

**THE MULTI-PHASE APPROACH: SIERRA LEONE
WATER SECURITY AND WATER, SANITATION AND
HYGIENE (WASH) ACCESS IMPROVEMENT
PROGRAM**

**Sierra Leone Water Security And
WASH Access Improvement Project (P507588) - Phase 1**



RESETTLEMENT FRAMEWORK (RF)

Updated September 2025

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ABBREVIATIONS AND ACRONYMS

CE	Citizen Engagement
CRS	Catholic Relief Services
EPASL	Environment Protection Agency Sierra Leone
EWRC	Energy and Water Regulatory Commission
ESMP	Environmental and Social Management Plan
E&S	Environmental and Social
FCC	Freetown City Council
FSTP	Fecal Sludge Treatment Plant
GBV	Gender-Based Violence
GoSL	Government of Sierra Leone
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
GVWC	Guma Valley Water Company
LMP	Labor Management Procedures
MPA	Multi-Phased Program Approach
MWRS	Ministry of Water Resources and Sanitation
NRW	Non-Revenue Water
NWRMA	National Water Resources Management Authority
ODF	Open-Defecation Free
PAPs	Project Affected Persons
PDO	Project Development Objective
PF	Process Framework
PFM	Public Financial Management
PIM	Project Implementation Manual
PPP	Public-Private Partnership
PrDO	Program Development Objective
PSC	Project Steering Committee
RP	Resettlement Plan
RF	Resettlement Framework
SALWACO	Sierra Leone Water Company
SEA/SH	Sexual Exploitation, Abuse, and Sexual Harassment
SEP	Stakeholder Engagement Plan
WARDC	Western Area Rural Development Council
WASH	Water, Sanitation and Hygiene
WASHIT	WASH Project Implementation Team

1. INTRODUCTION

Sierra Leone faces a multifaceted water and sanitation challenges characterized by:

- (i) Inadequate service coverage and low service quality: despite abundant water resources, only a fraction of the population benefits from safely managed water and sanitation services, as documented in the National WASH Sector Development Program,
- (ii) Emerging climate and demographic pressures: rapid urbanization, population growth, and climate-induced shocks have intensified the need for resilient water management and robust infrastructure; and
- (iii) Institutional and financing gaps: sectoral experiences have highlighted the need for deep institutional reforms and capacity building to ensure the sustainability of investments.

Given these challenges, the Multiphase Programmatic Approach (MPA) is the most appropriate modality because it allows focusing on immediate needs for capacity and institutional strengthening while ensuring the most expected large-scale investments for service improvement and extension once efficiency gains allow sustaining them.

The MPA is structured into three phases that progressively build upon one another to deliver both immediate service improvements and long-term water security gains. This phased approach is designed to improve water and sanitation services while strengthening institutional capacity, ultimately contributing to improving human capital outcomes and Human Development Index in Sierra Leone. By structuring the project into successive phases, the Bank can work with the Government of Sierra Leone (GoSL) and other partners to mobilize further resources and prepare the sector for Public-Private Partnerships (PPP). A structured programmatic approach is essential to advancing WASH access and sustainability in Sierra Leone. Targeted interventions will aim to reduce reliance on unimproved water sources, surface water, unimproved sanitation and open defecation.

The proposed project will contribute to addressing climate change exacerbated floods, droughts, and heatwaves through two main aspects: improving Water Security and Water Resources Management (Components 1 and 2) and improving access and efficiency of WASH services (Components 3 and 4). The initial phase of the Project will focus on the Western Area and will strengthen institutions and build capacity and prioritize no-regret investments to improve water sector performance with direct impacts on Human Development and Human Capital improvement. It will also pilot undertaking water resources protection and plans and programs to structure follow-on activities in phase 2 and 3 of the MPA. It will also promote donor coordination and collaboration to Maximize Finance for Development (MFD), especially for access to water supply in rural areas and to develop a campaign to make Sierra Leone Open-Defecation Free (ODF).

2. PROJECT COMPONENTS

2.1. Program Framework

The Multi-Phased Approach (MPA) is structured into three phases that progressively build upon one another to deliver both immediate service improvements and long-term water security gains. This phased approach is designed to improve water and sanitation services while strengthening institutional capacity, ultimately contributing to improving human capital outcomes and Human Development Index in Sierra Leone. The overall Program Development Objective (PrDO) is to “improve water security and increase access to Water, Sanitation and Hygiene (WASH) services in selected areas in Sierra Leone”.

2.2. Project Development Objectives

The proposed PDO for Phase 1 is to “Strengthen sector institutions and capacity, improve operational performance of the water supply service provider and promote sanitation in the Western Area of Sierra Leone”. The Project is structured around five components and a number of subcomponents.

The Project is designed to increase access to water supply and sanitation services, improve the operational performance of water service providers, and enhance water resources management in Sierra Leone. Its components are mutually reinforcing, creating a platform for both immediate service improvements and long-term capacity building that will drive water security.

The proposed Project is structured around six components:

Component 1: Institutional Strengthening and Capacity Building (US\$8.55 million).

MWRS will implement this component, which will include technical assistance, equipment and consulting services.

Subcomponent 1.1: Policy, Institutions, Regulation Strengthening (US\$1.35 million) will: (i) review and complete existing sector policies and regulations (e.g. 2010 Water Policy and draft 2021 WASH Policy) to ensure that they contribute to delivering on WASH priorities and include provisions to address climate-related risks such as floods and landslides; (ii) support MWRS in operationalizing its sanitation mandate by developing its organizational structure, responsibility-sharing arrangements and essential management systems and tools to be able to deliver on its mandates; (iii) strengthen the role of the MWRS in coordinating WASH sector interventions across national and local governments; (iv) support logistics related to regular Donor coordination group meetings involving all development partners and NGOs involved in the sector to structure it as a platform to share information, promote coordinated approaches, ensure alignment with GoSL’s priorities, crowd in more funding for the sector and promote private sector participation; (v) review policies and regulations and advise on PPP options to leverage private sector value addition to improve the quality-of-service delivery and to extend access to WASH services in Sierra Leone; and (vi) develop sanitation and fecal sludge management guidelines and design standards for climate-smart WASH systems with specific measures to meet ECOWAS’ energy-efficiency standards; and (vii) strengthen the national WASH M&E platform.

Subcomponent 1.2: Capacity Building and Knowledge Development (US\$2.0 million) will: (i) assess the institutional and staff capacity building needs of MWRS, NWRMA, GVWC, SALWACO, SLEWRC, Freetown City Council (FCC) and WARDC; (ii) build on the assessment to develop a comprehensive institutional and staff capacity building plan and design adapted delivery mechanisms for each institution involved; (iii) develop training material and curriculum for entry level staff, vocational and on-the-job trainings for existing technical and managerial staff, and evidence-based decision-making course for executives and senior officials. Specific training materials, processes and incentives targeted to women will be devised to ensure that women’s perspectives are considered during curriculum development and delivery, and that training formats are adapted to encourage women's participation, including through safe learning environments and consideration of practical constraints; (iv) equip one existing training center. Parts of the capacity building activities may be delivered through the PPPs for WASH service improvement and extension.

Subcomponent 1.3: Construct a WASH Administrative Center (US\$5.2 million) will procure and construct a WASH Administrative Center to host the MWRS, NWRMA and SLEWRC, as the previous MWRS building burnt down in 2023. This Center will seek to showcase good water and wastewater management (e.g. rainwater harvesting for toilets and nature-based solutions to treat wastewater). It will be designed to meet or exceed ECOWAS energy efficiency standards to plant trees for shadow and install solar panels on roofs and parking shadowing screens, so it acts as a demonstration and learning site. It will also provide laboratory equipment to allow regular water quality measurements to detect industrial or domestic pollutants and will structure a revenue stream to ensure the sustainable supply of consumables.

Component 1 will enhance the country's resilience to climate change—exacerbated risks such as floods, droughts, extreme heat, and landslides by improving water governance, capacity building and strengthening relevant government institutions. Improved governance will contribute to watersheds and ecosystems preservation, and higher water quality.

Component 2: Water Resources Management Improvement (US\$3.0 million).

This component will be managed by the NWRMA, with support and oversight by the MWRS. It will support activities to improve water resources planning and mobilization and to protect the Western Area Peninsula National Park, the only water resource for the Western Area. This will be done through technical assistance and consultants services, based on a collaborative and consultative approach. This component will also promote data-driven decision-making, stronger regulation, and community engagement—key pillars in improving WRM in Sierra Leone.

Subcomponent 2.1: National Water Resources Master Plan and Sector Knowledge Enhancement (US\$2.6 million). Activities under this subcomponent will develop a national Water Resources Master Plan, including updating the existing national inventory of ground- and surface water abstraction points in Sierra Leone, informing the hydrological and hydrogeological characteristics, determining the water balance in the country's various River Basins, estimating the water resources and groundwater potential of each River basin, modelling climate-induced impacts on water resources, and mapping and documenting land and water use patterns of major River Basins. The masterplan will also examine measures to enforce the implementation of existing WRM Regulations, in particular the annual 'licensing to operate' for all drilling companies operating in Sierra Leone, and the need to obtain a permit and to register any new borehole into the national inventory. This activity is a prerequisite to securing water resources outside of the Western Area in subsequent MPA phases.

Subcomponent 2.2: Raising awareness, catchment protection and rejuvenation need (US\$0.4 million). This subcomponent will include three main activities. First, it will fund erecting billboards to demarcate the greenbelt boundary in areas requiring raising awareness of the limit beyond which human activity means encroaching and increase monitoring and surveillance. Second, it will build protective barriers to protect the catchment of selected water supply weirs either in the buffer zone outside the greenbelt or within it and which are under increasing encroachment pressure. Third, it will prepare a map of priority areas suggesting catchment restorative nature-based solutions (e.g., afforestation, soil conservation) to be implemented to restore the greenbelt forest cover in places where it has been degraded and monitor soil moisture

and carbon sequestration to demonstrate that preserving forest cover increases climate resilience. To implement these activities, NWRMA will collaborate with MWRS, GVWC, Ministry of Environment and Climate Change (MoECC), the National Protected Area Authority and NGOs active in this field, such as the Catholic Relief Services.

By enhancing water resources planning, monitoring, and protection, Component 2 will support long-term water security, improve resilience and reduce the potential impact of floods (as water will be less contaminated) and droughts, as enough clean water will become available when and where needed, and water service disruptions will be reduced.

Component 3: Priority Investments in Urban Water Supply (US\$16.25 million).

This component will be implemented by GVWC, with oversight by the MWRS. It will finance works, goods and consultants' services aiming at improving GVWC's operational efficiency water, supply service delivery in Greater Freetown and cost recovery and creditworthiness. It will complement an ongoing project of the Africa Development Bank (AfDB) and other development partners to extend access to safely managed water supply in GVWC's service area.

Subcomponent 3.1: Strengthening GVWC management tools and improving service efficiency (US\$7.4 million). This subcomponent focuses on updating GVWC's commercial processes, improving customer engagement, and expanding metering programs to reduce commercial losses and boost revenue. It will, in order of priority: (i) upgrade the existing Engineering Design And Management Systems (EDAMS) software to address key business challenges including asset management, commercial losses and energy efficiency and providing training for GVWC staff ; (ii) procure about 23,000 smart meters ; (iii) implement parallel performance-based PPPs to install smart meters to generalize metering in GVWC's service area, thereby reducing commercial losses, and prepare PPPs to reduce physical losses (see subcomponent 3.2) ; (iv) update customer database and GIS mapping in the process to maximize revenue generation, which is essential for better demand management as well as increasing cost recovery and profitability ; (v) carry out a full safety inspection of the Guma Dam and study the feasibility of a design and build contract to increase the height of the Guma Dam ; (vi) purchase water bowser trucks to improve the supply of water to water kiosks located in low-income and climate vulnerable communities of the Western Area currently using unsafe water sources, thereby increasing coverage and lowering vulnerability to water borne diseases ; and (vii) implement a public awareness and education campaign promoting universal metering.

Subcomponent 3.2 Reducing NRW and Upgrading Key Infrastructure (US\$8.85 million). This subcomponent will: (i) prepare at least two parallel performance-based PPPs for NRW reduction, to create an emulation between the private sector firms for greater and faster impact ; (ii) study the potential of expanding micro-hydropower generation at the Guma water treatment plant to reach 270kW ; (iii) evaluate the hydropower generation potential of charge-breaking facilities, of energy efficiency improvement across GVWC's distribution network and of installing floating solar power generation on water reservoirs at the existing Guma and Kongo dams and at the open-air Babadorie circular water storage reservoir ; (iv) strengthen active leakage management capacity and on-the job training to reduce NRW, which conserve water and reduce emissions ; (v) finance feasibility studies, technical designs and tender documents for the construction of new climate-

resilient dams, for priority investments in urban water service delivery improvement, and use the donor coordination platform to discuss financing options, possibly through parallel financing of phase 2 and/or 3 of the program. It will also build or rehabilitate selected critical infrastructure to increase the reliability of water service delivery, including: (vi) increasing raw water storage reservoir capacity to increase the reliability of supply in selected areas; (vii) increasing the treatment capacity and rehabilitating selected treated water service reservoirs and associated multistage-pumping systems. A construction supervision consultant will review technical soundness and value for money of contracted activities.

With these strategic investments - ranging from commercial process improvements and metering to infrastructure upgrades and feasibility studies - Component 3 will reduce water losses, increase revenue, and improve service reliability, notably in low-income areas, thus making communities more resilient to climate change-aggravated droughts. Improved water supply infrastructure is more resistant to damage from extreme rainfall or flooding.

Component 4: Urban Sanitation Service Delivery Improvement (US\$9.2 million).

This component will finance works, goods and consultants' services.

Subcomponent 4.1: Improving Sanitation in the Freetown City Council Area (US\$4.8 million). This subcomponent will be implemented by the FCC, in partnership with the Sanitation Directorate of the MWRS. It will: (i) upgrade the existing Kingdom FSTP ; (ii) build at least a second FSTP in Freetown, using a climate-efficient technology such as biogas digestion combined with biochar generation, which can be used for cooking instead of wood or charcoal, as a way to reduce the pressure on the Western Area forest cover and National Park ; and (iii) increase access to improved sanitation in critical points of Freetown, through the construction of up to 50 improved public toilet facilities with handwashing and adapted menstrual health and hygiene solutions in selected schools, hospitals/health centers and possibly market places, bus stations and parks or recreational areas where people gather in their free time.

Subcomponent 4.2: Improving Sanitation in the WARDC Area (US\$3.7 million). This subcomponent will be implemented by WARDC, in partnership with the Sanitation Directorate of the MWRS. It will: (i) build at least one FSTP in the WARDC area, using a climate-efficient technology such as biogas digestion combined with biochar generation, which can be used for cooking instead of wood or charcoal, hence decreasing pressure on the Western Area Peninsula National Park forest ; (ii) increase access to improved sanitation in critical points of the WARDC area, through the construction of about 45 improved public toilet facilities with handwashing and adapted menstrual health and hygiene solutions in selected schools, hospitals/health centers, market places, bus stations and public institutions.

Subcomponent 4.3: Preparing Nationwide Sanitation Development Campaign (US\$0.7 million). This subcomponent will be implemented by the Sanitation Directorate of the MWRS. It will: (i) prepare a national behavior change campaign called "Clean Salone" to make Sierra Leone Open-Defecation Free, which will also raise people's awareness on health, environmental and climate risks (e.g. pollution with floods) and how to mitigate these risks; and (ii) develop a City-Wide Inclusive Sanitation (CWIS) plan to structure the sludge management value chain in the Western

Area for the safe collection, transport and treatment of fecal sludge from households' domestic and public toilet facilities.

These activities will enhance resilience to climate change by improving public health outcomes through reduced open defecation, reduced risk of fecal contamination and pollution of water sources, reduced fugitive GHG emissions from open latrines and/or septic tanks, as well as gains from resource efficiency and re-use of bio-digested by-products. Moreover, less contamination of surface and groundwater will reduce the potential impact of floods, which will carry less pollutants.

Component 5: Project Management (US\$3 million).

This component will finance fiduciary, safeguards, and technical expenditures related to Project implementation by all IAs, including operations costs of the WASHIT, which will be set up within MWRS and will work in close partnership with other IAs. It will finance consultants and/or technical assistance and limited equipment to support the WASHIT, matching MWRS' and IAs' staff with consultants to ensure on-the-job training for knowledge transfer and capacity building. It may also finance E&S framework implementation costs, including costs related to resettlement and M&E.

Component 6: Contingency Emergency Response Component (US\$0 million).

Following an eligible crisis or emergency, the recipient may request the World Bank to reallocate Project funds to support emergency response and reconstruction consistent with the PDO. This component would draw from uncommitted credit resources under the Project components and will reallocate them to cover emergency response.

3. OBJECTIVES AND KEY PRINCIPLES OF RESETTLEMENT PLANNING

MWRS as the main project proponent and other implementing entities (including NWRMA, GVWC, FCC, WARD C) should take all feasible measures to avoid or minimize adverse impacts from land acquisition and restrictions on land use associated with SL Water Security and WASH Access Improvement Project development. The fundamental objective of ESS5 is to ensure that, if physical or economic displacement cannot be avoided, displaced persons are compensated at the replacement cost for land and other assets, and otherwise assisted as necessary to improve or at least restore their incomes and living standards. Other ESS5 objectives include to:

- Avoid forced eviction
- 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
- Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project warrants
- Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

ESS5 also establishes key principles to be followed in resettlement planning and implementation. These include:

- (a) All displaced persons are entitled to compensation for land and attached assets, or to alternative but equivalent forms of assistance in lieu of compensation; lack of legal rights to the assets lost will not prevent displaced persons from entitlement to such compensation or alternative forms of assistance.
- (b) Compensation rates refer to amounts to be paid in full to the eligible owner(s) or user(s) of the lost asset, without depreciation or deduction for fees, taxes, or any other purpose.
- (c) Compensation for land, structures, unharvested crops, and all other fixed assets should be paid prior to the time of impact or dispossession.
- (d) When cultivated land is to be taken for project purposes, the MWRS (in partnership with other implementing agencies of the project) seeks to provide replacement land of equivalent productive value if that is the preference of the displaced persons.
- (e) Community services and facilities will be repaired or restored if affected by the project.
- (f) Displaced persons should be consulted during preparation of the RP, so that their preferences are solicited and considered.
- (g) The RP (in draft and final versions) is publicly disclosed in a manner accessible to displaced persons.
- (h) A grievance mechanism by which displaced persons can pursue grievances will be established and operated in a responsive manner.
- (i) Negotiated settlement processes are acceptable as an alternative for legal expropriation if appropriately implemented and documented.¹
- (j) Land donation is acceptable only if conducted in a wholly voluntary manner and appropriately documented.²
- (k) MWRS (in partnership with other implementing agencies of the project) bears official responsibility for meeting all costs associated with obtaining project sites, including compensation and other considerations due displaced persons. The RP includes an estimated budget for all costs,

¹ Appropriate principles for negotiated settlement transactions include (a) intended project sites are screened to identify competing claims to ownership or use, or other encumbrances that would impede two-party negotiations; (b) if the site is collectively or communally owned or used, the negotiation process includes those individuals or households who directly occupy or use it; (c) prior to negotiations, owners or users are informed by project authorities of their intent to obtain relevant land (and other assets) for project use; (d) owners or users are informed of their rights and options to pursue legal remedies or other actions, and sign a declaration indicating willingness to negotiate; (e) at the onset of negotiations, project negotiators present the owner or user with a proposed package of compensation or other beneficial considerations, along with an explanation as to the basis of this initial offer; (f) owners or users are informed that they may make counterproposals as they may see fit; (g) negotiations are conducted without resort to coercion or intimidation in any form; (h) an agreement establishing payment amounts or other agreed considerations is written, signed, and recorded; (i) payment of compensation and provision of any other agreed considerations is completed prior to taking possession for project use; and (j) owners or users retain the right of access to the grievance mechanism if they have complaints regarding any aspect of the negotiated settlement process.

² Any land or asset donation for project use will be consistent with these principles: (a) the potential donor is informed that refusal is an option, and that right of refusal is specified in the donation document the donor will sign; (b) donation occurs without coercion, manipulation, or other pressure on the part of public or traditional authorities; (c) the donor may negotiate for some form of payment, partial use rights, or alternative benefits as a condition for donation; (d) donation of land is unacceptable unless provision is made to mitigate any significant impacts on incomes or living standards of those involved; (e) donation of land cannot occur if it were to necessitate any household relocation; (f) for community or collective land, donation can only occur with the consent of individuals directly using or occupying the land; (g) the land to be donated is free of encumbrances or encroachment by others who may be adversely affected; (h) any donated land that is not used for its agreed purpose by the project is returned to the donor in a timely manner; and (i) each instance of land donation is documented, including a statement identifying the land or assets donated and terms of donation, which is signed by each owner or user. Persons donating land or assets for project use may use the project grievance mechanism to raise complaints regarding any aspect of the donation process.

including contingencies for price inflation and unforeseen costs, as well as organizational arrangements for meeting financial contingencies.

- (l) Monitoring arrangements will be specified in the RP, to assess the status and effectiveness of RP implementation.

4. METHOD FOR RF PREPARATION

The RF used both primary and secondary data collection methods. The key target population for the RF comprised of groups and individuals who will potentially to be affected by the proposed components activities of SL Water Security and WASH Access Improvement Project including the vulnerable groups who reside in project intervention areas.

Relevant documents and studies reviewed such as Project Appraisal Document (PAD), A-ESRS, ESCP, SEP prepared for the project. Applicable Sierra Leonean land acquisition and compensation related laws, policies, proclamations and regulations and WB ESF. Potential project target sites were visited and a range of relevant stakeholders including community groups in Western Area Rural District Council and Freetown City Council in various consultation sessions were conducted to obtain opinions, feedback, concerns in relation to the project's E&S risks and impacts and in particular to land acquisition, restrictions on land use and involuntary resettlement associated to the project.

5. LEGAL AND REGULATORY FRAMEWORK

This section summarizes the relevant legal requirements and institutional processes that underpin land acquisition and resettlement of PAPs in Sierra Leone and the requirements of the World Bank and are presented in the next sub-sections.

5.1. Constitutional, Legislative and Regulatory Provisions

Several instruments in the form of Acts, policies and regulations, including the 1991 constitution govern land acquisition and resettlement relation to developmental projects in Sierra Leone.

5.1.1. The Constitution of Sierra Leone

The 1991 constitution makes provision for the government to pursue social protection and prosperity for its people through the harnessing and management of all natural resources and protects individuals from deprivation of interest or right over property of any kind. It secures and guarantees private ownership and enjoyment of property. Section 21 of the constitution makes provision for compulsory acquisition of private properties under the condition that it promotes the public welfare of the citizens of Sierra Leone. Any acquisition of property in line with section 21 must be accompanied by prompt payment of adequate compensation, as well as providing the individual(s) access to the court or other impartial and independent authority for the determination of the entitled by person interest or right, and the amount of any compensation to which s/he is entitled and for the purpose of obtaining prompt payment of that compensation. However, the constitution does not make provisions for the development of a resettlement planning instrument/s.

Chapter III, Section 15, states that every person in Sierra Leone is entitled to the fundamental human rights and freedoms of the individual, that is to say, has the right, whatever his race, tribe, place of origin, political opinion, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following— a) life, liberty, security of person, the enjoyment of property, and the protection of law; b) freedom of conscience, of expression and of assembly and association; c) respect for private and family life, and d) protection from deprivation of property without compensation;

Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, and for the purpose of this section the said freedom includes the freedom to hold opinions and to receive and impart ideas and information without interference, freedom from interference with his correspondence, freedom to own, establish and operate any medium for the dissemination of information, ideas and opinions, and academic freedom in institutions of learning.

Relevance to the Project: the Constitution is the document that regulates the actions and inactions of all residents in Sierra Leone; therefore, every activity undertaken in Sierra Leone is regulated by the Constitution, including the right to have and the protection of an ideal and comfortable housing and working space/ livelihood resources, etc.

5.1.2. Land Tenure and Ownership

Land administration in Sierra Leone is governed by a dual system of law, dispersed in about twenty statutes and regulations. In the Western Area of Sierra Leone, land tenure is governed by Property Statutes. Land is either State (publicly) owned or privately owned. The right of the state to public land is inalienable and indefeasible. Rights of occupation over public land may be granted under the warrant. The state has the power, conferred by the Unoccupied Lands Act, cap 117, to take possession of unoccupied land. In the provinces, customary law co-exists with statute. The recognition of the force of customary law in the provinces is established by section 76 (1) of the Courts Act 1965. Through customary law, ownership of land is vested in the chiefdoms and communities, it can never be owned freehold. Land always belongs to the communities under the different forms of tenure under customary law. This principle is established by the Chiefdom Councils Act as well as by Section 28 (d) of the Local Government Act 2004.

Relevance to the Project: the land tenure determines and distinguishes between the dual systems of land ownership in the Western Area and the provinces. Since the current market is being constructed on parcels of land that are situated in the provinces, it establishes that those lands are still owned by the communities even though they have been ceded to the municipalities for the construction of the markets. Establishing landownership is very relevant to the project.

5.1.3. National Development Induced Resettlement Act 2023

This is an act to introduce uniform principles to guide the planning, implementation and monitoring of development induced resettlement activities and to provide for other related matters.

Part I defines an Affected Person, who as a result of a qualifying project or activity loses or is likely to lose, either in full or in part, permanently or temporarily, the right to own, use, or otherwise benefit from all or part of physical and non-physical assets, including, home, community, land resources, important cultural sites, commercial properties, tenancy, income-earning opportunities and social or cultural networks and activities.

Part IV – Section 12 (a) states that Resettlement shall be avoided at all costs and where it is unavoidable, it should be undertaken in a manner that will cause minimal disruption of the affected persons. Section 12 (f) of the Act requires resettlement shall be carried out only after affected persons have been provided with full and fair compensation for incurring tangible and intangible losses. Section 13, Sub-Section XIV addresses resettlement impacts on vulnerable groups.

Part V – Licenses Resettlement Impact Assessment and Management Plan: Section 12 (K) requires that resettlement will only be carried out after the development and approval of a risk appropriate resettlement management plan. Section 14) requires that any person should not undertake a project that will lead to resettlement unless he/she holds a license issued under the Development Induced-Resettlement Act.

Part VI Section 13 Subsection (XXVIII) requires that a comprehensive framework for redressing grievances and resolving disputes that may arise in respect of the planning, implementation and monitoring of resettlement activities is established before the implementation of resettlement activities. Section 30 requires the proponent of a development project to bear all the responsibilities relating to the planning, implementation and monitoring of resettlement and upgrade activities approved under the resettlement management plan. An authorized officer should monitor and inspect all licensed project to assess their impacts on affected persons and to ascertain compliance with the Act.

Part VII (Compensation Framework), Section 34 Subsection 1 stipulates that any person affected by a development project shall have the right to payment of full compensation.

Part IV, Section 12 (e) stipulates disclosure of information, regular consultation and informed participation as part of resettlement planning and implementation.

Relevance to the Project: this is the overarching regulation that deals with the procedures of executing resettlement due to development projects. The Act requires the conduct of proper assessment of potential effects of resettlement on affected persons and determines the ideal compensation framework. The Act clearly requires compensation to be paid prior to the commencement of the development. The SL Water Security and WASH Access Improvement Project may induce resettlement of farmers, traders, fishers, charcoal producers, firewood collectors, etc. which should be done in compliance with the Act, hence the relevance of the Act to the project.

5.1.4. Right to Access Information Act 2023

Part II Section 11 subsection 1(c) of the Act stipulates the following: Before initiating any project or formulating any policy, scheme, program or law, publish or communicate to the public in general or to the persons likely to be affected by it in particular, the facts available to it or to which it has reasonable access which in its opinion should be known to them in the best interests of natural justice and promotion of democratic principles; 1 (d) - unless there are good reasons to the contrary, allow members of the public to attend its meetings at which decisions affecting them are made, and give adequate notice of the meetings.

Relevance to the Project: the Act requires consultation with all relevant stakeholders prior, during and after any investment or activity that will affect them. For SL Water Security and WASH Access Improvement Project, the affected persons due to the proposed project activities must be engaged in every step of the process including the relocation activities. This Act is thus very relevant to the project.

5.1.5. National Land Commission Act 2022

Being an Act to provide for the establishment of the National Land Commission, the District Land Commission and other land administrative bodies to secure effective and holistic land administration and to provide for other related matters. Section 59 subsection 2 requires the establishment of an inventory of state, private and community land across the country.

Part XI, Section 77: Subsection (1): The Commission shall establish a Grievance Redress Mechanism whereby a person can challenge decisions of the Commission in respect of land for which he/she has a right or claim. Subsection (2): any grievance redress mechanism established by the Commission shall be effective, accessible and affordable to all, and provide prompt resolution of an enforcement of outcomes of disputes over tenure rights. Subsection (3): Where a person is deprived of a land tenure right by the Government for a public purpose, compensation shall be provided to that person irrespective of the resolution provided by any grievance redress mechanism established by the Commission.

Section 78, Subsection (1): The Commission shall set up within each chiefdom Land Committee, a subcommittee to be known as the Land Adjudication Tribunal.

Relevance to the Project: the Land Commission Act requires that all pieces of land in every corner of Sierra Leone should be registered under the Land Commission that was established by the Act; the Commission will establish a national land register which may include all the relevant information of any parcel of land at local and national level. This is applicable to the proposed project locations in Freetown and WARD C.

5.1.6. Customary Land Right Act 2022

Being an Act to provide for the establishment and protection of customary land rights, the elimination of discrimination under customary law, and the management and administration of land subject to customary law and to provide for other related matters. Part III Section 5 (1) and (2) of the act guarantee equal right to own, hold, use, inherit, succeed or deal with land under customary law and nullifies any law that excludes, inhibits women from owning, holding, using or transferring and inheriting land.

Relevance to the Project: the proposed SL Water Security and WASH Access Improvement Project may be possibly acquired for the construction of new FSTP in Freetown and other infrastructure WASH facilities or to allow for the installation of hoardings during the construction period. The rights of owners of such properties are guaranteed under the Customary Land Act.

5.1.7. The Town and Country Planning Act 1948

This Act defines the rules for the definition of Planning Areas and Schemes. Cap 81, Part IV, no. 25 gives rights to any person whose property is seriously affected by a scheme or by the execution of any work under a scheme to be compensated by the amount by which his property is decreased in value under the condition that he makes a claim within a certain limited time (to be clarified based on engagement with Government for the RP). If the person is dissatisfied with the compensation received, he is allowed to appeal to the Supreme Court. Final judgment is subject to appeals applicable to the Supreme Court.

Relevance to the Project: the Act regulates planning, which is relevant to the project, because it ensures that construction of various water and sanitation facilities should be done within planned areas. Therefore, the requirements of the Act are applicable to the selection of the location of project components activities.

5.1.8. The Local Government Act, 2022

Being an Act to consolidate with amendments, the law on local government, and to provide for the decentralization and devolution of functions, powers and services to local councils and for other matters connected therewith.

PART V – Section 20. (1) A local council shall be the highest political authority in the locality and shall have legislative and executive powers to be exercised in accordance with this Act or any other enactment, and shall be responsible, generally for promoting the development of the locality and the welfare of the people in the locality with the resources at its disposal and with such resources and capacity as it can mobilize from the central government and its agencies, national and international organizations, and the private sector.

(2) Without prejudice to the generality of subsection (1), it shall be the function of a local council to (a) mobilize the human and material resources necessary for the overall development and welfare of the people of the locality; (b) promote and support productive activity and social development in the locality; (c) initiate and maintain programs for the development of basic infrastructure and provide works and services in the locality.

PART XII Section 90. (1) A local council may make byelaws not inconsistent with the Constitution or this Act or any other enactment for the purpose of any function conferred on it by or under this Act or any other enactment.

Relevance to the Project: the Act gives the authority to the Local Councils to plan and undertake development projects in their jurisdiction. The SL Water Security and WASH Access Improvement Project activities are part of the development plans of both FCC and WARD C.

5.2. The World Bank’s Environmental and Social Framework

The World Bank’s Environmental and Social Standard on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement Policy (ESS 5) applies to permanent or temporary physical and economic displacement resulting from land acquisition or restrictions on land use undertaken or imposed in connection with the project’s implementation.

The World Bank’s Land Acquisition, Restrictions on Land Use and Involuntary Resettlement requirements as embedded in ESS5 outline the conditions under which the World Bank will fund a project if it displaces people or affects their social and economic wellbeing. The objective of the Bank’s Resettlement Policy is to ensure that the population displaced by a project receives benefits from it. According to ESS 5, the resettlement plan should include measures to ensure that PAPs are:

- Informed about their options and rights pertaining to resettlement
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives
- Provided prompt and effective compensation at full replacement cost for losses
- Aided (such as moving allowances) during relocation; and
- Provided with residential housing, or housing sites, (in the context of this case, market sites) for which a combination of productive potential, location advantages and other factors is at least equivalent to the advantages of old sites.

5.3. Comparison of National Legislation and WB ESS5

Sierra Leone Laws only provide compensation for land and affected assets that is legally owned by PAPs. ESS5 applies for the compensation of assets to be affected by a project/program not only to those who own or have formal legal rights to the land from which they are being displaced, but also to those who as of a cut-off date occupy or utilize the land informally or without clear legal rights to do so. It is important to note that because of State ownership of lands in Sierra Leone, land use is only possible with the permission of local authorities (as given attorney by the President) on the basis of a lease or on other terms. Accordingly, land use issues are fully covered by land legislation and are governed by provisions of customary law/traditional practices and lease. According to Sierra Leone laws, those who use or occupy land outside the two lines of official permission will not be entitled to legal compensation. The State will have the right to seize the land from those “illegal land users”. Persons who take up the residence in the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

World Bank in its ESS 5, highlights that particular attention should be paid to the needs of the most vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, ethnic minorities, and also other categories of displaced persons whose interests may not be protected by national legislation with regard to the compensations for the land plots subject to withdrawal.

The most stringent will prevail in cases of discrepancies between WB and Sierra Leone legislation, not just simply in relation to compensation issues but to all resettlement operation matters.

The MWRS and the other implementing entities agree to take all actions necessary to ensure full and effective implementation of RPs prepared in accordance with this RF, and to otherwise take actions necessary to achieve all relevant provisions of ESS5.

5.4. Sierra Leone Land Ownership

Land can be owned from the following categories in Sierra Leone: Private land, state land, communal land, and family land. State land and private landownership operate in the Western Area. In the provinces, communal and family land ownership is prevalent. State or public lands are mostly unoccupied land, and land compulsorily acquired by the Government. Private land is land in which an individual has a freehold interest. Communal land referred to as chieftom or community land is held in trust by the chief for the community and in the case of family land the main interest is vested in the family group with a common ancestry. In the provinces private freehold is gaining ground in the urban centres. Most chieftaincy land is held by extended families who have rights of access, use, and transfer by lease.

The initial phase of the Water Security and WASH Access Improvement Project (Phase 1) will focus on the Western Area and selected parts of WARD C in Sierra Leone. Detailed socio-economic data for the project sites will be collected and presented during the RP preparation stage.

6. ASPECTS OF THE PROJECT ENTAILING RF/ RP REQUIREMENTS

The scope of land take for different proposed project activities is not known at this stage, hence this RF is prepared.

Based on the project subcomponent activities outlined in Section 2, it is anticipated to have generic impacts on assets (land, crops, structures, cultural heritage resource) and livelihoods disturbance and access restriction on communities and persons from existing natural resources will be expected.

As per ESS5, 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 natural and livelihood resources leading to loss of income sources or other means of livelihood), or both mainly due to catchment restorative nature-based solutions (e.g., afforestation, soil conservation) to be implemented to restore the forest cover of the greenbelt in places where it has been degraded, erecting billboards on the greenbelt boundary to inform that any activity beyond that point is encroaching and is liable to prosecution, and erecting physical fences to protect the catchment of selected water supply weirs either in the buffer zone outside the greenbelt or within it and which are under increasing encroachment pressure in the Western Area National Park.

This Section will discuss the proposed project components that may require potential project land acquisition impacts causing physical and/or economic displacement including restrictions on access to legally designated parks and protected areas. Thus, below Subsections will aim to entertain the required mitigation measures for the specified potential project induced land acquisition or restrictions on land use impacts.

6.1. Synthesis of Project Activities Against Land Demand

6.1.1. Subcomponent 1.3: Construct a WASH Administrative Center

This subcomponent will procure and construct a WASH Administrative Center to host the MWRS, NWRMA and EWRC, based on existing design carried out in 2024, after the previous MWRS building burnt in 2023. Construction and equipment of a building to host the MWRS, NWRMA and EWRC will take place on the existing MWRS premises. This Administrative Center will seek to showcase good practices in terms of water management (e.g. rainwater harvesting for toilets and watering green areas), water and energy efficiency and wastewater management, so it can act as a demonstration and learning site. For this Subcomponent, no additional or new land required for the construction of the Center.

Thus, RP will not be required as the construction of the building happens on existing office facility. The project will provide the land conveyance and the Bank will undertake due diligence to determine there is a match between the coordinates on the conveyance and the actual site.

6.1.2. Subcomponent 2.2: Raising Awareness on Catchment Protection and Rejuvenation Need

Under this Subcomponent, the project will be engaged in three main activities that will be implemented through a collaboration between MWRS, NWRMA and GVWC as well as with the MoECC, the National Protected Area Authority and NGOs active in this field such as Catholic Relief Services (CRS).

- Erecting billboards on the greenbelt boundary to inform that any activity beyond that point is encroaching and is liable to prosecution.
- Erecting physical fences to protect the catchment of selected water supply weirs either in the buffer zone outside the greenbelt or within it and which are under increasing encroachment pressure, for instance the Hasting Police Training Center weir located in the buffer zone.
- Prepare a map suggesting catchment restorative nature-based solutions (e.g., afforestation, soil conservation) to be implemented to restore the forest cover of the greenbelt in places where it has been degraded.

A Process Framework (PF) is included in Section 7.1.1. of this RF for the activities described under this Subcomponent.

6.1.3. Subcomponent 3.2 Reducing Non-Revenue Water and Upgrading Key Infrastructure

This Subcomponent aims to improve service delivery through the construction or rehabilitation of critical infrastructure to increase the reliability of water service delivery, and through leak detection and the preparation of performance-based PPPs for NRW reduction. Activities will include: (i) replacement of pipes subject to frequent breakages; (ii) increasing raw water storage reservoir to increase the reliability of supply in selected areas; (iii) increasing the treatment capacity and rehabilitating selected treated water service reservoirs and associated multistage-pumping systems; (iv) studying the potential of expanding micro-hydropower generation at the Guma Water Treatment Plant (WTP) and at charge breaking facilities across the distribution network and energy efficiency improvement across GVWC service area; (v) studying and cost-benefit of Solar Power Generation on water reservoirs at the existing Guma and Kongo dams and at the open-air Babadorie circular water storage reservoir; (vi) preparing four parallel performance-based PPPs for NRW reduction, to create an emulation between the private sector firms for greater and faster impact; (vii) implementing a pilot of network zoning and District Metering for NRW reduction in a small area of Freetown; (viii) strengthening active leakage management capacity and on-the job training to reduce NRW, which conserve water, reduce emissions; and (ix) financing construction supervision of investments to ensure technical soundness and value for money.

A Resettlement Plan (RP) will be developed and implemented for most of the activities described under this Subcomponent.

6.1.4. Subcomponent 4.1: Improving Sanitation in the Freetown City Council Area

The Subcomponent will be implemented by the Freetown City Council, in partnership with the Sanitation Directorate of the MWRS. The activities include: (i) upgrade the existing Kingtom FSTP; (ii) build at least a second FSTP in Freetown, using a climate-efficient technology such as biogas digestion combined with biochar generation, which can be used for cooking in substitution to wood or charcoal, as a way to reduce the pressure on the Western Area forest cover and National Park; (iii) increase access to improved sanitation in critical points of Freetown, through the construction of about 100 improved public toilet facilities with handwashing in selected schools, hospitals/health centers without toilets and possibly in a few market places, bus stations and parks or recreational areas where people gather on their free time.

A Resettlement Plan (RP) will be developed and implemented for most of the activities described under this Subcomponent.

6.1.5. Subcomponent 4.2: Improving Sanitation in the WARDC Area

This subcomponent will be implemented by the WARDC, in partnership with the Sanitation Directorate of the MWRS. It will : (i) build at least one FSTP in the WARDC area, using a climate-efficient technology such as biogas digestion combined with biochar generation, which can be used for cooking in substitution to wood or charcoal, which increases the pressure on the Western Area National Park forest; (ii) increase access to improved sanitation in critical points of the WARDC area, through the construction of about 100 improved public toilet facilities with handwashing in selected schools, hospitals/health centers, market places, bus stations and public institutions.

A Resettlement Plan (RP) will be developed and implemented for most of the activities described under this Subcomponent.

7. RECOMMENDED MITIGATION MEASURES

It is not possible at this stage to determine the number of Project affected populations. This will be determined based on identification of the specific sites where the Subcomponent activities will be implemented. Potentially affected communities will be involved in identifying any adverse impacts, assessing the significance of the impacts, and establishing criteria for eligibility to mitigate and/or pay compensation. The below Subsections will present the likely potential adverse land related impacts along with the recommended mitigation measures.

7.1. Access Restriction

For Subcomponent 2.2. (see Section 3 above) the project proposes to erect billboards on the greenbelt boundary to inform that any activity beyond that point is encroaching and is liable to prosecution. It is also planned to physically fence either in the buffer zone outside the greenbelt or within it hence to protect the catchment of selected water supply weirs. Moreover, the project will prepare a map suggesting catchment restorative nature-based solutions (e.g., afforestation, soil conservation) to be implemented to restore the forest cover of the greenbelt in places where it has been degraded.

The process will result in restriction of access to important forest and livelihood resources for communities living around the Western Area National Park. Forest resources are important source of fuel wood and charcoal (energy), construction materials, and non-timber forest resources to the surrounding WARDC communities.

The activities of the Subcomponent are designed to be implemented through a collaboration between MWRS, NWRMA and GVWC as well as with the MoECC, and the National Protected Area Authority (NPAA). Hence, there is a potential for conflict between the implementing partners, including the NPAA on the one side and the communities on the other side due to either potential displacement or restriction of access to natural resources.

Therefore, this RF has included a section on a ‘**Process Framework (PF)**’ to guide the process for community engagement, identify concerns, develop action plan, entertain complaints and monitor such activities. Please see Subsection 8.1.1. for the proposed procedures for the execution of PF including an Action Plan (designed to respond to access restriction impacts). See Annex 2 for details on PF components.

7.1.1. Procedures to Develop a Process Framework (PF)

A Process Framework is prepared when World Bank supported projects may cause restrictions in access to natural resources in legally designated parks and protected areas. The purpose of the Process Framework (PF) is to establish a process by which members of potentially affected communities participate in the

design of project components, determination of measures necessary to address the requirements of ESS5, and implementation and monitoring of relevant project activities.

The level of detail of the PF may vary depending on project activities, characteristics of restrictions and their impacts, and the number of persons affected. The PF supplements the project's environmental and social assessment with a participatory framework focused on the potential impacts of access restrictions.

7.1.2. Principles to be adhered to the PF

Experience suggests that a good PF will cover how access restrictions will be determined, communicated and discussed, and identify how potential alternative livelihoods or other mitigation measures will be determined and supported. The processes and steps described should be followed throughout project implementation. Below are the major principles to be followed.

- It creates real opportunities for the various stakeholders to express their concerns, needs, aspirations and proposals.
- Brings stakeholders together to develop a common vision and to agree upon a way forward – as part of this, natural resources-use conflicts could be resolved.
- Is meant to ensure that local resource users to be restricted are given the opportunity to play a central role in decision-making processes concerned with the land and resources they used to have and depend upon.
- Provides an opportunity for disadvantaged/ vulnerable groups to take part, including women, young people, farmers, fuel wood/charcoal makers, landless, fishers, hunter gatherers, etc.
- Builds a consensus on the basis of transparency and the principle of accountability whereby project affected people can collaboratively decide on conservation measures, zoning, etc. in legally designated parks and protected areas.

The process to be followed for effective implementation of the PF will consist of the following basic steps. The steps will provide guidance on how PF can be achieved; however, it is anticipated that they will be adapted to local circumstances and conditions.

➤ Step 1: Defining a clear institutional arrangement for the implementation of PF

The process framework will be implemented with a similar institutional arrangement set out for the implementation of the ESMF and RF of this project. Ministry of Water Resources and Sanitation (MWRSS)/WASHIT and National Water Resources Management Agency (NWRMA) will be the primary face of the environmental and social safeguards instruments implementation, reporting and documentation. The key institutions that will enforce the process framework at the national level will be defined as part of the final Action Plan to be developed following the below steps.

An annual auditing along with ESMF/ESIA, RF/RP will be conducted to ensure compliance with the process framework.

➤ Step 2: Constitute a local level committee or working group

Besides government project implementers which are responsible for ensuring implementation of the PF, local level institutions will be actively engaged in guiding and enforcing the process at local levels.

A committee which is the representative of all important stakeholder groups should carry out the PF. Members can be elected by local land users of the Protected Area (PA) and should be accountable to them. However, in some cases it may be necessary to also include non-local stakeholders who have an interest in the PA.

The process will be led by MWRS/ National Water Resources Management Agency (NWRMA)- WASHIT (Social Specialist supported by the Environmentalist). Every effort should be made to ensure that the process is participatory, and particular attention should be given to representatives from all resource users such as women, young people, farmers, fuel wood/charcoal makers, landless, fishers, hunter-gatherers, and other vulnerable individuals and groups who are users of the PA.

➤ **Step 3: Undertake Social Assessment (Complementary Social Baseline) in participation with the established committee/ working group**

This is a critical step and should be taken before implementation of *Subcomponent 2.2.: Raising Awareness on Catchment Protection and Rejuvenation Need in Western Area National Park*. The complementary social baseline for each locality to be prepared would focus on developing an understanding of:

- (i) The social and geographic setting of the communities in the project areas, including the economic and social challenges/problems.
- (ii) The types and extent of community use and management of natural resources, and the existing customary rules and institutions.
- (iii) The communities' threats to and impacts on the natural resources within the protected area.
- (iv) The potential livelihood impacts of new or more strictly enforced restrictions on the access and use of natural resources.
- (v) Communities' suggestions and/or view on possible mitigation measures and come up with special assistance/initiatives for the community, particularly targeting vulnerable groups, and
- (vi) Potential conflicts over the use of natural resources, and methods for resolving them.

The findings of the Social Assessment will guide the overall considerations and approaches in access and use restriction mitigation measures including an action plan for the implementation of the PF.

➤ **Step 4: Define special compensation program/ livelihoods support package**

Based on the findings/outcome of the Social Assessment, MWRS-WASHIT in collaboration with National Water Resources Management Agency (NWRMA) and other stakeholders will develop a compensation package appropriate to PAPs whose livelihoods will be impacted because of the access and use restriction, if any. Special compensation measures could include but not be limited to, provision of alternative grazing area, priority in employment, provision of fodder, support in intensification and agricultural inputs, etc.

➤ **Step 5: Identify livelihood activities with active participation of potentially impacted communities**

The livelihood activities will be based on participatory natural resource use approaches to address specific livelihoods needs and priorities at the local level. Selection of activities will include training to support communities in identifying livelihood activities, access to credit services, organize and initiate new livelihood options/ activities led by specific interest groups, etc. (see step 4 above).

➤ **Step 6: Conflict resolution role of the GRM**

As part of the GRM designed in the Stakeholder Engagement Plan (SEP), a special role will be developed for managing grievances, concerns or feedback in relation to the implementation of the Action Plan for the attainment of the PF (step 9 below). For this purpose, Grievance Redress Committee (GRC) members in the respective site (Western Area National Park) will be provided with relevant training sessions to equip them with the necessary grievance management skills required for PA. Any potential conflict between communities whose livelihoods will be affected due to the access and use restrictions will make use of the Grievance redress procedures as stipulated in the complementary SEP. The GRC must include the participation of all stakeholders from all socio-economic backgrounds.

➤ **Step 7: Community participation during implementation**

The project will focus on increasing community engagement, participation and decision-making in all activities including implementing the Action Plan. The participation and engagement forums would help familiarize the proposed project Subcomponent and accompanying benefits. Citizen feedback and a series of consultations with community members, government officials, and representatives of CSOs will remain intact during the project implementation.

➤ **Step 8: Develop an Action Plan**

Based on the steps and process stipulated above, WASHIT in collaboration with the National Water Resources Management Agency (NWRMA) and other project partners will develop an Action Plan based on the scope of access and use restriction, consulted upon and disclosed. The Action Plan should be submitted for WB review and clearance before enforcing access restrictions. Detailed activities must be prepared jointly with the PAPs and other stakeholders. The Action Plan may include, but not limited to, the following:

- ✓ Description of agreed restriction mechanisms with extent and timeframe
- ✓ Boundaries of the access restricted land/resources with brief description
- ✓ Description of the community/stakeholders affected by access restriction (socio-economic status/ conditions)
- ✓ Recommended restriction measures and approaches (in specific environment or location of the area)
- ✓ Measures to assist access restricted affected community groups stakeholders with implementation timeframe and financial sources
- ✓ Special measures concerning women and vulnerable groups
- ✓ Planned/ identified livelihood restoration activities for affected groups/ individuals
- ✓ Roles and responsibilities of implementers, collaborators, community representatives, stakeholders, etc.
- ✓ Capacity building activities for implementing agencies, community groups and other stakeholders
- ✓ Complaint entertaining and settling mechanism (GRM set up).
- ✓ Monitoring, evaluation and reporting arrangements

➤ **Step 9: Participating in Monitoring and Evaluation of the Action Plan**

Community members (the established committee/ working groups, project affected people and other community members) should participate in the M&E of the implementation of the Action Plan. Community involvement in the M&E process will help to ensure that the objectives of the PF are successfully achieved; in case of some eventual gaps, corrective measures will be taken at the right moment.

7.2. Land Acquisition and Involuntary Resettlement

For Subcomponents 3.2, 4.1. and 4.2., as discussed in the previous Section (Subsections 7.1.3. – 7.1.5.), the project's support to increasing access to WASH services may induce temporary and permanent land acquisition. The proposed construction of FSTPs might potentially induce land acquisition. The Project will target facilities on public land to avoid displacement of people. Fecal sludge treatment plants are supposed to be developed on existing FCC owned waste management property. At this stage, the specific sites are unknown, hence the nature and extent of involuntary resettlement impacts remain unclear. To address the potential project induced land acquisition impacts, the project will prepare, consult up on, and disclose RP/LRP. MWRS and other implementing entities will prepare and implement appropriate mitigation measures defined in a resettlement and livelihoods support plan tailored to the actual impacts of physical and/or economic displacement in accordance with the principles outlined in this RF, and in compliance with SL land laws and WB ESS5.

7.2.1. Preparing a Resettlement Plan (RP)

All projects causing physical or economic displacement through land acquisition or project-related restrictions on resource access or use are required to prepare a resettlement plan for World Bank approval. The Ministry of Water Resources and Sanitation (MWRS) will be responsible for the preparation and implementation of the RP (or RPs). The MWRS will exercise its authority to coordinate actions with any other involved implementing partner departments, agencies, jurisdictions, or project contractors to promote timely and effective planning and implementation.

RP preparation begins once the physical footprint of a proposed investment has been determined, establishing that a particular site (or sites) must be acquired for project use. First, the MWRS will screen proposed sites to identify current usage and tenurial arrangements and identifies the site (or sites) that will minimize physical and economic displacement. Subsequently, MWRS will carry out, or causes to be carried out, a census survey to identify and enumerate all displaced persons on the selected site (or sites) and to inventory and value land and other assets that are to be acquired for project use. Below are the key steps and processes required in resettlement planning.

7.2.1.1. Categorization of Project Activities with respect to Land Needs

As far as land needs and resettlement requirements are concerned, two different situations may be encountered in the course of the implementation of the SL Water Security and WASH Access Improvement Project:

- (a) The project components will be established on government lands (Subcomponent 1.3.). In such cases, written confirmation of legal status and undisputed ownership, lands free from any encumbrance or encroachment will be required, confirmed by World Bank or independent agency (due diligence documentation) before these are approved.
- (b) The implementation of the project components (e.g., Subcomponents 3.2.; 4.1 and 4.2.) may require land acquisition (e.g., involuntary land acquisition from individuals with freehold title, lease or customary holding and involuntary land acquisition from communities).

In situations where there is no land acquisition involved as stipulated in (a) above, it means that procedures required by the Sierra Leonean land laws do not need to be applied. The proposed processes will therefore need to be consistent only with WB requirements. On the other hand, if land take is required, then both Sierra Leonean laws and procedures and WB requirements must be followed.

7.2.1.2. Screening of Project Activities

Subproject activities will be screened (based on E&S Screening form, ESMF-Annex 1) to determine if there is a need for the preparation of any resettlement instrument (RP/LRP). MWRS and other project implementing entities, through the WASHIT in consultation and coordination with, community heads, local councils, male and female community representatives will use the the screening form to determine the number of affected persons/assets under any SL Water Security and WASH Access Improvement Project activity that is likely to generate resettlement related or compensation issues.

All Subcomponent activities should be screened prior to implementation. The result of the screening will determine whether there is a need for preparation of RP and/or LRP for the site.

All RPs will need World Bank's review and approval prior to commencing resettlement activities, including payment of compensation. Resettlement activities including payment of comeprnsation and relocation of affected persons must be completed before commencing civil works.

7.2.1.3. Conduct a Census of Affected Persons and Assets

Upon identification of the need for involuntary resettlement in a Subcomponent activity, the project will carry out a census to identify the persons who will be affected by the proposed activity/ies. This will help the project to determine the magnitude of impact, the type and scope of RP/LRP to prepare, who will be eligible for assistance early enough in the project cycle. It will also help to prevent an inflow of ineligible people living outside the project area of impact but who might want to take advantage and claim for assistance.

7.2.1.4. Defining a Cut-off date

MWRS (in partnership with other project implementing agencies) will establish a cut-off date for eligibility to resettlement entitlements for the project, which can be defined as the date of completion of census and asset inventory of PAPs. 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.

Project affected persons, communities and relevant stakeholders will be informed of the cut-off date with warning that persons who will undertake any activities after the cut-off date, will be removed without compensation. This will help prevent any encroachment by opportunistic persons or groups and ensure transparency in the process.

7.2.1.5. Stakeholder Engagement during Resettlement Planning and Implementation

Consultations with stakeholders including PAPs will be an integral part in the RP preparation, implementation and monitoring processes at all stages. Stakeholders should have access to the RP developed for the project. Consultations should happen in the local language of the PAPs whenever possible; and engagement with women as well as other vulnerable individuals and groups should be undertaken separately and in a culturally acceptable manner. The consultation process should ensure sizeable participation of women, youth, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible and understandable to community members. The stakeholder engagement will be done to offer the stakeholders opportunity to express their concerns and when possible be allowed to choose between options.

MWRS will disclose a draft RP to the displaced persons after WB's review and approval. The final RP should be disclosed on MWRS and the respective implementing entities websites as well as on WB external website.

7.2.1.6. Documentation/ Data Base

The RP should be complemented by a separate set of individual compensation files for each displaced household or person. These files are to be handled confidentially by the MWRS to avoid any prejudice to displaced persons.

Additional planning measures must be incorporated into the RP for project activities causing **physical displacement**, or **significant economic displacement**.

If project activities causing **physical displacement**, the RP should include planning measures relating to the following, as relevant for project circumstances:

- (a) Description of relocation arrangements, including options available to displaced persons, and including transitional support for moving or other expenses
- (b) Description of resettlement site selection, site preparation, and measures to mitigate any impacts on host communities or physical environment, including environmental protection and management

- (c) Measures to improve living standards and otherwise address needs of relocating poor or vulnerable households, including measures to ensure that replacement housing is at least consistent with minimum community standards and is provided with security of tenure
- (d) Description of project design measures to improve living standards, access to or functioning of community services or facilities, or for providing other project-related benefits
- (e) Any measures necessary to address impacts of resettlement on host communities.

For project activities causing significant economic displacement,³ the RP describes the following (as relevant):

- (a) The scale and scope of likely livelihoods-related impacts, including agricultural production for consumption or market, all forms of commercial activity, and natural resource use for livelihoods purposes.
- (b) Livelihoods assistance options (for example, employment, training, small business support, assistance in providing replacement land of equivalent productive value, other) available to persons losing agricultural land or access to resources
- (c) Assistance measures available to commercial enterprises (and workers) affected by loss of assets or business opportunities directly related to land acquisition or project construction
- (d) Project measures to promote improvement of productivity or incomes among displaced persons or communities.

7.2.1.7. Eligibility for Compensation

According to the World Bank ESS5, PAPs are defined as any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), or any other fixed or moveable asset, either in full or in part, permanently or temporarily. Therefore, the eligible individual(s) for compensation are those who will be impacted by:

- (a) The compulsory taking of land and other assets resulting in the following:
 - i) Relocation or loss of shelter,
 - ii) Loss of assets or access to assets; and
 - iii) Loss of income sources or means of livelihood whether or not the affected persons must move to another location.
- (b) The forceful denial to access to legally designated social, natural, economic services, with adverse impacts on livelihood of the displaced individuals.

The PAPs shall be considered eligible for compensation irrespective of their tenure status, with respect to land that they own, occupy or use provided they own, occupy or use the affected land or structure prior to the cut-off-date.

An illustrative eligibility criteria and entitlement matrix for compensation and all other forms of assistance is summarized in a table and presented below, to be adopted by the RP.

Project Entitlement Matrix: Based on the national laws and ESS5, an entitlement matrix has been prepared and presented in the Table below. Any missing values in the entitlement matrix will be determined at the time of the preparation of a RP.

³ Consideration of scale of loss of productive assets as well as changes in institutional, technical, cultural, economic, and other factors may be important in determining the significance of economic displacement. In general practice, however, loss of 10 percent or more of productive land or assets from a household or enterprise often is considered significant. Additional details regarding planning measures for economic displacement are provided in ESS5, Annex 1, paras. 24–29.

Table 1: Eligibility Criteria and Entitlements

Affected Assets	Type of impact	Entitled Units	Eligibility Criteria	Entitlement
Land	Permanent acquisition of land	Landowner (individual, family, community)	Owns the affected plot of land under Sierra Leone laws including customary	<ul style="list-style-type: none"> ▪ In-kind compensation (land to land) for land-based displacement at a suitable location comparable to the previous land or better ▪ Cash compensation for land determined by prevailing market rates where primary livelihood is not land based and where there is satisfactory demonstration of lack of adequate land or strong preference by the PAP. ▪ Land replacement for community Lands or if unavailable, compensation be paid to the community with their full consultation and participation. ▪ Cash compensation covering all administrative, land registration and transfer fees
	Temporary occupation of land	Landowner (individual, family, community)	Owns the affected plot of land under Sierra Leonean laws including customary	<ul style="list-style-type: none"> ▪ Compensation (in cash or kind) for the period of occupation based on terms of occupancy as agreed among the parties. Compensation for loss of crops or assets on the land during the period of occupancy at full replacement cost.
Crops (food/cash crops and economic trees inclusive)	Destruction of or damage to standing crops	Owner or Farmer	Have grown the affected crop (regardless of related plot ownership)	<ul style="list-style-type: none"> ▪ Cash compensation for standing crops counted at valuation date and based upon updated current Survey Department rates ▪ Cost of replanting to the same maturity level, the estimated life and harvest from tree (fruit trees) ▪ Disturbance allowance of 10% of cash compensation amount or at a rate determined by RUSLP. ▪ To the extent feasible, allow farmers to harvest crops before start of project interventions
Structures	Destruction of immovable structures	Owner	Owns affected structure	<ul style="list-style-type: none"> ▪ Compensation at full replacement cost of structure ▪ Cost of moving (e.g. persons/ goods in the structure under or belonging to owner) ▪ Disturbance allowance of 10% of cash compensation for full replacement or at a rate determined by the RUSLP.
		Occupant	Live in or use the affected structure on rental basis (Occupant different from owner)	<ul style="list-style-type: none"> ▪ Cost of renting a similar structure (e.g. for 6 months' duration) ▪ Cost of moving out to a new place ▪ Disturbance allowance of 10% of cost of renting similar structure or at a rate determined by RUSLP
		Squatter	Live in or use the affected structure as at time of census	<ul style="list-style-type: none"> ▪ Compensation for full replacement cost
	Relocation of movable structures	Owner	Owns the affected structure	<ul style="list-style-type: none"> ▪ Cost of moving affected structure to new site ▪ Disturbance allowance of 10% of cost of moving similar structure or at a rate determined by the RUSLP
		Occupant	Use or occupies the affected structure	<ul style="list-style-type: none"> ▪ Cost of moving occupants to new site ▪ Disturbance allowance of 10% of cost of moving occupants to new site or at a rate determined by

Affected Assets	Type of impact	Entitled Units	Eligibility Criteria	Entitlement
				RUSLP [NB: if owner is same as occupant, he/she will not be entitled to this disturbance allowance].
Livelihoods	Agriculture - destruction of economic or cash crop	Farmer	Use affected land for farming as livelihood sources (emphasis on perennial crops. Annual crops can be harvested prior to land entry or destruction)	<ul style="list-style-type: none"> ▪ Cash compensation for any temporary loss of income or livelihood incurred as a result of the project during the transition period (period required to reestablish farms elsewhere).
	Business	Business owner (may be distinct from owner of structure where business takes place)	Operate a business on Project affected land, regardless of the land ownership situation (including squatters)	<ul style="list-style-type: none"> ▪ Cash compensation for temporary loss of income or livelihood incurred because of the Project during the period required to re-establish the business to pre-project conditions ▪ Provide alternative resources with equivalent livelihood-earning potential and accessibility.
	Use of communal resources such as livestock grazing grounds (or involuntary restrictions to community assets)	User of such resources (can be individuals or communities)	Use communal resources as an element of livelihood	<ul style="list-style-type: none"> ▪ Employ Process Framework (PF), as stipulated in this RF. ▪ Assistance in identifying and accessing similar resources elsewhere possible ▪ Cash compensation for temporary loss of income incurred because of the Project during the period required to access similar resources elsewhere/period required to provide alternative livelihood assistance ▪ Provide livelihood assistance (access to loans, training etc.)
Cultural heritage resources (e.g. sacred site, cemeteries/ graveyards).	Relocation or removal of cultural heritage resource	Owner (individual or community)	Use or pay homage to cultural heritage resource/ sacred site	Avoid any impact on cultural heritage resources by finding alternative locations. If impact is unavoidable, ensure successful relocation or removal of cultural resource/ sacred site in accordance with Chance Find procedures prescribed under the ESMF.
Vulnerable groups. People with special needs, Elderly, physically challenged, long term sick, Female Household Head and people living with HIV/AIDS	All types of losses			<ul style="list-style-type: none"> ▪ Transition assistance – removing and dismantling of assets. ▪ Free transportation to relocation sites for moveable structures affected Assistance during the transition period. ▪ Extra arrangements for psychosocial care and counselling before movement.

8. VOLUNTARY LAND DONATION (VLD)

Voluntary land donation (VLD) is a process where an individual or community agrees to provide land for project-related activities without compensation. This process is strictly defined and involves several key principles to ensure that the donation is made freely and with full knowledge of the implications.

VLD should generally be discouraged given the overwhelming vulnerability of Project-Affected Persons (PAPs). It should only be authorized for formal and non-vulnerable owners in exceptional cases. Activities or project components have to clearly document (a) the potential donor or donors have been appropriately informed and consulted about the program and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the program; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. Procedures must be put into place to ensure that the donation is indeed voluntary, that the donor is the legitimate owner of land-use-rights on such lands, and that the donor is fully informed of the purpose of the donation and of the implications of donating the property. If the land is donated on a conditional basis, the terms and conditions for the temporary use of the property must be clearly documented. (See Annex 3: Summary of the Intent and Process of Voluntary Land Donation (VLD))

9. SPECIAL ASSISTANCE FOR VULNERABLE PAPs

Disproportionately impacted groups who mostly vulnerable due to their distinct livelihood strategies, ways of living and other socio-economic dynamics. For these individuals/ groups, in additions to resettlement, compensation and livelihood restoration programs, additional mitigation mechanisms area required. i.e. assistance in the compensation payment procedure, assistance in moving properties and identifying the resettlement plot (as needed), assistance in building activities, assistance during the post-resettlement period and health care if required, particularly during the moving and transition periods.

Within the project, the vulnerable or disadvantaged groups may include but are not limited to low-income households, women, youth, the elderly, persons with limited mobility or persons with disabilities. And female headed households. During the RP preparation period, vulnerable groups and individuals within the communities to be affected by the project will be further confirmed and consulted through dedicated means, as appropriate.

Moreover, the project will work on suitable design and standards for WASH facilities and infrastructure will address the needs of girls, women, boys, and people with disabilities. By enforcing gender sensitive infrastructure, SL Water Security and WASH Access Improvement Project will emphasize gender and social inclusion, recognizing the disproportionate impact of inadequate WASH services on women, girls and disability conditions.

10. INSTITUTIONAL ARRANGEMENT FOR RP IMPLEMENTATION

The implementing agencies involved in the project include the Ministry of Water Resources and Sanitation, the National Water Resources Management Authority, the Guma Valley Water Company, Sierra Leone Water Company, the Freetown City Council, and the Western Area Rural Development Council.

The MWRS will have the overall responsibility for Project implementation and coordination among other implementing agencies. It will create a WASH Project Implementation Team (WASHIT) within the Ministry, which will be composed of staff of the Ministry, supported by consultant as needed to strengthen

staff capacity to implement the project. In particular, the WASHIT of the MWRS will be responsible for fiduciary, safeguards, monitoring and evaluation and reporting to the Bank.

- Component 1: Institutional Strengthening and Capacity Building: will be implemented by MWRS
- Component 2: Water Resources Management Improvement: will be managed by NWRMA, with support and oversight by the MWRS.
- Component 3: Priority Investments in Urban Water Supply: will be implemented by the GVWC, with oversight by MWRS.
- Component 4: Urban Sanitation Service Delivery Improvement: will be implemented by the FCC and WARD C, in partnership with the Sanitation Directorate of the MWRS.
- Component 5: Project Management: managed by WASHIT in close partnership with other implementing agencies.

The implementation of RP will be led by WASHIT, in close collaboration with NWRMA, GVWC, FCC and WARD C under the supervision of responsible Directorates of MWRS and the main roles are summarized in Table 2 below.

Table 2: Roles and Responsibilities in the Implementation of RP

Stage of RAP Implementation	Responsible party(s)
Identification of project site	WASHIT in partnership/collaboration with other implementing agencies and partners.
Screening for resettlement planning	WASHIT in partnership with the respective implementing agency
Determine the need for RP/LRP and PF	WASHIT in partnership with the respective implementing agency
Preparation of TOR for RP	WASHIT in partnership with the respective implementing agency
Procurement of consultant for RP	WASHIT in partnership with the respective implementing agency
Preparation of RP	Consultant
RP review	WASHIT in partnership with the respective implementing agency and WB
RP clearance	World Bank
RP in country clearance and permit	National Development Induced Displacement Secretariat
RP disclosure	WASHIT in partnership with the respective implementing agency
RP implementation	Resettlement and Compensation Committee
Monitor RP implementation	WASHIT in partnership with the respective implementing agency
RP completion audit (ToR preparation)	WASHIT in partnership with the respective implementing agency
Conduct RP completion audit	Consultant

11. PROJECT GRIEVANCE REDRESS MECHANISM (GRM)

The Stakeholder Engagement Plan (SEP) prepared for the SL Water Security and WASH Improvement Project, contains the description of the project GRM that allows any project-affected person and other stakeholders to file grievances with the project as well as other project-related concerns. Additionally, the project will provide a separate worker GRM, as part of the Labor Management Procedures (LMP) that specifically will address grievances related to all project workers. As per World Bank standards, the GRM operates to be responsive to SEA/SH cases with procedures further to be detailed in the SEA/SH Prevention and Response Action Plan. The GRMs aim to address concerns in a timely and transparent manner and effectively. It will be widely disseminated in all project areas, through means identified in the SEP. They will be readily accessible for all project-affected parties. They do not prevent access to judicial and administrative remedies. They are designed in a culturally appropriate way and can respond to all needs and concerns of project-affected parties. Refer the SEP.

12. STAKEHOLDER CONSULTATION UNDERTAKEN DURING PROJECT PREPARATION AND E&S INSTRUMENTS DEVELOPMENT

To date, three sets of stakeholder consultations were undertaken for SL Water Security and WASH Access Improvement Project. In the below Subsections a summarized findings from these stakeholder engagement activities are presented.

12.1. Stakeholder Consultation: Project Preparation phase, October 2024

Following the World Bank's engagement to support the preparation of Sierra Leone's National WASH Development Plan 2025 – 2035, a stakeholder engagement and workshop was held from October 8 - 13, 2024. The development of the National WASH Sector Development Program (NWASHSDP) aims at providing a comprehensive roadmap for increased access to safely managed WASH services for households (domestic) and institutions. A stakeholder engagement workshop was held on December 16 – 17, 2024, co-led by the MWRS and the World Bank, gathered 63 participants representing all water sector institutions. It had the following objectives: (i) Consult key people, the MWRS, as well as other key partners and stakeholders to inform about the preparation of the proposed program; (ii) Discuss the preliminary content of the NWASHSDP, solicit stakeholder inputs and fill requisite gaps; (iii) Present the program preparation timeline.

12.1.1. Key feedback from the project preparation phase workshop (Oct. 2024)

- There are fragmented information and documents regarding the WASH sector development in Sierra Leone. The NWASHSDP presents a good opportunity to harmonize these pieces into one coherent document.
- There are misunderstandings in the sector's decision-making structure as presented in the workshop's institutional working group. This was described as unreflective on how the recent institutional change envisions the sector.
- There was an agreement on the Goal and Vision of the NWASHDP. However, further discussions need to be held to firm up realistic targets for the development of the plan.
- There is a strong sense of ownership and commitment. The thematic working groups provided respective inputs on the key challenge, strategies and priority actions critical to the development of the Sierra Leone WASH sector.

12.2. Bank Task Team Consultations (Successive Project Preparation Missions)

As part of the Project preparation, the Task Team has conducted three missions with several meetings with government counterparts within and beyond the MWRS, Bank colleagues working in related sectors, development partners and NGOs active in the sector. As part of the SL Water Security and WASH Access Improvement Project Preparation Missions, team members drawn from the World Bank and implementing agencies, visited Kingtom FSTP, potential sites for FSTP in WRRD C and FCC as well as different relevant governmental institutions were visited and assessed the implementation capacity and commitment towards the E&S requirements were examined. Below are the Consultations Outcomes:

- The team integrated the feedback received from stakeholders in the program and kept close contact and structured engagement with core program and Project teams.
- The team followed up and organized virtual interviews with key persons in the sector beyond the MWRS.

12.3. Stakeholder Consultation during E&S Instruments Preparation, April 2025

During this RF and ESMF preparation, two stakeholder consultations were undertaken Western Area Rural District Council - WARD C (at Water Loo) and Freetown at Brookfields Hotel, 9th – 10th of April 2025 respectively. The stakeholder consultation meetings were attended by a diverse group of stakeholders, including, Community leaders (Headmen) and members, Ward Councilors and devolve functions

representatives (WARD C), Water Catchment Committee Members, Representatives from civil society organizations (CSOs), Women and youth representatives, Ministry of Water Resources and Sanitation and its agencies (SALWACO, GUMA, NWRM and EWRC).

These sessions were aimed at ensuring stakeholder participation, raise awareness, and gain feedback and support from local stakeholders and affected communities. The main objectives include:

- To introduce the proposed project overview, its subcomponents, institutional arrangements and the required E&S instruments that are relevant to the project.
- To identify potential environmental and social risks and mitigation strategies.
- To gather feedback from stakeholders and incorporate local perspectives into project planning.
- Strengthen collaboration with local communities and build stakeholder ownership.

These sessions have demonstrated strong interest and willingness among community members to support the Sierra Leone Water Security and WASH Access Improvement Project. The detailed insights and recommendations received are under compilation and will be further integrated into the subsequent project's E&S instruments and stakeholder engagement strategies. The bullet points below are presented to show the main extracts from these sessions.

- Stakeholders share their routine experiences on the challenges of access to WASH infrastructures as a result of non-functionality. In addition, based on their past lessons, workable and coordinated strategy is required from the SL Water Security and WASH Access Improvement Project for enduring operation and maintenance. It was suggested to examine, refine and adopt the experiences of some of the non-governmental organizations working on the field in SL. Community-Based O&M strategy recently developed by MWRS in support by UNICEF, as well as best practices by GOAL SL, World Vision SL and CRS were cited as best practice reference points. Participants also emphasized that adequate and regular monitoring at all levels (including users) is an essential aspect for the sustainable utilization of projects' investment. In this connection, several participants recommended forming a local level monitoring committee (e.g. district level Community Liaison Committee) to support the project implementation in general and E&S safeguards performance compliance in particular.
- Participants of the consultations stressed the priority for employment opportunities for local youths and women in the project activities, as relevant and appropriate (30% female employment ratio, as supported by SL law, shall be maintained, and explicitly indicated in project documentations).
- Involvement/ participation of the private sector in the operation and maintenance of the WASH facilities (Nigerian best practice was cited by participants in managing public toilets by the private sectors). To this end, guidelines should be developed on how to manage such WASH schemes in a sustainable manner.
- Capacity enhancement programs should be designed and implemented for district councils in the areas of WASH O&M. On the other hand, future technicians from the beneficiary communities should be organized and trained, from the outset.
- The project's WASH infrastructure design shall take into account of disability conditions.
- Consider representation of WASH Users Associations as member of the Steering Committee to be established for the SL Water Security and WASH Access Improvement Project.
- Grievance redress mechanism should be in place prior to the start of project works in the target areas, with multiple channels including toll-free telephone hotline through Afri-Cell and Orange telecom service providers.
- Child friendly GRM to be employed in the schools to be selected for improved public toilets with handwashing facilities (World Vision SL was cited as a best practice).
- Prior and sufficient consultations of the community before sending contractors to our villages. Contractors shall also be properly instructed prior to engaging them in project work, thus shall adhere to local contexts, beliefs, customs, values, etc.

- Generally, all participants reflected on the beneficial impacts of the proposed project and expressed their enthusiasm for its realization in their respective localities.
- Proper planning of the resettlement operation and livelihood restoration programs as the project is seemingly requiring land for its operation. The GRM will be an important milestone in managing resettlement related complaints.
- Waste management in general and future decommissioning of FSTP in particular were raised as concerns to some of the participants for envisaging appropriate planning beforehand.
- Ensure timely disclosure of project information and E&S requirements and commitments by responsible actors, including users.
- Conduct further targeted engagement sessions for vulnerable and marginalized groups.

13. MONITORING AND EVALUATION OF RP

MWRS-WASHIT in collaboration with other implementing entities will arrange for monitoring implementation of the Resettlement Plan (RP) and/or Livelihood Restoration Plan (LRP) and will provide periodic monitoring reports to the World Bank regarding the status of land acquisition and implementation of the developed resettlement plan/s. The implementation monitoring will examine the effectiveness of mitigation measures in achieving RP and ESS5 objectives and recommends corrective measures to meet objectives not yet achieved.

The monitoring modalities, institutional arrangements, the required budget and resources, monitoring indicators, monitoring timetable, etc. will be clearly defined during the RP development at the specific sites, scope and magnitude of displacement impact are sufficiently known and of course prior to commencement of any physical work of the SL Water Security and WASH Access Improvement Project.

ANNEXURES

1. Annex 1: Components of a Resettlement Plan (RP)

The scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is 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

1. Description of the project. General description of the project and identification of the project area.
2. 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 (here, relevant discussion is relevant for Subcomponent 2.2., Protection of the greenbelt and Western Area National Park)
 - (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.
3. The main objectives of the resettlement program.
4. Census survey and baseline socioeconomic studies. The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures, and other fixed assets to be affected by the project. 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:

- (g) 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
- (h) 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
- (i) 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.
5. Legal framework. The findings of an analysis of the legal framework, covering:
 - (a) 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
 - (b) 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
 - (c) Laws and regulations relating to the agencies responsible for implementing resettlement activities; and
 - (d) 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.
 6. 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.
 7. Eligibility. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
 8. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources, and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
 9. 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.
 10. Implementation schedule. An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
 11. Costs and budget. Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
 12. Grievance redress mechanism. The plan describes affordable and accessible procedures for thirdparty 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.

13. Monitoring and evaluation. Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.
14. 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.

2. Annex 2: Process Framework

A Process Framework is prepared when World Bank supported projects may cause restrictions in access to natural resources in legally designated parks and protected areas (ESS5). The purpose of the process framework is to establish a process by which members of potentially affected communities participate in the design of project components, determination of measures necessary to address the requirements of ESS5, and implementation and monitoring of relevant project activities.

The level of detail of the Process Framework may vary depending on project activities, characteristics of restrictions and their impacts, and the number of persons affected. The Process Framework supplements the project's environmental and social assessment with a participatory framework focused on the potential impacts of access restrictions.

The process framework must be developed through a consultative process with legitimate representatives of all affected communities or groups as well as with other relevant stakeholders (such as MWRS, NWRMA and GVWC as well as with the MoECC, the National Protected Area Authority and NGOs active in this field such as Catholic Relief Services).

Specifically, the Process Framework should include the following elements:

1. *Project background*: Briefly describe the project and components or activities that may involve new or more stringent restrictions on natural resource use.
2. *Participatory implementation*: Describe the process by which potentially displaced persons will participate in determining potential access restrictions, mutually acceptable levels of resource use, management arrangements, and measures to address impacts on affected communities. The roles and responsibilities of stakeholders and the methods of participation and decision-making should be described; decision-making may include the establishment of representative local structures, the use of open meetings, and involvement of existing local institutions, being sure that vulnerable groups (such as women and youth) are able to participate in decision-making processes. Methods of consultation and participation should be in a form appropriate for affected communities.
3. *Potential impacts*: Describe the process by which potentially affected communities will be involved in identifying any adverse environmental and social impacts associated with project activities, including:
 - the types and extent of community use (and use by men and women) of natural resources in relevant areas, and the existing rules and institutions for the use and management of natural resources, including customary use rights.
 - the threats to and impacts on the relevant areas from various activities in the area of local communities and other stakeholders (e.g. external poachers and traders, development activities);

- the potential livelihood impacts on men and women of new or more strictly enforced restrictions on use of resources in the area.
4. *Eligibility criteria:* The eligibility criteria would determine which groups and persons are eligible for assistance and mitigation measures while discouraging ineligible persons, such as opportunistic settlers, from claiming benefits. That is, the criteria may exclude certain affected persons or groups from assistance because their activities are clearly illegal, unsustainable and destructive (e.g., wildlife poachers). The criteria may also distinguish between persons utilizing resources unsustainably and opportunistically, and others using resources for their livelihoods, and between groups with customary rights and non-residents or immigrants. The criteria need to account for variations in seasonal use of lands by local communities and pastoralists, if any. The eligibility criteria should also establish a cut-off date.
 5. *Measures to assist affected persons to improve their livelihoods:* Describe methods and procedures by which communities will identify and choose potential mitigating or compensating measures to be provided to those adversely affected, and procedures by which adversely affected community members will decide among the options available to them. The measures will seek to improve livelihoods in real terms to pre-displacement levels, while maintaining the sustainability of the park or protected area. However, in some circumstances affected communities may agree to restrictions without identifying one-for-one mitigation measures as they may see the long-term benefits of improved natural resource management and conservation. Possible measures may include:
 - special measures for recognition and support of customary rights to land and natural resources
 - transparent, equitable, and fair ways of more sustainable sharing of resources
 - access to alternative resources or functional substitutes
 - alternative livelihood and income-generating activities
 - health and education benefits
 - obtaining employment, for example as park rangers or eco-tourist guides, as well as in wider project functions, such as stakeholder engagement, technical advising or monitoring and evaluation
 - technical assistance to improve land and natural resource use, and marketing of sustainable products and commodities.
 6. *Conflict resolution and grievance mechanism:* Describe the process for resolving disputes relating to resource use restrictions that may arise between or among affected communities, and grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation. Procedures should take into account local dispute resolution practices and institutions. The SEP developed for Water Security and WASH Access Improvement Project will be used for such concerns and grievances.
 7. *Implementation and monitoring arrangements:* Describe the implementation arrangements, including activity timetable and the roles and responsibilities of different stakeholders, such as the implementing partner/s, affected communities, and relevant government agencies. Describe arrangements for participatory monitoring of project activities and the effectiveness of measures taken that seek to improve incomes, livelihoods and living standards.
 8. *Costs and budget:* An appropriately costed plan, with itemized budget sufficient to satisfactorily undertake the activities described, including financing for livelihood enhancement measures, participatory processes, implementation and monitoring arrangements. List sources and flow of funds.

3. Annex 3: Summary of the Intent and Process of Voluntary Land Donation (VLD)

VLD is a process where an individual or community agrees to provide land for project-related activities without compensation. This process is strictly defined and involves several key principles to ensure that the donation is made freely and with full knowledge of the implications. Please take note that these are not yes or no type of documentation, rather an assessment to demonstrate that a systematic process has been followed. Here are the main points:

1. **Informed Consent.** The landowner must be fully informed about the proposed activity, its impacts, land requirements, alternative sites, and their rights to compensation. They must have sufficient time to consider their decision and must knowingly reject the right to renege on their initial decision.
2. **Free Will.** The landowner must be able to refuse the donation. This means there must be viable alternatives available, or the donation must be to their benefit.
3. **Community Participation.** The land to be donated must be identified through a participatory approach involving all residents and users of the land, including disadvantaged groups. Local traditional leaders and relevant government entities must endorse the donation.
4. **Power of Choice.** The individuals involved must have the option to agree or disagree without facing adverse consequences.
5. **Documentation and Verification.** The donation process must be documented and independently verified to ensure that it is undertaken without coercion, manipulation, or pressure. Records of consultation with donors must be verified by an independent third party.
6. **Benefits to Donors.** Potential donors should benefit directly from the project, and the donation should be made for a specified purpose and term. The donor may negotiate for compensation or alternative forms of benefits as a condition for donation.

The principles below are extracted from the Environmental and Social Framework (ESF)

These principles ensure that voluntary land donations are made ethically and transparently, protecting the rights and interests of the landowners. In some circumstances, it may be proposed that part or all the land to be used by the project is donated on a voluntary basis without payment of full compensation. Subject to prior Bank approval, this may be acceptable providing the Borrower demonstrates that:

- (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them
- (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation
- (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels
- (d) no household relocation is involved
- (e) the donor is expected to benefit directly from the project; and
- (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land.

The Borrower will maintain a transparent record of all consultations and agreements reached.

Voluntary Transaction. This may include situations where a project supports voluntary transactions between communities, governments and investors involving significant areas of land (for example where a project involves support to commercial investment in agricultural land). In such cases, in applying the relevant provisions of this ESS, special care must be taken to ensure:

- (a) that all tenure rights and claims (including those of customary and informal users) affecting the land in question are systematically and impartially identified
- (b) that potentially affected individuals, groups or communities are meaningfully consulted, informed of their rights, and provided reliable information concerning environmental, economic, social and food security impacts of the proposed investment

- (c) that community stakeholders are enabled to negotiate fair value and appropriate conditions for the transfer
- (d) that appropriate compensation, benefit sharing and grievance redress mechanisms are put in place
- (e) that terms and conditions of the transfer are transparent; and
- (f) mechanisms are put in place for monitoring compliance with those terms and conditions.