

## TERMS OF REFERENCE

### CONSULTANCY TO PREPARE RESETTLEMENT ACTION PLAN (RAP) FOR THE GREATER KUMASI INDUSTRIAL CITY AND SPECIAL ECONOMIC ZONES PROJECT - GHANA ECONOMIC TRANSFORMATION PROJECT (GETP) (P166539)

#### 1.0 BACKGROUND

The World Bank is providing funding support to the Government of Ghana (GOG) for the implementation of the Ghana Economic Transformation Project (GETP). The overall development objective of the project is to promote private investments and firm growth in non-resource-based sectors. The guiding principle of the Project is to promote and strengthen a growth model that is conducive to economic transformation, to achieve higher rates of investment and productivity growth across the economy, especially in non-resource-based sectors. The Project has four components as follows:

**Component 1 - Enabling investments:** This component will focus on improving the enabling business environment, investment attraction capacity and quality infrastructure support system for companies that want to invest and grow their businesses in Ghana.

**Component 2 - Crowding-in investments:** Promoting spatial and industrial planning and development: This component will focus on enhancing the Government's programs in investment promotion and spatial development (including Special Economic Zones), thereby addressing the constraint to access quality industrial land in the country.

**Component 3 - Accelerating Entrepreneurship and Micro Small and Medium Enterprise (MSME) growth:** This component will support entrepreneurship and MSME growth in non-resource-based sectors, addressing specifically the limited development of the MSME and entrepreneurship support ecosystem, including early-stage financing.

**Component 4 – Project Management and Evaluation:** This component will finance project management activities including fiduciary responsibilities, procurement, safeguards, communication, and dissemination, as well as monitoring and evaluation of project implementation and its impact. This will include capacity building for the Project Coordinating Unit (PCU), the Economic Transformation Unit and the Resource Mobilization and Economic Relations Division (RMERD) within the Ministry of Finance (MOF).

#### 1.2 Greater Kumasi SEZ and Industrial City Project under GETP

The Ministry of Trade and Industry (MoTI), an implementing ministry under GETP plans to commence phase I of the Greater Kumasi Industrial City and Special Economic Zone Project on approximately 597-acres Boankra land at Ejisu in Kumasi. This is one of the main Government of Ghana's industrial transformation agenda. The following will constitute the scope of works under this initial phase 1 to be financed under GETP to ensure smooth and effective operations of the Industrial City and Special Economic Zone:

1. Administration and office building complex;
2. Offsite and onsite roads including peripheral and internal roads with drainage system;
3. Firefighting facilities (including but not limited to fire hydrants, sprinkler and foam systems);
4. Electricity sub-station; and
5. Security post and entrance.

The screening result showed that the phase I activities of the project will result in economic and physical displacement affecting about 200 persons.

Two World Bank environmental and social safeguard policies namely *OP 4.01-Environmental Assessment Policy* and the *OP 4.12-Involuntary Resettlement Policy* have been triggered as a result of the implementation of the Greater Kumasi Project. Consequently, any environmental and social risks and impacts should be identified and avoided where possible, and or effectively mitigated.

The management of the environmental and social issues of the GET Project is guided by the Project's Environmental and Social Management Framework (ESMF), Resettlement Policy Framework (RPF) and the Ghana Environmental Assessment Regulations, LI1652. These all require that before any undertaking such as the Greater Kumasi Project is implemented, environmental and social risks and impacts assessed and the necessary safeguard instruments developed to avoid where possible, and or effectively mitigate the risks and impacts.

As a result, the project intends to apply part of the project funds to carry out the preparation of an Resettlement Action Plan (RAP) for the Greater Kumasi Project phase I.

## **2.0 OBJECTIVES OF THE ASSIGNMENT**

To prepare an Resettlement Action Plan (RAP) for the 597 acres of Boankra lands at Ejisu for the proposed Phase I of Greater Industrial City and Special Economic Zones Project to avoid, minimise or mitigate adverse social and economic impacts to improve, or at least to restore livelihoods and living standards of affected persons, in real terms or to levels prevailing prior to the beginning of project implementation, whichever is higher.

## **3.0 SCOPE OF WORK**

The following constitute the scope of works under the consultancy but not limited to:

- a) Carry out review of relevant GET Project documents, the World Bank Safeguards Policy on Involuntary Resettlement and relevant national laws in relation to the ARAP preparation;
- b) Carry out stakeholder mapping to identify the various stakeholders for engagement, awareness creation on the project activities, potential positive and negative social and economic impacts and mitigation measures of the project;
- c) Carry out stakeholder engagement to raise awareness on the potential positive and negative social impacts of the project to other stakeholders and among the project affected (PAPs) to inform them of project activities, the likely time frame, entitlements, and the type of compensation options available;
- d) Undertake an analysis of the Ghana's legal and institutional framework applicable to land acquisition and involuntary resettlement in Ghana;
- e) Outline detailed strategies to mitigate any potential adverse impact of the project on PAPs particularly the vulnerable and people who may require further assistance;
- f) Provide a baseline description of the project location including land use, physical infrastructure, quality of the living environment, cultural setting, economic and livelihoods activities of people among others;
- g) Conduct a socio-economic baseline survey to identify different categories of PAPs and their assets to provide adequate description of the existing socio-economic baseline conditions of the project area, identify and assess all significant adverse social and economic impacts (such as land take, relocation or resettlement, loss of livelihoods, restrictions on access to residence/business, etc and provide indication of the magnitude, distribution and duration of impacts;
- h) Identify and assess the social risks and impact of the project on the social and economic wellbeing of affected persons in the community;
- i) Outline the various channels and platforms for grievance redress and negotiations specifically, concerns about compensation, relocation, or livelihood restoration measures among others in a timely manner where possible, using the existing formal and/or informal grievance redress mechanisms;
- j) Conduct valuation of assets using Lands Commission certified estimate of the cost of resettlement and compensation at full replacement cost for losses;

- k) Using Lands Commission's valuer, estimate the total costs for resettlement and compensation for physical and economic displacements;
- l) Establish cut-off date in a clear and transparent manner; in collaboration with the PAPs;
- m) Provide a description and a matrix of impacts, entitlements, type of compensation and other resettlement assistance to be provided for different categories of losses (landed assets, livelihoods, temporary or permanent relocation, etc.);
- n) Where economic displacement such as loss of livelihood and income-generating opportunities are identified, the Consultant should pay particular attention to gender aspects of the impacts and needs of vulnerable people and include measures to allow these persons to improve, or at least restore, their incomes or livelihoods;
- o) Clearly set out appropriate mitigative strategies to address any potential adverse impact of the project on PAPs particularly taking into cognizance of gender and vulnerability related issues and assessing their requirements for further assistance where needed;
- p) Identify institutional arrangements for the RAP implementation by detailing the roles and responsibilities of all stakeholders (e.g. approving agency of the valuation report, agency responsible for the timely release of funds for compensation payments, agency to oversee that all affected persons have been duly compensated, etc.);
- q) Provide a clear timetable for the RAP Implementation Plan and cost of implementation of the Plan;
- r) Provide monitoring and evaluation plans with clear indicators to guide the RAP implementation;
- s) Provide disclosure process for the disclosure of the RAP document at the local, national and international levels;
- t) Provide a detailed report with evidence on the stakeholder/community engagement involving women and the vulnerable groups on the resettlement planning and implementation process. The evidence should include photographs of the stakeholder/community engagements, minutes of consultations detailing issues discussed, responses provided, records of people and institutions consulted.

### **3.1 Methodology**

The method to be adopted for carrying out the assignment must be participatory and include:

- Development of tools for consultation and data gathering including guided questions, focused group discussion and stakeholder map showing the different stakeholders interested and affected by the project; and
- Consultation of various interested individuals and groups especially project affected persons (PAPs).

### **3.2 Main Outline of the RAP**

The following should constitute the minimum outline for the assignment:

1. Executive Summary
2. Description of the project
3. Potential impacts identification of
4. The main objectives of the resettlement program
5. Census survey and socio-economic baseline
6. Legal framework
7. Institutional framework
8. Eligibility
9. Valuation of and compensation for losses
10. Community participation

11. Implementation schedule
12. Costs and budget
13. Grievance redress mechanism
14. Monitoring and evaluation
15. Arrangements for adaptive management

#### 4.0 DELIVERABLES

The consultant shall submit the following reports:

1. Inception report on the methodology with regards to fulfilling the objectives of the assignment and scope of works. The inception report shall include the detail outline of the RAP as contained in the World Bank safeguard framework and acceptable to the client;
2. Draft RAP covering all the scope of work outlined in this terms of reference after thorough stakeholder engagement/consultation; and
3. Final RAP incorporating the review comments from the client, stakeholders and World Bank.

#### 5.0 SUPPORT FROM THE CLIENT

The GET Project Coordination Unit (PCU) shall provide the following support to the Consultant:

- i. Access to information and the relevant data and facilitate stakeholder engagement;
- ii. Access to the necessary project documents (PIM, ESMF, RPF, PAD) relevant to the assignment;
- iii. Facilitate meetings with the TIAs with regards to the assignment;
- iv. Dedicate the GETP Environmental and Social Risk Management Specialist (ESRMS) to facilitate the work of the consultant;
- v. Carry out periodic quality and performance reviews of the consultancy outputs;
- vi. Liaise with the World Bank for approval of the RAP; and
- vii. Facilitate validation workshops for the assignment.

#### 6.0 REPORTING AND PAYMENT SCHEDULE

The Consultant shall report to the GET Project Coordinator and address feedbacks from the World Bank Project Team and other stakeholders with regards to the execution of this assignment with the following deliverables:

#	Deliverables	No. of Copies	Timelines	Payments (%)
1	<b>Inception Report:</b>  Inception report on the methodology with regards to fulfilling the objectives of the assignment and scope of works. The inception report shall include the detail outline of the RAP as contained in the World Bank safeguard framework and acceptable to the client.	Fifteen (15) hard copies and a soft copy in MS Word	Upon submission and acceptance of Inception Report - <b>2-weeks after contract signing</b>	<b>20</b>

2	<b>Draft Report:</b> Draft RAP covering all the scope outlined in this term of reference after thorough stakeholder engagement/consultation for review	Fifteen (15) hard copies each of the RAP and a soft copy in MS Word	Upon submission and acceptance of draft report <b>10-weeks after contract signing</b>	<b>40</b>
3	<b>Final Report:</b> Final RAP incorporating the review comments from the client and World Bank.	Fifteen (15) hard copies of the RAP and a soft copy in MS Word	Upon submission and acceptance of final report - <b>12-weeks after contract signing</b>	<b>40</b>

## 7.0 DURATION OF ASSIGNMENT

The assignment is for a period of **12-weeks**.

## 8.0 QUALIFICATION AND EXPERIENCE OF FIRM

The client seeks the services of a Consultancy firm with at least 10 years of experience in resettlement action plans and abbreviated resettlement action plans and stakeholder engagement and social and economic impacts assessment and evaluation for government projects and development partners funded projects in Ghana.

### 8.1 Team Composition & Qualification Requirements for the Key Experts

The Consultants must have the following expertise and skills:

**(a) Team Lead/Safeguard Specialist** – Must have a minimum of Master’s Degree in Social development, Environmental Science, Planning, Development Studies or any related field from a recognized university. In addition the lead consultant must:

- Have at least 10 years of direct professional experience in performing social impact assessments, collection and analysis of socio-economic data, development of social management plans, land acquisition and involuntary resettlement, stakeholder engagement and community development projects.
- Have led in the preparation of RAPs/ARAPs, at least in 5 projects;
- Have experience working on Government of Ghana and World Bank regulations and policies on land acquisition and involuntary resettlement.

**(b) Social Development Specialist** - Must have a minimum of Master’s Degree in Social Sciences or Development Studies with a minimum of seven (7) years post qualification experience social assessment in industrial zones/areas/parks and preparations of ARAPs and RAPs for projects funded by development partners such as the World Bank. The consultant must have a working knowledge of the World Bank Safeguards policies, social protection and procedures as well as national environmental policies, legislation and procedures.

## 9.0 REPORTING

The Consultant shall report and submit all documents on an official cover letter to the GET Project Coordinator with regards to the execution of this assignment.

- *Client Address:*

**The Project Coordinator  
Ghana Economic Transformation Project (GETP)  
Ministry of Finance (MoF)  
Shippers House, 3<sup>rd</sup> Floor  
GPS Address: GA 078 -6244.**