principle and important constitutional provisions on the regulation and management of public assets, natural resources and endogenous production. This Article of the Constitution defines ownership and control of land and natural resources, and directs the transfer of ownership of land and public property; exploitation and protection of natural resources. Accordingly, it prescribes, among other matters, that:

1. "The land is a public property commonly owned by the nation, and the state is responsible for it."
2. "The care and safeguarding of property, endowments and public assets is the responsibility of the state and all citizens; and shall be determined by law."
3. "The central state (government) is responsible for the natural resources of the country, and shall take all possible steps to explore and exploit all these resources which are available in the nation's land or sea. The protection and the best means of the exploitation of these natural resources shall be determined by law."
4. "The state shall encourage indigenous economic production such as agriculture, livestock, fisheries, minerals, production of frankincense and myrrh and gum etc., and manufacture based on indigenous products."

In addition to the above constitutional provisions, Somaliland constitution postulates following important Constitutional Directives and fundamental human rights which also serve as parameters relevant to government policies, and development intervention and operational interventions in Somaliland:

Article 8 addresses the Equality and non-discrimination of citizens with the following key provisions :

- " All citizens of Somaliland shall enjoy equal rights and obligations before the law, and shall not be accorded precedence on grounds of colour, clan, birth, language, gender, property, status, opinion etc.
- Precedence and discrimination on grounds of ethnicity, clan affiliation, birth and residence is prohibited; and at the same time programmes aimed at eradicating long lasting bad practices shall be a national obligation.
- Save for the political rights reserved for citizens, foreigners lawfully resident in Somaliland shall enjoy rights and obligations before the law equal to those enjoyed by citizens.

Article 17 sets directive principles on the health and provides following provisions:

- In order to fulfil a policy of promoting public health, the state shall have the duty to meet the country's needs for equipment to combat communicable diseases, the provision of free medicine, and the care of the public welfare.
- The state shall be responsible for the promotion and the extension of healthcare and private health centres.

Article 19: addresses the Care of the Vulnerable of the Society and provides: "The state shall be responsible for the health, care, development and education of the mother, the child, the disabled who have no one to care for them, and the mentally handicapped persons who are not able and have no one to care for them"

Article 24 guarantees and protects the Right to Life, Security of the Person, Respect for Reputation and Crimes against Humanity ,

Article 23 (3) , which provide the right to form, in accordance with the law, ..., cultural, social, and occupational or employees' associations.

Article 31 guarantees the right to property of the individuals and citizens, and postulates as following:

- Every person shall have the right to own private property, provided that it is acquired lawfully.
- Private property acquired lawfully shall not be expropriated except for reasons of public interest and provided that proper compensation is paid.
- The law shall determine matters that are within the public interest, which may bring about the expropriation of private property.

Article 20 postulating citizen's right and duty to work and to obtain employment income equal to the work they do, and to be free from forced labour.

Article 36 provided special right of women, and among others, obliges the government encourage, and shall legislate for the right of women to be free of practices which are contrary to Sharia and which are injurious to their person and dignity such as FGM.

Article 34 addresses duty of Citizens and provides that :

- Every person has the duty to respect the Constitution and the laws of the country.
- Every person has the duty to pay promptly his taxes and other duties as imposed under the law.
- Every person shall have the duty to care for, protect and save the environment.

A number of international agreements and Multilateral Environment Agreements (MEAs) exist, and although applicable to or otherwise binding on Somaliland there has been little progress in implementation due to the weak government institutions. Such international environment agreements are documented on **Error! Reference source not found...**

2.2 Somaliland Legislations relevant to the project

2.2.1. Environmental Management Law, Law No. 79/2018

In furthering the objectives of the its National Environmental Policy outlined above, in 2018 Somaliland adopted Somaliland Environmental Management Act, Law No. 79/2018 . This Act is that main legislation regulating environmental management in Somaliland. Main purposes of the Act is, among others, to promote and ensure sustainable use and access of environmental resources and the sustainability of the ecological systems to prevent

and reduce or control human activities that may cause damages to environment or otherwise lead harm full risks to the environment and human health.

The Act requires an environmental impact assessment carried out before carrying any of a listed activities of a major scale, and at the same time prescribes other sectoral environmental impact assessment requirements.

It also provides establishment of Environmental Quality standards as well as licensing and registration requirements for determination of qualities of water and air; discharging of effluents and hazardous waste materials and substances on the environment; and emissions of noise, gas etc to the environment.

The Somaliland Environmental management Act establishes environmental licensing process which is relatively straightforward. Ministry of Environment and Rural Development control the licensing procedures.

- The Ministry of Environment and Rural Development has the powers to grant any of the licenses sought.
- Every license shall be subject to such conditions as may be specified therein during the issuance stage.
- The minister (or any person authorized by him or her) may at any time cancel or suspend any license granted by or on behalf of the minister:
- Grounds for cancellation include suspicions of infringement of any of the conditions upon which said license has been granted,
- The minister may at any time also vary the conditions of any such license

2.2.2. Urban waste management and Hygiene Law, Law. No. 83/2018

This legislation deals specifically with management of waste- safe keeping, collection and disposal of waste - and the hygiene in urban areas to prevent potential health and environmental risks that may be posed by waste mismanagement and unhygienic. As such, this law prescribes certain obligations and requirement which are applicable to the project.

According to this law, only the Municipality/local government or a waste management company licensed by the Local Government is authorized to collect and transport waste for disposal to waste disposal sites. Urban wastes are divided or categorized into solid waste (dry and wet) and liquid waste; dangerous and non-dangerous waste. Dangerous waste is defined as “chemical waste or medicine, plant, animal or micro-organism which is likely to be injurious to human health or the environment such as corrosive waste; medical/ carcinogenic waste; flammable waste; persistent waste; toxic waste; explosive waste and radioactive waste. Solid, dry, wet, liquid and dangerous wastes must be kept, collected, transported and disposed separately.

Under Part 4 of the Act , companies, owners or responsible persons , business place or premises, industry, hospital or any other waste source are required:

- to properly collect and separate solid wastes from its source into dangerous and non-dangerous; keep them separately into safe and suitable covered waste containers in their premises; and to allow only a licensed waste management company to take the said waste for disposal to designated waste disposal sites
- to use sewage system for collecting and safe keeping of non-dangerous liquid waste from its premise; and to allow only the Municipality and authorized sewage takers to collect and take the same for disposal
- to collect and keep dangerous liquid wastes from its premise/equipment – such as motor/engine oils – into a concrete swager; and to ensure that such dangerous waste are taken by the Municipality for disposal.
- Obtain and collect swager permit from the concerned local authority.

This Law contains certain penal provisions applicable to any person or entity that violate mandatory requirements pertaining to waste management and hygiene. Collecting and transporting waste for disposal or use without license , or disposing waste from urban sources at a place other than a waste disposal site designated by the concerned local government or violating other mandatory provisions of this Act is a crime.

2.2.3. Somaliland Wildlife and Forest Conservation Laws

The Somaliland Forestry and Wildlife Conservation Law – No. 69/2015 (As Gazetted 06/02/2016) has come into force on its signature by President on its publication in the Official Gazette on 02 February 2016. The Law is the first comprehensive law on this subject that has been passed in Somaliland since 1991 and replaces the Law on the Prevention of Deforestation & Desertification (Law N: 04/1998), in so far as the provisions of the that Law are inconsistent with its provisions.

It is important to note that this Law provides the institutions at National, Regional and District Levels responsible for monitoring environmental compliance, which are :

- The Minister, in consultation with the Parliamentary Environment committee and civil society organizations working in the environment shall establish Environmental Watch Councils at National level (NEWC).
- The Ministry of Environment and Rural Development (MoERD) in Somaliland in consultation with Regional Authorities, the civil society at the Regional level and communities, shall establish the Regional Watch Councils (REWC).
- The MoERD in consultation with the Local Government Councils/ District Governor, local Community-Based Organizations (CBOs) and the community shall establish the District Environment and Environment Watch Council (DEWC).
- The members of the Council shall come from both genders and should be Somaliland citizens in good standing in the community and are environmentally conscientious. The council shall serve five-year terms at a time and can be re-appointed.

This Law prohibits cutting trees for commercial purpose and prohibits cutting any tree without permission of the Ministry of Environment and Climate change. The Law contains certain penal liabilities for non-observance of its provisions.

2.2.4. Urban Land Management Law, Law No.17/2001

Urban Land Management Law, Law No17/2001, this a legislation which regulate the land in urban areas in Somaliland and it covers the following subjects; the allocation of land; the planning and control of development of land; aspects of land tenure including registration of title; appropriation of land for public use and compensation; demolition of buildings; land disputes; and building regulation. These are matters, which in many other jurisdictions would be the subject of five or six separate laws. The law provides different types of land allocation such as residential : permanent and temporary; commercial, public purpose etc,. The law provides institutions responsible for urban land management and allocates urban land management authorities among such institutions. At the central government level, the Law established a National Urban Planning Board which is in charge of setting the Masterplan, drafting the legislation; regulation and directives while the allocation, management and registration of urban land comes under the local governments (municipalities) .

According to the Act, residential land can be a permanent land eligible to persons who can afford to build the land a permanent structure, and a temporary land such as a land allocated as village for the poor community who cannot afford to build permanent. The government may for public purpose appropriate a land, whether permanent or temporary. In the case of permanent land, the owner of the land is entitled to a compensation – amount of money

equivalent to the construction cost, and a plot of land which is not less than the plot appropriated. In the case of temporary land such as IDPs camp, holders of such temporary land are not entitled to a compensation, but they are entitled to be settled in suitable land and their eviction and settlement costs be paid for by the local government.

In case of land with permanent use or for a project, such land must be developed within the first one year starting from the date of the registration. The law requires holders of land for project use to first obtain a permit from the responsible ministry or government authority, and to develop the land within 1 year.

2.2.5. Somaliland Agricultural Law, Law No 8/1999.

This law transfers all land from traditional authorities to the government. It provides the size of farming land that an individual person can acquire and requires individuals desiring land to register their holdings and obtain certification of ownership title from Ministry of Agriculture

2.2.6. The Private Sector Employees Law of Somaliland (Labor Code), Law No. 31/2019.

Somaliland Private Sector law, (labor law of Somaliland) is the key legislation regulating private sector employee. It established the regulatory body of the private Sector employees and addresses, among others, following: Conditions of service and employment including wages and payment, employment of young people, maternity benefits, working hours and leave; health, safety, hygiene, and welfare, and compensation for injury; labour Dispute and trade unions

The Somaliland Private Sector law confirms the basic rights of employment under its Article 10 and it guarantees the right of every Somaliland citizen to have equal access to employment opportunities without been subject discrimination on gender or any other ground. It prohibited forced labour. It also prohibited to deny any person an employment opportunity or terminate from employment on the ground of HIV/AIDS or a communicable disease, if he/she can perform her/his work and is healthy; and obliges employers to suspend and give leave to employee who has a communicable disease.

➔ Provisions of the Somaliland Private Sector Employees Law dealing with working relations and conditions of work are as outlined below:

- Working Hours, Overtime and Night work (Article 11, 12 and 13). It prescribes that working hours that the worker is supposed to work shall be 8 hours in 6 days or 9 hours in 5 days per a week, and not more than 48 hours per a week. Employees who work extra working hours are entitled to overtime payment which shall in no case be less than 1.25 per cent of the normal remuneration. Nightwork is defined as the work done between 10:00pm to 06:00pm. It is prohibited women and employees below 18 years of age to work a night work
- Rests, weekend day and Public Holidays (Articles): Employees are entitled to have at least one rest day in every week which shall be Friday, and to rest 30 minutes when worked 5 hours; 12 public working holiday. If the worker works public holiday, he /she shall be considered as he/she worked an overtime and hence shall be entitled to overtime payment. ,
- Leaves (Article 15 to) : Employees are entitled to have 30 days for annual leave when worked one year of service.; family responsibility leave – 3 days and Sick leave - not more than 6 months of sick leave in 3 years of service. The employee is entitled to payment of full salary for the first three months, and half salary

for the last three months; however, if the employee sustained work injury or sickness he/she is entitled to payment of his full salary until his/her recovery and medical treatment (se Article 23 (3).

- Articles 23 to 26: Basic Salary and employment benefits: Payment of monthly salary or wage. The salary or wage to pay to the employee must be based on the employee's work and the living cost in the place of work (Article 23). In addition to salary, employees are entitled to other payments including: festival allowance equal to one moth salary; funeral allowance equal to 15 days salary , and severance pay equal to one month salary for each year of service .
- Employment Contract Formality (Article 27). Under this law, it is required to ensure that every employment contract must be written and signed by the parties, and should at least contain following: (a) name and address of the employer, (b) full name, address, occupation, age and sex of workers; (c) nature and duration of contract; (d) hours and place of work; (e) salary and allowances payable to the worker; (f) Festival (Eid) Bonus and overtime payments to pay to the worker; (g) procedures for suspension , termination and renewal of contract, (h) Severance pay and employment compensation (insurance); and job description of the worker.
- Copy of the Signed employment contract must be submitted to the labour directorate for registration.
- Recruitment of employees (Article 34 to 40): Recruitment of employees shall be open to public. All vacant posts shall be advertised for two weeks. A penal consisting of 3 members including a members from employers, a member representing the Labor Inspection and a member from the labour Union, shall manage the selection of the candidates. It is prohibited to employ a foreigners for a position which nationals can perform; and it is required foreigners to have a work permit and a valid visa to be able to work in Somaliland
- Child labour (Articles 46). It is prohibited to employ a child under 15 years old. Children 118 years old, if employed, shall be assigned easy work which may not damage to their heath and mind, and which should allow them to continue education
- Grievance redress mechanism (Article 42 (4)). According to this cited Article of the Somaliland Private Sector employees law employees have the right to submit complaints and the employer must give the complaints due consideration. As such, it is the duty of every employer to device and implement employees grievance redress means
- Women Employment Rights and benefits (Articles 18 and 19) in addition to the above outlined rights, Worm workers are entitled to following employment rights and benefits: maternity leave – 4 moths with full pay and lactating leave – 1 hour in every working day for one year. Female worker and male worker who do the same job shall be paid equal payment; female worker has the choice to work or not to work overtime works.

➔ **Provisions of the Somaliland Private Sector relevant to occupational Health and Safety**

Somaliland Private Sector Law provides certain provisions pertaining to occupational health and safety. As such, the law postulates obligation of the worker on the health and safety of the employees including following:

- To provide adequate measures for health & safety protecting staff against related risks, including the provisions of a safe and clean work environment and of well-equipped, constructed and managed workplaces that provide sanitary facilities, water and other basic tools and appliances ensuring workers' health and safety;
- To provide enough training to the employees to prevent job-related risks
- Provide Employees with personal protective equipment against any risks that may harm their health or their security, and Ensure that employee wear protective material while in the workplace.

In addition to the above, employers with more than 20 employees are required to ensure first aid provisions are available to employees in the work place while employers with more than 100 employees must establish health post in the work place.

- ➔ **Employment Dispute Resolution (Article 47 to 51):** In addition to requirement of internal grievance redress means, Somaliland Privat Sector Law established a Labor Dispute Tribunal mandated to hear and render decision over individual labor disputes between employees and employers.
- ➔ **Freedom of Association and Labor Union.** Somaliland Private Sector also recognizes freedom of association. Employers are prohibited from engaging in any kind of discrimination or restriction of the right of freedom of association. Workers are allowed to join trade union.

This Law will be instrumental throughout the project implementation in terms of employer/employees responsibility, OHS risks and disputes abatement, mitigations and resolutions.

2.2.7. Road Traffic Management Law, Law No.56/2013

This is the key legislation setting the legal frame work for road traffic management in Somaliland. It is intended to prevent or reduce potential risks to safety and health of the people and environment that may be posed by car accidents or mis-use or mismanagement of roads. As such it deals with road management, vehicles and drivers of vehicles, certain requirements for taxation and vehicle roadworthiness as well authorization of signage and advertisements on/around roads. It postulates and distributes road traffic management mandates and responsibilities to various government authorities including Ministry of Transportation, Local governments and traffic police.

This law prescribes certain obligations pertaining to road trafficking management including, among others, following:

- it is not allowed to put advertisement around the road without obtaining authorization from concerned local government.
- No vehicle can provide public transportation without authorization;
- It is not allowed to drive a vehicle without having valid and relevant driving license;
- Vehicle owners are required to make sure that their vehicles have mechanism to reduce air and noise emissions

Any person or body who violates any mandatory legal requirements in the Act commits a crime and shall be subjected to penalty provided thereto.

2.2.8. Overloaded vehicles control Regulations of 06 May 2017

purpose of the Regulations is about management of vehicle loading and controlling the vehicles axle weight and size. It prohibits loading vehicles in excess of the allowed weight and size, and it also prescribes certain conditions for transportation of abnormal loads or loads causing problems to road. It prescribes fine and administrative sanctions for excess loading and for violating the prescribed condition to abnormal transportation.

2.2.9. Human Trafficking and exploitation prevention Law , Law No. 101/2021.

This law is a new laws and become effective in July 2022, and it is aimed to fight against and prevent human trafficking and exploitation in Somaliland and to protect and preserve the fundamental human rights and freedoms of victims of human trafficking and/or human exploitation. This law is a special penal legislation applicable to human trafficking and human exploitation in Somaliland. it prohibits any act of human trafficking and human exploitation including forced labor. Any person who commit a human trafficking or human exploitation will be held liable and be

posed penal punishment. Under this Law, it is mandatory to report human trafficking or human exploitation offences to the police. Companies and business organizations who violate provisions of this law will be held liable for the wrongful act and will be subjected to punishment which could be suspension or revocation of licenses or permits.

2.3. Somaliland National Policies relevant to the Project

2.3.1. National Environmental Policy

Somaliland National Environmental policy adopted in 2015 provides a framework for the sustainable management of the Somaliland's environment and natural resources. The policy seeks to ensure that the Somaliland's natural resource assets retain their integrity to support the needs of the current and future generations. The policy seeks to catalyse the implementation of sustainable environmental, social and economic development initiatives for equitable benefits sharing. The policy advocates for community participation, information dissemination, environmental education and awareness raising and gender equality in order to fully harness the Somaliland's "latent capacity" in this regard. The guiding principles of the NEP state that "EIAs [are] necessary to ensure that public and private sector development options are environmentally sound and sustainable and that any environmental consequences are recognized early and taken into account in project design, and implementation."

2.3.2. National Energy Policy (NEP) of Somaliland

The Energy Policy (2010) of Somaliland defines policy objectives and identifies specific issues facing the energy sector in Somaliland. i.e. "to meet the energy needs of Somaliland for social and economic development in a cost effective way that promotes sustainable energy production and use while minimizing negative environmental impacts". The policy clearly lays out an action plan for the energy sector for the short and medium term.

2.3.3. National Climate Change Policy (NCCP) of Somaliland

The overall aim of the Somaliland's National Climate Change Policy (NCCP) is to enhance the resilience and improve adaptive capacity of the country as whole, and in particular, the vulnerable communities and the ecosystems on which they depend, to the adverse effects of climate change, whilst equally, pursuing a path of economic growth that uses natural resources in a sustainable manner. This policy is intended to guide the development policies and operations of those concerned with development matters in Somaliland, including government institutions, non-governmental international and local organisations, with the intention of enhancing coping and recovery mechanisms of the Somaliland citizens to the risks of climate change.

2.3.4. National Gender Policy of Somaliland

The overall objective of the National Gender Policy is to facilitate the mainstreaming of the needs and concerns of women and men, girls and boys in all areas for sustainable and equitable development and poverty eradication. Policy refers to guiding principles to a course of action arrived at by decision-makers to address a particular issue or issues. The following are the 9 priority areas, (i) Poverty Reduction And Economic Empowerment (livelihoods), (ii) Education and Training, (iii) Health and Reproductive Health, (iv) Nutrition Security, (v) Water Resources And Supply, (vi) Employment, (vii) Political Participation And Decision- Making; (viii) Democratic Governance And Human Rights and (ix) Sexual and Gender Based Violence (SGBV). The ultimate objective of this sector is to ensure that opportunities for education and training for all citizens, male as well as female, are guaranteed so that they may develop their individual potentials to the optimum and that they may be able to play a more meaningful role as productive and upright citizens.

Institutional capacity for environmental management

Somaliland Ministry of Environment, manage environmental issues. The Ministry of Environment are to be consulted before any infrastructure activities in their respective state with potential environmental and social risks and impacts.

However, the institutional arrangement for the Safeguard related matters including the approval process are not fully established or functioning. For the project implementation, this project will rely on the existing Somaliland's environmental and social legal frameworks and World Bank ESS.

SESRP will also support capacity building of institutions under Component 4 Terms of Reference for preparing Capacity Building Plan for Somaliland Electricity Sector Recovery Project (Annex VII).

The World Bank Environment and Social Framework (ESF)

Since its launch in October 2018, the Environmental and Social Framework (ESF) enables the World Bank and Borrowers to better manage environmental and social risks of projects and to improve development outcomes. It consists of the World Bank's Vision for Sustainable Development, the Environment and Social Policy for Investment Project Financing (IPF) and 10 Environment and Social Standards. The SESRP is therefore subject to this requirement with the implementation of 8 of the ESSs that are relevant for this project.

These Environment and Social Standards are technical reference documents which guide the proponent on their application with general and industry-specific examples of Good International Industry Practice (GIIP). These guidelines are designed to be used together with various good practice notes, industry specific technical, as well as general guidelines which are included in a WB Environmental Health and Safety Guidelines (EHSGs). These guidelines are considered for implementation of SESRP, and with specific application to the construction of power distribution lines and installation of solar PV systems in the targeted areas. The EHS Guidelines for Electric Power Transmission and Distribution include information relevant to power transmission between a generation facility and a substation located within an electricity grid, in addition to power distribution from a substation to consumers located in residential, commercial, and industrial areas.

The overall objectives of the World Bank's ESS 5 are to avoid land acquisition and involuntary resettlement where feasible, or to minimize resettlement while exploring all viable alternatives. Where it is not possible to avoid resettlement, activities will be conceived and executed as sustainable development programs, providing sufficient investment to enable the persons displaced by the project to share in the project benefits.

ESS5 applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation.

- Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
- Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated

protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;

- Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project-specific cut-off date;
- Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

The PIU will assess fund availability at the time of preparation of RAP, to ensure timely disbursement of the land compensation and other resettlement entitlements. The project PIU Social Safeguards specialist will be responsible for the supervision of the implementation of the RAP that shall be done by the Implementing Agency. Complete implementation of RAP will be done before signing of civil works contracts.

Grievance Redress Mechanisms will be put in place as early as possible; these shall be done utilizing existing formal or informal mechanisms suitable for project purposes, supplemented by with project-specific arrangements as necessary as detailed on section 11 and in the project Stakeholder Engagement Plan (and Labor Management Plan for the Worker GRM).

Gaps between National requirements and the World Bank Standards

This section compares the different laws for the GOSL, with the World Bank's ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement. Specifically addressed are consultation requirements, eligibility for compensation, valuation method, grievance redress mechanism, disclosure of information and the timing of compensation payments. For the SESRP, the Bank's ESS5 will take precedence over any of these other laws.

Table 2: Gap analysis including proposed project mitigation measures

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
Consultation	Provisional Constitutions of Somaliland (Article 43) call for consultation between the Mayor and the Planning Committee prior to the expropriation of private land.	Project Affected Persons (PAPs) facing physical or economic displacement persons must be meaningfully consulted to express their concerns and discuss ways to minimize impacts on affected communities. PAPs also should have opportunities to participate in planning and implementing resettlement programs	Somaliland consultation mechanisms appear to prioritize government agencies, and may not adequately involve project affected persons	Consultation and participation activities will be carried out with all relevant stakeholders with a focus on those that are directly affected by the project. General guidance will be outlined in the project's Stakeholder Engagement Plans and subsequent RAPs for each of the subprojects.
Eligibility	Somaliland's Provisional Constitution states legally owned property can be acquired for public interest and that the property owner will be due for compensation. Also, the case for Somaliland, and the Hargeisa Municipality. Compensation eligibility by persons with no formal legal rights, although with some variances, is provided for by Somaliland, Somaliland, and Hargeisa Municipality.	World Bank recognizes three classes of PAPs eligible for compensation: 1. Those with formal legal rights to land or assets 2. Those who do not have formal legal rights to land or assets at the time of census, but have a claim that is recognized under the laws of the country (including	Those without legal title to land, including squatters and encroachers, face less protection under Somali laws and policies	Eligibility will be in line with the 3 categories of potential PAPs as described in ESS5. Determination on the level of ownership / councils etc. will be defined in each of the subproject specific RAPs

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
	<p>National Policy (2019): The National Policy provides a framework that seeks to protect persons of concern – IDPs, and refugee-returnees – from further forced displacement, provide protection and assistance during displacement, and find a durable solution to their displacement</p> <p>Hargeisa: While wording makes it discretionary, Hargeisa’s Municipal law calls for the offering of compensation for illegally situated property. Any compensation is also limited to persons who have lived in the location for a period of not less than 8 years. Nonetheless, the law also clearly states that evicted parties will be settled in a suitable land and their eviction and settlement costs will be covered by the local government.</p> <p>Somaliland: compensation is only provided for occupants of temporary structures. Affected persons are to be settled in suitable land and their eviction and settlement costs be paid for by the local government.</p> <p>Somaliland: no differentiation between temporary and permanent structures and in both cases the affected persons are to be relocated</p>	<p>customary and traditional rights recognized under the laws of the country)</p> <p>3. Those who have no recognizable legal right or claim to the land or assets they are occupying (e.g., squatters, encroachers).</p> <p>Types of losses to be compensated include physical and economic displacement and cover land, residential or commercial structures, and lost income caused by temporary or permanent economic displacement</p>		

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
	to a suitable location and the cost are to be borne by the local government.			
Valuation Methods	According to all reviewed Somali laws, eligible PAPs have a right to be compensated with the same value of the affected property. It is unclear how this value is set or determined by government agencies.	The World Bank requires full replacement cost for all lost assets.	The Government methods may not ensure full replacement value in line with the WB definition.	In line with the principles outlined in this RPF, each of the RAPs will incorporate specific mechanisms to ensure that PAPs receive the equivalent of the replacement cost for each of their impacted assets as well as other resettlement entitlements as prescribed in the policy.
Grievance Redress	Somali laws mention the right of the PAP to file their grievances with law courts, however, there is no clear redress mechanism.	World Bank policy calls for project-level grievance redress mechanism to cover resettlement and related compensation matters, construction phase grievances and operations phase grievances.	Law courts may be cumbersome, costly or intimidating remedy, especially for those with no formal land titles, IDPs, refugees, those unable to read or write, etc. Ideally, should be used only as last resort.	Traditional dispute resolution mechanisms will be employed as well as a free and accessible project Grievance Redress Mechanism will be established for the duration of the project. The details of which are outlined in the SEP and RAPs (which could also include subproject specific GRMs).
Information Disclosure	No specific requirement for disclosure of information	World Bank requires disclosure by Bank at external website and simultaneous public disclosure in-country disclosure by clients' line ministries websites or other readily accessible public disclosure means available in their jurisdiction. Information disclosed in language(s)	Somali law/policy provides insufficient measures to protect PAPs	World Bank ESS5, ESS10 and RAP guidelines to be followed

Item	Somaliland Law / Policy	World Bank Requirements	Gaps	Gap filling measures
		understood by the PAPs and other stakeholders.		
Compensation Payment Schedule and Cut-off date	Not addressed in Somali laws or policies	Cut-off date to be established at time of census and asset survey Compensation to be provided at replacement cost prior to taking over of assets or relocation.	Somaliland law / policy provides insufficient information guidelines on or compensation schedule and establishment of a cut-off date.	For each of the subprojects, the RAP will outline the census schedule which will include a cutoff date. This is recommended based on the date the census and assets inventory of persons affected by the project begins. Details on when this is established and disseminated in line with the roll out of the census for each of the subprojects will be provided as part of each of the RAPs.
Vulnerable groups	Not addressed in Somaliland laws	The objective of World Bank ESS5 is to improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.	Somaliland law/policy provides insufficient guidelines on vulnerable groups affected by projects.	Additional measures to support vulnerable groups will be considered as part of the RAP development following consultations for each of the subprojects.

Hence, the Bank's standards will take precedence over GOSL laws. Compounded by gaps in legal and regulatory frameworks, compensation requirements for affected assets, land appropriation and asset valuation will be very challenging. Lessons learned from experience with other World Bank funded projects as well as the work of other international organizations will be used for reference with the understanding that flexibility and adaptability are needed.

While some municipalities have some form of land administrations and tenure systems in the cities, Land administration and management is fragmented and non-existent in most part of Somaliland. The country currently does not have an effective and adequate national land acquisition law, land tenure is likely to remain more collective than individual in nature, particularly in rural areas. When compared to requirement of ESS 5,

the Government of Somaliland laws has some limitations around consultation requirements, eligibility for compensation, valuation method, grievance redress mechanism, disclosure of information and the timing of compensation payments.

As is noted throughout matrix above, in case of conflict between local laws/policy (Somali and World Bank), the higher standard which will provide greater benefits to the affected parties will prevail.

7 METHODOLOGY FOR ASSET VALUATION AND COMPENSATION

Compensation for lost assets is calculated at replacement cost. The process used for determining compensation values should be transparent and easily comprehensible to project-affected persons. With regard to land and assets, the calculation of replacement costs takes into account the following:

- a. Agricultural (including fallow) land or pastureland: Land of equal productive use or potential, located in the vicinity of the affected land or the new housing site, plus the cost of preparation to levels similar to or better than those of the affected land, and transaction costs such as registration and transfer taxes or customary fees.
- b. Land in urban areas: The market value of land of equivalent area and use, with similar or improved infrastructure and services, preferably located in the vicinity of the affected land, plus transaction costs such as registration and transfer taxes.
- c. Houses and other structures (including public structures such as schools, clinics, and religious buildings): The cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better than those of the affected structure; or of repairing a partially affected structure, including labour and contractors' fees; and transaction costs, such as registration, transfer taxes, and moving costs.
- d. Loss of access to natural resources: The market value of the natural resources, which may include, among others, wild medicinal plants, firewood, and other non-timber forest products, meat, or fish.

Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Unit rates will be agreed, established and disclosed. Compensation rates may be subject to upward adjustment where negotiation strategies are employed and shall be implemented to all PAPs with the same type of loss of loss consistently. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

Information about compensation standards, formulas, and rates should be provided in a transparent and consistent manner. Where compensation for land or assets (including crops) is calculated according to formulas or rates set out in documents, these are made available and explained to affected persons. PAPs have the right to request additional clarification / explanation on how each asset has been valued. During negotiations and individual household discussions, the PAPs will be presented with the concrete values of cash compensation they are entitled to or land offered for compensation for their consideration and endorsement before the individual agreements are signed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

7.1 Land and structures

Where functioning markets exist (possibly in the case of urban areas), replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs.

In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.

Where applicable, valuation exercise on lands and assets will be done to assess the loss to the affected persons. In addition to that, negotiations with the affected persons will be crucial to ensure consensus agreement are attained, with proper documentation of the negotiation process including the negotiation minutes with pictures and notary papers are also needed. This can be guided by the RAPs.

Replacement cost for agricultural land is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes.

Where specialized asset valuations may be necessary, a valuation expert may be contracted by the respective IP through the PIU at the sub-project outset to develop a standardized procedure for asset valuation, which can then be applied in each subproject, and incorporated into the RAP. Such procedure would necessarily be developed using legally acceptable valuation procedures accepted by World Bank for purposes of fairness and consistency (where functioning legal framework exists).

For property valuation, the set values will be representative of the market rates at that particular time. For loss of income, rates will be based on daily profit averages for a particular type of business derived from random sampling in the Project areas.

See the matrix of entitlements (Table 2) for different types of resettlements or loss of incomes or assets.

7.2 Valuation of Compensation for Floricultural, Timber and Fruit trees

The market valuation method must be adopted. This goes for all tree-based crops including trees of nutritional, medicinal and other significant economic value. Given their significance to the local subsistence economy, fruit trees will be compensated on a combined replacement / market value. Fruit trees used for commercial purposes will be compensated at market value based on historical production records. If the households are physically resettled, they will be compensated for the labor invested in the trees they leave behind, because they will continue to own the trees left behind under customary rights. It is not uncommon for individuals to own trees in other villages in which they formally lived and, in some cases, to continue to harvest fruit from those trees for subsistence purposes and/or sale to traders. If a household/individual chooses to transfer ownership of the trees, transfer costs will be paid in addition to labor costs. The compensation rate will be based on information obtained from the socio-economic survey.

7.3 Valuation of economic impacts

For loss of income, rates will be based on daily profit averages for a particular type of business derived from information provided in the socio-economic survey questionnaire as well as any available reference values. Loss of income compensation will depend on the number of days that access will be restricted or denied or until livelihood is restored in line with the measures outlined in the RAP as well as the incomes lost as a result of the project.

8 ORGANIZATION

The SESRP will be implemented by the PIU established at MINISTRY OF ENERGY AND MINERALS which will provide the overall oversight through the project PIU which will also lead the overall implementation of the project. The PIU is staffed with Project Coordinators, Procurement Specialists, Finance Specialists, Project Engineers, Environment and Social Safeguard Specialists and M&E Specialists. The Environmental and Social Specialist will take the lead in management of resettlement issues.

A general outline of institutional roles and responsibilities for resettlement activities are found in the table below and shall be later adjusted/refined within the subproject specific RAPs.

Table 3: General Institutional Roles and Responsibilities for Resettlement

Institution	Responsibility
Government of Somaliland	<ul style="list-style-type: none"> • Overall management and supervision • Payment of compensation
World Bank	<ul style="list-style-type: none"> • Oversight role during implementation and monitoring / supervision as well as any issues brought to the WB offices (GRS, IP etc.) • Capacity support to the PIU in safeguards implementation and monitoring.
PIU	<ul style="list-style-type: none"> • Assistance to specialists in the preparation of screening processes, assessments and preparation of RAPs; approval of RAPs; general reporting on RAPs to the World Bank as part of E&S reporting requirements. • Ensuring that the RAP processes are followed adequately in line with the country's legislation and this RPF, • Overall coordination, monitoring and supervision, • Stakeholder engagement • GRM • Payment Compensation facilitation
Local Governments	<ul style="list-style-type: none"> • Municipalities will take the lead in valuation of assets, project land acquisition, land dispute resolutions and also receiving and supporting to address project-level grievances within their jurisdiction. • Local governments will be responsible for ensuring that RAP implementation is in line with land use plans in the district and the towns • Where relevant the municipality and district authorities will use their technical departments to address specific issues emanating from the compensation process especially related to replacement agricultural land. • Municipal Land Committee is an ad hoc institution established and mandated to solve land disputes. It's chaired by the Mayor and members mainly comprise of municipal authorities (the Land Department, the District Police Office) and traditional leaders
RCs in each municipality	<ul style="list-style-type: none"> • Determination of asset or income losses incurred by PAPs and their valuation • Designing strategies for restoration and development of livelihood strategies • Resolve manageable disputes that may arise among the PAPs relating to resettlement and compensation process. If it is unable to resolve, refer such grievances to the PIU grievance redress system

Institution	Responsibility
Grievance Redress Committees (GRCs)	<ul style="list-style-type: none"> • Responsible for receiving and addressing project-level grievances, except for those under appeal or needing specific PIU intervention. • Reporting back to PIU and community on GRM performance
Formal Courts	<ul style="list-style-type: none"> • Shall adjudicate cases involving developed houses, stores, houses, farms and so on that may be escalated after the laid down GRM has failed to resolve.
Informal Elder Courts	<ul style="list-style-type: none"> • Will be responsible mostly to resolve escalated cases involving undeveloped lands i.e., conflicts over grabbed lands and land dispute over the ownership.
Informal or Qadi or Sheikh Courts	<ul style="list-style-type: none"> • Will be responsible to resolve the resettlement issues escalated as a after involving developed lands, especially those related inheritance and or with written will.
Independent Verification Agency (IVA)	<ul style="list-style-type: none"> • Independent verification on the preparation and implementation of the RAPs.
Third party monitoring agent/auditor	<ul style="list-style-type: none"> • External Monitoring & Evaluation of resettlement and compensation activities including the preparation of completion audit.

9 IMPLEMENTATION PROCESS

The PIU will have project management responsibility, coordinating overall project implementation, ensuring the timely availability of fund transfer to contractors, implementing the relevant safeguard instruments including the RPF and RAPs and ensuring continuous community outreach and consultation, monitoring and evaluating program implementation and impacts, developing and implementing the GRM and reporting results to various stakeholders. No civil works are allowed to be tendered on sites where RAP implementation has not been undertaken and completed.

For each site-specific activity, an implementation schedule will be prepared and included in the RAP to ensure the right sequence between the commencement of the activity and the resettlement or compensation process. This schedule will show each activity – from the initial baseline and preparation to the actual relocation and commencement of civil works, as well as economic and social activities after relocation. The schedule will contain a date defining when benefits for eligible PAPs will be provided; and it will contain a monitoring and supervision schedule for the PIU to follow. It will set target dates for the achievement of benefits to resettled PAPs and hosts, as well as for the provision of other benefits.

10 MEASURES TO ADDRESS VULNERABLE GROUPS

Vulnerable groups refer to those individuals or groups who, by virtue of, for example, their age, gender, race, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits²⁰. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. In the context of this Project, several vulnerable groups have been identified as being relevant, as detailed below.

People with physical and/or mental disabilities may be disproportionately affected and have more difficulties in coping and adjusting to the effects of physical resettlement and economic displacement. The households with members which fall into any or all of these categories are thus considered to be more vulnerable to the impacts of resettlement. In the context of involuntary resettlement in this project, vulnerability is assessed based upon the following indicators identified through the socioeconomic baseline: type of tenure, livelihood dependence upon landfill resources, presence of elderly PAPs in household, single-parent households with children, households with a person with a disability, and household income under poverty threshold.

ESS 5 emphasizes resettlement impacts on poor and vulnerable populations. Physical and economic displacement should be especially avoided where people are vulnerable. Vulnerable groups often have different land needs in comparison to other groups, or resettlement poses particularly adverse impacts on them. Specific groups identified during the social assessments/baselines done for each of the subproject RAPs will determine the types of vulnerable individuals/groups present in the area and include measures to support based on their specific needs.

It is therefore important that the nature of vulnerability is assessed specifically for each site-specific activity. Activity-specific Resettlement Action Plans (RAP) need to be based on rigorous socio-economic and vulnerability assessments, which help determine the particular vulnerable groups and Project Affected People (PAPs) of a specific area and activity. Considerations in the development of project specific activities and the RAPs:

- Socio-economic situation of different population groups, in particular those defined as vulnerable.
- Language and traditional information dissemination mechanisms should be considered.
- Understanding limitations of specific groups in participation in project activities (mothers taking care of children, agriculturists working the fields, employees and jobs etc.).
- Establish clear communication and feedback mechanisms to allow for these groups to participate in project design, decision making and activities resulting in physical or economic displacement.
- The establishment of a GRM with uptake channels at different levels and utilizing both traditional and modern means

All vulnerable groups, identified here and specific other groups identified in the respective assessments should be entitled to additional assistance for finding replacement land, housing, places of business and for moving (temporarily or permanently); additional assistance for new land to be cleared or structures to be built; additional livelihood restoration support; and, consultation and participation of PAPs.

²⁰ Section 2.1 of the World Bank Directive: Addressing Risks and Impacts on Disadvantaged or Vulnerable Individuals or Groups updated March 27, 2021

11 GRIEVANCE REDRESS

11.1 Use of customary / established dispute resolution mechanisms

Due to the prevailing weakness of government institutions as well as a common mistrust in its efficiency, a large portions of land cases of land disputes are solved through mechanisms of Somali customary law (xeer). For any disputes or grievances related to the urban areas (within the municipality boundaries), the formal courts are usually resorted to handle such cases. But where a conflict falls under the private property aspects the disputes is then referred to the district Court. On the other hand, informal elder courts and informal Qadi or Islamic Courts are preferred to the land disputes especially on inheritance and land situated outside the municipality, as this has no formal registrations within the district or the municipality land registry.

On the other hand, the Municipal Land Committee is an ad hoc institution established and mandated to solve land disputes. It's chaired by the Mayor and members mainly comprise of municipal authorities (the Land Department, the District Police Office) and traditional leaders. At the municipal level, this land committee is summoned whenever there is a land dispute that has not been submitted to the Court or to the elders. However, when a land dispute case is heard in the district and if that case is deemed fit for the municipal hearing and determination then the case is sent to the municipal committee, which takes over the matter.

Table 4: Existing land dispute resolution mechanisms with their respective shortcomings

Institution	Nature of Conflict	Applied Laws	Limitations
Formal Courts	Mostly they adjudicate cases involving houses developed, stores, houses, farms and so on	-Somali Civil Code - Somaliland Laws - Shari'a	There is no popular confidence due to allegations of corruption and lack of enforcement.
Informal Elder Courts	Mostly they resolve cases involving undeveloped lands, i.e., conflicts over stolen lands	Somali Xeer	Xeer can disadvantage certain groups and has not always kept up with changes in Somali society. For example, outcomes under xeer law depend on the negotiating power of clans and thus weaker clans are often not afforded the protections that would prevail between equally matched groups. No gender considerations
Informal or Qadi or Sheikh Courts	Mostly they resolve cases involving developed lands, especially those related inheritance and will	Shari'a Law , specifically Shafi'a school of jurisprudence	First , It is un-codified and sometimes tend to erroneous interpretations that might discriminate against women. Second , most texts are those written before centuries and hence outdated in terms of some contemporary issues whose judgments need to refer the most updated Muslim jurist texts and well trained judges who have capacity of research and case analysis and reasoning techniques.
Municipality	Mostly they involve in	- Somaliland land	Low confidence by the community due to

Institution	Nature of Conflict	Applied Laws	Limitations
committee for Land Conflict Resolution (6 male persons)	resolution of undeveloped lands	law in 2000 and Somali land law in 1973 and 1980s - Shari'a	allegations of corruption, nepotism, poor capacity and low enforcement of decisions and no gender considerations and representations.

11.2 The Project Grievance Redress Mechanism (GRM)

Under the new World Bank ESF, Bank-supported projects are required to facilitate mechanisms that address concerns and grievances that arise in connection with a project. One of the key objectives of ESS 10 (Stakeholder Engagement and Information Disclosure) “to provide Project Affected Persons with accessible and inclusive means to raise issues and grievances, and allow borrowers to respond and manage such grievances”.²¹ Understanding the drawbacks and limitations of the traditional mechanisms as well as the requirements of the ESF, the project has established a project level GRM which is outlined in the project’s Stakeholder Engagement Plan (SEP). The Project GRM should facilitate the Project to respond to concerns and grievances of the Project Affected Persons related to the environmental and social performance of the project. Given its broad spread, it will also apply for resettlement issues. The SESRP will provide mechanisms to receive and facilitate resolutions to such concerns. The Grievance Redress Mechanism to be followed under the Project will:

- Respond to the complaints of PAPs in a timely and transparent manner
- Ensure that complaints are properly registered, tracked and documented, with due regard for confidentiality;
- Provide a mechanism for appeal; this can result in approaching civil courts if other options fail.
- Allow for anonymous complaints should this be requested by the complainant

The primary purpose of the project GRM is to hear the complaints or address the concerns of aggrieved parties to a fair extent and on time. Dissatisfaction can cause an aggrieved party to act negatively, which would culminate in some unforeseen repercussions that would affect project implementation and hinder progress. This section lays out the grievance redressal mechanisms (GRM) for the SESRP which will have the following objectives:

- Registration, acknowledgment, and recording of all concerns or issues raised by aggrieved;
- Identify if there are any systemic issues in the program implementation based on (among other factors) the frequencies and validity of issues raised: for instance, unpaid or insufficient compensation, disregard for traditional practices, land acquisition prior to compensation, undue pressure from team members and many more;
- Ensure that complaints are properly registered, tracked and documented, with due regard for confidentiality;
- Address the composition of a committee that would handle all grievances; Inform people of the public information center establishment and access;
- Establish procedures for the GRM to enhance easy access, transparency and accountability, and tackle escalation of grievances beyond expectations;

²¹ World Bank, Environmental and Social Framework, 2018, p. 131.

- Manage the concerns raised by aggrieved parties to achieve a win-win situation within a reasonable time frame that would comply with national and international best practices; and
- Record all resolutions agreed upon by all parties involved and ensure that aggrieved persons are satisfied with every outcome of remedial resolution to foster harmony in sub-projects.

11.2.1 Institutional Framework and Composition of GRM Committee

The project GRM will build on what was created for the Somaliland Energy Access Project. This GRM will be a project wide GRM that will also be available for use by PAPs. The existing GRM will work as an alternative option and in conjunction with local level actors at the GOSL, community, District, and municipal levels (described above). This is to ensure that all measures are taken to address the grievance. The GRM is housed at (MoEM) Somaliland and provides access to SESRP stakeholders and contractors to register complaints received at sub-project level or the field. At all the target Municipalities /Local Government level, a Grievance Redress Committee (GRC) comprised of PAPs, municipal government officials, local civil society leaders and representatives of women, people with disabilities Legal Aid and law enforcement agencies and youth groups will be formed to receive and handle any arising complaints. The GRC will be headed through a consensual appointment done with affected communities, and steps will be taken to ensure that all grievances are properly documented and transferred to the digital platform for tracking of resolution. PAPs may also make complaints directly to the project wide GRM through the digital platform either by calling, sending text, WhatsApp, etc. The project will identify an NGO or other appropriate GBV service provider to setting up and ethically manage SEA/SH complaints.

11.2.2 The GRM implementation process:

1. The social safeguards specialists at respective MoEM (Somaliland) will manage the GRM platform for Project level to ensure timely sorting and escalation of grievances to resolving officer
2. Assign a focal person (s) from OE, Contractors and the local GRC for grievance uptake and reporting
3. Train assigned focal person (s) to receive and log complaints; Constitute GRM Committee to resolve grievances
4. Screen, classify and refer complaints to appropriate unit for redress Monitor, track and evaluate the process and results
5. Provide feedback to complainant in line with the established timeframes.

11.2.3 Management of Resettlement Related Grievances

Typical grievances relevant to resettlement may include community or individual's dissatisfaction with: (a) the eligibility criteria, (b) the amount of compensation or assistance measures; (c) unexpected and unaddressed resettlement impacts; and (d) implementation or timing of such measures. The overall process of grievance handling is as follows:

- Compensation committees including representatives of PAPs will establish the compensation rates.
- During the initial stages of the valuation process, the affected persons are given copies of grievance procedures as a guide on how to handle the grievances/sensitization of PAPs.
- The process of grievance redress will start with registration of the grievances to be addressed for reference, and to enable progress updates of the cases. See the SEF of SESRP for grievance redress form.

- The project will allow the use of a local mechanism, which includes the local land dispute tribunals and local leaders of the affected people. These will ensure equity across cases; they eliminate nuisance claims and satisfy legitimate claimants at low cost.
- Compensation will be paid to individual PAPs only after a written consent of the PAPs is received, including both husband and wife (and children where relevant). Should a PAP decline the compensation suggested, he/she will have the option to register grievances to the grievance committee.
- A Compensation Committee (CC) and the grievance committee at the district level will first review his/her case.
- When these have failed to resolve the grievance, the individual PAP has the right to take his case to appeal the next level GRM (municipality/state level or levels, depending on the municipality) or the civil courts for litigation.

11.2.4 Guidelines and Tools for Reporting and Processing Grievances

- Uptake channels will be established at various levels to facilitate access to local communities. Each of the specific RAPs for subprojects will further identify additional channels based on the specific circumstances. Complaints can be in any language and form and the complainant may choose to remain anonymous.
- Grievances will be filed by an aggrieved person at the entry-level using a complaint form or through a designated grievance channel.
- The form will describe the complaint and provide for action at the three levels of redress-community district, Municipal or GOSL. Ideally, complaints should be acknowledged in 7 days, provide feedback in 21 days and resolved within Forty-Five (45) days, except complaints and grievances that relate to the valuation of affected assets that need to be managed by a unit set up by the project. In this last case, each RAP will determine the timeframes for resolution.

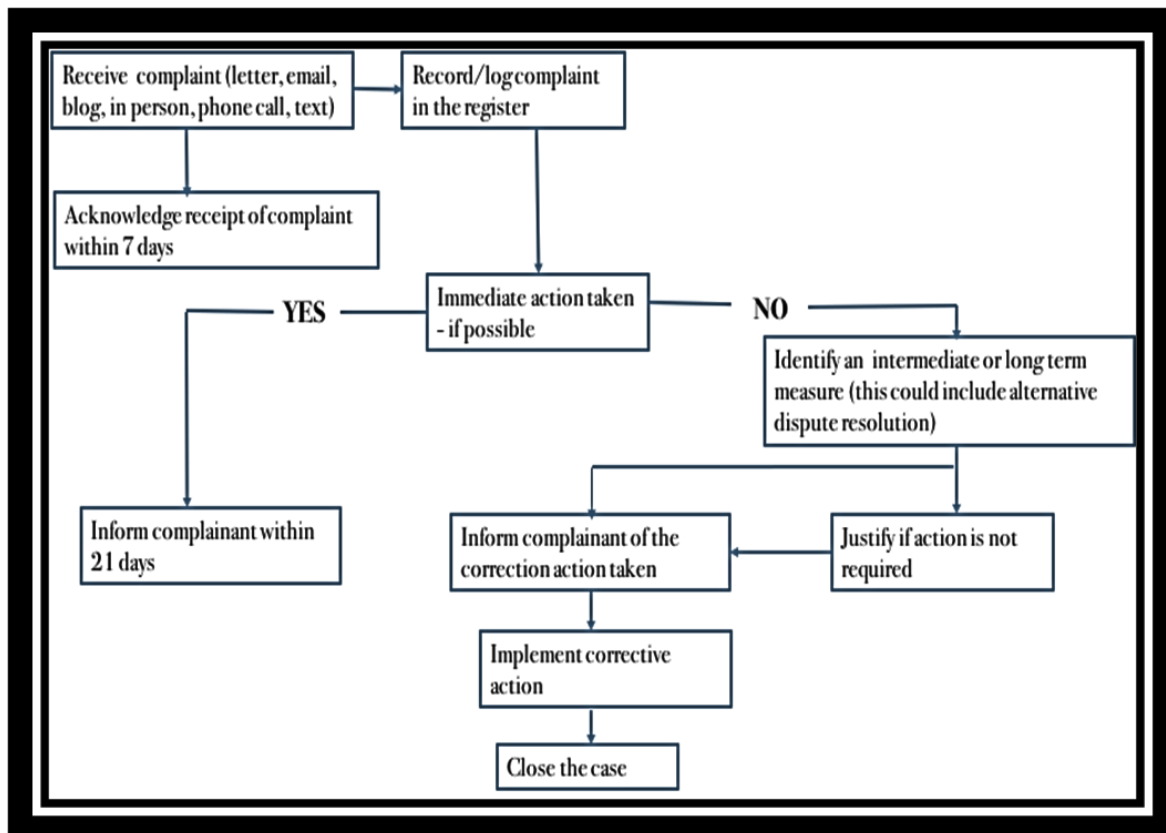
Aggrieved parties should choose their entry point that is at their convenience. However, the GRM should start at the local level before allowing appeals to higher levels at the district municipal or GOSL levels. It is the case that many people from the impacted communities may not be able to read or write and particular attention should be given to having face-to-face dialogue with complainants (in line with government guidelines related to Covid-19) to ensure that the processes, decisions, and resolution of the complaint are thoroughly understood. If it is at the community level/site specific level, the first point of contact would be the Contractor site in charge who is the GRC established by the project at the district level. The point of contact at the district level is the district Council. The point of contact at the provincial level is the key supervisory body of the GRC or relevant agencies responsible for monitoring the sub-projects, which may comprise the MoEM (Somaliland), the beneficiary ministries of Health and Education Owners Engineer firm or ESPs

- Mobile phone hotlines should be maintained to provide aggrieved parties with the access they need to those who can document and address their grievances;
- At all three levels, a grievance registry should be maintained to monitor and record the types of grievances that are raised, their status, and the type/level of remedial actions taken. Remedial actions have to be flexible. They can vary from a letter response to a referral (to the next redress level/structure), a meeting or dialogue with the complainant(s), a final resolution process beneficial to all parties;
- Acknowledgment of receipt of grievance reports should be within seven days. This can be done by any member of the GRC/ local authority and should be forwarded to GRC. Grievances should be addressed in twenty-one (21) days following the report or be moved to the next level in the redress mechanism where the problem should be resolved within fourteen (14) days;

- Outcomes from the decision should be provided within thirty (45) days of the receipt of the complaints, which should be communicated by the appropriate GRC representative. Once a grievance or complaint has been resolved or being escalated, the officer responsible shall complete a Grievance/Complaint Resolution/Escalation Form (see Annex v for sample form) to close out the complaint or record the reason for escalation, and the form shall be signed by the officer and the complainant (if s/he so desires), with a witness.
- Those seeking redress and wishing to state grievances will do so directly to the GRC. If the complainant's claim is rejected, the matter shall be brought before an agreed third party or the local administration before approaching the legal system in case of unresolved complaints at the local level.
- The court of law will serve as the last resort for all types of grievances. Responsible structures for grievance redress should ensure that this option is avoided as much as possible. However, the decision to use the court as a redress mechanism should be left to the discretion of the aggrieved parties.

The Grievance Process to be followed is based on the projects GRM outlined in the SEP: (it is important to note that there is no resettlement specific GRM and all issues will be processed through the Project GRM). The SEP may be updated as part of the Project's evolution which may include changes to the GRM. The current process is depicted in the figure below:

Figure 2 : Grievance process as currently outlined in the approved SEP (30 September 2021)



11.3 Monitoring and Reporting

All complaints received in writing (or written when presented verbally) and processed through the stages identified in the GRM, will be recorded in a register or log sheet. The register presents the date of the complaint, the name of the complainant, the community he/she is from, a description of the complaint, and the actions taken to address the grievance (which shall also note the status of the grievance). There will be periodic reviews of the grievance log/database to learn lessons about the GRM and improve the operation and effectiveness of the GRM.

- All complaints received in writing (or written when presented verbally) and processed through the stages identified in the GRM, will be recorded in a register or log sheet. The register presents the date of the complaint, the name of the complainant, the community he/she is from, a description of the complaint, and the actions taken to address the grievance (which shall also note the status of the grievance).
- The GRC shall maintain records of grievances and complaints, including minutes of discussions, recommendations and resolutions made;
- The type of grievance being documented should also be defined in terms of how it is received: oral, written, by mobile phone, email, or text message. There should be a clear description of the owner of the complaint or where the grievance comes from to ensure accessibility to the GRM
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11.4 WB's Grievance Redress Service (GRS)

Communities and individuals who believe that a World Bank project has or is likely to have adverse effects on them, their community, or their environment. may submit complaints to existing project-level grievance redress mechanisms and/or the WB's Grievance Redress Service (GRS). The GRS enhances the World Bank's responsiveness and accountability to project-affected communities by ensuring that grievances are promptly reviewed and addressed. The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns.

For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>.

Any individual or community who believes that a World Bank-supported project has or is likely to, adversely affect them can submit a complaint. Complaints should be in writing and addressed to the GRS. They can be sent to:

- ONLINE – through the GRS website at www.worldbank.org/grs
- BY EMAIL at grievances@worldbank.org
- BY LETTER OR BY HAND delivery to any World Bank Country Office
- BY LETTER to the World Bank Headquarters in Washington at The World Bank Grievance Redress Service (GRS) MSN MC 10-1018 1818 H St NW Washington DC 20433, USA

To facilitate the understanding of the complaint, the following could also be included:

- identify the project subject of the complaint
- clearly state the project's adverse impact(s)

- identify the individual(s) submitting the complaint
- specify if the complaint is submitted by a representative of the person(s) or community affected by the project
- if the complaint is submitted by a representative, include the name, signature, contact details, and written proof of authority of the representative

11.5 World Bank Inspection Panel

The Inspection Panel is an independent complaints mechanism for people and communities who believe that they have been, or are likely to be, adversely affected by a World Bank-funded project. The Panel is an impartial fact-finding body, independent from the World Bank management and staff, reporting directly to the Board. The Inspection Panel process aims to promote accountability at the World Bank, give affected people a greater voice in activities supported by the World Bank that affect their rights and interests, and foster redress when warranted.

The Panel has the power to review Bank-funded projects, and determine whether Bank Management is following the World Bank's operational policies and procedures which were put in place in order to provide social and economic benefits, and avoid harm to people or to the environment.

For information on how to submit complaints to the World Bank Inspection Panel, please visit <https://www.inspectionpanel.org/how-to-file-complaint>

12 FUNDING ARRANGEMENTS

The RAP will include an itemized budget for the implementation of resettlement activities including compensation. At the project preparation stage where the RPF is prepared, the exact number of people who may be affected cannot be determined since all the sub-projects have not been fully identified. As such, at the time of writing this RPF, it is not possible to provide an estimate of the budget required to cover the total cost of resettlement that will result from the implementation of the SESRP. Guidance for preparing the resettlement budgets is offered in this RPF and in general terms should include the following items:

- a) Cost of preparing the specific RAPs
- b) Full replacement cost of lost assets, i.e., land, structures, crops, trees, livestock, public and community infrastructure
- c) Cost of providing replacement land including transactional expenses, land search costs, cost of developing infrastructure and putting up replacement housing if need be,
- d) Income and livelihood restoration costs (including wages and technical assistance)
- e) Cost of relocation of people and their belongings i.e., moving/transport allowance
- f) Special resettlement assistance costs for VMGs e.g. training and new skill development for VMGs, cost of acquiring re-employment equipment, logistical support costs etc.
- g) Transitional support costs including costs of obtaining alternative accommodation during the transition period
- h) Cost/expenses incurred in performing traditional/cultural ceremonies necessary in grave removal, exhuming and reburying bodies
- i) Costs of obtaining architectural designs, construction management costs and structural approval costs.
- j) Monitoring and auditing costs
- k) Cost of building institutional capacity for resettlement implementation e.g., constructing new office/hiring offices for project management staff, cost of hiring of project staff, training and institutional capacity building and logistics.
- l) Any other reasonable cost determined during RAP preparation for specific investment project/s

While some of the costs above such as consultancy cost of preparing the specific RAP/s are readily quantifiable, other aspects of RAP activities such as capacity building, full replacement cost of lost assets and restoration of livelihoods are location/project specific and are not quantifiable at this time.

Table 5: Cost estimate for implementing RPF

#	Activity	Estimated Cost (US\$)	Remarks
1	Initial sensitization training/workshops	100,000.00	Preparatory workshops/barazas and formation of stakeholders' structures at the national, on draft RPF
2	Capacity building training workshops for implementing agencies	100,000.00	Specifically, for implementation and monitoring processes of RPF and RAP
3	Preparation of RAP		RAP whether in-house or outsourced

#	Activity	Estimated Cost (US\$)	Remarks
4	Provision of compensation for land and structures	To be determined during preparation of RAP based on market values and current construction costs.	While component 2 of SESRP is largely existing facilities, components 1&3 will require physical investments that may potentially cause displacements and disruption of livelihoods.
5	Provision of compensation for trees and crops	To be determined during preparation of RAP based on prevailing market values for timber and crops current.	When construction starts there may be damage to trees and crops on land acquired or adjacent land
6	Cost of relocation people and assets	To be determined during preparation of RAP based on value of transport, labor and other factors.	Given that people move to different locations and because it is not known at the time of preparation of RAP, this may be presented as a claim by each PAP as appropriate.
7	Validation training workshops for RAP	100,000.00	Individual RAPs require concurrence at all structures to be implementable
8	Business advisory /financial management training for PAPs	50,000.00	When compensation amounts are known there is need for investment advisory to be given to beneficiaries
9	Monitoring and auditing	To be determined during preparation approximately 20%	Done during implementation of RAP and at completion as quality control measure
10	Contingencies (10%) of total cost	(10% of total above)	Vulnerable Support, stakeholder engagement

Budgeting and financing are critical step in the resettlement planning and implementation process. Specific RAPs prepared for SESRP project must therefore provide indicative budget which should clearly specify all activities in the resettlement implementation process, their estimated costs as well as the source of funds. It is expected that the budget for resettlement will be prepared for each of the subproject and will be determined during the RAP preparation exercise after the base line data is collected and all potential impacts have been identified. Availability of funds for resettlement compensation will weigh as a condition for subproject selection.

The budgets will cover resettlement activities including compensation costs for affected assets such as structures, fruit trees, crops and loss of access including any economic displacement as well as other resettlement or transitional assistance. Funds for the preparation and implementation of the rap will be financed through project financing while funding for compensation will be provided by the subproject implementing agencies (IP). Adequate budget for stakeholder engagement will be also allocated from the overall project cost, which will include cost for organizing meetings, workshops and training, hiring of staff, field visits to subproject locations, translation and printing of relevant materials and operating GRMs. The costs of preparation of the RAP including capacity building and consultations are estimated to be 715,000 USD.

13 STAKEHOLDER CONSULTATION, PARTICIPATION AND DISCLOSURE

The Project will ensure inclusivity of all targeted PAPs at all levels. PAPs will be consulted through a variety of means, as spelled out in the SEP and as necessitated by the resettlement assessment methodology. Furthermore, all information about the activity that triggers the preparation of an RAP and resettlement and compensation will be publicly disclosed, following the modalities of disclosure laid out in the SEP. This is to ensure that all persons, and vulnerable groups in specific, have the opportunity to participate in the decision making process and to raise their concerns where applicable.

Most crucial is that during the implementation phase of the RAP, all PAPs have access to all relevant information, including their rights to resettlement, compensation, payment and RAP activity schedules, identity of leading authorities and implementers etc. They must be given the opportunity to provide their inputs and feedback on the planned activities. Furthermore, they must receive all information in regard to the Project GRM, and the GRM must be available to all PAPs to file potential complaints.

Engagements and consultation on the project design and the planned activities and implementation arrangements have been conducted with key institutional stakeholders including the relevant Government agencies. Engagements and consultations have been held with key stakeholders, as per World Bank guidance under the COVID-19 pandemic described in the Technical Note “Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings” (March 20, 2020). Broader consultations have been hampered, one by the lack of time given that this is an emergency project, and second by the outbreak of the COVID-19 pandemic, which has made community consultations impossible at this stage.

Targeted public consultation and stakeholder engagement was held between May and June 2021 under the leadership of MoEM), Somaliland). The consultations done were specific to the government Agencies including but not limited to: Ministry of Public Works and Construction, Directorate of Environment & Climate Change, Ministry of Energy and Minerals, Ministry of Labor and Social Affairs, Somaliland Ministry of Public Works, Somaliland Ministry of Labor and Social Affairs, Somaliland Energy Development Agency, Land Authority in Jubaland, Jubaland Ministry of Energy and Minerals, Jubaland Ministry of Labor and Social Affairs, IDP Camp Leaders with regard to the resettlement policy framework questions.

As to this date the specific activities that may require involuntary resettlement are unknown. As soon as locations, implementing partners and specific activities have been decided on, tailored community consultations with regard to the resettlement action plan will be undertaken.

The key highlights from the consultations include:

In Somaliland, the local government has a major role and responsibilities of land take from the citizen or institution for development purposes. Somaliland Ministry of Public Works jointly work with other government lead agencies for example Garowe Local Government Particularly Land Department in order to oversee and observe how the process of land take is undertaken in line with the Somaliland Land Policy. This process helps the government to acquire community and private land for the development projects through laid down procedures namely: (i) land assessment, (ii) review of the reports from the land assessment, (iii) application in line with the rules and regulations that exists in the state (i.e., Land Act), (iv) registration of the land into the citizens or institutions regarding to their purposes and (v) issuance of certification for the land. The table below

Table 6: Stakeholder Consultations and Comments

Table 6: Stakeholder Consultations and Comments

#	INSTITUTION	DESIGNATION	KEY ISSUES
1.	MINISTRY OF ENERGY AND MINERAL	Environmental Specialist	<p>Land administration and management is virtually non-existent in Somaliland. The country currently does not have a national land acquisition law; land tenure is likely to remain more collective than individual in nature, particularly in rural areas. When compared to requirement of ESS 5, the Government of Somaliland laws has inadequacies around consultation requirements, eligibility for compensation, valuation method, grievance redress mechanism, disclosure of information and the timing of compensation payments. Hence, the Bank's ESS5 will take precedence over GOSL laws.</p> <p>Government entities involved in the land acquisition and management are:</p> <ul style="list-style-type: none"> • Ministry of Interior, • Ministry of Public Works, • Municipalities and Hargiesa Regional Administration, • Directorate of Environment, • Key security agencies (Ministry of Security, Police and SNA).
2.	Somaliland Ministry of Public Works	Head of Land Use Section	<p>According to the process of land take, the local government has a major role and responsibilities of land take from the citizen or institution for development purposes but when it comes to our role the Ministry jointly work together with Garowe Local Government Particularly Land Department in order to oversee and observe how the process of land take relates with Somaliland Land Act.</p> <p>The Process and Procedures are mainly as follows:</p> <ul style="list-style-type: none"> • Land assessment, • Review the reports from the assessment, • Apply to the rules and regulation that exist in state such Land Act • Registration of land into the citizens or institutions regarding to their purposes, • Give certification of the land. <p>The department of land handles land issues.</p> <ul style="list-style-type: none"> • There are 6 staff from difference sections of the department; those are under director of department. They report to Director Department <p>The highest qualification that they have is Master of Land use management although most of them are undergraduate according to their qualifications, so we can verify if you need further information in terms of difference degrees that they have from the department of Human Resources.</p> <p>YES, some of them have enough experience in terms of review of Resettlement Policy and Resettlement Action Plan but not all.</p> <p>key issues to be addressed in Resettlement Policy Framework (RPF) and Resettlement Action Plan (RAP)</p> <ul style="list-style-type: none"> • Land ownership is a key issue that we need to address and apply to resettlement policy framework

#	INSTITUTION	DESIGNATION	KEY ISSUES
			<ul style="list-style-type: none"> Land Conflict - most of RFP and RAP deals with land ownership and land Conflict Poor land use management- <p>Land grievance redress mechanisms that may be adopted during project implementation</p> <ul style="list-style-type: none"> It depends on the project areas for example if the project is for agricultural development and has a specific mechanism in terms of project implementation so that government have difference mitigation approaches when it comes to land grievance. <p>In Mostly cases, there is no leave but there is number of mechanisms such as budget allocation options.</p> <p>Government involves land acquisition and management through obtaining and buy in from community leaders and owners because land requires political will and community support and funding in order for government to have an overall role and responsibilities of land management.</p> <p>Yes, Ministry and its partners approved land and property values. In addition to that currently there is Resettlement Action plan RAP for IDPs that directly focus on the IDPs in order to resettle regarding to that there is updated resettlement Action Plan which play a vital role when it comes to land issues.</p>
3.	Somaliland Ministry of Labor and social affairs.	Director	<p>There is an existing grievance redress mechanism with regard to handling work and employment related disputes and grievances.</p> <ul style="list-style-type: none"> The Ministry always promote the equal accessibility of the implementation of the projects in order to avoid the grievances from the people, The Ministry sets up before the implementation a number of criteria which based on the vulnerability of the people and design of the project to confront the Primary challenges from target communities. The Ministry shares with the communities' full information about the projects to prevent misleading issues. <p>The following are the possible social Issues associated with the proposed project.</p> <ul style="list-style-type: none"> Resource sharing conflicts in terms of proposed and implementation of the projects for example projects sites can easily create the conflict among the communities. Project allocations issues from the officials also can be one of the social issues Poor transportation because some of the areas are not accessible due to poor infrastructure.
4.	South West Directorate of the Environment	Director	<p>There is an existing long cave (Isha) that is found within in the middle of the city. Caution should be undertaken to ensure it is not disturbed.</p>
5.	South West – Ministry of Public Works	Director General	<p>Currently the South West ministry of public works is not yet handling land issues and all land issues is currently handled by the local authorities (Metropolitan)</p>

14 MONITORING AND EVALUATION

The purpose of monitoring is to determine the effectiveness of project implementation including the physical progress of resettlement activities, the disbursement of compensation, the effectiveness of public consultation and participation activities, and the sustainability of income restoration and development efforts among the PAPs. This will facilitate timely identification of problems and successes and appropriate adjustment of implementation arrangements.

Monitoring activities will ensure that all PAPs are adequately compensated. The preparation and implementation of the RAPs will follow the general monitoring structure of E&S risks and risk mitigation measures, as defined in this ESMF. The Social Specialist and the M&E Specialist in the PIU will be responsible for overseeing the design and general implementation of the RAPs. In addition, PIU Social and M&E Specialists will be mainly responsible for the monitoring of the implementation to ensure that all PAPs are compensated.

Therefore, activities should have a monitoring plan that identifies the organizational responsibilities, the methodology, and the schedule for monitoring and reporting. The monitoring plan should have the following three components:

- a) Performance monitoring
- b) Impact monitoring
- c) Completion Audit monitoring

Performance Monitoring is an internal management function carried out regularly, usually quarterly, to measure physical progress against milestones established in the RAP. The report compares achievements at the inspection date against the targets for the required actions.

Impact Monitoring measures the effectiveness of the RAP and its implementation in meeting the needs of the affected population. This may be conducted internally by PIU or an independent verification agency, every six months. Where feasible, affected people should be included in all phases of impact monitoring, including the identification and measurement of baseline indicators.

Completion Audit: This is to determine to what extent the RAP activities have been implemented. The audit should verify that all physical inputs committed in the RAP have been delivered and all services provided. The audit should evaluate whether the mitigation actions prescribed in the RAP have had the desired effect. This is usually carried out at the end of project completion after all RAP inputs so as to evaluate achievements against the baseline conditions of the population before displacement, as established through the census and socioeconomic studies.

Monitoring activities will be conducted against the milestones set in the RAPs, including the following items:

- PAPs were notified and adequate community consultations held.
- Census of all PAPs and socio-economic survey was conducted.
- A cut-off date was established and adequately disclosed.
- The RAP was prepared, cleared and disclosed.
- Compensation and other mitigation measures were carried out in accordance with the RAP.
- All grievances have been recorded and addressed in a timely manner and closed.
- A completion report outlining all actions carried out with documentation / evidence.

In addition, the **Independent Verification Agent** that will be contracted by the PIU will also monitor the implementation of the RAPs. This activity will be integrated into the IVA's general TOR. Once the IVA is deployed, a monitoring schedule for the RAPs will be developed jointly with the PIU that assesses whether the goals and compensation plan of the RAPs are met. The PIU, jointly with local

government representatives will facilitate the coordination of information collection, such as surveys and supervise documentation in accordance with the procedures.

The following indicators will be used to measure the performance of the RAPs:

- Collection and storage of census data in a database for comparative analysis. This will include establishing unique identification for each of the PAPs and their respective assets to enable tracking while maintaining the privacy of the individuals for future reporting.
- Number of PAPs physically or economically displaced by each activity
- Compensation completed and paid for all impact types
- Timing of compensation in relation to commencement of physical construction work.
- Compensation paid to each PAP prior to impact
- Livelihood Restoration programs, and status of PAPs compared to pre-project
- Number of people raising grievances, solutions reached, and number of unsolved grievances
- The adherence of the GRM implementation to established timeframes
- Support for vulnerable populations
- All items in the entitlement matrix will be monitored.
- Any breaches in RAP guidelines (regardless of whether there is a formal grievance), i.e., construction activities commencement prior to compensation.

Monitoring reports will provide the basis for analysis and potential adjustments or changes to the RAPs.

During evaluations, representatives of the PAPs will participate in the project completion workshops to give their evaluation of the impacts of the Project, and specifically the activities under the RAP. They can suggest corrective measures to be implemented retroactively, or to build lessons learnt for other activities.

After completion of all compensation and resettlement activities, the PAPs will be consulted through a survey, which forms part of the SESRP M&E activities.

15 REFERENCES

DFID, Disability in Somaliland, K4D, 2018, accessed at: https://assets.publishing.service.gov.uk/media/5a744dbded915d0e8bf188ec/Disability_in_Somaliland.pdf

IFC Handbook for Preparing a Resettlement Action Plan, Undated

International Finance Corporation (2002-04). Handbook for Preparing a Resettlement Action Plan, Environmental and Social Development Department, Washington, DC, USA.

International Valuation Standards Council (2017). International Valuation Standards (IVS).

OCHA Humanitarian Needs Overview Somaliland 2020.

The World Bank Group, Somali Poverty and Vulnerability Assessment, April 2019.

The World Bank, Environmental and Social Framework, 2018

The World Bank, ESS5: Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement, Guidance Note for Borrowers, June 2018.

The World Bank, ESS1: Assessment and Management of Environmental and Social Risks and Impact, Guidance Note for Borrowers, June 2018.

Technical Note "Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings" (March 20, 2020),

ESF/Safeguards Interim Note: COVID-19 Considerations in Construction/Civil Works Projects, March 2020,

The World Bank, Environmental & Social Framework for IPF Operations. Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works, Feb 2020.

The World Bank, Involuntary Resettlement Sourcebook, Planning and Implementing in Development Projects, 2004

UNCU/UNOCHA, A Study on Minorities in Somaliland, 2002, accessed at: <https://reliefweb.int/report/Somaliland/study-minorities-Somaliland>

ANNEX I: LAND TENURE SYSTEM IN POTENTIAL INVESTMENT AREAS UNDER PROJECT

The new provisional Constitution, approved in 2012, is meant to provide a framework for this new legal order. In terms of land tenure, the constitution states that “every person has the right to own, use, enjoy, sell, and transfer property” and that property will not be expropriated unreasonably. Aside from this clause in the constitution, there is little formal legislation regarding land at the level.

Xeer Law: Within the vacuum left by the fall of the central government, customary xeer law appears to have reasserted its importance as a means of governing relations between clans. Xeer is an unwritten system of laws which is administered through consultations among elders and focuses on the rights and obligations of one clan to another. Xeer Law addresses numerous aspects of land management with a focus on pastoral land use. Although xeer law can vary based on agreements between clans, xeer law tends to view rangelands as a collective clan asset. However, clans are expected to allow other clans to graze on the land, particularly in times of need. Xeer also contains prohibitions on building enclosures or permanent settlements on pastureland.

However, Xeer can disadvantage certain groups and has not always kept up with changes in Somali society. For example, outcomes under xeer law depend on the negotiating power of clans and thus weaker clans are often not afforded the protections that would prevail between equally matched groups. The bi-lateral nature of xeer has also meant that it is not always well adapted to dispute resolution in urban areas where multiple clans find themselves living together.

Vulnerable groups at particular risk are IDPs, the landless and semi-landless and households headed by females who though displaced may not be protected through national land compensation legislation. The resettlement plan must include land allocation or culturally acceptable alternative income-earning strategies to protect the livelihood of these people.

Land Tenure, Acquisition, and Transfer: The Resettlement Action Plan should review the main land tenure and transfer systems, including common property and nontitle-based usufruct systems governed by locally recognized land allocation mechanisms.

The objective is to treat customary and formal rights as equally as possible in devising compensation rules and procedures. The plan should address the issues raised by the different tenure systems found in a project area, including;

- (a) the compensation eligibility of land-dependent populations
- (b) the valuation procedures applicable to different tenure types
- (c) the grievance procedures available for disputes over land acquisition.

Plans should contain provisions for conducting land surveys and regularizing land tenure in the earliest stages of project development. Planning should also anticipate the approximate time needed to acquire and transfer land.

ANNEX II: TEMPLATE FOR THE RAP

This RAP will 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.

Minimum Elements of a Resettlement Plan

i. Description of the project

General description of the project and identification of the project area.

Potential impacts

Identification of:

- a) The project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the time frame of the project;
- b) The zone of impact of such components or activities;
- c) The scope and scale of land acquisition and impacts on structures and other fixed assets;
- d) Any project-imposed restrictions on use of, or access to, land or natural resources;
- e) Alternatives considered to avoid or minimize displacement and why those were rejected; and
- f) The mechanisms established to minimize displacement, to the extent possible, during project implementation.

ii. Objectives

The main objectives of the resettlement program.

iii. Census survey and baseline socioeconomic studies.

Undertake a detailed 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. The census survey also serves other essential functions:

- a) Identifying characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- b) Information on vulnerable groups or persons for whom special provisions may have to be made;
- c) Identifying public or community infrastructure, property or services that may be affected;
- d) Providing a basis for the design of, and budgeting for, the resettlement program;
- e) In conjunction with establishment of a cut-off date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and
- f) Establishing baseline conditions for monitoring and evaluation purposes.

As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:

- a) Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, nontitle-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;

- b) The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- c) Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
- d) Legal framework
- e) The findings of an analysis of the legal framework, covering:
- f) The scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- g) The applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal time frame for such procedures, and any available grievance redress mechanisms that may be relevant to the project;
- h) Laws and regulations relating to the agencies responsible for implementing resettlement activities; and
- i) Gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.

iv. Institutional framework

The findings of an analysis of the institutional framework covering:

- a) The identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
- b) An assessment of the institutional capacity of such agencies and NGOs/CSOs; and
- c) Any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.

v. Eligibility.

Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

vi. 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.

vii. Community participation

Involvement of displaced persons (including host communities, where relevant):

- a) A description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;
- b) A summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
- c) A review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and
- d) Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as Indigenous Peoples, ethnic minorities, the landless, and women are adequately represented.

viii. 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.

ix. 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.

x. 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.

xi. 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.

xii. Arrangements for adaptive management

The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.

xiii. Additional Planning Requirements Where Resettlement Involves Physical Displacement

When project circumstances require the physical relocation of residents (or businesses), resettlement plans require additional information and planning elements. Additional requirements include:

Transitional assistance. The plan describes assistance to be provided for relocation of household members and their possessions (or business equipment and inventory).

The plan describes any additional assistance to be provided for households choosing cash compensation and securing their own replacement housing, including construction of new housing. If planned relocation sites (for residences or businesses) are not ready for occupancy at the time of physical displacement, the plan establishes a transitional allowance sufficient to meet temporary rental expenses and other costs until occupancy is available.

xiv. Site selection, site preparation, and relocation.

When planned relocation sites are to be prepared, the resettlement plan describes the alternative relocation sites considered and explains sites selected, covering:

- a) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is better or at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;

- b) Identification and consideration of opportunities to improve local living standards by supplemental investment (or through establishment of project benefit-sharing arrangements) in infrastructure, facilities, or services;
- c) Any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- d) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- e) Legal arrangements for regularizing tenure and transferring titles to those resettled, including provision of security of tenure for those previously lacking full legal rights to land or structures.

xv. Housing, infrastructure, and social services.

Plans to provide (or to finance local community provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to maintain or provide a comparable level of services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

xvi. Environmental protection and management.

A description of the boundaries of the planned relocation sites; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

xvii. Consultation on relocation arrangements.

The plan describes methods of consultation with physically displaced persons on their preferences regarding relocation alternatives available to them, including, as relevant, choices related to forms of compensation and transitional assistance, to relocating as individual households, families, or with preexisting communities or kinship groups, to sustaining existing patterns of group organization, and for relocation of, or retaining access to, cultural property (e.g., places of worship, pilgrimage centers, cemeteries).

xviii. Integration with host populations

Measures to mitigate the impact of planned relocation sites on any host communities, including:

- a) Consultations with host communities and local governments;
- b) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided in support of planned relocation sites;
- c) Arrangements for identifying and addressing any conflict that may arise between those resettled and host communities; and
- d) Any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to meet increased demands upon them, or to make them at least comparable to services available within planned relocation sites.

xix. Additional Planning Requirements Where Resettlement Involves Economic Displacement

If land acquisition or restrictions on use of, or access to, land or natural resources may cause significant economic displacement, arrangements to provide displaced persons with sufficient opportunity to improve, or at least restore, their livelihoods are also incorporated into the resettlement plan, or into a separate livelihood improvement plan. These include:

Direct land replacement. For those with agricultural livelihoods, the resettlement plan provides for an option to receive replacement land of equivalent productive value, or demonstrates that sufficient land

of equivalent value is unavailable. Where replacement land is available, the plan describes methods and timing for its allocation to displaced persons.

Loss of access to land or resources. For those whose livelihood is affected by loss of land or resource use or access, including common property resources, the resettlement plan describes means to obtain substitutes or alternative resources, or otherwise provides support for alternative livelihoods.

Support for alternative livelihoods. For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As warranted, livelihood planning provides special assistance to women, minorities, or vulnerable groups who may be disadvantaged in securing alternative livelihoods.

Consideration of economic development opportunities. The resettlement plan identifies and assesses any feasible opportunities to promote improved livelihoods as a result of resettlement processes. This may include, for example, preferential project employment arrangements, support for development of specialized products or markets, preferential commercial zoning and trading arrangements, or other measures. Where relevant, the plan should also assess the feasibility of prospects for financial distributions to communities, or directly to displaced persons, through establishment of project-based benefit-sharing arrangements.

Transitional support. The resettlement plan provides transitional support to those whose livelihoods will be disrupted. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation. The plan provides that the transitional support continues for the duration of the transition period.

ANNEX III: SAMPLE CENSUS QUESTIONNAIRE

Background Information	
Questionnaire Code/ Unique identifier:	Survey Date:
Interviewer Name:	District & Street:
Head of Household Name:	
Address:	
Telephone Number:	
Email or other preferred contact method (social media, FB, Instagram etc.)	
Family Members	
Government issued ID (if any)	Gender: Age:
Position in family (tick 1): Parent: Child:: Other:	Education level: Occupation: Monthly Income:
Specify other:	Monthly Income:
Work or business location:	Length of time in current work/ business:
Housing and Tenure Status	
Type of house:	Tenure status (tick 1): Owned: ... Rented:...
Number of bedrooms:	IDP... Length of Residence time:
Business	
Type of business affected:	Name of business owner:
Registration status:	Permanent number of employees:
Avg. monthly income and profit:	Temporary number of employees:
Affected Community Facilities	
Description affected facility:	
Estimated number of affected persons:	
Size of land impacted	
Other assets owned by PAP	
Source and amount of monthly income	
Amount of income impacted Telephone and email:	
Gender of household and	
Any other information	

Socio-Economic Household Datasheet of PAP: _____ (include unique identifier)

Interviewer		Signature
Supervisor		(After verification)
Name		Each page of the datasheet to be signed by the PAP (alternative arrangements for such as thumb prints may be considered based on the PAP preference)
Position of concession in coordinates		
Day / Month / Year		
1) Head of Household		Government issued ID (if any)

2) No. of nuclei families in extended family residential group		
3) Head of household extended family		

a) Household Interview

Relationship to Head of family	Sex		Place of Birth	Age	M	Marital status	Residence tenure	Ethnic group	Religion	Education level	Income earner		Economic rating			
	M	F									Yes	No	Primary	Secondary	Tertiary	

Head of Family/Household (HOH): 1. Head of household; 2. Spouse of HOH; 3. Child of HOH; 4. Grandchild of HOH; Parent of HOH; No answer

Marital status: 1. Married; 2. Widowed; 3. Divorced; 4. Single; 5. No answer

Residence tenure: 1. Permanent residence; 2. Resident absent; 3. Member of non-resident; 4. Visitor; 5. other (specify); 6. No answer

Educational level: 1. No formal education; 2. Primary; 3. Secondary; 4. Youth polytechnic; 5. Religious school; 6. College; 7. university

ANNEX IV: SAMPLE ASSET VALUATION SURVEY FORM

Household ID of Asset Inventory for Project Affected People

Date _____

HH ID	No. of persons in HH	Total landholding of HH (m ²)	Land to be acquired (m ²)	Land use type ²²	Loss of % total	Loss of assets			Loss of trees/crops			Loss of other assets	Other losses			
						Permanent structures (m ²)	Temporary structures (m ²)	Area of residence land lost (m ²)	Fruit trees lost (type and number)	Agric. Land lost (m ²)	Other (specify)		e.g. graveyard; wells, etc. (type and number)	Rented residence	Bush lost	Etc. (specify)

Entitlements of PAPs

HH ID	Compensation for land			Compensation for structures		Compensation for crops and trees			Compensation for other assets and losses (e.g. Graveyards, wells, businesses, etc.)		
	Quantity (m ²)	Unit price per m ²	Entitlement (Kshs)	Unit price (Kshs per m ²)	Entitlement (Kshs)	Quantity unit	Unit price (Kshs)	Entitlement (Kshs)	Quantity unit	Unit price (Kshs)	Entitlement (Kshs)

²²Please fill in the type of land: 1. Communal; 2. Privately titled; 3. Public land; 4. Gazetted land; 5. Ranching/Group land; 6. Other (specify)

ANNEX V: GRIEVANCE REDRESS AND RECORD FORMS

COMPLAINT/GRIEVANCE REGISTER	
Unique Reference No.	Date received:
Name of Complainant or Representative of group of complainants and Government issued ID (if any)	
Contact Details of complainant or representative of group of complainants (if available), Anonymous complaints are also allowed.	Residence:
	Telephone and email:
Location where complaint is received:	Location the grievance is related to:
State	State
Region	Region
District	District
Grievance is related to (nature of complaint):	
	Other
Description of Complaint:	
Grievance	Non-grievance (grievances not related to the project)
Name of Complainant:	Signature/Thumb print of Complainant
Name of witness (If available)	Signature/Thumb print of witness (If available)
Name of recipient	Signature of recipient
Mode of receipt	Phone:
	Letter:
	Verbal:

A copy of this grievance will be provided to the complainant which may require that two original copies are developed at the time of complaint presentation – both of which should have identical content. In the event of complaints presented virtually, by phone or letter, a copy will be delivered/mailed to the complainant's registered address or contact point provided by registered mail, email, or other identified contacts - whichever is available.

INVESTIGATION OUTCOME/RESOLUTION	
Reference no of registered complaint:	Date:
Name of complainant or representative of group of complainants:	
Contact details of complainant or representative of group of complainants (if available):	Residence:
	Telephone/email:
Location where complaint is received:	Location where complaint is related to:
City:	City:
District:	District:
Avenue:	Avenue:
Location:	Location:
Sub-location:	Sub-location:
Village:	Village:
Project	
	Other
Complaint is related to:	
Response to complainant (investigation outcome and resolution proposed)	
Acknowledgement of resolution by complainant:	
<i>I hereby acknowledge that the resolution provided by..... is acceptable to me and/or to the group that I represent.</i>	
Name/Thumb print of complainant or representative of group of complainants	Signature/Thumb print of complainant or representative of group of complainants
Name/thumb print of witness (if available)	Signature/thumb print of witness (if available)
Name of personnel	Signature of personnel

ANNEX VI: STAKEHOLDER CONSULTATION LIST

No.	Names	Location	Institution
1.	Liban Mohamed Mahamoud	Hargeisa	(MoEM) - PIU
2.	Ali Sulieman Mohamed	Hargeisa	(MoEM) – PIU
3.	Abdifatah Omer Abdilahi	Hargeisa	(MoEM) – PIU
4.	Ahmed Abdi Ali	Hargeisa	(MoEM)-PIU
5.	Hodan Farah	Hargeisa	(MoEM)-PIU
6.	Mohamed Yusuf Elmi	Hargeisa	(MoEM)- PIU
7.	Abdirisak hassan jibril	Hargeisa	(MoEM)- PIU
8.	Gulleid Ahmed	Hargeisa	(MoEM)- PIU
9.	Abdi Abokor Yusuf	Hargeisa	UNDP
10.	Asha Mohamed Ahmed	Hargeisa	UN-Habitat
11.	Mohamed Abdi Shiil	Hargeisa	MoEM
12.	Eid Ismail Hussein	Hargeisa	MoEM
13.	Ahmed Ismail	Hargeisa	MoEM
14.	Mohamed Ahmed Ismail	Hargeisa	KTS
15.	Bashiir Abdi Ahmed	Hargeisa	KTS
16.	Ismail Abdirahman Ibrahim	Hargeisa	SEC
17.	Osman Ibrahim	Hargeisa	Cortech Energy
18.	Leila Omer	Hargeisa	SLA
19.	Rasha Osman	Hargeisa	HAP
20.	Abdilahi M.Dualeh	Hargeisa	Sompower
21.	Said Abib	Hargeisa	KAAFI
22.	Abdishakur Ahmed	Hargeisa	EAED
23.	Abdale awil Hasan	Hargeisa	DBI
24.	Mohamed Yusuf	Hargeisa	SUNPOWER
25.	Ahmed Mohamed Omer	Hargeisa	MoEM

No.	Names	Location	Institution
26.	Faysal Yusuf abdilahi	Hargeisa	MoEM
27.	Sarah Smith	Hargeisa	Clear Sky
28.	Ahmed Ismail	Hargeisa	Clear sky
29.	Cisman C/lahi	Hargeisa	MoEM
30.	Mahamed Jama Hussein	Hargeisa	Golis University
31.	Khadar Ibrahim Warsame	Hargeisa	Federal consultant
32.	Bashiir Hassan Jama	Hargeisa	DPI
33.	Mahamoud Ahmed	Hargeisa	SEA / HECO
34.	Muna abdilahi Mohamed	Hargeisa	MoEM
35.	Abdirisak Yusuf Mohamed	Hargeisa	MoEM
36.	Ahmed Mohamed	Hargeisa	First Africa
37.	Mohamed Basheeruddin	Hargeisa	First Africa
38.	Abdirasak Ibrahim	Hargeisa	Indho-birta
39.	Abdirashiid ali	Hargeisa	Indho-birta
40.	Shucayb ahmed	Hargeisa	Somgate
41.	Abdinasir hassan jama	Hargeisa	Genel energy
42.	Abdulrahim Dahir	Hargeisa	NIS-foundation
43.	Najax Mahamoud said	Hargeisa	MoEM