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INVOLUNTARY RESETTLEMENT IN RURAL AND PERI-URBAN AREAS

The AfDB experience in selected African countries

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Introduction

- AfDB has E&S policies and procedures but designed a specific policy on IR which the board approved in 2003.
- Revised and incorporated in the Banks ISS as OS2. ISS was approved in 2013
- This presentation is based on a review of Bank reports and other literature contained in AfDB files
- The presentation was also greatly informed by information extracted from the raw data collected for the study commissioned by the AfDB to review the implementation of its IR policy. The report published in 2015 is available on the Bank's website.

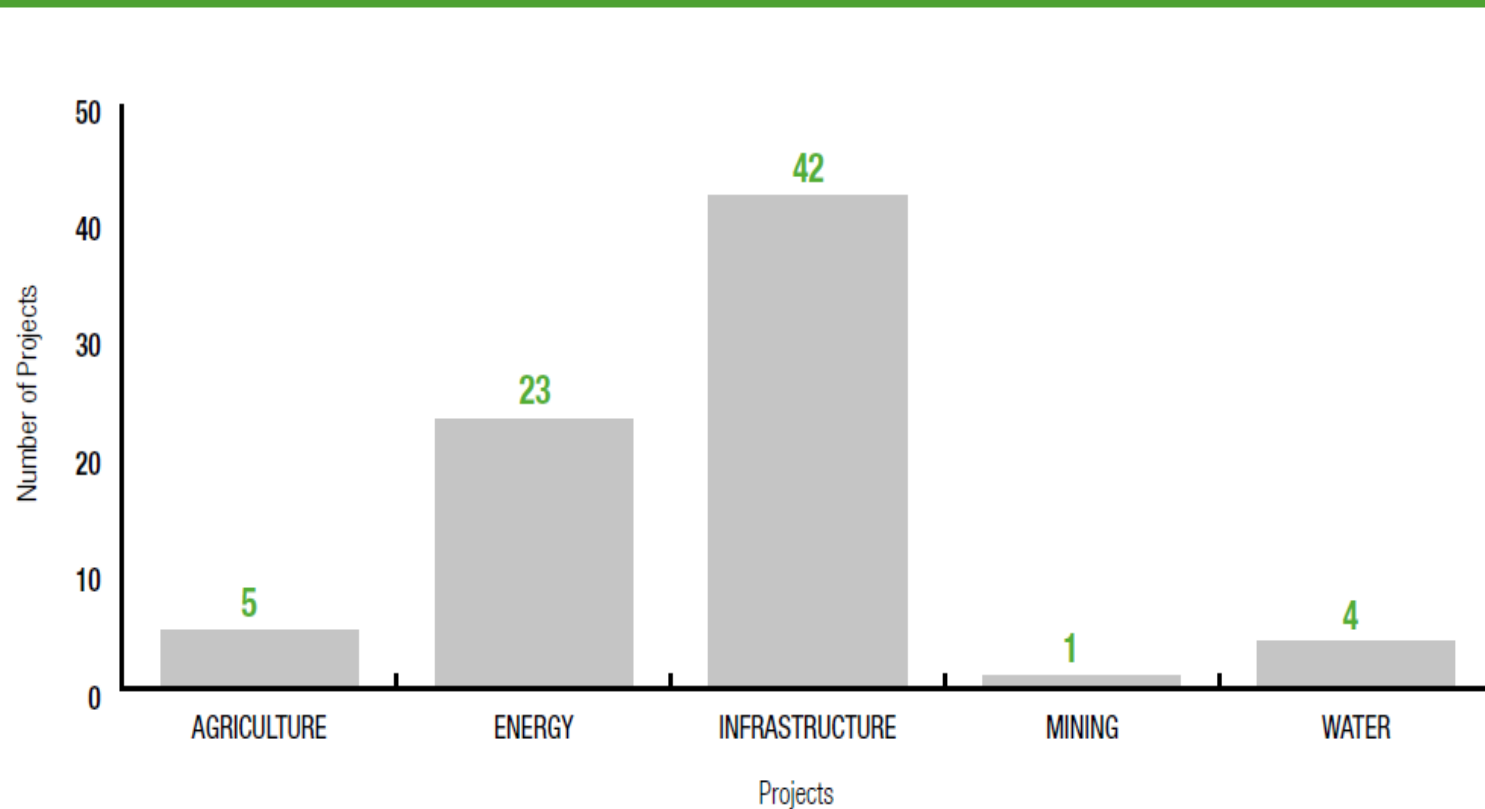


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- ▶ A total of 97 projects funded by AfDB (2003 -2010) were reviewed. 70 involved IR and required full RAPs
- ▶ Most projects were primarily in rural areas with a few infrastructure projects particularly roads traversing peri-urban areas.
- ▶ Although the Bank has also implemented urban projects e.g Dakar, Abidjan, Nairobi data and analytical work is still limited
- ▶ The Presentation basically shares the African Development Bank experience in implementing its Involuntary Resettlement in rural and peri-urban areas in its selected member countries (Kenya Cameroon, Ghana, Malawi and Tunisia), highlighting key issues influencing the IR management

Scope: Projects Reviewed

FIGURE 1: SECTORAL DISTRIBUTION OF AfDB RESETTLEMENT PROJECTS



Purpose


It is hoped that this presentation will lead to experience sharing from other parts of the world, and trigger a discussion on factors likely to facilitate the success of managing involuntary resettlement and emerging policy issues that need to be addressed when planning IR.





General observations

- In general the review reflected improved performance by Bank staff and borrowers in identifying when resettlement was required and managing resettlement operations
- Regardless of whether resettlement was in peri-urban or rural areas, EIA is an important instrument. In some case the EIA revealed the need for resettlement when it had not been previously recognized . Also in some cases EIAs helped to show how projects could be sited to minimize resettlement.

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- ▶ Willingness by the Project affected people to be resettled as long as they are adequately compensated
 - ▶ Sees resettlement as an opportunity to improve their livelihoods
 - ▶ Willingness to participate and contribute ideas



Issues identified that directly impact on successful management and completion of IR operations

- The next sections highlights a number of issues that impact on successful implementation of IR as identified during the review by project planners, government departments, Consultants and project affected persons across different project and also in various Bank reports

Identification of Project Affected Persons

Most Countries have guidelines to identify affected persons however, there issues with:

- ▶ Underestimation of Project Affected Persons especially in the context of extended families
- ▶ Absent land owners in rural areas
- ▶ Seasonal users of land and other resources

The Bank requires rigorous verification and follow up





Land Tenure Systems

Land tenure remains a problem in design and implementation of resettlement in Africa.

- ▶ Land in most rural Africa is still owned under customary arrangements or in trust by chiefs or communally. This poses difficulty when planning and implementing resettlement. Very few and rare case where rural land owners have land titles.
- ▶ More and more people in urban and peri-urban areas have processed legal rights to their land especially the literate folks

- Squatters in Peri-urban areas engaged in informal sector are difficult to resettle
- In peri-urban areas where landlord have constructed rental housing occupied by many families, tenants have little protection
- Most rural and peri-urban areas do not have updated cadastral or functioning systems for recording property ownership and transfers. This causes delays in effecting compensation



➤ Institutional involvement and CSOs

- There is lack of capacity by various institutions to reach out adequately to rural areas
- Project implementation was most successful when governments entered dialogue with PAPs at an early stage
- CSOs were more actively involved in resettlement issues in urban and peri-urban areas and rarely in rural areas
- In general, the relationship between CSOs, governments and PAPs is not good. PAPs, agencies and consultants tend to view CSOs as activists that do not make valuable contributions to the resettlement process.

Consultation and Participation

- ▶ In both cases (rural and peri-urban projects) the Bank experienced willingness by the PAPs to participate in planning and implementation of resettlement.
- ▶ However because of the limited data, it was not possible to establish a firm correlation between community participation and the success of resettlement operations





Political influence

- ▶ Political influence was mentioned as a common factor that either facilitated projects or interfered with projects even when project planners were working within the context of supportive national policies.
- ▶ Regardless of whether is urban or rural, political commitment is necessary to deal with community level issues especially if resettlement is likely to involve customary land rights, ethnic conflicts etc.



Disclosure and access to information

- ▶ **Delayed disclosure by borrowers:** Delayed disclosure of development information by the borrowers for fear that people will voluntarily migrate to areas targeted for the project or put up new structures particularly in peri-urban areas in anticipation of increasing their compensation benefits.
- ▶ This was mentioned over and over again in Kenya, Malawi and Cameroon as a problem experienced in peri-urban areas but less in rural areas.
- ▶ In Tunisia, it was established that early disclosure of information and establishing cut-off dates increased the chances of limiting eligibility to compensation subsequently minimized resettlement costs.



- ▶ **Mode of disclosure:** RAP/ESIA Summaries are mainly disclosed on websites and other avenues that PAPs in rural areas have no access and in most cases not translated in local languages.
- ▶ Most rural PAPs had no idea of the Banks policy or even the policies of their governments on land acquisition for development
- ▶ Lack of information was the biggest source of anxiety among PAPs especially those in rural areas.

- ▶ PAPs in peri-urban areas had more access to resettlement info through print and electro media and from each other. They also had access to government departments/Bank to demand for answers.
- ▶ Where as the urban and peri-urban dwellers had different forums to discuss issues affecting the project and its impacts (on average 10 times), the rural communities only depended on government/consultants to inform them.

- ▶ On average rural PAPs had 2-3 opportunities through out the project cycle to discuss their issues
- ▶ Anxieties were less among the literate populations and those who had access to government departments



Gender, Vulnerability and decision making

- ▶ Land like many other production resources in most African countries is owned by Household Heads who are mostly men and therefore compensation is paid to the property owners
- ▶ Women's participation in decision making on production resources is very limited
- ▶ Polygamy is still an issue in many African societies and cases where the concerned wife lost out on compensation to a co-wife were mentioned
- ▶ Most vulnerable people that were affected by the projects were not given differential treatment regardless of whether they were in rural or peri-urban areas. Though the issues of vulnerable individuals and groups was often discussed during consultation meetings



Policy Gains

- ▶ Requirement in the Policy for consultation and the DAI policy has assisted to mitigate risks of exclusion of certain categories of people.
- ▶ Has broadened some borrowers and IA practitioners understanding of the social issues related to development projects. This has translated into better management of resettlement
- ▶ Difficulties in project monitoring have led to improvements in project baseline data collection

- Populations that are not directly affected by a project have also benefited from its implementation
- In general, some delays in relocation and resettlement have been reduced, thanks to the IR policy requirement to pay compensation before the project starts.
- Formalized land ownership

Conclusion



- ▶ The success of resettlement operations whether in rural, urban or peri-urban areas is determined by the constituencies involved. The nature and number of vested interests as well as methods used to resolve differences vary from one project to another or one country to another.

