



ABBREVIATED RESETTLEMENT ACTION PLAN FOR THE REDEVELOPMENT OF THE ZONGO MARKET KOFORIDUA - GHANA

Prepared by:

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List of Acronyms

Abbreviation	Meaning
ARAP	Abbreviated Resettlement Action Plan
CBD	Central Business District
CDT	Compensation Disbursement Team
CE	Contracting Entity
CHPS	Community-Based Health Planning and Services
CHRAJ	Commission for Human Rights and Administrative Justice
COD	Cut-Off Date
CSGs	Capacity Support Grants
EAR	Environmental Audit Reports
ECG	Electricity Company of Ghana
EMS	Expedited Mail Services
EPA	Environmental Protection Agency
ERCC	Eastern Regional Coordinating Council
ESAP	Environmental and Social Action Plan
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESO	Environmental and Social Officer
FM	Frequency Modulation
GC	Grievance Committee
GoG	Government of Ghana
GNFS	Ghana National Fire Service
GPRTU	Ghana Private Road Transport Union
GRC	Grievance Redress Committee
GRO	Grievance Resolution Officer
GRM	Grievance Redress Mechanism
GSCSP	Ghana Secondary Cities Support Program
GSS	Ghana Statistical Service
GWCL	Ghana Water Company Limited
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
IFC	International Finance Corporation
IGF	Internally Generated Fund
KVIP	Kumasi Ventilated Improved Pit
LAP	Land Administration Project
LOs	Liaison Officers
LRD	Land Registration Division
LVD	Land Valuation Division
LUPSA	Land Use and Spatial Planning Authority
MA	Municipal Assembly
M&E	Monitoring and Evaluation
MET	Monitoring and Evaluation Team
MLGDRD	Ministry of Local Government, Decentralization & Rural Development
MMDA	Metropolitan, Municipal, District Assembly
MoF	Ministry of Finance
MoU	Memorandum of Understanding

MPCU	Municipal Planning Coordinating Unit
MTDP	Medium-term Development Plan
MUSEC	Municipal Security Council
NGO	Non-Governmental Organisation
NJSMA	New Juaben South Municipal Assembly
OASL	Office of the Administrator of Stool Lands
PAPs	Project-Affected Persons
PBME	Planning, Budgeting, Monitoring and Evaluation
PCDMC	Project Community Dialogue and Monitoring Committee
PROTOA	Progressive Transport Owners' Association
PVLMD	Public and Vested Lands Management Division
ARAP	Resettlement Action Plan
RE	Resident Engineer
RCC	Regional Coordinating Council
RIC	Resettlement Implementation Committee
RPF	Resettlement Policy Framework
RSEP	Resettlement Stakeholder Engagement Plan
SEP	Stakeholder Engagement Plan
SMD	Survey and Mapping Division
STIs	Sexually Transmitted Infections
TV	Television
UDGs	Urban Development Grants
W/Cs	Water Closets

Executive Summary

[Will be inserted in the report]

1 Introduction

1.1 Project Background

The Government of Ghana (GoG) with support from the World Bank's IDA US$100 million facility has designed the Ghana Secondary Cities Support Program (GSCSP) spanning a five-year period (2019-2023) and implementable in 35 municipal authorities in the country. The Programme is meant to strengthen decentralisation, urban management and local government development in secondary cities in Ghana. The GSCSP[1] has three components; local, regional and national windows. The local window constitutes US$ 90 million, through which participating MAs received Urban Development Grants (UDGs – US$87 million) and Capacity Support Grants (CSGs – US$3 million). The UDGs are to support investments in urban infrastructure and service delivery in beneficiary Municipalities while the CSGs are meant to enable investment in institutional and capacity development initiatives aimed at enhancing urban management performance.

The New Juaben South Municipal Assembly (NJSMA) in the Eastern Region of Ghana is a beneficiary of the GSCSP Programme and intends to apply part of the Urban Development Grants it has received to the redevelopment of the Zongo Market in the Municipality. The project is being undertaken to improve the general infrastructure of the markets, enhance trade and other auxiliary economic activities generated by the markets, attract more customers and enhance customer satisfaction, improve income levels, reduce poverty and boost the overall local economy of the Municipality. The market redevelopment projects will generate some environmental and social impacts including and temporary physical and economic displacements which will require temporal relocation, and will trigger the application of World Bank safeguards policies; the Environmental Assessment Policy OP 4.01 and the Involuntary Resettlement Policy OP 4.12[2].

PSS Urbania Consult Limited has been commissioned by the NJSMA to undertake stakeholder engagements and subsequent preparation of a Resettlement Action Plan (ARAP) to guide and support seamless involuntary resettlement of project-affected persons (PAPs) under the Project. This ARAP conforms to national policies and legal backings including Ghana's Environmental Assessment Regulations (LI 1652), as well as the Environmental and Social Action Plan (ESAP) and Resettlement Policy Framework (RPF) of the parent project (GSCSP). Livelihood restoration and improvement measures also form an integral part of this ARAP.

[1] It is worth noting that the GSCSP replaced the Local Government Capacity Support Project (LGCSP, P122692); thus, the design of the GSCSP has taken into consideration the lessons and experiences from the LGCSP. **Source: World Bank (2018).**

[2] With respect to social impacts (especially resettlement), due to the lack of clarity on the regulatory and institutional framework and the non-recognition of PAPs that do not own titles to lands in terms of compensation and entitlements at the time the parent program GSCSP) was initiated, guidance has been provided by the Bank's policy on involuntary resettlement (OP 4.12). **Source: World Bank (2018).**

1.2 Objectives and Scope and of the ARAP

1.2.1 ARAP Objectives

Overall, the ARAP has been prepared to guide potential land acquisition where applicable, involuntary resettlement, and livelihood restoration for project-affected persons and vendors in a manner that will minimise the social and economic impacts. Specifically, the ARAP is to:

- assess the nature and magnitude of project impacts by quantifying, categorising and analysing identified impacts (to individual vendors, households, livelihoods, assets, etc.).
- describe the project's socioeconomic conditions and livelihoods to provide understanding of project impacts to livelihoods and establish a baseline to monitor potential changes to be caused by resettlement.
- define eligibility rules (entities that would be entitled to resettlement assistance and compensation)
- define entitlements for resettlement assistance, compensation and livelihood restoration
- determine potential livelihood restoration strategies, in consultation with project affected groups, for implementation.
- define the processes and procedures, in consultation with key stakeholders, for the implementation of resettlement.
- develop a stakeholder engagement plan and grievance management strategies for implementation.

1.2.2 Scope of the ARAP

The ARAP has been prepared in accordance with legislative requirements of the Republic of Ghana and the World Bank's operational policy on involuntary resettlement (OP 4.12).

The ARAP report provides an introduction/background to the project under chapter 1 and description of proposed works (chapter 2) under the project. The report further discusses the applicable legal, regulatory and institutional framework (chapter 3); socio-economic baseline characteristics of project affected persons (chapter 4); stakeholder consultations and participation (chapter 5),; compensation and resettlement eligibility and entitlement framework (chapter 6); livelihood restoration and improvement measures (chapter 7); property impact and compensation assessment (chapter 8); grievance redress mechanism (chapter 9); institutional responsibilities and arrangement for ARAP implementation (chapter 10); monitoring

and evaluation (chapter 11); and ARAP implementation and funding arrangements (chapter 12).

1.3 ARAP Methodology

This section outlines the various approaches the Consultant followed to undertake the ARAP. A mix of quantitative and qualitative research approaches were deployed at different levels during the ARAP studies and report preparation.

1.3.1 ARAP team mobilisation

A team of experts constituting ARAP Specialists, Valuers, Development Planners, Social Scientists undertook the assignment with the support of field assistants and enumerators. Several consultations were held with the Client (NJSMA) to provide clarity on the terms of reference, schedule and prepare the grounds for stakeholder engagements and surveys and provide human and logistical support for the field activities.

1.3.2 Literature Review

Desk review of existing policy, regulatory, and legal frameworks was conducted to extract mainly secondary data. Documents reviewed include the Land Act (2020), the National Land Policy, the National Gender Policy, and the World Bank's operational policy on involuntary resettlement (OP 4.12). The Medium-term Development Plan (MTDP) of the NJSMA was also reviewed to provide information on the demogARAPhy, socio-economic and cultural background of the Municipality.

1.3.3 Field investigations

The ARAP Team conducted field surveys to collect critical primary data for the ARAP preparation. A resettlement scoping was conducted on May 21st, 2024 by the ARAP team to inspect and review firsthand the anticipated project risk and impacts. The scoping exercise sought to obtain project information that is pertinent to land acquisition and resettlement, present land use, settlement patterns, infrastructure, and water resources, among others. This information was considered in assessing the appropriate scale and level of detail in project planning, information gaps, and detail of baseline studies.

Baseline studies were conducted at the project areas of influence including the project sites and proposed temporary resettlement sites. The baseline surveys were conducted between 24th to 28th May, 2024. It involved field observations at the actual project sites and screening at potential relocation sites; census, socioeconomic & livelihood surveys, and asset impact assessment.

The baseline surveys were conducted by a team of valuers (responsible for asset survey) and social science enumerators (responsible for census and socioeconomic & livelihood surveys). The enumerators used Kobo Toolbox (Kobo Collect), an electronic data collection tool that generated a database of identified affected persons and households, the way they are impacted, and the losses they will incur. The valuation team on the other hand recorded information in field notes for subsequent entry into the electronic database. The census was conducted to identify

and develop a register of affected vendors, businesses and vulnerable groups; define the population to be sampled for the household socioeconomic survey and subsequently define eligibility criteria for resettlement and or compensation. The socioeconomic and livelihood survey was conducted to generate a baseline to assess the resettlement objectives in line with socioeconomic conditions, living standards and livelihoods of the project-affected groups and individuals prior to resettlement. The asset survey involves the survey and measurement of individual vendors, households, businesses and community assets that will be subject to loss (or loss of access) as a result of the project. Figure 1.1 shows photos of field activities.

Figure 1.1: Photos of Field Activities





1.3.4 Observation technique, still photogARAPhy

A series of photos were taken during field investigations to authenticate findings and proposals in the report. These include pictures of the current state of the existing market infrastructure, relocation sites and stakeholder engagement sessions.

1.3.5 Stakeholder engagement

Stakeholders who have direct and indirect interests and influences on the project and the resettlement activities were identified, analysed with regards to their respective interest and influences and were engaged. A stakeholder engagement plan (SEP) was developed to guide stakeholder consultations. The SEP outlines the identified stakeholders, the approach for engagement, dates of engagements and required follow-ups. A detailed description of the stakeholder engagement process and outcome is presented in chapter 5 of this ARAP.

1.3.6 Registration and Inventory of PAPs

The ARAP team generated an inventory of PAPs/vendors during the socioeconomic and asset surveys adopting varied means of verification. PAPs were verified through evidence of existing tenancy agreements, other proof of interest including market rent receipts, verification of PAPs by the market leadership and representatives as well as NJSMA market officials.

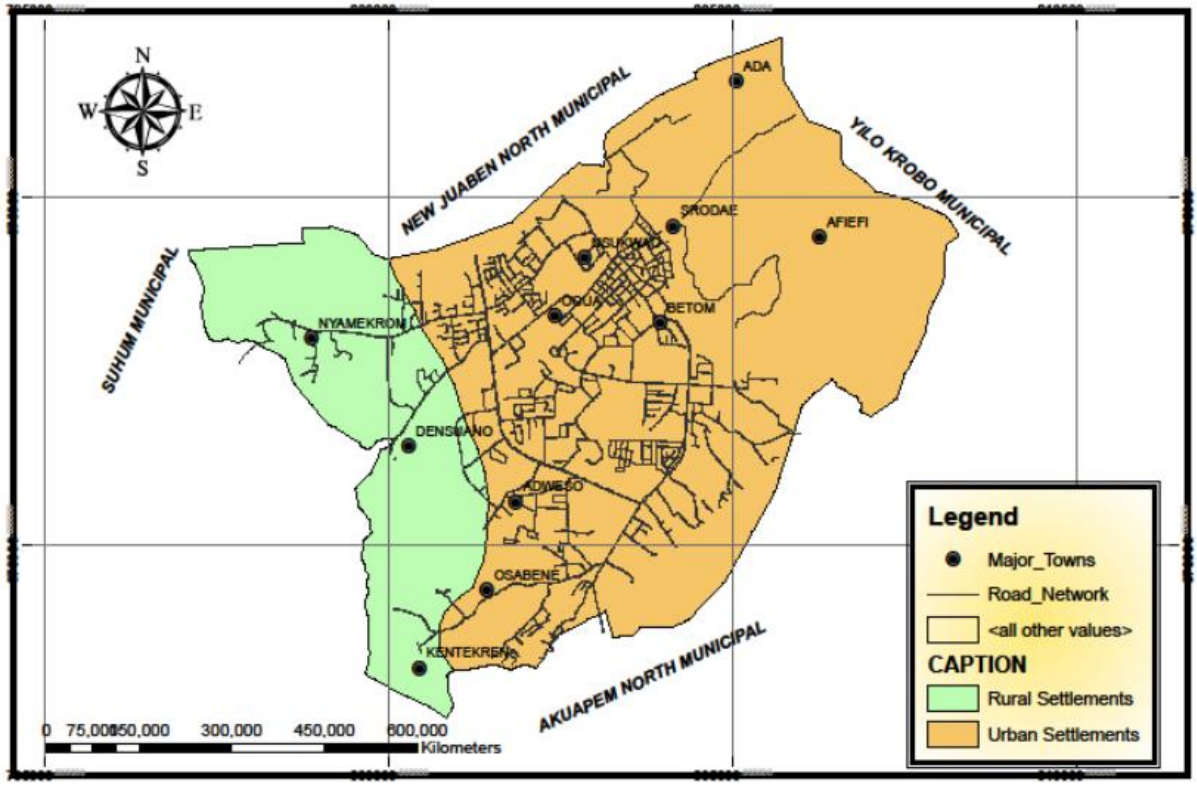
2. Description of Project

2.1 Brief Profile of the Project District

The Zongo Market Redevelopment Project is situated in the New Juaben South Municipality (NJSM). The Municipality is located in the central part of the Eastern Region of Ghana with Koforidua as its capital. The Municipality lies between latitude 60°70'W and longitude 10°30 and 00°30'E, and covers a land area of 60 square kilometres. NJSM shares boundaries with New Juaben North Municipal to the North, Okere District and Akuapem North Municipality to the South-East and South-West respectively, Yilo Krobo Municipal to the East and Suhum Municipality to the West as shown in Figure 2.1. The New Juaben South Municipality (NJSM) is highly urbanised with 93.3 percent of the population living in urban areas. The total estimated population of the Municipality is 125,256 (in 2021) with males constituting 48.3 percent and the remaining 51.7 percent being females. Population density of the district is 2,934.9 per square kilometre while average household size stands at 2.7 (NJSMA, 2021). The Akan ethnic group dominates the population and constitutes (57.2%). Other prominent ethnic groups are the Ewes, Ga-Damgbe and Northern tribes. About 87 percent of the population profess the Christian faith while 9.1 percent are Muslims. The population in NJSM is highly literate with a literacy rate of 89.7 percent of the population aged 6 years and above. More males (92,7%) are literate than females (87.0%) (GSS, 2023). The local economy of the Municipality is predominantly driven by the service sector. About 40 percent of the working class is engaged in the service sector. The industry and agricultural sectors make up 26.7 and 26.1 percent of the working population respectively. Multidimensional poverty level[3] in the Municipality is reported to be among 10.2% of the population (GSS, 2023).

[3] A measure of the level of household deprivation along three dimensions – monetary poverty, education, and basic infrastructure services – to capture a more complete picture of poverty.

Figure 2. 1: Map of New Juaben Municipality



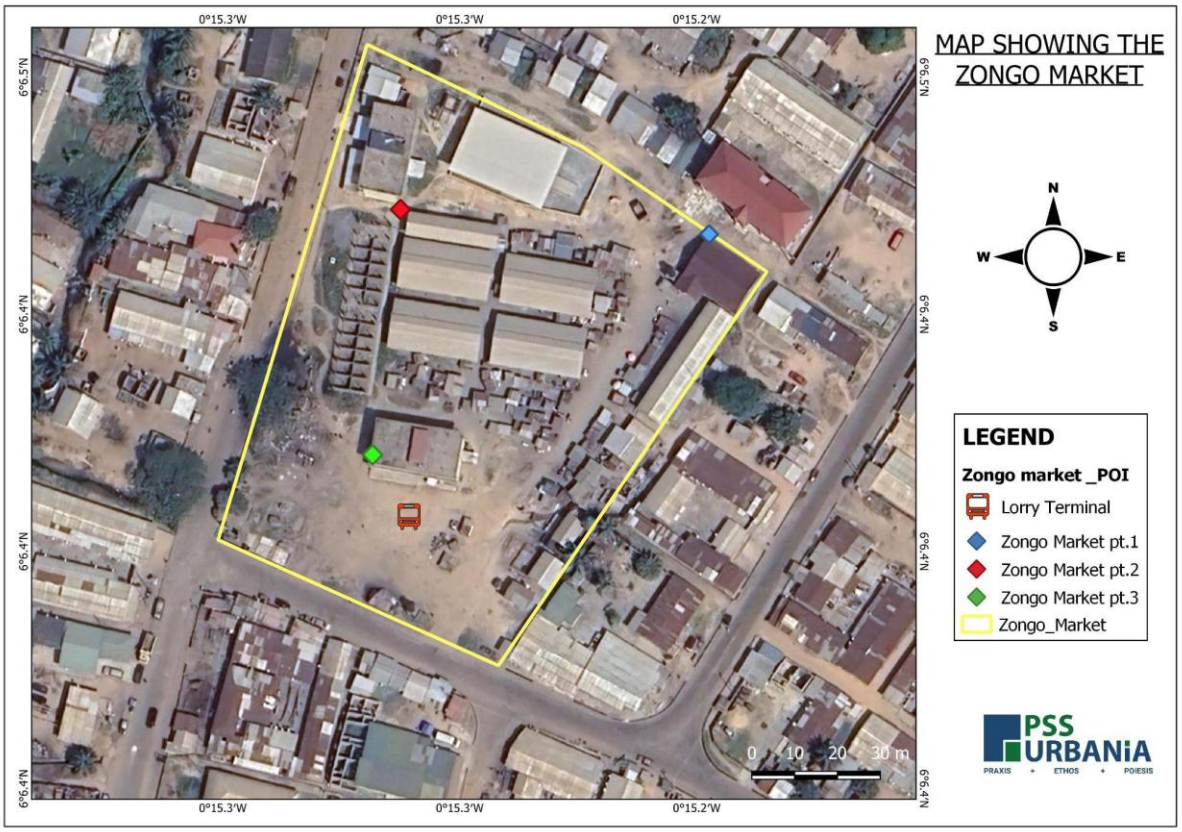
Source: NJSM MTDP, 2021

2.2 Description of the Existing Zongo Market

2.2.1 Location

The Zongo market is an existing satellite market located within the Zongo community "A and B"electoral area on (latitude 6° 6 '27.06"N and longitude 0° 15' 15.93"W) within Koforidua, the capital city of the New Juaben South Municipality of Ghana. The market is in close proximity to the Central Business District (CBD) about 1.75 kilometres from each other (Fig. 2.2) The market is mainly bounded by residential units interspersed with commercial units (Fig. 2.3). It covers about 10,499 sqm of land.

Figure 2. 2: Map showing the Satellite Image of Zongo Market in Koforidua



2.2.2 Physical Condition of Zongo Market

The Zongo market currently houses one fully-completed 20-units shop which is partially occupied by users trading in goods such as onions and fabric. Although all the 20 units of the shop have been rented out to tenants by the NJSMA, only four (4) of these shops were in active use at the time of the survey, due the low patronage of the market. Two additional 20-unit shops are under construction on the western side of the market and yet to be completed. This construction was started under other Assembly funding arrangements and would be completed in due course. Five (5) 40-unit permanent open sheds exist at the Zongo Market in addition to a 20-unit shed extension. A five (5) unit warehouse, a butcher's shop and a newly-constructed kindergarten block can be found in the central, eastern and northern sections of the market respectively. The warehouse is quite busy due to the service it renders to the rural folks who store their produce overnight to await traders on market days (on Mondays and Thursdays). The kindergarten block meant to serve the market has not been commissioned yet. Several makeshift sheds and a few metal containers have been installed by some traders in the open spaces in the market. Sections of the open spaces within the market serve as trading spaces secured by some traders who display their wares on the floor for business on market days only.

The market is currently not fenced and provides a convenient place for cattle and other livestock in the community to find food in the market. Traders complain bitterly of how these animals destroy their wares and how their efforts to confront the issue had more often than not resulted in conflicts in the community. Some traders asserted

that the nuisance caused by the animals is a reason for the low trading activities in the market in addition to the lack of security and lighting promoting frequent theft of traders' wares. There is a skip container for solid waste disposal, and a public toilet on the eastern border of the market which the Zongo market traders have access to. There is however no water supply to the market.

In spite of the structural challenges, the market is strategically located, highly accessible and makes movement to and fro the market very convenient for traders and buyers who engage in bulk-breaking of food stuff like plantain and maize on market days. The Zongo market has the potential to be vibrant, attracting traders and buyers from the region and beyond; and a major source of internally generated funds when provided with the appropriate infrastructure and services. The proposed redevelopment of the market is therefore a timely intervention.

Figure 2. 3: Photos of existing condition showing the critical infrastructure in Zongo Market



Incomplete Block



Kindergarten Block



Warehouse



Butcher's House



Uncompleted 20 Unit Commercial Block

2.2.3 Justification for the Project

The redevelopment of the Zongo market in the NJSM is driven by a combination of economic, social, and urban development motivations. Firstly, the project would contribute to economic revitalisation as markets are hubs of economic activity. Moreover, since the service sector including trade is the backbone of the NJSM local economy employing about 40% of the working class, it is imperative that adequate level and quality of infrastructure is provided to support its growth and development. Redeveloping the market would therefore stimulate economic growth by attracting more shoppers and businesses. It would also create job opportunities for local residents, improve income levels and reduce poverty and contribute to increased revenue for the Assembly.

Additionally, the project would promote a sense of satisfaction among traders and buyers as they shop and do business in the modernised market facilities. The improved infrastructure would also promote public health and safety. The supporting facilities to be added to the market would also make the market more accessible and inclusive to all persons. Again, redevelopment of the market would contribute to urban regeneration which revitalises the district, improves property value and creates more attractive public spaces.

2.3 Project Components and design

The Zongo market redevelopment project will involve increasing the existing shops and stalls, creating a vehicle terminal to facilitate growth and vibrancy of the market and providing a see-through fencing to ensure security and prevent animal invasion, warehouse for storage of goods, and gender-responsive washrooms. The NJSMA intends the Zongo market to become a bulk-breaking point for trading different foodstuff in the region and beyond.

The specific description of works and functional facilities expected under the reconstruction works are as follows and shown in the conceptual design in figure 2.4. These will be provided in addition to the existing permanent infrastructure like the lockable stores and open shed.

- 2 No. 40 - Unit lockable stores
- 6 No open sheds
- 20-seater WC toilet
- 1-No. police post
- 20 No. streetlights
- 2 No. mechanised boreholes with an overhead tank of 10000 litre capacity
- Bitumen surfacing of 400 metre road at Zongo Market
- Construction and paving of 25,000m^2 lorry terminal and passenger waiting area and office



Figure 2. 4: Conceptual design of Zongo Market Project



Figure 2. 5: A 3D design of sections of the Zongo market Project

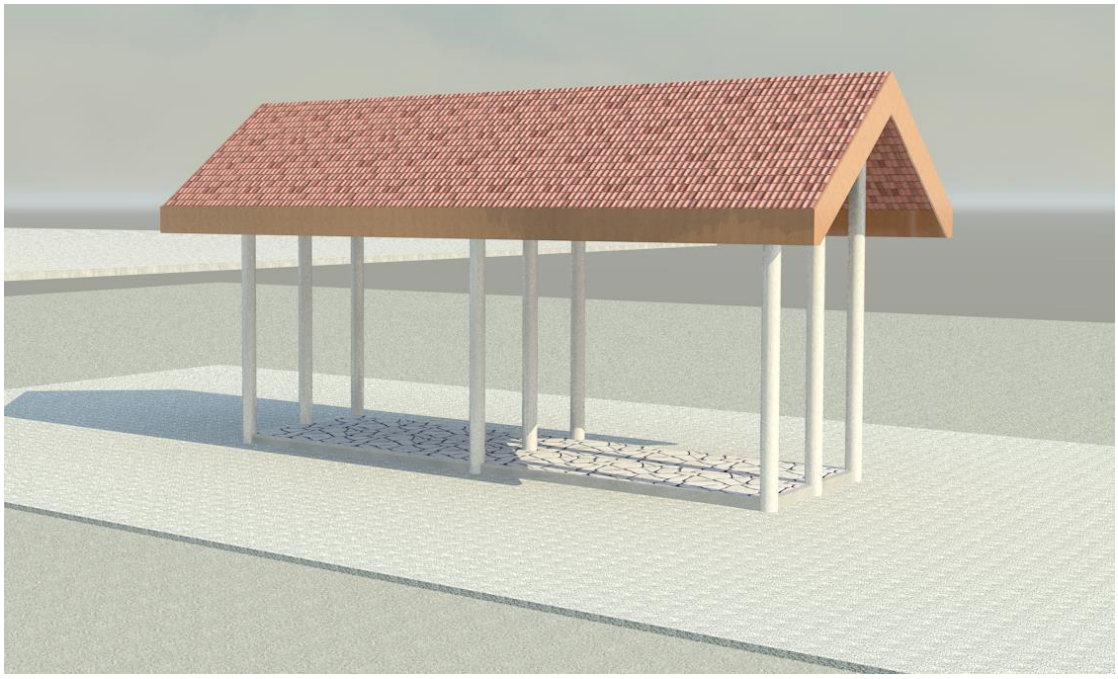


Figure 2. 6: Proposed design of typical open shed

2.4 Design Interventions

The project design incorporates the following features to mitigate the challenges posed to users in the existing markets.

Table 2. 1:Design Features

Design Feature	**Project Intervention or impact**
Combination of adequate lockable shops and open sheds	To provide the flexibility traders need to ply their business in facilities they could afford and also fit for their kind of businesses
Disability walk-ways	To promote inclusiveness by ensuring that persons with disability are able to access the new building with ease
Fencing and streetlights	Improving visibility and security in the market and prevent animal invasion
Paving of the market surface and drainage improvement	This will reduce the flooding and muddy conditions in the market during heavy downpours, improve access to vehicles and trucks to and fro the market and provide space for bulk breaking activities
Vehicle terminal	To attract more traffic to the market and improve vibrancy
Police post	This will provide fire safety to the market, lives, goods and services

Warehouse	To secure traders wares and attract more traders
KG block	Gender inclusion will be promoted, as nursing mothers will have a nursery close by to comfortably leave their children and concentrate on the businesses. They will also have the opportunity to nurse the breastfeeding ones intermittently in a safe, comfortable and conducive environment.
Mechanised boreholes and toilets	This will ensure continuous access to improved and safe water and sanitation facilities within the market.
Resurfacing of market access roads	To improve access to the market

2.5 Project Duration and Cost

The project is estimated to be completed within 8 months with start and end dates of March and November 2024 respectively. Total cost of the project is estimated at USD[][4].

2.6 Summary of Project Social and Environmental Impacts

Both positive and negative environmental and social impacts are anticipated at all stages (pre-construction, construction, decommissioning and operation) of the redevelopment of the Zongo Market. This section summarises the key identifiable impacts associated with the project. A more detailed description of the environmental and social impacts and their mitigation strategies will be provided in the Contractor's Environmental and Social Impact Assessment Report and associated Environmental and Social Management Plan (These would be available at the NJSMA).

2.6.1 Positive impacts

Employment Opportunities

A significant number of direct and indirect jobs are expected to be created for locals in the Municipality through the project interventions. The Project is expected to employ both skilled and unskilled local workers including engineers, drivers, carpenters and masons who will likely be recruited for the entire period of the project. Indirect jobs from ancillary service providers like food vendors and transport operators are also expected over the project period.

Increased income of project workers and traders

The project throughout its stages will involve needs for specialised design and environmental studies, supply of fine and coarse aggregates from quarries, waste management services among others which will require the services of consultants and contractors. The Project thus provides opportunities through the award of contracts to service providers and material suppliers both from within the project districts and beyond to enhance their income levels. Also, trading activities in the market are

[4] NJSMA to confirm project cost

expected to boom as the new market will attract new buyers during the operation stages. This will also enhance income levels of the traders.

Improved revenue to the Assembly

Upon completion of the market, the new infrastructure is likely to attract more traders and higher facility user fees, which will in turn increase the internally generated revenue of the Assembly.

Improved access road condition, urban facilities and aesthetics

The project is expected to contribute to significant improvement in the access roads around the Zongo market. It will also improve access to basic health care, education for traders' children below and around school going age, water and sanitation facilities and other social services. The Central Business District and the neighbourhood where the market is located within the Zongo community will be transformed and its urban aesthetics and overall environment improved.

2.6.2 Negative impacts

Inconvenience and Temporary Displacement of traders and businesses

Construction activities involving clearance of space for the construction of the new market would lead to the temporal displacement of traders who occupy the current spaces whether with permits from the Assembly or not. These include concrete shop owners, occupants of open sheds, container shops, open spaces and table top operators. Moving traders to relocation sites will pose lots of inconvenience, business disruptions and revenue losses over a short-term period and impact is significant in the short term. Nonetheless, the project requires that these potential disruptions are mitigated through a careful property impact assessment and resettlement/compensation program as part of the Resettlement Action Plan.

Temporary loss of revenue to the Assembly

Within the 8 months period of which the project will be undergoing construction, completion and reinstatement of vendors in the new markets, the Assembly would lose revenue from about 170 vendors. This will negatively affect the IGF received from market tolls in the immediate short term. This impact may not be highly significant as the economic cost will be offset upon project completion and operation.

Road Traffic Disruption and Safety Risks

Construction activities would obstruct flow of traffic on the neighbouring roads around the project site. Also, on routes from residential areas to offices, the central markets and other areas that need to use the roads in the project area will also be obstructed thereby increasing travel times for pedestrians and vehicles. Additionally, traffic jams, inconvenience, increased periods of waiting and traffic accidents may result from traffic diversions. Vehicular-pedestrian conflicts and safety issues may be recorded during project construction. This impact will be highly significant, although a mitigation plan is being developed as part of the project Environmental and Social Management Plan.

Air pollution, dust and emission impacts

Significant emission of dust, carbon and other harmful gases would be generated from excavation works, mixing of cements, fumes from the movement of vehicles and machinery, including haulage trucks for the transportation of raw material, excavated spoil and aggregates. The high levels of dust and emissions to be generated could exacerbate the levels of PM_{10} and $PM_{2.5}$ polluting the air and posing respiratory health risk and diseases like asthma, bronchitis and other construction health risks. The project is expected to develop an ESIA and an ESMP to manage the risks that arise from the environmental pollution.

Noise and vibration impact

The use of noise generating machinery and equipment such as haulage trucks, bulldozers, excavators, backhoes, compactors and graders deployed during land preparation (cutting, levelling and compaction), and excavation and aggregate hauling activities would produce significant noise levels ranging between 74dB to 88dB at a radius of 15m, which is above the GS1222:2018 permissible noise level of 70dB in industrial areas. Such noise could affect recipients depending on their location relative to the noise source. Prolonged exposure to high levels of noise could impair the hearing of workers, cause annoyance, stress, irritability and headaches[5], especially for those working with or close to the noisy equipment.

Impacts from improper waste management

Substantive amounts of construction waste will be generated from the following sources: excavated spoil; demolished old structures; waste generated from construction activities; and solid and liquid wastes generated by construction workers. The improper disposal of this construction waste could lead to high significant negative impacts of flooding, breeding of mosquitoes and outbreak of malaria and soil and water contamination.

Disruption of utility line and services

Some utilities infrastructure like electricity could be impacted during construction and operation of the project interventions through uncoordinated construction activities, involving clearing, demolition and excavation works which may damage infrastructure of the identified utility service providers. These damages to utility lines would lead to disruption of services and inconvenience to the other users who rely on these services in the project enclave.

Occupational Health and Safety Risks

During Project construction, workers may be exposed to various forms of injuries, vehicle knock-downs, fire explosions and other occupational health and safety hazards. This risk will be significantly high when: workers are not provided with adequate personal protective equipment and enforced to use them; where safety

[5] Goldsmith, J.R. and Jonsson, E., 1973. Health effects of community noise. *American journal of public health*, *63*(9), pp.782-793.

measures are disregarded in the installation and use of plant and equipment; where project operating personnel are not given sufficient training and experience in connection with safety measures and their observance; and where there is improper and insufficient supervision of workers.

Increase transmission of HIV/AIDS and sexually transmitted infections (STIs)

The project area could attract migrants, both job seekers and workers of the company, as well as others with various business interests, The ease of striking ready acquaintance between workers and women, enticement of female community folks with money, some women turning to prostitution for livelihoods, and the attraction of sex workers may be associated with the project. This potentially could lead to increased rate of infection and risk of spread of HIV and other sexually transmitted infections (STIs) within the project district.

2.7 Description of Project Activities in relation to the ARAP

This section seeks to outline the sequencing of activities in the course of the project and its ARAP implementation.

2.7.1 Pre-construction Phase

Selection of Site

The selection of the Zongo market redevelopment project went through a rigorous decision-making process as the Assembly had equally competitive project needs to apply the GSCSP UDG grant. There were several favorable conditions towards this project. For example, the land availability and ownership facilitated the selection. The project land is vested in the Government of Ghana hence no need for cumbersome land acquisition processes. Temporary relocation sites are available considering the relatively short time frame for temporary relocation of vendors and the commencement of construction activities. Also, the current unfavorable conditions at the Zongo market and their ripple effects on the local economy, livelihood and income levels were considered.

Project planning

Significant effort was given to planning, engaging stakeholders for their inputs and procuring a design consultant to provide preliminary designs. The NJSMA ensured several consultations were held on the draft design prior to finalizing and adoption. For instance, the design was presented to the traditional authority and the potentially affected PAPs at separate engagement meetings for their comments and inputs. The design was developed in line with the Ghana Building Code (GS1207:2018). It gives consideration to suitability of types of goods traded within the market, safety, health, social cohesion and acceptability, accessibility, aesthetics and environmental improvements. Preparation for temporary relocation of traders to the temporary sites will be done at this stage too.

2.7.2 Construction Phase

Actual relocation of affected traders to the prepared temporary sites (with the provision of necessary facilities such as water, electricity, waste management and

sanitation facilities) will be facilitated by the NJSMA and the Resettlement Implementation Committee (RIC) prior to handing over of the site to the Contractor for construction works to begin.

At this stage the Contractor will liaise with the NJSMA for the timely and effective delivery of the Project by securing all the necessary permits and statutory approvals from the Environmental Protection Agency, the Assembly itself and the Land Valuation Division of the Lands Commission. The Assembly will facilitate the relocation of utility infrastructure from the existing project site and reconnection to the completed markets by the Ghana Water Company Limited (GWCL) and the Electricity Company of Ghana (ECG). The contractor will hand over the completed project upon completion to the NJSMA who will in turn reinstate the affected vendors in the new markets.

2.7.3 Decommissioning Activities

After construction and reinstatement of PAPs to the redeveloped Zongo market, all temporary relocation sites will be decommissioned and the lands returned to original owners and uses as applicable. This will help avoid operation of a parallel market at the relocation sites, which will in turn affect the intended vibrancy of the Zongo market.

2.8 Description of proposed temporary relocation site

2.8.1 Overview

The section provides summary descriptions and conditions pertaining to each of the suggested relocation sites. Justifications for the choice of the sites and recommendations for improvement on the sites have also been provided.

Five (5) different locations were identified by the NJSMA and discussed with the PAPs, the Lands Commission, and the traditional authority at different stakeholder engagement meetings. The different sites are presented in table 2.2 and figure 2.7.

The following factors influenced the identification and selection of the temporary relocation sites:

1. The sites (lands) are unencumbered which allows for unrestricted temporary use.
2. The existing/approved land use of the sites are consistent with the proposed temporary use.
3. Securing temporary use rights over the sites for the resettlement purposes would not require cumbersome and costly processes.
4. Sites are within accessible reach and also adequate to accommodate all the traders from the Zongo Market.

5. The sites are within a kilometre reach from a fire station (GNFS[6], New Juaben Municipal Station) which is essential for urgent response to potential fire outbreaks.

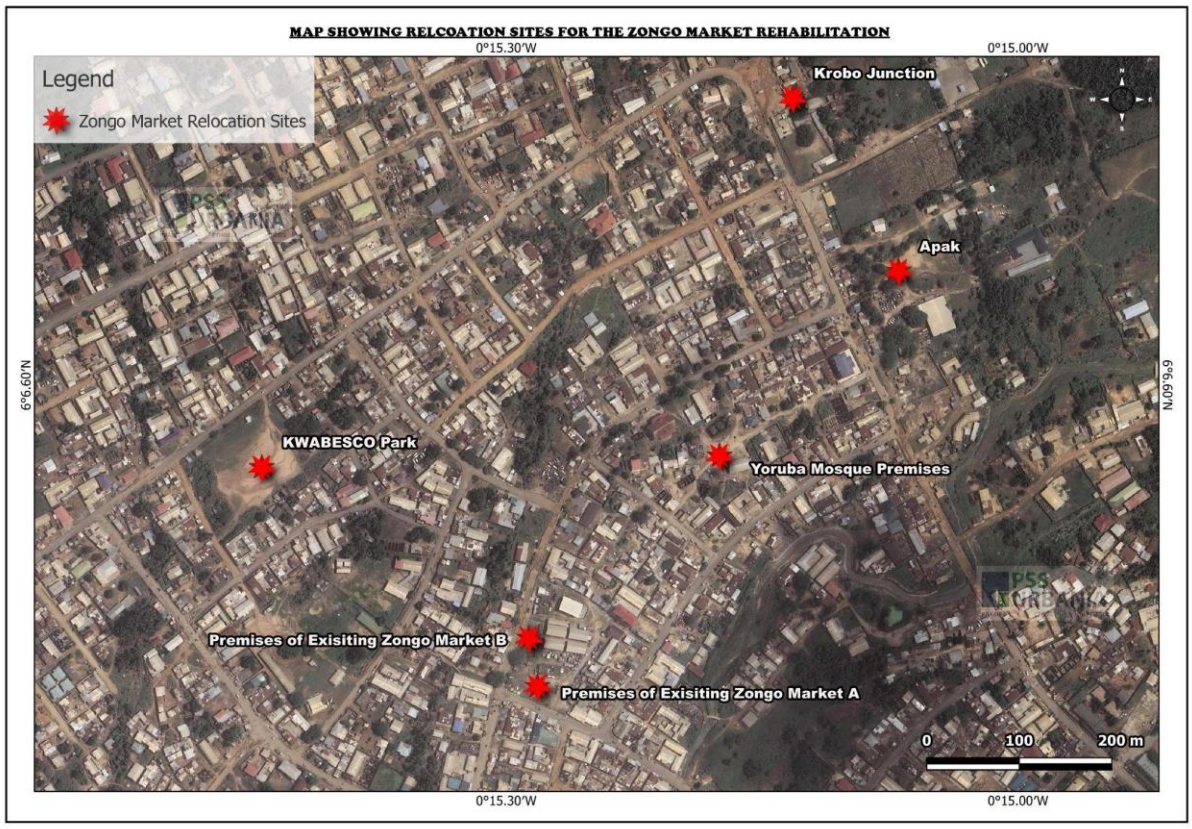
Table 2. 2: Geo-coordinates of Relocation Sites and Project Site

Relocation Site	Coordinates	Distance from Zongo market
Premises of Existing Zongo Market	6°06'25.4"N 0°15'16.9"W 6°06'27.1"N 0°15'17.2"W	-
Kwabesco Park	6°06'33.1"N 0°15'26.6"W	360 metres
Yoruba Mosque Premises	6°06'33.5"N 0°15'10.5"W	260 metres
Apak	6°06'40.0"N 0°15'04.2"W	550 metres
Krobo Junction	6° 6'46.08"N 0°15'7.92"W	640 metres

Source: PSS Urbania, 2024

[6] Ghana National Fire Service

Figure 2. 7: Zongo Market Relocation sites



Source: PSS Urbania, 2024

2.8.1.1. Zongo Market (Onsite) Location

Traders suggested an onsite relocation on an available space on the south-western corner of the Zongo market (onsite). Even though this onsite relocation is a possible option considering the small number of traders at the market during non-market days, there are high safety and health risks associated with this option. On market days, the number of traders and buyers will increase and will create congestion on site. Additionally, the traders will be exposed to high levels of dust and carbon emissions from the construction activities which will jeopardise their health. Conflict between traders and the construction activities is inevitable as the two interact in the same space, and of course accidents will be commonplace. If this option is chosen, strict mitigation measures must be put in place and enforced by the contractor, the traders and the NJSMA to reduce the negative impacts associated with the use of the site for relocation of the traders. The images below show the potential onsite relocation spaces.

Figure 2. 8: Aerial view of relocation sites at Zongo Market (onsite relocation)

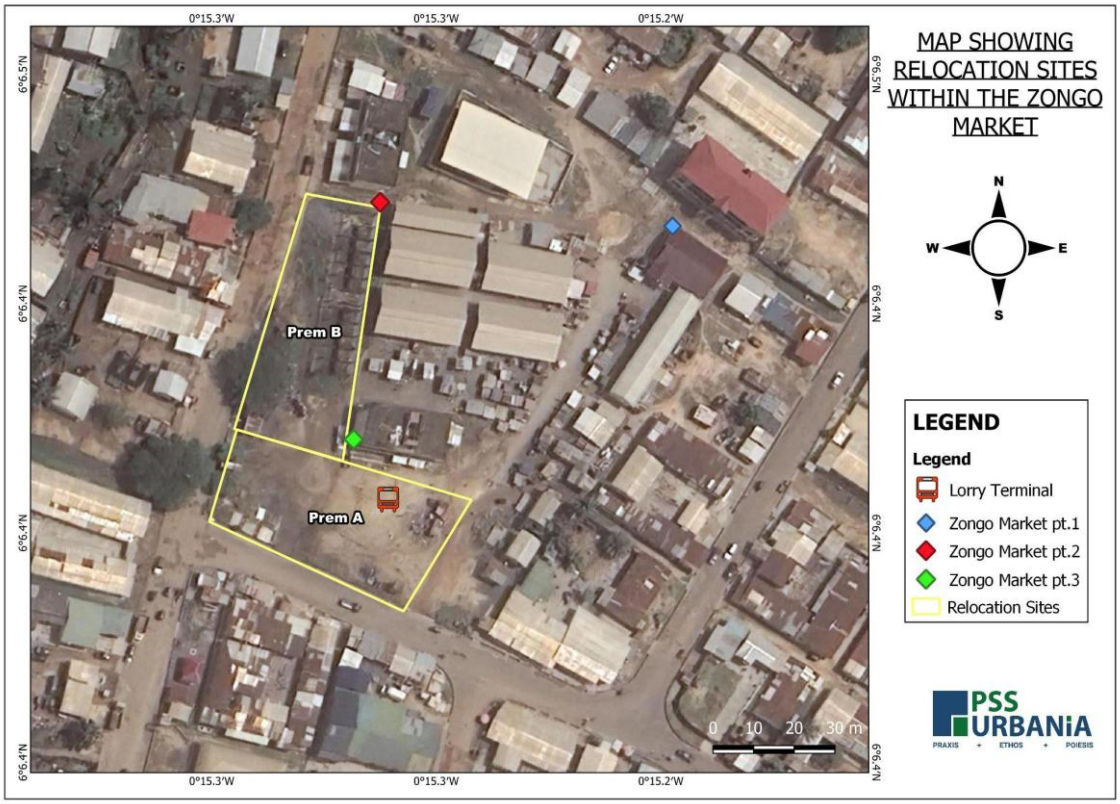


Figure 2. 9: Image of relocation site at Zongo Market (onsite relocation)



2.8.1.2 Kwabesco Park

Kwabesco Park is just 360 metres from the Zongo Market located within latitude 6° 06' 33.1"N and longitude 0° 15' 26.6"W. This park was suggested by traders because it is spacious and highly accessible. Local knowledge indicated that the land has been earmarked for a community mosque and also floods during downpour.

Currently however, it serves as a football field (see figures 2.9 and 2.10) for the youth in the Zongo Community. Some information gathered from the field is that the youth of the community are unwilling to give up the space for the relocation of the traders. Further engagements between the community leadership, the youth of the community and the NJSMA is highly recommended to take a firm decision on the choice of this site.

Figure 2. 10: Aerial view of Kwabesco park

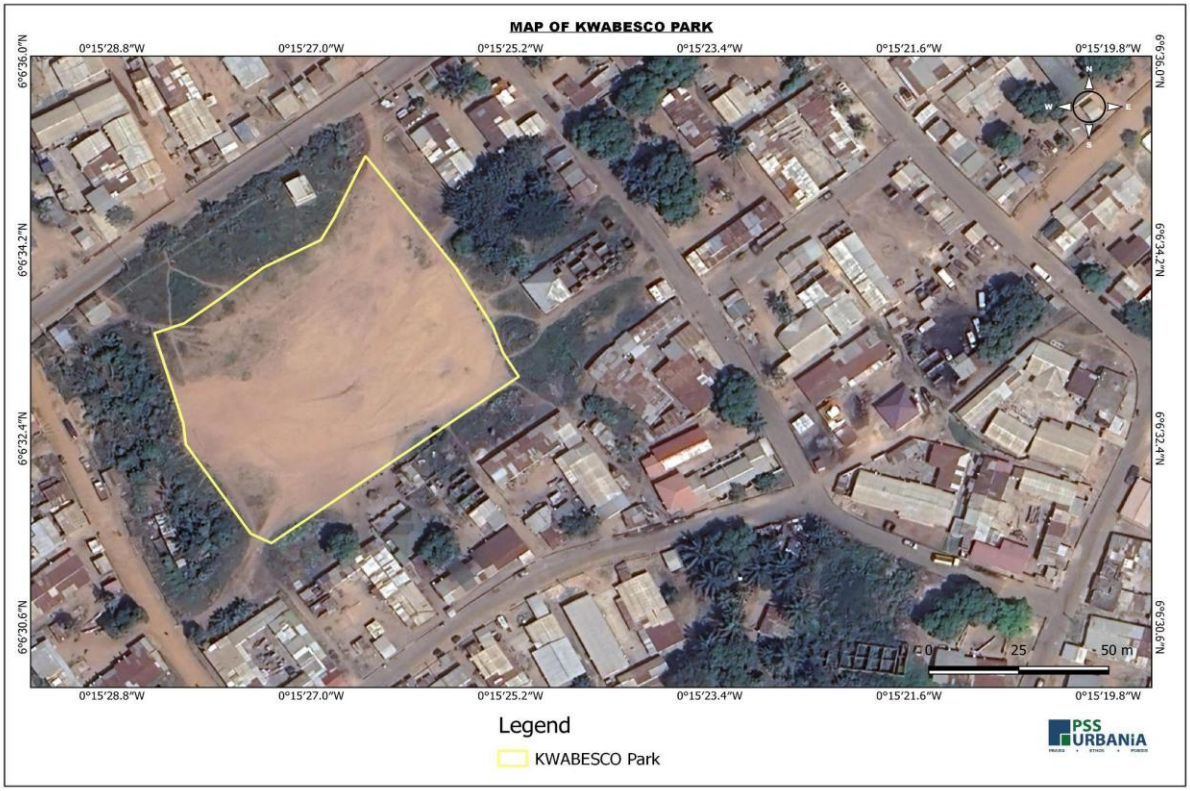


Figure 2. 11: Image of Kwabesco Park



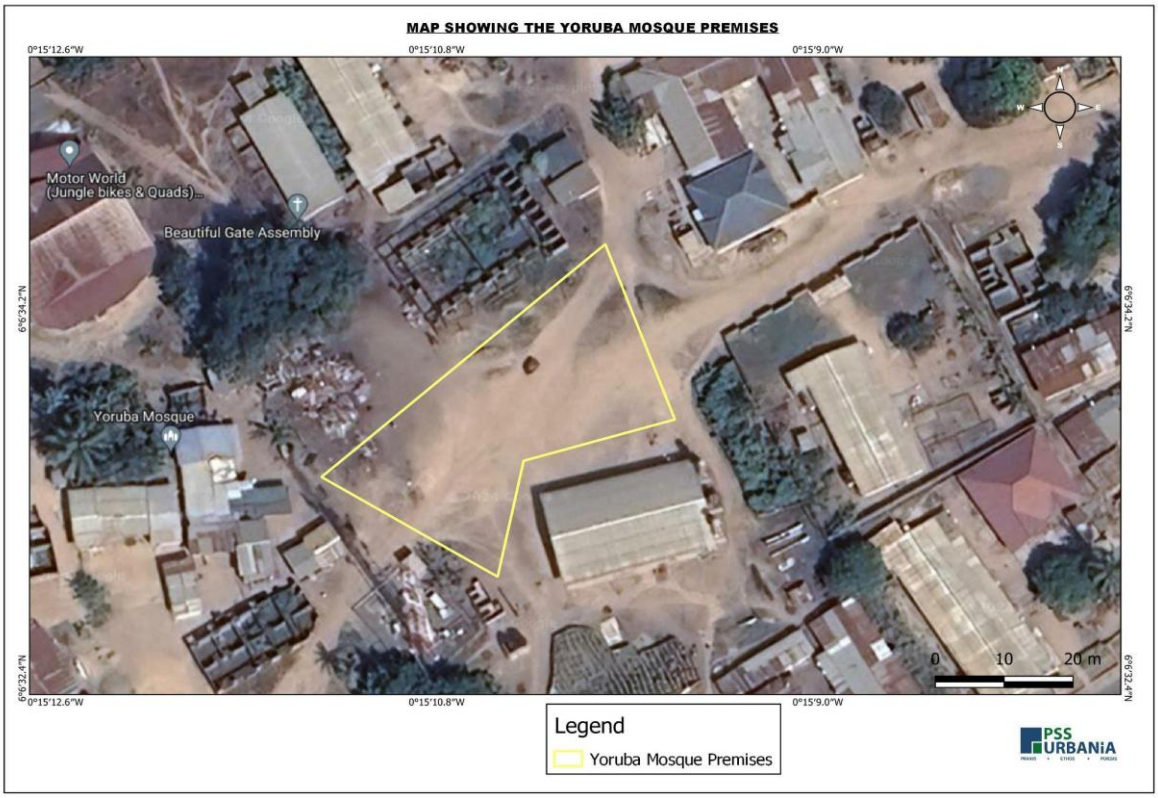
2.8.1.3 Yoruba Mosque

This location was suggested by the community leadership. It is a piece of land adjoining the Yoruba Community Mosque about 300m from the Zongo market (latitude 6°06'33.5"N and longitude 0° 15' 10.5"W). The space is bounded to the western and northern side by a private vacant land and the frontage of an uncompleted building that could be temporarily acquired and used to complement the Yoruba Mosque land. There is also a three-unit accommodation on the western side of the land that could be rented temporarily as a warehouse for the traders. Owners of both the residential unit and the uncompleted building ought to be identified and engaged by the NJSMA in this light before a decision is made to use the space. Also, waste disposal containers and toilets are required on the site. The mosque has water facilities that the temporary market could rely on. There is however an access road through the land that could raise safety concerns as vehicles and traders will conflict, especially during market days.

Figure 2. 12: Image of Yoruba Mosque Land



Figure 2. 13: Aerial view of the Yoruba Mosque Land



2.8.1.4 Apak

This proposed relocation site is 550m from the Zongo market and located at latitude 6°06'33.5"N and longitude 0° 15' 10.5"W. The land is spacious and shady due to the presence of trees on the land. The land is adequate to accommodate all the traders and has the following adjoining and compatible land uses; sawmill mechanic shop and herbal medicine production industry. Currently, however, the land serves as a football field for the youth in the Zongo Community.

Follow-up discussions with sections of the traders indicates that the social acceptability of the site as a relocation site is quite low among the traders. Traders assert that some youth hide at the location and indulge in different social vices such as drug use and smoking of Indian hemp. Traders do not want to encounter them due to their tendencies to vandalise or steal their wares under the influence of the drugs.

Figure 2. 14: Image of Apak relocation site



Figure 2. 15: Aerial view of Apak relocation site



Source: PSS Urbania, 2024

2.8.1.5 Krobo Junction

This is the most preferred and socially acceptable site for the relocation of the traders. It is about 640 m from the Zongo market within latitude 6° 6 '46.08"N and longitude 0° 15' 7.92"W. The site is known to be a taxi rank being used by less than ten (10) taxi drivers and highly accessible. NJSMA has engaged the taxi drivers on the site, who have agreed to share the space with the Zongo Market traders during the construction period. The site is under the ownership of the NJSMA.

The NJSMA has provided two temporary 8ft by 8ft sheds to accommodate the traders. Other facilities include security lights, toilet and solid waste management facilities to make the site suitable for relocation. The site already has access to electricity and water.

Figure 2. 16: Aerial view of Krobo Junction Relocation Site



Source: PSS Urbania, 2024

Figure 2. 17: Image of Krobo Junction Relocation Site



3. Policy, Legislative and Regulatory Framework

This chapter summarises the Ghanaian legal, regulatory processes and institutional frameworks as well as applicable international standards to be complied with regarding land acquisition, resettlement and livelihood restoration associated with the Project. It also discusses the land tenure practices applicable to the Project locations. Where there are gaps between the national legislations and international standards in implementing this ARAP, alternative measures that will ensure outcomes are consistent with the objectives of international standards will be adhered to in line with international best practices.

3.1 National legislation and regulations

The key legal and regulatory frameworks relevant to this project are the Constitution of Ghana, Ghana Secondary Cities Support Programme Resettlement Policy Framework (RPF), the National Land Policy 1999, the Land Use and Spatial Planning Act 2016 (Act 925), the Land Act 2020 (Act 1036), Office of the Administrator of Stool Lands Act 1994 (Act 481), and the Lands Commission Act 2008 (Act 767). The key elements of these instruments are summarised in table 3.1 below.

Table 3. 1: National Legislation and Regulations

Reference Document	Relevant elements to the ARAP
The Constitution of Ghana	The 1992 Constitution of Ghana is the highest authority with respect to laws and procedures in the country and as such all land acquisition and resettlement processes in Ghana must adhere to the Constitution. Article 20 of the constitution gives maximum protection to individual property rights, where it stipulates that no property shall be compulsorily taken possession of or acquired by the State "unless it is, among various purposes, "to promote the public benefit." The Constitution also provides that where private lands are taken for public good, the affected owners must not be made worse off. It states, "acquisition of property by the State shall only be made under a law which makes provision for (a) the prompt payment of fair and adequate compensation; and (b) a right of access to the High Court by any person who has an interest in or right over the property." Further, "where a compulsory acquisition or possession of land affected by the State involves displacement of any inhabitants, the State shall resettle the displaced inhabitants on suitable alternative land with due regard for their economic well-being and social and cultural values."

Reference Document	Relevant elements to the ARAP
Ministry of Local Government, Decentralisation and Rural Development's Ghana Secondary Cities Support Programme (GSCSP) Resettlement Policy Framework (RPF), 2018	The Ghana Secondary Cities Support Programme Resettlement Policy Framework (RPF) was developed in 2018 as an update to the 2011 RPF that supported the Local Government Capacity Support Programme. The GSCSP RPF outlines the policies, principles, institutional arrangements, schedules and indicative budgets, etc that guide and support anticipated resettlements and other social impacts under local government development and major construction projects under the GSCSP. It duly encompasses requirements of the World Bank Safeguards Policies (including the policy on Involuntary Resettlement, OP 4.12). The updated RPF is used to manage adverse social safeguards issues emanating from urban infrastructure construction works and related rehabilitation activities, as well as other maintenance works which are likely to trigger the World Bank Involuntary Resettlement Policy (WB/OP4.12). The RPF outlines measures to ensure that any possible adverse social impacts of major proposed construction and rehabilitation project activities are addressed through appropriate mitigation measures, in particular, against potential impoverishment risks through a ARAP. The ARAP is to address social resettlement risks associated with local development projects. Specifically, the GSCSP RFP: ● Establishes the resettlement and compensation principles and implementation arrangements towards projects under the GSCSP; ● Provides the relevant legal and institutional framework underlying Ghanaian approaches for resettlement, compensation and rehabilitation ● Defines the eligibility criteria for identification of Project Affected Persons (PAPs) and entitlements ● Describes the consultation procedures and participatory approaches for engaging PAPs and other key stakeholders; and ● Provides procedures for filing, documenting and resolving grievances.

Reference Document	Relevant elements to the ARAP
Office of the Administrator of Stool Lands Act, 1994 (Act 481)	The Office of the Administrator of Stool Lands Act, 1994 (Act 481) is a law that was passed in Ghana to establish the Office of the Administrator of Stool Lands (OASL) and provide for the administration of Stool Lands generally. Stool Lands are lands that belong to the traditional authorities such as chiefs and kings. The OASL is responsible for collecting stool land revenue and disbursing it to the beneficiaries, such as the stools, skins, traditional councils and district assemblies. The OASL also facilitates sustainable development and efficient management of Stool Lands for the benefit of present and future generations. Under this Project where applicable this law will facilitate processes that involve acquisition and compensation to stool lands which had been vested in the State.
National Land Policy, 1999	It provides a framework that enables all identifiable stakeholders to be part of the decision-making process, in order to address some of the fundamental problems associated with Ghana's land management and ensure equity in land allocation, including: ● inadequate land administration system; ● conflicts over land use (boundaries, ownership) ● expropriation of large tracts of land by the state; ● absence of consultation with landowners and non-payment of compensation
The Lands Commission Act, 2008 (Act 767)	This Act establishes the Lands Commission to integrate the operations of public service land institutions for effective and holistic land administration and related matters. It promotes the judicious use of land by society and ensures that land use is in accordance with sustainable management principles, the maintenance of a sound ecosystem; and land development is undertaken in conformity with the nation's development goals.

Reference Document	Relevant elements to the ARAP
Land Use and Spatial Planning Act, 2016 (Act 925)	Act 925 establishes the Land Use and Spatial Planning Authority and the Land Use and Spatial Planning Development Fund. The objectives of the Authority are to: (i) provide for sustainable development of land and human settlements through a decentralised planning system; (ii) ensure judicious use of land; and (iii) enhance the attainment of Ghana's decentralisation program and in particular create an enabling environment for District Assemblies to better perform the spatial planning and human settlements management functions. The Authority also provides guidelines in respect of zoning schemes affecting (a) agriculture; (b) the purchase of the whole of a partially affected agricultural unit; (c) mining; (d) utilities including gridlines, pipelines, telephone lines, and masts; (e) highways; (f) outdoor advertisement; (g) environment; (h) conservation; (i) security; (j) creation of green belts; and (k) national, regional, district, and local parks. Approval of special projects, including major stadia, resettlement schemes, and dams.

The Land Act, 2020 (Act 1036)	The Land Act, 2020 (Act 1036) revises and consolidates previous enactments on land into a single law. The Act repeals the following legislations: Land Development (Protection of Purchasers) Act, 1960 (Act 2); Farm Lands (Protection) Act, 1962 (Act 107); Land Registry Act, 1962 (Act 122) among others. The Land Act further introduces several reforms, including electronic conveyancing, to make it possible to transfer, create or register interests in land by electronic means. In relation to this project, this Act vests in the State the authority to compulsorily acquire land for public purposes via an Executive Instrument (Chapter Seven Section 233 of the Lands Act). It stipulates that the State shall ensure the prompt payment of fair and adequate compensation for the acquisition in accordance with the Constitution of Ghana. It also declares that the Lands Commission shall act on behalf of the State with regard to the compulsory acquisition of land under the Act. The Act requires that funds are made available for payment of compensation before acquisition process commences. It further provides a framework for Customary Land Rights such that chiefs, tendanas, clan heads, family heads, or other authorities in charge of the management of stool, skin, family or clan lands are now designated as fiduciaries with a duty to discharge their functions. The Act provides a new legal basis for the Customary Land Secretariats (CLS), and assigns to them the role of taking an inventory of customary rights, interests and transactions within their jurisdictions. Section 244 provides that consultations are held with owners, occupiers, traditional authorities and community leaders of lands to be affected by the acquisition. It further requires the publishing of the report of the consultation. The Act also makes provision for the payment of interest on delayed compensation, acknowledging the various land interest holders in the payment of compensation The law (Section 250) gives responsibility for the persons who's right or interest in land is affected in any manner to, within a period not exceeding six (6) months from the date of the publication of the Executive Instrument, submit in writing to the Lands Commission his or her concerns with regard to: ● the claim or interest of that person in the land; ● the manner in which the claim or interest of that person has been affected by the instrument of declaration

- The amount of compensation claimed and the basis for the calculation of the compensation. For example, to ensure fair distribution of compensation, while taking cognizance of the various interests in land, the Act provides that:

a. where an usufructuary interest exists, compensation disbursement should be as follows;

i. sixty per cent to the holder of the usufructuary interest, and

ii. forty per cent to the holder of the allodial title;

b. where there is no usufructuary interest, be paid to the holder of the allodial title or the holder of the freehold interest;

c. where the land is the subject matter of a tenancy, the compensation payable for the land shall be as follows:

i. as between a holder of the allodial title holder (sixty per cent) and forty per cent to the customary tenant; or

ii. as between a holder of the allodial title (forty percent), a holder of a usufructuary interest (thirty percent) and a customary tenant (thirty percent)

It further provides the basis for the assessment of compensation and other considerations for compensation determination including:

- market value considerations;
- any improvement to the property of the claimant as a result of the acquisition;
- any damage sustained or likely to be sustained by the claimant as a result of the acquisition;
- any damage sustained or likely to be sustained by the claimant by reason of the acquisition adversely affecting the other property of the claimant, in any other manner;
- the need of the claimant to change residence or place of business and reasonable expenses incurred as a result of the change;
- an undertaking by the state, person or corporation on whose behalf the acquisition is made, to construct roads, drains, walls, fences, or provide other facilities benefiting any part of the land left un-acquired;
- any other cost that is necessary for the compulsory acquisition; and
- the resettlement of a displaced claimant on suitable alternative land.

Section 265 provides for the Resettlement of displaced Inhabitants and the preparation of a Land and Resettlement Plan.

3.2 National Administrative and Institutional framework

The administrative and institutional framework governing the RPF provides information on organisational roles and responsibilities for administering land, information sharing and other resettlement related procedures. Table 3.2 summarises the responsibilities of the different government institutions to the ARAP activities under this project.

Table 3. 2: ARAP related institutions and responsibilities

Institution	Responsibilities
Ministry of Local Government, Decentralisation and Rural Development	• Overall responsibility for local government policy formulation, sector coordination and oversight, and sector performance monitoring and evaluation of local government capacity programmes, development, and financing. • Coordinates and guides the application of the resettlement policy framework to local level project development. • An Environmental and Social Safeguards Officer of the MLGRD shall liaise with the Planning, Budgeting, Monitoring and Evaluation Department of the NJSMA to implement the RPF.

New Juaben South Municipal Assembly	● Provides effective administration, control, development, and management of decentralised local development ● Plans, initiates, coordinates, implement, monitor and evaluate development programmes within its jurisdiction in accordance with national policies and plans ● Provides, maintains and ensures the sustainability of basic services and infrastructures such as education, health, sanitation, water, roads, markets etc. ● Mobilises and manages the human, financial, and material resources of the Assembly, and ensuring accountability and transparency in their use ● Promotes public participation and facilitates stakeholder engagement in the governance and development of the Municipal. ● The Assembly shall give approval of the design documents prepared by the Contractor, supervise the construction works and supervise operation and maintenance of the market facility. ● The Planning and Works Departments of the Assembly shall have oversight on environmental and social issues and direct responsibility of the entire ARAP process. ● A safeguards Officer of the Assembly shall have direct responsibility to coordinate resettlement issues and grievances redress activities.
Ministry of Finance	Processes and releases compensation funds upon receipt of approval from the Lands Commission.
Attorney General's Department	● Drafting of the Executive Instrument, where applicable; ● Resolution of dispute; ● Advise on legal process; ● Representation of State in court

Lands Commission (made up of the Survey and Mapping Division [SMD], Land Registration Division [LRD], Land Valuation Division [LVD] and the Public and Vested Lands Management Division [PVLMD])	● Reviews application for land acquisition (including feasibility, interim valuation, proof of ability to provide compensation, and stakeholder consultation records); ● SMD and PVLMD confirm landownership and acquisition status; LVD provides compensation valuation, processes compensation claims related to land acquisition, and provides clearance for the Project to request release of funds by the Ministry of Finance.
Environmental Protection Agency (EPA)	● Review and approval of all Project's environmental and social related documentation; ● Provision of Project approval – Environmental Permit (conditional); ● Approval of the ARAP and monitoring of the resettlement operations.
Land Use and Spatial Planning Authority (LUSPA)	● Regulates land use planning on a national level and through its decentralised structures at the district level ● Provides standards to be applied in relation to land development and permitting for private projects
New Juaben Traditional Council	The custodian of the land and people of the New Juaben traditional area represents the interests and rights of the customary land owners who are affected by the project and resettlement process. ● Participates in consultations and makes input into project design and engage in negotiations with the NJSMA on the ARAP ● Supports the dissemination of information to affected persons on the need for the Project and the ARAP process. ● Supports the identification of PAPs and affected assets and ensure proper registration and compensation ● Supports the NJSMA in ensuring adequate consultations and engagement of PAPs, timely and effective project implementation and smooth ARAP implementation, monitoring and evaluation. ● It will support in the redress of grievance, ensure the customary rights and practices are protected and promote social and cultural cohesion among the PAPs

Affected Zongo Market Traders	• Support the identification of PAPs, project information dissemination and potential relocation sites • Cooperate on the resettlement process • Support grievance resolution
Utility Agencies (both state and private institutions): - Ghana Water Company Ltd. - Electricity Company of Ghana	• Relocation of utility infrastructure and services during project undertaking • Disconnection and reconnection of PAPs before and after resettlement.

3.3 International Land Acquisition and Resettlement Standards

The World Bank's Safeguards Policy OP4.12 on Involuntary Resettlement, is the main applicable international regulations to the ARAP activities under this project. Summary of the applicable safeguard instruments is presented in the Table 3.3 below.

Table 3. 3: Summary of Applicable International Land Acquisition and Resettlement Standards

International Standard	Relevant Theme	Applicability to the Project
World Bank OP.4.12: Involuntary Resettlement	Objectives	World Bank OP.4.12 is an operational policy that is triggered when any World Bank project involves involuntary resettlement (which is the displacement of people from their land, assets, or livelihoods as a result of a development project). • The policy aims to avoid or minimise involuntary resettlement, and to ensure that the affected people are consulted, compensated, and assisted to restore or improve their living standards. • The policy also requires the preparation and implementation of a resettlement action plan or a resettlement policy framework for projects that cause involuntary resettlement.

	Definition of involuntary resettlement	• The policy defines involuntary resettlement as both physical displacement (relocation or loss of shelter) and economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition or restrictions on land use.
	Scope of Application	The policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement that are directly and significantly related to the project, necessary to achieve its objectives, and carried out or planned to be carried out contemporaneously with the project.
	Resettlement Instruments	The policy requires that projects prepare and implement a resettlement instrument, which is either a resettlement action plan (ARAP) or a resettlement policy framework (RPF), depending on the stage and scale of the project. A ARAP is a document that describes the specific impacts, entitlements, procedures, and arrangements for the implementation and monitoring of the resettlement activities. A RPF is a document that establishes the principles, objectives, procedures, and institutional arrangements for the resettlement activities, and is used when the

		project's impacts and locations are not known at the time of appraisal.
	Consultations and Participations	The policy requires adequate consultations with and involvement of the affected people and other stakeholders in the planning, implementation, and monitoring of the resettlement activities. The consultation and participation should be informed, inclusive, culturally appropriate, and gender-sensitive, and should provide the affected people with opportunities to express their views and preferences, and to influence the decision-making process
	Compensations and Assistance	The policy requires the Project to provide the affected people with compensation and assistance that are sufficient to restore or improve their living standards. The compensation and assistance should be based on the principle of replacement cost, which is the method of valuing assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. The compensation and assistance should also be prompt, transparent, and effective, and should include measures such as land-for-land compensation, income restoration, relocation assistance, and transitional support. This instrument supports the national laws and Constitution of Ghana to ensure project affected persons are duly compensated

3.3.1 Land tenure practices

Potential interests in land within the Project area include the following:

1. Allodial Title Customary
2. Law Freehold
3. Customary Tenancies

4. Common Law Freehold
5. Leasehold Interest
6. Usufructuary Interest

Allodial Title

In the Ghanaian context, this is: a) the highest or ultimate interest in land; b) communally owned under customary law; c) held by a stool, skin, clan or family; and d) usually acquired through conquest, pioneer discovery and settlement, gift, purchase or agreement.

The allodial title is generally in the form of communal interest in land and it accrues to the entire community and is held and administered by the recognized traditional authority such as a chief or Tendana (land owner). The owner of the allodial title has complete and absolute freedom to use and dispose of the land only subject to the restrictions, or limitations or obligations as may be imposed by the general laws of the country.

Customary Law Freehold

Customary law freehold: a) is an absolute interest in land and it is not subject to any proprietary obligations except the jurisdictional and cultural rights of the stool, skin, clan or family which holds the allodial title; b) is acquired when a person or group of persons purchase land outright from the stool, skin, clan or family which holds the allodial title; and c) is of perpetual duration and is inheritable and alienable without the consent of or payment to the stool, skin, clan or family.

Customary Tenancies

A customary tenancy: a) is a lesser interest in land which is created by contract; b) arises where a stool, skin, clan or family which holds the allodial title or a person who holds a customary freehold or usufructuary interest enters into an agreement with another person to grant that other person an interest in land upon agreed terms and conditions; and c) may involve the payment of rent, the sharing of the produce of a farm or the physical partition of the farm or land.

Common Law Freehold

1. A common law freehold arises from a transaction to which the rules of law generally known as common law are applicable, and

    - is of perpetual duration or for any other uncertain period.
    - subject to the jurisdictional and cultural rights of the stool, skin, clan or family which holds the allodial title, is held free from obligations to any other person.

2. The holder of a common law freehold may create lesser interests in the land including leases in which case the holder of the freehold retains a reversionary interest.

Leasehold Interest

A lease: a) is an interest in land for a duration which is certain or capable of being made certain; b) arises when a person who holds an allodial title, customary law freehold, common law freehold or usufructuary interest conveys to another person an interest in land for a specified term subject to terms and conditions; and c) does not exhaust the interest of the grantor in the land.

In Ghana, leasehold may be for a maximum duration of 99 years. Non-Ghanaians can only acquire leases up to 50 years. Various terms and conditions may be imposed by the grantor including the payment of rent as consideration for the grant.

Usufructuary Interest

- The usufruct is an interest in land that is: a) acquired in the exercise of an inherent right by a subject or a member of a group which holds the allodial title through the development of an unappropriated portion of the group's land or by virtue of an express grant; b) acquired through settlement by permission of the holder of an allodial title to a non-indigene or group of non-indigenes for a period of not less than fifty years; and c) which is inheritable and alienable.

- Where alienation of the usufruct is to: a) a person who is not a member of the stool, skin, clan or family which holds the allodial title, or b) a member of a group of non-indigenes or a non-indigene who is not an indigene granted permission to settle as provided in paragARAPh (b) of subsection (1), the alienation is subject to the consent of the stool, skin, clan or family and the performance of established customary obligations.

4 Socio-Economic Baseline Characteristics of Project Affected Persons

4.1 Introduction

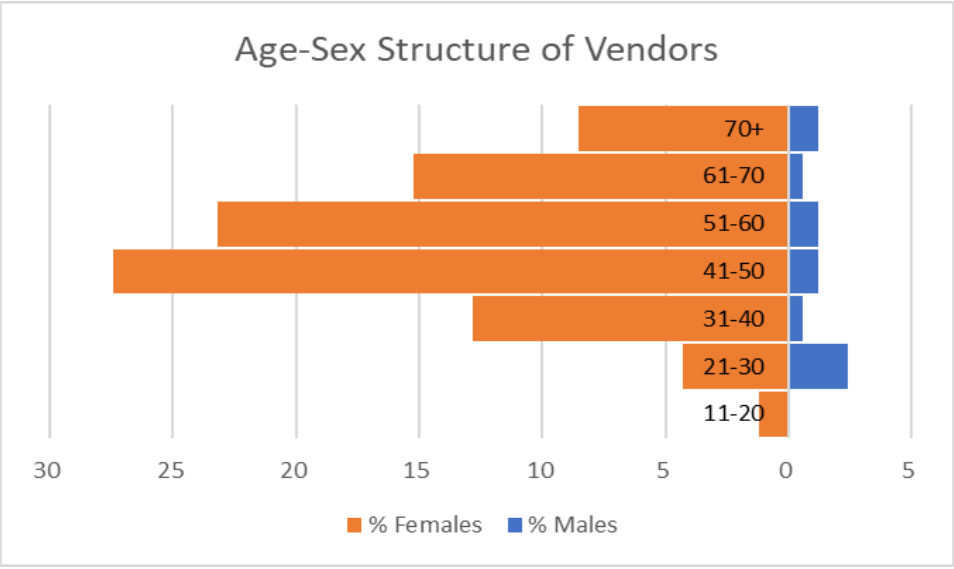
Data was collected on the socio-economic characteristics, business operations and ownership profiles of PAPs. The total number of Vendors/PAPs surveyed in the Zongo Market was 171. Out of that, 80.3% were females, 8.1% were males and the remaining 11.6% were unidentified/unknown PAPs.

The socio-economic baseline assessment is based on a sample of the project-affected population. The socio-economic survey provides an understanding of displaced vendors' pre-project living standards, livelihood resources, social networks, and access to services and infrastructure. A sample size of 96% of project affected persons/vendors was adopted. This represents 164 households out of a total 171 project-affected population. The choice of the sample size provided a good understanding of affected vendors, individuals, and households, providing baseline information for future monitoring of impacts and progress toward living standards and livelihood restoration. Key socioeconomic characteristics that were obtained as part of the socio-economic survey are discussed under the following sub-headings.

4.2 Age and sex distribution of affected vendors (PAPs)

The age range of the Zongo Market vendors spans from a minimum of 19 years to a maximum of 93 years. The largest age group representing 28.6% are vendors between 41 and 50 years. About 9.7% of the vendors are 70 years or older and are considered vulnerable. The mean age of the vendors is 52 years. Figure 4.1 provides a visual representation of the age and sex distribution of affected vendors.

Figure 4. 1: Age-Sex Structure of Vendors

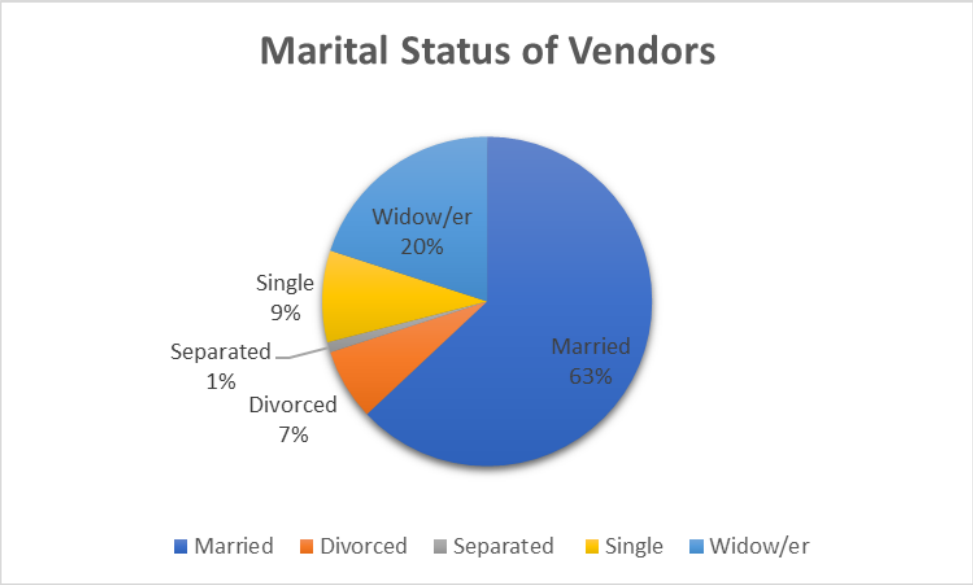


Source: Field Survey, 2024

4.3 PAPs Marital Status

The study revealed that approximately 63% of vendors (PAPs) are married, 20% are widowed, and 9% are single. Additionally, a collective 8% of vendors reported being either divorced or separated, as illustrated in figure 4.2.

Figure 4. 2: Marital Status of Vendors

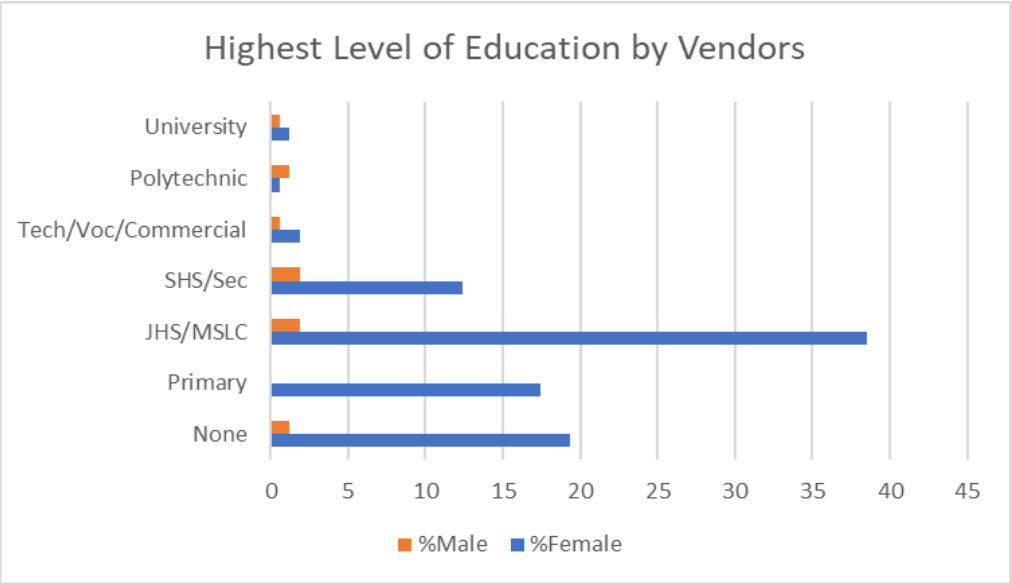


Source: Field Survey, 2024

4.4 Level of Education

The study identified that a significant majority of vendors (40.4%) had attained JHS/MSLC as their highest level of education. Followed by 14.3% of respondents who reported SHS education as their highest educational level. Approximately 3.6% of participants had completed tertiary education, while around 20.5% had never attended school (see figure 4.3). These findings imply that the majority of respondents possessed a certain level of education and basic literacy skills, contributing to their ability to effectively operate their businesses in the markets.

Figure 4. 3: Vendors Level of Education



Source: Field Survey, 2024

4.5 Religious Affiliation

The Religious affiliations of respondents were explored in the study to understand the diversity among affected vendors. The findings revealed that a predominant 70% of vendors identified as Christians. The remaining 30% identified with the Islamic Religion.

4.6 Household Characteristics

According to the Ghana Statistical Service (GSS, 2005)[7], a household is defined as a person or group of related and unrelated persons who live together in the same dwelling unit(s), who acknowledge one adult member as head of the household, and share the same housekeeping arrangements[8]. This section presents the household characteristics of the project-affected Persons (PAPs). It highlights the household size, the average household size, as well as status of the household heads.

4.6.1 Household size

The survey revealed that there are large household sizes among the projected affected persons (ranging from one to eleven) with an average household size of 4.6 persons, surpassing both the district (2.7 persons) and regional (3.2 persons) figures[9]. Conversely, households whose household sizes are 10 or more constitute the smallest percentage at 5%. This may be due to the extended family system practices in the project communities. While a larger household size can positively impact socio-economic well-being, it has negative consequences and significantly contributes to vulnerability. Larger households often encounter

[7] GSS (2005). Population Data Analysis Reports. Volume 2. Policy Implications of Population Trends Data. *Ghana Statistical Service.*

[8] https://dhsprogram.com/pubs/pdf/FR106/02Chapter02.pdf

[9] Ghana Statistical Service (2021). Ghana 2021 Population and Housing Census. General Report. Volume 3A: Population of Regions and Districts

challenges in meeting the social[10], economic, and health[11] needs of their members. On average, about two people from each household are children. These findings reveal the level of dependency of working-age PAPs by these children on the adult population for their social support needs.

Table 4. 1: Household Size Distribution of Vendors

Household Size	**Frequency**	**%**
1-3	39	24.1
4-5	45	27.8
6-7	53	32.7
8-9	16	9.9
10+	9	5.6
Total	**162**	**100**

Source: Field Survey, 2024

4.6.2 Household head status of vendors (PAPs)

The majority (59.5%) of the respondents are household heads, while the remaining 40.5% are not. Out of the total household heads, 91.4% were females, while 8.6% were males. This finding raises vulnerability concerns among the female traders in the Zongo market who are predominantly heads of their households.

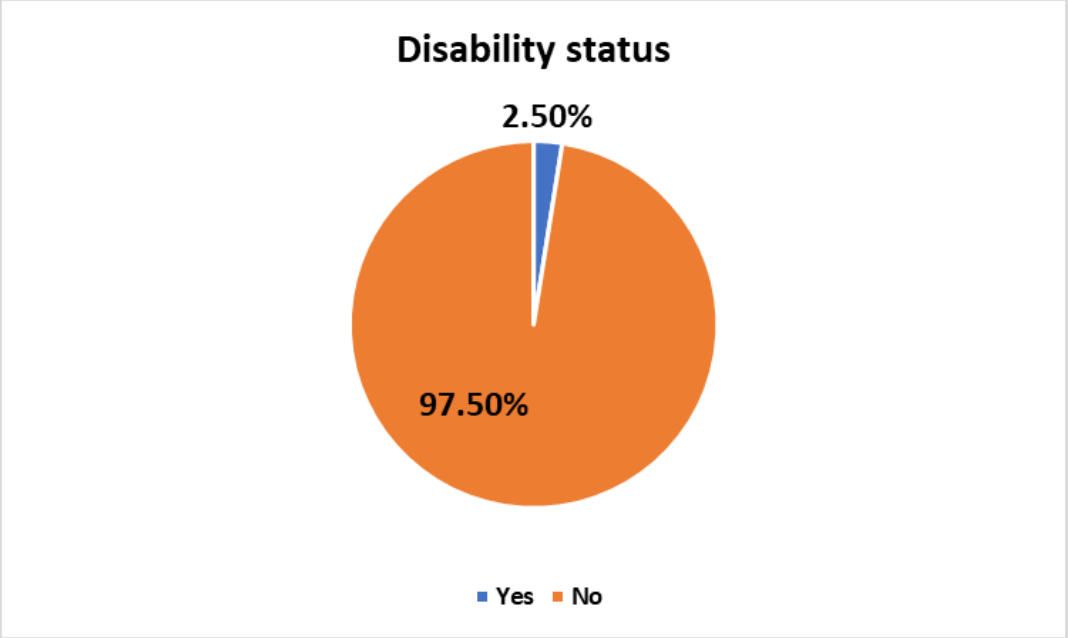
4.7 Disability Status

According to the survey, 2.5% of respondents said that either they or a household member had a disability. In contrast, the majority, constituting 97.5%, stated that there was no disabled person in their household. Among those with disabilities, 25% were intellectually challenged, 25% were also visually impaired, and half of them were physically impaired.

[10] Francess, Dufie & Azumah, Francess & Adjei, Emmanuel & Nachinaab, John. (2017). The Effects Of Family Size On The Investment Of Child Education, Case Study At Atonsu-Buokro, Kumasi.

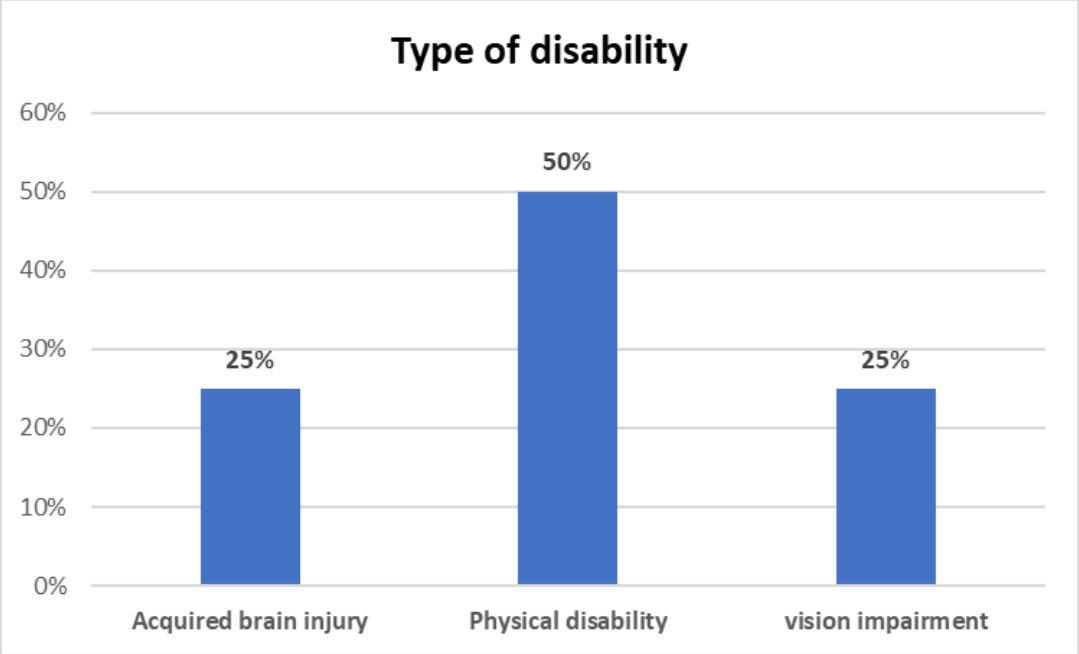
[11] Grinde, B., Tambs, K. Effect of household size on mental problems in children: results from the Norwegian Mother and Child Cohort study. *BMC Psychol* 4, 31 (2016). https://doi.org/10.1186/s40359-016-0136-1

Figure 4. 4: Disability Status of Vendors



Source: Zongo Market field survey, 2024

Figure 4. 5: Disability Type of Vendors



Source: Field Survey, 2024

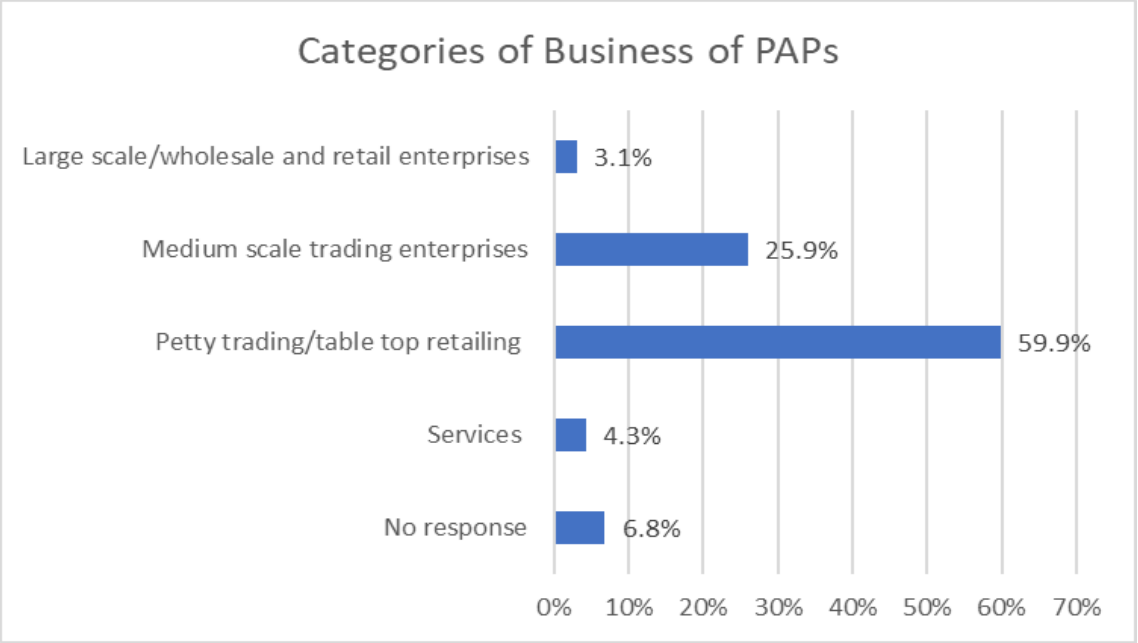
4.8 Nature of Business

This section presents the business activities of the vendors. It highlights the category and type of businesses operating in the markets.

According to the survey, over half (59.9%) engage in petty trading/tabletop trading, indicating a significant market segment dominated by petty trading enterprises. Medium-scale retail trading constitutes the second-largest category, representing

25.9% of vendors, followed by those engaged in services (4.3%). Interestingly, those involved in large-scale wholesale and retail trading account for 3.1% of vendors. Some of the large-scale trading activities include the sale of vegetables, groceries, and household provisions.

Figure 4. 6: Category of Businesses



Source: Field Survey, 2024

The dominance of petty trading and table-top retailing, on the other hand, highlights the importance of small-scale businesses in the market. Such enterprises often serve as crucial pillars in local economies, providing livelihoods for individuals and contributing to the overall economic fabric. The prevalence of medium-scale retail enterprises hints at a resilient and diverse economic ecosystem within the markets, where several enterprises contribute to the overall vibrancy. This may suggest a healthy competition that fosters innovation, pricing diversity, and consumer choice. Recognising the significance of this segment could prompt tailored support and policies to nurture the growth of small businesses.

4.9 Summary of Specific Business Activities in the Market

Table 4.2 illustrates that the primary commercial activity within the Zongo market revolves around the sale of vegetables and fruits, comprising 38 vendors (23.6%) of the total. Following closely are vendors engaged in the sale of clothing, bags, and footwear, constituting (25 in total) representing 15.5% of vendors. Additionally, a significant portion of the market comprises vendors dealing in household provisions and items, comprising (17 in total) representing 10.6% of the vendor population. Other items sold in the market are cassava, plantain, and corn dough, with 16 vendors engaged in such activities, along with the sale of cosmetics and local creams involving 8 vendors, and the sale of plastics conducted by 3 vendors, among other activities.

Table 4.2 provides further details of the trading activities and the number of vendors in the market.

Table 4. 2: Summary of Business Activities in the Zongo Market

SN	Business Activities	No. of Vendors	%
1	Cold store business	3	*1.9*
2	Sale of cooking oil	6	*3.7*
3	Sale of vegetables and fruits	38	*23.6*
4	Food vending	3	*1.9*
5	Sale of cassava, plantain, corn dough	16	*9.9*
6	Sale of clothing, bags, and footwear	25	*15.5*
7	Sale of cosmetics & local cream (shea butter)	8	*5.0*
8	Sale of general goods (alata produces, etc)	3	*1.9*
9	Sale of eggs, meat and fish	8	*5.0*
10	Sale of cereals	8	*5.0*
11	Sale of plastics (bags, gallons, containers, etc)	3	*1.9*
12	Sale of provisions & household items	17	*10.6*
13	Sale of toiletries	2	*1.2*
14	Sale of yam	2	*1.2*
15	Stationery	5	*3.1*
16	Hairdressing	4	*2.5*

17	Unknown: non-operating tenant or absentee PAPs	10	6.2
Grand Total		**161**	***100.0***

4.10 Average Monthly Income of Vendors

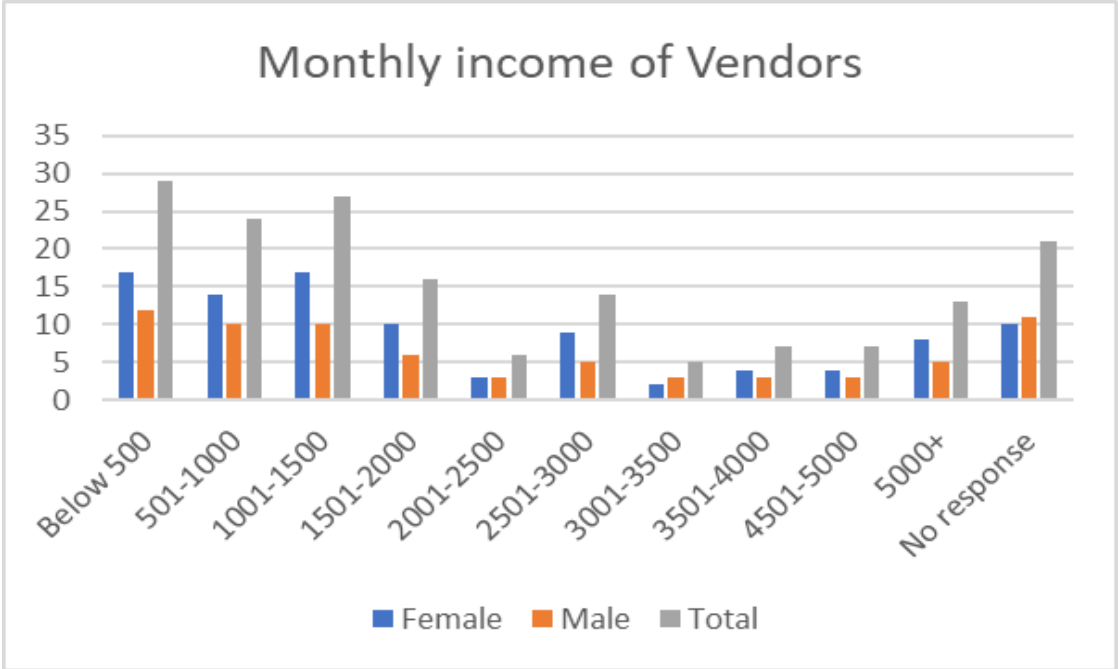
A greater number, comprising 34.6% of the vendors at the Zongo Market, report a monthly income below GHS500. Followed by those who earn between GHS501-1000 constituting 22.6%. In addition, 9.9% and 5.6% of vendors earn between GHS 1001-1500 and GHS 1501-2000, respectively. Also, a smaller proportion (2.5%) earns above GHS 5000. The average monthly income of the vendors stands at GHS 2,147. Figure 4.7 presents the monthly income of the vendors in the Zongo Market.

According to the survey, out of the vendors who earn below GHC500, 94.6% are females and 5.4% are males. This gender-specific income gap emphasises the urgency of addressing gender-based economic inequities, calling for initiatives that promote equal opportunities and empower female vendors who are mostly household heads within the market.

Table 4. 3: Household Monthly Income of vendors

Household	No. of PAPs			Percentages		
Monthly	Female	Male	Total	Female	Male	Total
Below 500	53	3	56	32.7	1.9	34.6
501-1000	36	0	36	22.2	0.0	22.2
1001-1500	16	0	16	9.9	0.0	9.9
1501-2000	9	0	9	5.6	0.0	5.6
2001-2500	6	0	6	3.7	0.0	3.7
2501-3000	8	1	9	4.9	0.6	5.6
3001-3500	5	0	5	3.1	0.0	3.1
3501-4000	4	0	4	2.5	0.0	2.5
4501-5000	4	0	4	2.5	0.0	2.5
5000+	2	2	4	1.2	1.2	2.5
No respons	7	6	13	4.3	3.7	8.0
Total	**150**	**12**	162	92.6	7.4	100.0

Figure 4. 7: Monthly Income of Vendors



Source: Field survey, 2024

4.11 Nearest redeveloped markets

Within the Central Business District (CBD), two prominent markets, namely Juaben Serwaa and Central Market, stand out, along with additional subordinate markets scattered across the municipality, including locations such as Zambrama, Bodey, Adweso, and Agartha Markets. These markets operate on either a daily or a weekly basis, with Mondays and Thursdays being the primary market days in the municipality. The closest redeveloped Markets to the Zongo Market is the Zambrama-Bodey Market which is about 2.3km away.

4.12 Access to Water Supply

The New Juaben South Municipality faces significant challenges in its water supply, despite having various sources such as piped systems, boreholes, and hand-dug wells. The water flow is irregular, inadequate, and unreliable, leading to reliance on unsafe sources like rain harvesting, rivers, streams, and dug-outs. The primary water source is the River Densu, which supplies water for treatment and distribution to the municipality and its surroundings. Two piped water systems, AVRL and a small-town supply system, cater to different communities. However, fifty-one (51) boreholes, five (5) hand-dug wells, and two (2) springs at Okume provide water to settlements facing irregular and insufficient flow in piped systems. The Zongo market is currently not served by pipe-borne water. Vendors rely on sachet water for drinking and other non-drinking uses.

4.13 Solid Waste Management and Sanitary Facilities

According to the Assembly's records, there are currently 24 skip containers that undergo regular emptying by Zoomlion, a waste management company. Similarly,

the Municipality is equipped with a total of thirty-one (31) public latrines, comprising twenty-two (22) septic tanks, seven (7) W/Cs, and one (1) each KVIP (Kumasi Ventilated Improved Pit) and enviro-loo facilities. It is noteworthy that all 31 latrines are functioning and have been franchised to private individuals. One public toilet is located on the eastern border of the Zongo market and used by both the community and traders. There is also a skip container at the market for solid waste disposal.

4.14 Existing Form of Energy

The municipality relies on power from the national grid that is managed by the Electricity Company of Ghana in the Municipality. Vendors who rely on this source of energy have their metres connected to their shops and service their bills individually through either prepaid or postpaid means.

4.15 Market Accessibility & Transport Dynamics

The main type of transport in the municipality is road transport. However, there are existing railway lines that are yet to be developed and made operational. Fourteen (14) transport terminals exist within the CBD, these are; Metro Mass Station, Kumasi Station, Ho Station, Accra Station and Taxi Rank. These stations are being operated by various transport unions, such as GPRTU, PROTOA, Vision, Bayana, Cooperatives and Fair Play. The Zongo Market is served mostly by taxis, trotro, motor tricycles (Pragya) and Okada. The services of these transport systems, which are private and commercial, are usually at their peak on market days (Mondays and Thursdays). The movement of transport systems is influenced by the conditions of the roads. The municipality has a total of 298 km of roads in urban areas and 516km of Feeder Roads. The urban road network is made up of approximately 38.07km (46.0%) paved and 159.93km (54.0%) unpaved. Accessibility to the various markets is therefore good within the CBD, however, some of the roads are deplorable, especially the access roads connecting farmlands.

4.16 Tourism

The Municipality's tourism sector has not yet reached its full potential. It has been determined that Obuortabiri should be developed as a tourist destination for adventure seekers. The Obuortabiri Mountain is an interesting location to visit; a hike to the summit, where frequent exercise sessions are held, provides a bird's-eye perspective of Koforidua. Therefore, a better view would be obtained by using canopy walks, zip lines, and cable cars.

4.17 Financial Services

The Municipality is a significant financial hub, hosting over 80% of both banking and non-banking financial institutions in the region. It boasts a diverse array of financial services, including numerous commercial and rural banks, along with a few foreign exchange bureaus.

4.18 Safety and Security

Municipal Guards, Justice and Security, and the Municipal Security Council (MUSEC) handle security-related matters in the municipality. MUSEC, at the apex, has authority

over both the Justice and Security and the Municipal Guards. The Ghana Police Service, headquartered at the Central Police Station, is the primary law enforcement organisation. Nkurakan Police Station and Railways Police Station are additional security facilities. The NJSMA does not have many threatening security issues, The ratio of police to citizens is 1:2,328. However, very dark residential neighbourhoods, an increase in drug peddler activity, a spike in break-in theft and other crimes, a bad road network, misunderstandings among transport unions owing to insufficient space, and a few chieftaincy difficulties are some top security concerns the Municipality battles with.

4.19 Access to health services

The municipality has two public hospitals, 15 private hospitals, thirty-four CHPS, four health centres, a polyclinic, 11 private clinics, and a maternity home. The Zongo Market is about 1.6km from the nearest public hospital which is the Koforidua Regional Hospital.

4.20 Communication and information infrastructure

The municipality has six (6) post offices, two (2) postal agencies, and five (5) commission agencies, showcasing a well-established postal network. Additionally, Expedited Mail Services (EMS) have been introduced, aiming to facilitate swift access to information and connect residents with the broader global community. There is an Information Service Department at the NJSMA which regulates and facilitates information dissemination from the NJSMA to the general public. Additionally, there are 10 radio stations which support information and communication dissemination in the Assembly.

4.21 Vendor Perceptions and Concerns about the Project

The project has the primary objective of stimulating economic activities, fostering trade, and enhancing overall development in the Municipality. Almost all (96%) of vendors perceive the market project as a promising initiative that can yield positive economic and developmental outcomes. The key expectations from vendors include an anticipated expansion of the market size, leading to increased sales and higher profits.

Vendors are optimistic that the project will not only benefit their businesses but will also contribute to the growth and development of the town and the entire municipality. Furthermore, about half (48%) of the vendors believe that the market's expansion will create employment opportunities, addressing the prevalent issue of high unemployment rates in the municipality.

While the overall outlook is positive, vendors have expressed concerns about potential negative impacts of the project, such as diversions and roadblocks causing delays, increased traffic and inaccessibility, loss of property or decreased business value, and elevated dust and noise levels. Also some expressed that they were afraid they would not get their shops back. Other negative impacts made mentioned by respondents include the likelihood of the project implementation especially the construction stage

causing accidents, project causing inconvenience to shops and houses due to trenches and gutters as well as influx of criminals into the community in the name of work.

Additional concerns relate to the project's implementation process and duration. While 33.3% of respondents have no concerns, 24.7% are worried about the resettlement process and site selection, and 16% express concerns about the timely completion of the project, citing past experiences where governmental projects faced disruptions due to changes in government.

To address or mitigate these concerns, the vendors suggested various measures, including ensuring timely completion of work, incorporating proper planning for the project, including good drainage, trenches, and lighting, ensuring safe storage of construction equipment, and implementing regular dust control measures during construction, among other measures. These suggestions aim to balance the positive impact of the project while addressing potential challenges and ensuring a smooth and successful implementation process.

5 STAKEHOLDER CONSULTATIONS AND PARTICIPATIONS

5.1 Introduction

Stakeholder engagement is very crucial to an effective ARAP implementation. This chapter describes the stakeholders identified, and the types of consultations and participation held in the design and implementation of the project and Resettlement Action Plan (ARAP). The stakeholder consultations and participation were done in line with the national regulatory and legislative frameworks and the World Bank's Safeguards policy.

5.2 Rationale

Effective stakeholder consultation and participation are critical components for the success of any project. This practice ensures the inclusion of all pertinent stakeholders' opinions, interests, and apprehensions. This is done to facilitate well-informed decision-making, build trust among the involved parties and foster a sense of shared ownership in the project implementation and resettlement process.

The redevelopment of the Zongo Market anticipates socio-economic impacts and resettlement of existing vendors, owners of properties and other stakeholders who may have interest in the market. It is therefore crucial to engage stakeholders, disclose critical information necessary for an effective resettlement; and ensure their transparent collaboration, active participation to guarantee the project's success, sustainability, and responsiveness to the needs of the community and the surrounding environment.

5.3 Objectives, Principles and Methods of Consultation and Disclosure

5.3.1 Objectives

The consultations and disclosure were conducted to achieve the following objectives:

- To determine and organise individuals or organisations that may be affected by the Project or influence the implementation of the Project, considering various changes that may occur in the process of the ongoing Project.
- To ensure that all pertinent information is available to the project's stakeholders to make informed inputs and plan for the future.
- To build trusting relationships between the Project and its stakeholders to encourage proactive interactions and avoid needless conflicts brought on by hearsay and false information.
- To record and address public concerns, issues, and suggestions to identify thematic concerns that could require a more comprehensive response.
- To fulfil Government of Ghana requirements and World Bank standards.

5.3.2 Principles of Stakeholder Engagement

The following principles guided the ARAP consultants in conducting the stakeholder engagements and consultations:

- Ensure an active involvement of a diverse range of stakeholders, especially those who may be affected by the project, to capture a comprehensive set of perspectives and concerns.
- Provide clear and accessible information about the project, its objectives, potential impacts, and decision-making processes to enable stakeholders to make informed contributions. It is important to maintain an ongoing dialogue with stakeholders throughout different project phases, adapting engagement strategies as needed.
- Two-way communication to foster open dialogue and active listening, allowing stakeholders to express their views, ask questions, and receive responses from project proponents.
- Initiate consultations in the early stages of the project to allow stakeholders to have meaningful input in shaping decisions and strategies.
- Maintain records of consultations, decisions, and outcomes, and share this information with stakeholders and the public, ensuring accountability and traceability.

5.3.3 Methods of Consultation and Disclosure

The ARAP process involved a systematic approach to stakeholder engagements to ensure inclusivity and transparency. It also ensures the process is comprehensive enough to censure stakeholder engagements are meaningful, minimising risks and optimising project success. The following were undertaken:

- Stakeholder identification and analysis to identify and analyse all relevant stakeholders and mapping them based on influence and interest.
- Development of stakeholder engagement and communication plan to effectively communicate project information and obtain stakeholder concerns and feedback through different channels of engagement such as consultation forums, meetings, socio-economic survey and census, information vans and focus group discussions.
- Introducing grievance mechanisms to ensure continuous engagement and redress of conflicts or concerns.
- Record keeping and continuous monitoring and evaluation to ensure accountability and compliance with standards

5.4 Stakeholder Identification and Analysis

Stakeholder identification and analysis entails a systematic acknowledgment and comprehension of individuals or groups who are impacted by or exert influence on a project. Similarly, stakeholders are identified as entities who are likely to be directly or indirectly impacted by the project. These include persons/households/entities whose assets are in the proposed project footprint or whose access to their means of livelihood could be affected. These stakeholders have different types of interest in various aspects of the project.

Under this ARAP the major stakeholders are project-affected persons or entities likely to lose assets or access to means of livelihood. Utility providers like the ECG and GWCL

and neighbouring land uses may also experience the environmental and social impacts of the project to a lesser extent. Other stakeholders such as buyers, business groups, and civic organisations/institutions may be indirectly impacted due to direct impacts to their clients or members.

The New Juaben Traditional Council is the custodian of the land and the people of New Juaben South Municipal Assembly are critical stakeholders who wield a lot of power in ensuring socio-economic development in their jurisdiction. The traditional council has both interest and strong influence on the success of the project. The Traditional Authority is able to enforce law and order, mobilise, sensitise and galvanise the entire community and PAPs support towards the project and the resettlement process.

The NJSMA itself is a key stakeholder. It is the political authority empowered to implement the project and the ARAP process. The Lands Commission and the EPA are two other public entities who have interest in the project in ensuring compensation values and entitlements are standardised and approved; and ensuring that the ARAP is implemented according to national legislations and regulations respectively.

The various identified stakeholders and their respective interest or influence are tabled below:

Table 5. 1: Stakeholder Matrix

Category	Stakeholder	Interests/Influences
Local Authority Representatives (District Level)	New Juaben South Municipal Assembly (NJSMA)	The Municipal Assembly, as a key stakeholder in the ARAP, plays a vital role in overseeing and facilitating the lawful and ethical execution of the resettlement process. Responsibilities include ensuring compliance with relevant laws, fostering community engagement, providing essential infrastructure and services, supporting social and economic integration, resolving conflicts, and actively monitoring and evaluating the implementation of the ARAP. This multifaceted role aims to guarantee that the resettlement is conducted in a manner that prioritises the well-being and successful integration of the PAP while adhering to legal and regulatory standards.

Traditional Authority	New Juaben Traditional Council	The Traditional Authority's responsibilities encompass mediating potential conflicts, and ensuring that the resettlement process respects and aligns with local customs and traditions. Additionally, the Traditional Authority collaborates with other stakeholders to address community concerns, advocates for the protection of community interests and supports initiatives that promote the well-being of the PAP.
Public Agencies	Ghana Water Company Limited (GWCL)	The GWCL's mandate involves assessing the project site to inform possible resettlement of water infrastructure and mitigating potential impact on water infrastructure. It Will also provide guidance and technical advice on the reconnection of water infrastructure to the new market.
	Electricity Company of Ghana (ECG)	ECG's mandate is to assess the project site to inform possible resettlement of electricity infrastructure and mitigate potential disruptions to electricity services. It will also support the acquisition of metres and reconnection of electricity to the new market.
	Lands Commission	Lands Commission holds a pivotal position in managing and regulating land-related issues, compensations and entitlements associated with the resettlement process
Project Affected Persons (PAPs)	Zongo Community leadership, Market Traders, and Shop Owners	PAP's active participation is crucial in implementing the ARAP. Their mandate involves engaging with the ARAP team to voice their needs, concerns, and preferences regarding the new market location. They participate in consultations, provide insights on the design and layout of

		the new market, and collaborate on strategies to ensure a smooth transition.

5.5 Stakeholder Engagements

Following national legislation and international best practices, a series of stakeholder consultations were held between 07 December 2023 and 24th May, 2024. The ARAP Consultant held nine (9) engagement sessions with the various identified stakeholders within this period, in addition to preliminary engagements the NJSMA has had with the PAPs. The consultation process aimed to raise awareness about the project and its potential resettlement impacts, disclose very critical information about the resettlement processes, seek collaboration between the local government authority and PAPs; and solicit their opinion and suggestions concerning the project and resettlement activities. Suggestions and concerns raised especially around temporary relocation sites, entitlements and assurance of reinstatement to new markets were noted and addressed. Notes from these engagements were documented for further actions and feedback, where applicable in this ARAP document. Table 5.2 below details out the various consultation activities carried out by the Consultant. Photos from the consultations are presented in figure 5.1. Following these engagements, the NJSMA developed a communication strategy to deepen information dissemination about the project and relocation activities, using different media such as letters, radio broadcast and information van announcements in the Municipality. This was to ensure a smooth process and provide support for all PAPs throughout the ARAP process. Figure 5.2 presents the communication plan. The evidence of relocation notices and radio broadcast is also presented in Appendix A.

Table 5. 2: Stakeholder Engagement Matrix

No.	Stakeholder Engagement	Date	Venue	Number of Participants
1.	Meeting with the Traditional Authority to present project components, activities, and timelines.	07/12/2023	Yiadom-Hwediem Palace (New Juaben Traditional Council)	31
2.	Engagement with Zongo community leaders to present project components, activities, timelines and designs.	25/05/2024	NJSMA Conference Room	19
3.	Engagement with Zongo market trader representatives on project components, activities, and timelines.	23/05/2024	NJSMA Reception	7

4.	Consultation with a section of Zongo market traders on the project components, activities and presentation of the project design.	23/05/2024	Zongo Market	16
8.	Consultation with NJSMA on resettlement discussions and preparations.	20/05/2024	NJSMA	4
9.	Stakeholder engagement with Zongo Chiefs and MUSEC	20/05/2024	NJSMA	26
10.	Engagement with the wider Zongo Market leaders and traders on the presentation of the final project design, selected resettlement site, and timelines.	22/05/2024	NJSMA Conference Room	90
11.	Engagement with Zongo market Leaders	24/05/2024	NJSMA Mini Conference Room	9
	Total			202

Figure 5. 1: Photos from Stakeholder Engagements on the redevelopment of the Zongo Market



Engagement meeting with Traditional Authorities



Engagement with Zongo community leaders



Engagement with Zongo market traders representatives



Consultation with Zongo market traders



Engagement with MUSEC



Engagement meeting with NJSMA



Engagement with Zongo Market leaders and traders

Figure 5. 2: NJSMA Communication Plan for Project and ARAP Information Dissemination

No.	Activity	Locations	Timeframe											
			J	F	M	A	M	J	J	A	S	O	N	D
1.	Radio announcements at 10 radio stations	Eastern FM, Emark FM, Hi FM, Taste FM, Bryt FM, Afeema FM, Good Life FM, Sunrise FM, KTU FM, Sweet FM												
2.	TV announcements at 2 stations	Bryt TV, Star TV												
3.	Announcements at churches and mosques	All churches and mosques in Koforidua township												
4.	Production of jingles	Koforidua township												
5.	Information Van Mobile Announcements	Markets, Lorry Stations, CBD, New Sites.												
6.	Announcements and Playing of Jingles at Information Centres	Blood of Jesus (Ada), Nyame Tease (Nsukwao), Genesis (Central Market), Doris Day (Anlo Town), Juaben Serwaa (Juaben Serwaa Market), Korley (Korley Nkwanta)												
7.	Design, Print, and Mount Banners and signposts	Zongo market, Krobo Junction, Zabramma market, Bodey market, Agartha market, Metro Mass Station, Farmers (satellite) market.												

8.	Letters to Institutions (Hotels, Schools, Agencies etc.)	Capital View Hotel, Eastern Premier Hotel, Mac Dic Hotel, NASCO Hotel, Bacca Hotel, Ambassador and Diplomat Hotel, Koforidua Guest House, Kes Hotel, Tonyx Hotel, BedTime Hotel, Majest Connect, all Restaurants, all SHS, Residency canteen, School feeding caterers, and Food Joints in the municipality.													

5.6 summary of Key issues raised

This section summarises key issues the project-affected persons raised during the engagements (Table 5.3). Detailed minutes of the engagements are attached as Appendix B

Table 5. 3: Summary of Key Issues and Concerns from Stakeholders

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
NJSMA	Project Design and reinstatement	These include: ● Whether the project design has been finalised to know the numbers to be reinstated. ● Understanding of the project footprints and impact on utilities, etc.?	**I.** Draft project design is available awaiting census and extensive stakeholder engagement to inform a review or otherwise before project approval. **II.** Redevelopment of the market and road construction is limited to existing market footprint (land and drainages). **III.** There is a need to confirm impact on utility services which will have to be incorporated in the contractor's contract for possible reconnection after the project.
	Temporary Relocation site	Knowing the numbers affected and the options available to host traders temporarily	The main identified site is the Krobo Junction. The census will capture all traders, to inform on the exact numbers.
	Compensations and	A clear understanding of what	**I.** Compensation covers land-to-land

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
	entitlements	potential compensations and entitlements will constitute	compensation, loss of business, and resettlement assistance (cash/kind) **II.** All Zongo traders are eligible to be moved back to the market after the project. **III.** Payment of "loss of business" is subject to the period of resettlement activities. Flat rate approved by the Lands Commission would inform the loss of business payment. **IV.** Structure modifications are not eligible for compensation after the cut-off date. **V.** Priority would be given to occupants of structures who have tenancy agreements with the Assembly. **VI.** Rent charges of new stores/stalls should be affordable to enable traders' return.
	Census	Concerns were raised around potential double data capturing during census and misinformation.	The enumeration team will be trained on the form of questioning and information to collect. Pictures of respondents will also be taken for verification purposes. Also, the

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
			census data will be cross-checked with existing records of registered traders with the Assembly.
	ARAP preparation and Implementation	A clear understanding of the responsibilities for the ARAP implementation were discussed	**I.** The NJSMA has the ultimate responsibility for the implementation of the ARAP. It can however procure the services of a consultant to provide technical advice and monitoring **II.** A ARAP committee consisting of relevant Department Heads of the NJSMA, Zongo Market leaders, 2 non-leaders, Assembly members of Zongo Community, Presiding Member and opinion leaders to be formed to facilitate the ARAP activities.
Traditional Authority	Project Design	Issues and suggestions related to the project include; ● Concerns were raised on the livestock that stray into the market damaging traders' goods and dirtying the	**I.** The fencing of the market will be considered in the project design. **II.** The market project is anticipated to begin in March and will be completed within a period of 6 months. Delays are not anticipated as funding is readily available, Future growth of the trader population was considered in the

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
		premises. ● A concern about the duration of the project and how soon it will be completed. That the project design should maximise the spaces in the market and ensure there are adequate shops and stalls to accommodate more traders in the future	design.
	ARAP Activities	Issues and suggestions related to the project include; ● Questions about the timelines for the ARAP and relocation of PAPs to the relocation sites ● The guarantee that traders will get their shops back post construction	**I.** Preparations will be made for relocation after the census. Exact date for the relocation will be communicated to PAPs by the NJSMA. Meanwhile, temporary relocation sites have been identified and they will be prepared before moving traders. **II.** Census on both the original owners and tenants of the market spaces, shops and stalls will be done to avoid conflict. **III.** The ARAP process and census is a tool

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
			to ensure that every PAP is favourably handled.
ECG & GWCL	Relocation of utility infrastructure and related issues	Discussions about potential impacts on infrastructure, access to metres, wiring and disconnections etc.	**I.** Site visits are required by the utility providers to confirm areas of potential infrastructure that will be impacted and advice on relocation measures. **II.** There is a need to contact the Energy Commission on recommendations for certified wiring contractors for the new market. Contractors should make provisions for water metre connections and fire hydrants in the design. Site plan is needed to confirm the location of the utility lines. **III.** Cost of potential utility relocations will be borne by the NJSMA.
Lands Commission	Land ownership and compensations	Key issues discussed were around land ownership confirmation, smooth resettlement process, and compensations.	**I.** Oral information suggests that Zongo land is vested land. The land was vested in the Government in the 1960s for the New Juaben Stool. A search by the Lands Commission will confirm the ownership of the market

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
			land. **II.** The proposed relocation sites were discussed, and the need to engage further with the Regional Valuer on the compensations and entitlements was agreed on. **III.** The need for inclusiveness, border stakeholder engagement, and an effective resettlement process void of frustration and massive business disruptions was stressed. **IV.** The Commission does not anticipate much compensation as most permanent structures are government owned. It however emphasised the need for compensation for PAPs with privately owned permanent structures, and some form of assistance from the Assembly for vulnerable PAPs. **V.** The LC needs to be involved in the valuation process, including preliminary assessments and site inspections prior to site demolition to

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
			ascertain valuation amounts and documentations. **VI.** A focal person from the LC was provided to liaise between the Regional LC and the Project. (Gloria-0243689878)
Zongo Market Leaders & Traders (PAPs)		**I.** PAPs expressed the following concerns about the conduciveness and safety of selected resettlement sites. **II.** Provisions sellers and other wholesalers voiced their worries on how safe their goods will be at the temporary site. **III.** PAPs wanted to know how accessible the resettlement location would be to buyers and what NJSMA will do to promote traders' businesses in these new locations. **IV.** PAPs sought clarity on	**I.** Traders are to elect leaders as representatives to aid in facilitating the decision-making process and advocating for their collective interests. **II.** No changes or alterations should be done to stores. **III.** After an environmental screening exercise, the proposed relocation site would be prepared to host traders temporarily. Preparations entail sheds, warehouse, access to water, street lights and security, to ensure the site is safe and conducive. **IV.** A temporary warehouse will be provided for traders who may need it. Traders were however advised not to

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
		whether the toll waiver was just for a period of one month or the entire relocation period of 8 months. **V.** Traders inquired if there will be payments for new market shops and stall reallocation and how affordable they will be?	stock too many goods at the relocation sites. Traders with containers are required to take their structures along during the relocation. **V.** Mitigation measures for the ARAP include: ● Temporal resettlement site. ● Market tolls waivers of a minimum of one month ● Support in transportation of goods for identified vulnerable persons to relocation site. ● Announcement of resettlement site via various communication channels to aid customers locate traders. **VI.** Reconstructed sheds will be given back to PAPs at no cost except the monthly fees already being serviced. The shops will however attract some cost which is currently not fixed. The NJSM assured that the shops will be affordable and will come with a reasonable payment plan. **VII.** There will be a ARAP Implementation

Stakeholder	Theme	Discussions/Concerns raised/Suggestions	Remarks / Responses to issues raised
			Committee (which include trader representatives) and Grievance Redress Liaison Officer at the Assembly in place to work together to record complaints and concerns and address them during the Project and ARAP implementation period.

5.7 Disclosure of ARAP Documentation

Resettlement information will be disseminated to project stakeholders and PAPs following national legislation and the applicable international standards. When the ARAP document is drafted, it will be presented to PAPs in subsequent consultation meetings for the validation of the planned resettlement and livelihood restoration measures. The following approaches will be used to disseminate and validate the resettlement measures:

- A resettlement information leaflet containing information on compensation, entitlement and resettlement management adopted for the project will be made available in English (explained to PAPs in locally prevalent languages) and distributed to the PAPs. The PAPs will be provided with information regarding their specific entitlements.
- Copies of Non-technical summaries of the ARAP will be disclosed through the District EPA, the MLGDRD and the NJSMA offices and websites respectively. Hard copies will be placed at the Development Planning and Information Service Offices at the NJSMA. The NJSMA is the implementing agency and Public Information Service for the Project and will be responsible for the overall execution of the Project. It will provide all project-related documents including the ARAP information on compensation and grievance redress to the public.

5.8 Approval

The ARAP will be verified and approved by the MLGRD and the World Bank prior to its final disclosure. Any changes made to the ARAP or supplementary ARAPs will undergo the same approval and disclosure protocols

6 Eligibility Criteria and Compensation/Resettlement Entitlements

6.1 Assessment of User and Ownership Rights

Project affected persons are described as persons affected by land acquisition, relocation, or loss of incomes associated with the acquisition of land and/or other assets as well as the restriction of access to legally designated sites and protected areas. In this project, category of affected persons include;

- **Tenancy/occupancy status**: vendors who will potentially lose their user rights to defined trading space. The types of vendors under this category include:
    - *Tenants*: these are vendors with formal tenancy agreements with NJSMA which grants user rights to the vendor for an allocated space such as a store, shop, stall and or shed. PAPs in this category are either resident business operators or non-resident tenants. Non-resident tenants have sublet their allocated spaces to other individuals/vendors who do not have direct tenancy agreement with the NJSMA. Nonetheless, the tenancy agreement between tenants and NJSMA does not confer the right to create or transfer the user right (interest) in the allocated trading space to a third party. The NJSMA grants tenancy for a term of two (2) years with an option to renew subject to the covenants and conditions of the agreement. Appendix C depicts a typical tenancy agreement between vendors and NJSMA. Further, the NJSMA issues a business operating certificate to tenants which authorises their commercial operations and grants them user rights. Section 2.7 of the tenancy agreements between NJSMA (Landlord) and tenants provides that "the tenant shall not assign, transfer, subject or change any part thereof without the consent of the Landlord such consent not to be unreasonably withheld". It is worth noting that at the time of the ARAP survey, observations were made of some tenants who had formally assigned or transferred their entire tenancy rights to third parties with the consent/authorisation of the Landlord (NJSMA). These third parties were identified as tenants.

    - *Subtenants*: these are third party vendors to whom existing tenants transfer a part of their tenancy rights for a specified period. While subleasing is not barred by the tenancy agreement, the Assembly acknowledges that all subleases existing in the Zongo markets are informally created without the authorisation or consent of the Landlord (NJSMA). Consequently, vendors categorised as subtenants for the purpose of this ARAP are unauthorised occupants of the market premises. Effort by the Assembly to formalise the occupancy of subtenants has resulted in the voluntary assignment of tenancy rights from tenants, who cannot fulfil their tenancy obligations for specific

reasons, to third parties. These third parties include previously unauthorised occupants (subtenants) who by virtue of the assignment are now identified as tenants.

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- *Floating/Unregistered Vendors*: these are vendors who have not been officially assigned spaces for their business activities by NJSMA, however are resident in the markets or operate periodically. These vendors usually trade on table-tops, in kiosks, and other makeshift structures. Figure 6.1 below shows a floating/unregistered vendor at the Zongo Market. Floating vendors operating in movable makeshift structures are liable to the payment of market tolls and also mandated to obtain business operating permits from the Assembly. Floating vendors operating in open spaces are liable to payment of only market tolls to the Assembly.

Figure 6. 1: Photo of unregistered/floating vendor



Source: PSS Urbania, 2024

- **Structure/asset ownership**
  - *Ownership of permanent structures by NJSMA:* Key assets/structures (sandcrete block stores, wooden stalls and wooden sheds) that will be demolished or impacted by the proposed works are owned by the NJSMA, i.e., the project proponent and implementing agency. Therefore, this ARAP is not liable for compensating claims to PAPs for the demolishing of these major market structures including stores, stalls, and sheds; the temporary market stalls that will be redeveloped will serve as in-kind replacement for the business-tenants during the period of construction.
  - *Ownership of permanent structures by vendors*: These refer to improvements made by vendors (with their own resources) to enhance the originally assigned premise/space for trading purposes. These improvements comprise civil works such as permanent improvements/structures and concrete or sandcrete block external works. PAPs who are verified to have made permanent improvements to the land will be eligible for compensation at full replacement cost.
  - *Ownership of temporary structures/assets by vendors*: this includes movable metal containers, wooden kiosks, and other trading chattels. These structures and assets will be salvaged and relocated to the allocated temporary resettlement sites prior to construction works at the project site.

- *Communal facilities*: this includes communal ownership of warehouses. These will be reconstructed as part of the civil works for the new market development.

- **Business operation status**:
  - *Business Operators:* all vendors who will potentially lose business income during the relocation and reinstatement periods.
  - *Employees and Apprentices:* employees and apprentices of tenants/subtenants who operate in the markets.

The asset survey and vendor validation process revealed that a PAP/vendor may be eligible under at least one of the categories described above. The category of losses suffered by PAPs were identified through the various interests and rights derived under national laws (customary and common law) and World Bank OP 4.12 as appropriate for the respective categories of PAPs. This includes: loss of user right to trading space; relocation of temporary structures/assets owned by vendors; potential demolition of permanent structures/assets owned by vendors; loss of business income by business operators; and loss of wage (labour) by employees and apprenticeship by trainees of vendors respectively.

Land acquisition is not anticipated for the project implementation. The proposed redevelopment works for the Zongo market will occur within the existing market site. The land of the existing markets is owned by the New Juaben South Municipal Assembly. This was further proved by undertaking a title search at the Eastern Regional Lands Commission in Koforidua and the evidence is attached to this report as Appendix D[12].

6.2 Cut-Off-Date

The NJSMA established a cut-off date (COD) following an initial notification to PAPs. For this ARAP, the COD was 28th May, 2024; which was the last day on which the Assessment Consultant's Valuation team completed the property impact identification and verification process. Any improvement of property and entry of new vendors in the market after this date is deemed ineligible for compensation and or resettlement assistance. This cut-off date including the legal procedures backing the declaration was announced to PAPs through one-on-one interactions (by the NJSMA and the Assessment Consultant's Valuation team). This date was announced to the PAPs through the NJSMA information van, postage on NJSMA notice boards and announcement at New Juaben South Municipal general assembly/meeting.

6.3 Eligibility Criteria

In conformance with World Bank Policy (OP 4.12) and national laws, any person who suffers loss of or damage to an asset or loss of access to productive resources, as a consequence of the implementation of this project would be considered eligible for compensation and/or resettlement assistance, provided the damage or loss is caused

[12] Evidence of land ownership is to be provided by NJSMA

by the project and satisfies the conditions of the cut-off date. Thus, all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise are eligible for assistance if they occupied the markets before the cut-off date. Eligible persons are presented in the Entitlement Matrix below in section 6.4.3.

The proof of eligibility covers:

1) Affected persons/vendors with formal tenancy/user rights, documented in the form of tenancy agreements, rent receipts, building and planning permits, business operating licences, and utility bills, leasehold indentures among others will be eligible. However unprocessed/unregistered formal legal documents will not bar eligibility. Procedures for confirming authenticity of any such documents established by the NJSMA and the LRD/LC, where applicable, would be followed;

2) The criteria for establishing non-formal, undocumented, unrecognised claims to eligibility are one's (PAP's) presence and operation in the markets prior to the cut-off date.

6.4 Resettlement and Compensation Entitlements

The basis of assessing entitlements was determined by identifying the most appropriate entitlement for each loss. Overall, both resettlement assistance and compensation entitlements were selected in accordance with Bank Policy OP 4.12 (6a) and the merit of the options. The resettlement and compensation framework/entitlements were developed in consultation and negotiation with project affected groups and individuals. Having carefully assessed the nature of losses and the owners and users of these assets, entitlements for the various categories of PAPs would include;

6.4.1 Non cash assistance

6.4.1.1 Resettlement Package

a. *Provision of Temporary Resettlement Sites by NJSMA:*

In line with agreement reached between tenant vendors, the New Juaben Traditional Authority and NJSMA in a number of consultations held, user rights of tenants will not be terminated as a result of the project works. In this regard, the NJSMA with support from MLGRD will develop and relocate tenants to selected temporary replacement sites (detailed under section 2.9) of at least similar standard. These hosts will be served with temporary basic facilities such as water, electricity, and adequate sanitation facilities. This will ensure the continued operation of tenants thus serve as rental reestablishment for the eligible tenants equal to 8 months, i.e., the estimated construction duration until reinstatement in the newly constructed market. Upon completion of the new markets, verified tenant vendors will be given first priority of getting stores/stalls/sheds in the newly constructed markets.

The tenancy agreement between NJSMA (section 2.7) does not recognise user rights of unauthorised subtenants, hence not eligible for rental reestablishment compensation. Similarly, floating vendors do not have formal occupancy rights, although their presence in the market have indirectly been legitimised through the payment of market tolls. Nevertheless, unauthorised subtenants and floating vendors may be eligible for compensation for other losses as may be applicable. This includes replacement cost for demolishing of permanent structures, temporary loss of livelihood/business income, relocation assistance and disturbance to business operations which together account for full replacement value.

The RIC will inform and direct vendors to designated spots at the respective host sites (temporary market areas) as per the different trades. Verified vendors with movable structures shall be allocated trading and storage spaces to support their business operations at the temporary sites. The RIC shall use numbers to mark space allocated to each vendor to minimise scramble for space among vendors. Vendors will be liable to pay costs of maintaining the water and power as well as sanitation and hygiene and security costs at the temporary market site.

b. *Relocation assistance (to temporary resettlement markets):*

Two forms of relocation assistance will be delivered based on case-by-case assessments. Vendors who prefer self-relocation will be paid the appropriate cash amount for relocation cost as assessed by the Valuer. Alternatively, vendors who will opt for assembly-assisted relocation will be mobilised and transported to their respective temporary markets by NJSMA. Vulnerable vendors will be prioritised for this option to ease their relocation.

Under the assembly-assisted relocation, the cash amount assessed for the individual relocation expenses will be collectively deployed by NJSMA for mobilisation (including hiring trucks, among other services) to transport vendors. For both options of relocation, losses may be incurred for assets in transit and at the temporary markets, however there will be no direct compensation towards these anticipated losses during relocation. In this regard, the NJSMA will sign MoU with the vendors through the market leadership witnessed by the RIC. The MoU will outline the responsibilities of NJSMA and vendors during the relocation periods.

Shifting schedules shall be developed by RIC and NJSMA to coordinate both self-relocation and assembly-assisted relocation. Shifting schedules will indicate different days for specific vendors and special timing for persons with disabilities; relocation shall be done in a phased manner based on the different categories of trade and vulnerability groups in the market to minimise congestion and traffic during relocation.

c. *Reinstatement of vendors in the Redeveloped Markets:* Upon completion of the markets, the RIC together with NJSMA will take on the task of allocating facilities to verified vendors in the new markets. The NJSMA shall issue allocation letters to each vendor assigned workspace in the market based on their previous eligibility. The letter shall stipulate the type of facility allocated and its position number in the market. Same relocation arrangements outlined above (section b) will be implemented by the RIC and NJSMA during reinstatement of vendors in the new markets upon completion; vendors will choose between self-relocation and assembly-assisted relocation with the same budgetary arrangement and conditions of relocation to be outlined in an MoU. All eligible tenants in the old markets will be allocated appropriate spaces in accordance with the market zoning given in the project design. After all bona fide vendors have been allocated facilities, non- bona-fide vendors including subtenants and unregistered vendors will be given the opportunity to apply for surplus space in the markets. Table 6.1 below presents a provisional budget for the reinstatement of vendors estimated at GHS 47,775.00.

Table 6. 1: Reinstatement Budget

#	Item	No. of People	Percentage	Amount (GHS)
1	Moving/relocation cost (self-relocation or assembly-assisted relocation)	157[13]	-	31,850.00
2	Public/radio announcement	-	5%	1,592.50
3	Security support	-	10%	3,185.00
4	Meeting facilitation for the monitoring team (including representatives of LVD and EPA).	-	10%	3,185.00
5	Mobilisation of RIC	-	10%	3,185.00
6	Contingency	-	15%	4,777.5
			Total	**47,775.00**

6.4.1.2 Waived cost package (covering temporary loss of business income and disturbance)

As part of the agreement reached with PAPs during consultations, an in-kind option for the delivery of temporary loss of business and disturbance claims will be explored during the ARAP implementation. This would be achieved through a waiver of rental fees and trading licence cost payment by the eligible PAPs for the temporary relocation period following the signing of contractual waiver. In instances where the waived market fees would not be adequate to compensate for the losses, cash

[13] This number comprises existing vendors actively operating businesses in the markets. It excludes non-operating PAPs who do not have any items/business chattels to relocate from the Zongo Market

payment will be made for the surplus claim, i.e., the total claim for loss of livelihood and disturbance less the waived cost.

The fees, licences, and dues vary by type of trading space/facility occupied by a vendor. Table 6.2 below shows the various commitments which specific occupants/vendors are liable for payment to NJSMA.

Table 6. 2: Breakdown of Market Fees and Rents

Category of PAPs/Vendors	Monthly Rent (GHS)	Tenancy Renewal Fee (Every two (2) years)	Business Operating Permit/License (PERIOD)[14]	Daily Market tolls (GHS)
Tenants (sheds, offices/stalls/container/stores)	30.00 - 45.00	100.00	xx[15]	-
Floating vendors (operating in open space)	-	-	xx[16]	2.00
Floating vendors (operating in movable makeshift structures)	-	-	-	2.00

6.4.2 Cash Compensation

6.4.2.1 Loss of immovable (permanent) structures/assets:

Verified owners of permanent structures, assets and improvements to be demolished will be paid cash compensation at Full Replacement Cost - as if new without depreciation.

6.4.2.2 Relocation cost for temporary structures/assets:

As indicated above, relocation assistance will be delivered to vendors in two forms. Vendors who will opt for self-relocation will be paid their respective cash amount for relocation as assessed by the Valuer.

6.4.2.3 Temporary business losses:

Supplementary assistance to eligible vendors based on the loss of net daily profit or business income anticipated during the period of relocation. This will be calculated for a period of one month (26 working days). Relocation and reinstatement of vendors will be planned and executed promptly to minimise potential business losses to PAPs.

[14] NJSMA to specify the period of validity

[15] NJSMA to indicate the fee for business operating licence

[16] NJSMA to indicate the fee for business operating licence

6.4.2.4 Cash Supplementary Assistance and/or allowances:
Vulnerability allowance will be assessed based on the replacement value and loss of business income where applicable.

Table 6.3, below, presents the entitlement matrix, which sets the measure for compensation for all losses or impacts. The entitlement matrix lists the type of loss, criteria for eligibility and specified entitlement. Section 6.5 discusses in detail, the vulnerability support for eligible PAPs.

6.4.3 Eligibility and Entitlement Matrix

Table 6. 3: Eligibility and Entitlements

Type of Loss	Eligibility	Resettlement Assistance/Compensation Strategy
Tenancy or user right	Market vendors including: ▪ Tenants (bona-fide vendors) and their subtenants ▪ Floating vendors/unregistered vendors	Temporary relocation to facilities at designated sites during construction period; ▪ Bona-fide tenants. ▪ Subtenants of bona-fide tenants will retain their respective tenancy arrangements Spaces at the new market will be allocated to the market vendors, prioritising; bona-fide tenants ▪ subtenants of bona-fide vendors and ▪ other enumerated floating vendors who may be interested in space allocation from the remaining spaces
Temporary structures	Individual vendors who own and operate temporary structures/assets within the market	Moving services (transportation) provided by NJSMA to relocate all temporary structures or the cash payment to vendors for the equivalence of relocation cost ▪ for vulnerable PAPs ▪ All PAPs
Permanent structures/assets.	Individual vendors who have made physical improvements to their allocated spaces or within the market	Compensation for loss of assets at full replacement cost
Business Income by vendors	Market vendors: ▪ Tenants (bona-fide vendors) ▪ Subtenants ▪ Floating vendors	In lieu of compensation, NJSMA will provide a waiver on the tolls/rents and dues payable by the vendors during the period of the temporary relocation, and the first month of reporting to the new market.
Loss of wage - labour	All employees of tenants/subtenants who lose their jobs due to project construction activities.	NJSMA will ensure transfer of jobs and apprenticeship or identification of similar jobs and apprenticeship at temporal market site and the

Type of Loss	Eligibility	Resettlement Assistance/Compensation Strategy
Loss of training or apprenticeship	Apprentices/Trainees of tenants/subtenants	new market
Vulnerable vendors	Be recognized as vulnerable following a participatory identification and screening process involving the resettlement committee. Criteria for eligibility include: ▪ Female-headed household without secure source of income ▪ PAPs with physical and intellectual disability; i.e., PAPs who have impediment in seeing (blindness), walking, hearing, etc. ▪ Households/PAPs with incomes falling under the generally accepted indicator of poverty (Less than $2 per day). ▪ PAPs who are 71-100 years old and above with no sustained means of income are considered old and cannot work as they used to.	Additional assistance ranging between 5-10% of the assessed replacement value or assessed loss of livelihood where applicable for PAPs identified with one or more forms of vulnerability depending on the scale of vulnerability (see section 6.5 for details).

6.5 Vulnerability Assessment

6.5.1 Vulnerable PAPs/vendors - Factors Used in Assessment

Four (4) main indicators are applicable in assessing the vulnerability level of PAPs. The factors used to characterise PAPs as vulnerable are as follows:

1. Female-Headed Household: Female PAPs who are household heads (breadwinners) and are taking care of the household are considered vulnerable.
2. Disability: PAPs with disability; i.e., PAPs who have impediment in seeing (blindness), walking, hearing, etc.
3. Poverty: Households with incomes falling under the generally accepted indicator of poverty (Less than $2 per day).
4. Age: PAPs who are 71-100 years old and above are considered old and cannot work as they used to.

6.5.2 Classification

PAPs who are affected by at least one (1) of the above four (4) indicators are classified as vulnerable whilst PAPs who are affected by two (2) of the indicators are classified as more vulnerable. PAPs who are affected by three (3) of the indicators are classified as most vulnerable whilst PAPs affected by all four (4) indicators are classified as critically vulnerable as displayed in Table 6.4.

Table 6. 4: Vulnerability Scale

#	Scale	Number of Indicators	Rate for Vulnerability
1	Vulnerable	1 Indicator	2.5% of Compensation value[17]
2	More Vulnerable	2 Indicators	5% of Compensation value
3	Most Vulnerable	3 Indicators	7.5% of Compensation value
4	Critically Vulnerable	4 or more Indicators	10% of Compensation value

In order to be equitable, it is recommended that PAPs considered to be critically vulnerable were allocated higher consideration in terms of supplemental assistance followed by most vulnerable, more vulnerable and vulnerable. The recommended additional compensation is also presented and was calculated based on the loss of business income and structures/assets (where applicable) assessed by the Valuer.

[17] This represents the replacement value and or assessed loss of livelihood where applicable

7 Livelihood Restoration and Improvement

7.1 Introduction

Livelihood restoration is a key component of the resettlement process. It helps to prevent and mitigate the potential adverse impacts likely to be suffered by PAPs as a direct result of the resettlement. It focuses on initiatives beyond compensation; it considers other post compensation support initiatives and social and economic considerations. In relation to the temporary displacements triggered by the project, the following measures will facilitate restoration and improvement of livelihoods by the end of the project life. The measures commensurate with the duration, magnitude, and complexity of impacts. These strategies were discussed, negotiated and agreed upon between NJSMA and the respective project affected individuals, groups and leadership during stakeholder consultations.

7.2 Livelihood Restoration and Improvement Measures

As part of sustainable livelihood restoration for the short term, temporary market sites have been prepared to facilitate business continuation during project implementation. These facilities shall enable vendors to continue transacting business as they await the completion of the new markets. The Government of Ghana through the MLGRD and NJSMA is to develop a modern and standard market to which the vendors shall be reinstated upon completion. The markets will not only improve livelihoods for the vendors but shall also improve the working environment in which vendors transact business as compared to the current state of the markets.

In relation to potential loss of customers by vendors during and after the relocation period, NJSMA will carry out public announcements (via radio, information van, etc.), postage of notices and erection of signages at the current market sites and other vantage points to communicate the temporary relocation to customers. This measure will be implemented to aid vendors' customer retention strategies to avoid or minimise the extent of customer loss during the relocation period, and to ensure customers remain loyal to their respective vendors. This measure will contribute to minimising potential loss of business income/livelihood and strengthen overall business continuity.

NJSMA and the RIC will ensure appropriate disclosure of relevant information to all potentially affected persons including employees, apprentices and trainees of vendors to ensure an inclusive resettlement process. This will further ensure that PAPs are not adversely affected by the temporary relocation activities. NJSMA will ensure adequate sensitisation of vendors (employers) on the strategies and the need to handle mobility concerns and negotiations appropriately with their employees, trainees and apprentices prior to relocation. This will help to avoid potential employer-employee conflicts thereby promoting smooth relocation to the temporary sites and reinstatement to the new markets upon completion. Additionally, this measure will help to maintain working relationships between employers (vendors) and their employees, apprentices and trainees. Similarly, NJSMA will encourage retention of working relations between tenants (both operating and non-operating) and their

respective subtenants at the temporary markets and reinstatement at the new markets. This will avoid or minimise the potential job loss/unemployment.

The selection of the temporary resettlement sites considered key livelihood restoration and enhancement factors. The selected sites were identified within reasonable distances from the existing Zongo market in order to minimise potential adverse impact in terms of relatively long travel distance, time and cost to vendors, their employees, trainees and apprentices as well as their customers. These measures will be implemented to mitigate potential decline in vendors, employees, trainees and apprentices' quality of life relative to their pre-project condition. Additionally, the temporary resettlement site is located within reasonable distance from the existing market site and within the CBD; the site is within approximately 800m radius from the existing Zongo Market site. This will ensure continued exposure of the vendors and their businesses to the vibrant commercial environment which will translate into higher patronage and business income retention.

As part of measures to minimise potential livelihood impacts, the project will ensure continuity of tenancies during the temporary resettlement period. Subsequently, tenants will be given the first priority of securing stores/stalls/sheds in the newly constructed market. Additionally, non- bona-fide vendors including subtenants and floating vendors will be given the opportunity to apply for surplus space in the newly constructed markets.

8 Property Impact Assessment and Assessment of Compensation

8.1 Identification of Losses

For the purpose of enumerating vendors likely to be affected and determining the nature of their loss, property impact assessment was conducted between 24th May, 2024 and 28th May, 2024 to identify tangible and intangible losses that would be impacted by the market redevelopment works. Affected persons/vendors and assets were identified within the defined developable area as presented in Figure 2.2. The proposed developable area for the markets project is about 10,499sqm. The extent of permanent impacts was observed to be minimal; a few vendors had reconstructed their allocated spaces to sandcrete or permanent structures and concrete bases/platforms for business operations. The identified impacts were mainly observed to be temporary as outlined below:

- Temporary loss of business income and livelihood
- Temporary loss of goodwill from business activity arising from loss of location
- Loss of civil improvements (temporary and permanent structures) owned by vendors
- Disturbance/Loss of peaceful enjoyment of one's trading space

8.2 Basis and Method of Valuation

Guidance for property valuation was derived from the World Bank's Involuntary Resettlement Policy (OP 4.12) and national legislations including the Land Act 2020, and the Constitution of Ghana. As per OP 4.12, any compensation must be calculated at full replacement cost. Replacement cost is calculated as the current market value of the assets plus the transaction costs (taxes, stamp duties, legal and registration fees, relocation costs among others) related to restoring such assets. Further, PAPs will have the right to salvage materials. The project provides PAPs the opportunity to salvage immoveable assets, prior to site clearance, to the extent practical. This may include individual property including trading chattels.

A valuation (asset) survey in the project area was undertaken between 24th May, 2024 and 28th May, 2024 covering different types of losses, such as permanent and temporary structures and ancillary facilities located within the project footprint. PAPs were consulted throughout the survey work in order to ensure reasonable consensus on the methods used to assign value to lost assets and income losses during resettlement.

The unit rates for compensation of different types of losses were arrived at in consultation with the local community/ PAPs and from market surveys. Using the acquired data, the unit rates used for valuation of affected structures and other assets were determined. These prices are based on the prevailing market rates as of May 2024. The compensation for specific losses associated with the project are outlined in Table 6.3 (eligibility and entitlement matrix). Compensation calculation and valuation report for enumerated assets and PAPs are contained in **Appendix E**

of this report. Additionally, ARAP payment lists which provide summary information of identified PAPs and due compensation claims are attached as **Appendix F**.

Valuation of impacted assets will be subjected to verification and certification by the LVD and agreed to by PAPs, as required for implementation. The detailed valuation process and methodology for each type of affected asset are discussed in the sections below.

8.2.1 Land

For the purpose of this ARAP, no resettlement support/compensation will be paid for land taken given that the proposed redevelopment works will be carried out within the existing market's site/footprint. The project site is confirmed to be public land under the custody of NJSMA. The road and drainage improvement works will also not require additional land for development. This study therefore does not examine the legal title and or tenure to land for assessment of land value.

The identified relocation sites are confirmed to be public lands and properties that would not require formal acquisition processes; however, the project is required to secure approval for the use of the respective sites from the appropriate owners/custodians.

Where future project plans require land-take, compensation values for land taken will be assessed as follows: comparable rates for land values will be obtained from the LVD and analysed to obtain the average unit rate per acre for potential developed lands (which may be peri-urban/settlement lands or farm lands). The compensation value for land will be obtained by multiplying the average unit rate per acre by the total land size (acre).

8.2.2 Privately Owned Permanent Buildings/Structures

In the case of buildings and other permanent structures owned by verified vendors, the full replacement cost is the value of the acquisition or reconstruction of a similar structure plus transaction costs (registration, taxes, time lost, cost of transport). The average replacement cost is the product of the unit cost of construction and the total floor area of the affected property. For structures with features such as concrete walls, tiles, inner plumbing, etc., the full replacement cost is based on detailed bills of quantities typically used by real estate valuers (Quantity Surveyors) after having verified that unit rates are up-to-date and no depreciation coefficients are used. Thus, the unit cost of construction includes an estimate of the cost of labour and construction materials. Typically, however, the Lands Valuation Division (Lands Commission) issues a predefined bill of quantities (unit rates) that are up-to-date and excludes depreciation.

To ensure standardisation in assessment, existing buildings are classified/categorised based on the materials of the building components and assigned an average replacement cost (or a per square metre value) to each category. For public infrastructure, particularly utilities, the Project will coordinate with the respective utility

providers for the assessment of relocation cost and subsequent relocation of service lines.

Cost of Civil Improvements - Civil works that form an integral part of structures identified during the survey include mass concrete floors, most of which were finished in smooth cement screed; and aprons along the perimeter of a limited number of structures.

8.2.3 Transitional Support/Resettlement assistance

PAPs who have movable temporary structures such as metal containers and wooden kiosks are allocated an amount representing the cost of relocating or transporting the container or kiosk to the assigned temporary resettlement site. This is in addition to other trading chattels that the PAP may have together with the movable structure. The amount for relocation is dependent on the size of the metal container or kiosk. The assessed relocation cost would be delivered in two forms on a case-by-case basis; both in-kind and cash delivery of relocation assistance will be implemented.

The cost of Relocation is, however, made of the following components:

1. Transportation cost; this is the actual transportation fare paid for the transportation of the movable structure to the new location. This amount, however, includes the cost of loading and unloading the container/kiosks onto the truck.
2. Cost of disconnection and reconnection of electricity to the structure where the structure is connected to electricity at its present location;
3. Permit fees charged by the district assembly before the structure is allowed to be placed at its new location. For this ARAP, this component of the relocation cost is treated as part of the waived cost to compensate for the temporary loss of business income. Refer to section 6.4.1 for detailed description.

PAPs whose wooden kiosks/temporary structures are too old and fragile to be transported are given the replacement values of the structures.

8.2.4 Other Allowances

8.2.4.1 Disturbance

In addition to the replacement value of the affected property, the cost of disturbance is considered in determining compensation for PAPs for the affected structures as provided in the Land Act 2022, Act 1036. A percentage of the replacement value is added as part of the compensation. According to the LVD, if the use to which the affected property is put is commercial, the allowance for disturbance is 15% of the replacement value. On the other hand, if the use is residential, the disturbance is 10% of the replacement value of the affected property. Hence, 15% of the replacement value[18] is adopted as the rate for disturbance allowance for the impacted commercial structures privately owned by vendors.

[18] In the event that a PAP is not eligible for replacement value claim, the estimated loss of business income is used as the basis for assessing the disturbance claim.

It is worth noting that the Land Act 2020, Act 1036, on compulsory acquisition and compensation describes '*Disturbance to include the inconvenience suffered by an occupier of land who has to relocate as a result of the compulsory acquisition or temporary occupation of land by the State'*. Disturbances thus, could include any damage or loss sustained or likely to be sustained by a PAP as a result of the need for the PAP to change residence or place of business and reasonable expenses incurred as a result of the change.

In compensation valuation practice however, disturbance is an omnibus terminology that encompasses a wide range of losses, such as the cost of relocating, loss of income, loss of goodwill, and other expenses incurred as a result of being displaced from one's property. Nonetheless, disturbance or settling-in allowance is provided to assist PAPs to buy the basics for their new commercial spaces at the temporary sites, help reduce stress, establish subscriptions to utilities, update identification documents, and build goodwill.

A PAP is therefore by law, required to identify and list in his compensation claim, all such disturbance items and compute the compensation for each. Percentages are used only where the PAP is unable to itemise his disturbance to be claimed.

8.2.4.2 Vulnerability Allowance

An amount representing the vulnerability package is estimated for PAPs where eligible; for the physically challenged, the aged, female-headed household without secure source of income, and households with incomes falling under the generally accepted indicator of poverty. This amount is allowed at 2.5% of the replacement value of the affected asset for PAPs identified with one form of vulnerability, and 5% of the replacement value for PAPs identified with two forms of vulnerability, 7.5% of replacement value for PAPs with three forms of vulnerability, and 10% of replacement value for PAPs with four forms of vulnerability.

8.3 Inventory of PAPS and their different Asset Categories

The existing Zongo Market has 380 functional commercial units including 268 permanent and 112 temporary units/structures. Out of the total commercial units, 245 permanent units are owned by the NJSMA, including a block of 20-unit lockable stores, 220 open sheds, and a 5-unit warehouse.

However, only 165 commercial units in the market are occupied or operated by 171 vendors/PAPs, leaving 215 permanent commercial units vacant. The vacant units are owned by NJSMA.

The following analysis therefore focuses on the identified vendors/PAPs and the commercial units operated.

The 171 PAPs operating the 165 commercial units comprise 14 males and 157 females as observed in table 8.1. There are 53 permanent units and 112 temporary units, indicating that the PAPs operate in more temporary units/structures. Additionally, 128

PAPs operate in 112 temporary units. Also, 35 PAPs operate in 53 permanent units while the remaining 8 PAPs were identified to trade in open space without structures.

Permanent structures identified in the markets include sandcrete block, concrete, structures designed to be long-lasting and often built on a foundation or concrete slab to provide added stability.

Temporary structures which are easily movable from the project site include wooden kiosks, metal containers, tables, cages, movable wooden or metal stalls, etc. Figure 8.1 shows photos of examples of the types of structures identified at the markets.

Table 8.1 further reveals instances of more than one PAP operating in one commercial unit; a total of 165 are being occupied by a total of 171 PAPs. The structures were enumerated based on the distinct commercial units (stores and sheds) separately owned or operated by identified PAPs or entities. As a result, structures and commercial units are used interchangeably for the purpose of this Report.

Table 8. 1: Sex Distributions of PAPs in the Zongo Market

Market	Male		Female		Undetermined		Total	
	No. of PAPs	% of PAPs	No. of PAPs	% of PAPs	No. of PAPs	% of PAPs	No. of PAPs	% of PAPs
Zongo	14	8.2	139	81.3	18	10.5	171	100

Source: Field Survey, 2023

A total of 171 individuals will be impacted by the Market project, requiring either relocation or compensation. A hundred and thirty-nine (139) representing a percentage of 81.3% are females highlighting a significant gender skew. The unidentified persons who represent 10.5% are those who were not present during the survey, leading to their gender not being recorded.

Table 8. 2: Types and Number of Assets in the Zongo Market

Type of Structure	Zongo Market	
	Assets	PAPs
Permanent	53	35
Temporary	112	128
Total	**165**	**171**[19]

It is worth noting that, out of the 173 assets that are likely to be impacted by the project, nine (9) were non-operating whilst the remaining 164 were actively operating

[19] This includes eight (8) PAPs identified to operate in open spaces

Figure 8. 1: Photos of types of structures identified in the Zongo Market





NJSMA Sheds





NJSMA Sandcrete Block Stores



Privately owned temporary structures

8.3.1 Impacted Structures owned by NJSMA

Out of the 165 operational commercial units, the NJSMA owns 30. All NJSMA commercial units are permanent (refer to table 8.3).

It is worth noting that compensation (at full replacement value) is not required for demolition of the commercial units owned by the NJSMA. The redevelopment of the Zongo market seeks to improve the existing market structures to enhance commercial activities.

Table 8. 3: Structures or commercial units owned by NJSMA

Types of Structure (Commercial Unit)	No. of Structures
Permanent	30
Total	**30**

8.3.2 Impacted Privately Owned Structures

Structures or commercial units identified under the ownership of private vendors numbered 135 out of the 165 commercial units being operated by vendors This comprises 23 permanent and 112 temporary commercial (see table 8.4). Tenants in the market own 33 of the identified private commercial units, subtenants own 7 and floating/unregistered vendors own 103.

Table 8. 4: Types of Structures owned by PAPs

Types of Structure	Total No. of Assets
Permanent	23
Temporary	112
Total	**135**

8.3.3 Inventory of Vendors

There are two categories of vendors that operate in the markets. These vendors are permanent (resident vendors that are always present in the market and operate in wooden stalls, wooden stores, sheds, metallic shops, containers and sand concrete buildings) and floating vendors (vendors who operate in open spaces and/or based on market shift structures i.e. (market days, weekly).

8.3.4 Inventory of Vulnerable Vendors/PAPs

Table 8.2 shows that, the highest number of vulnerable PAPs (76) was identified under 'female-headed households without secure source of income' followed by PAPs whose income levels are lower than GHS 500 with a percentage of 26.9%. The least number of vulnerable PAPs were recorded under the 'disability' vulnerability type (4) representing 2.3%.

Table 8.6 shows that a total of 101 PAPs were identified with at least one vulnerability type representing 59.1% of all identified PAPs. More female vulnerable PAPS (97) were identified than male vulnerable PAPs (4). Table 8.6 further presents a summary of the number of vulnerable PAPs classified by vulnerability indicator. Majority of vulnerable PAPs (71 PAPs) were identified with only one vulnerability type in the Zongo Market followed by those with two vulnerability types (22). Vulnerable PAPs identified with 4 vulnerability types were the least (1 PAP). Appendix G provides a list of vulnerable PAPs in the market including the assessed vulnerability allowances.

Table 8. 5: Number of vulnerable PAPs classified by vulnerability type

Vulnerability Type	Female		Male		Total	
	No. of PAPs	%	No. of PAPs	%	No. of PAPs	%
Age	**14**	***8.2***	**1**	***0.6***	**15**	***8.9***
Disability	**4**	***2.3***	**0**	***0***	**4**	***2.3***
Female-HH[20]	**76**	***44.4***	**0**	***0***	**76**	***44.4***
Income Level	**46**	***26.9***	**3**	***1.6***	**47**	***26.9***
Grand Total	**140**	***81.9***	**4**	***2.3***	**144**	***84.2***

Table 8. 6: Number of vulnerable PAPs classified by vulnerability indicator

Vulnerability Indicators	Female		Male		Total	
	No. of PAPs	%	No. of PAPs	%	No. of PAPs	%
Indicator 1	**68**	***39.8***	**3**	***1.6***	**71**	***41.5***
Indicator 2	**21**	***12.3***	**1**	***0.6***	**22**	***12.9***
Indicator 3	**7**	***4.1***	**0**	***0***	**7**	***4.1***
Indicator 4	**1**	***0.6***	**0**	***0***	**1**	***0.6***
Total	**97**	***60.8***	**4**	***2.3***	**101**	***59.1***

8.4 Summary of Assessed Compensation

A total of **GHS 453,750.29** was assessed in total compensation due PAPs of the Zongo Market. This comprises various heads of claims as applicable to each PAP's case. The sections below provide a breakdown of the assessed compensation amount.

8.4.1 Summary of Assessed Compensation by Category of Loss

The total estimated compensation comprises the following heads of claim: temporary loss of livelihood, replacement cost for permanent structures, disturbance and relocation. These were variedly applicable to PAPs on a case-by-case basis during the valuation process. The respective heads of claim will be delivered to eligible PAPs in two forms (cash or in-kind) where applicable and as agreed between NJSMA and the PAPs. As discussed under section 6.4, claims for relocation assistance (amounting

[20] Female Household Head

to **GHS 31,850.00**, refer to Table 8.7) will be delivered to PAPs either in cash or in-kind as may be preferred by PAPs. Claims for temporary loss of livelihood (**GHS 274,820.00**) and disturbance (**GHS 49,262.16**) summing up to GHS 324,082.16 will be delivered in-kind through a waiver of fees, taxes for which the eligible PAPs are liable to pay to NJSMA. Notwithstanding, eligible PAPs are entitled to full replacement value in cash for their lost permanent structures. Table 8.8 provides breakdown of the assessed amounts for the various heads of claim categorised by the market sections. Table 8.7 provides summary statistics of the assessed compensation values for each category of loss (head of claim). Further details of PAPs, impacted structures and the corresponding compensation due each affected person or entity are presented in **Appendix F.**

Table 8. 7: Summary of Compensation Values (GHS) By Category of Loss

Sum of Loss of Livelihood (GHS)	Sum of Replacement Cost (RC) (GHS)	Sum of Disturbance (15% *RC) (GHS)	Sum of Relocation Cost (GHS)	Sum of Assessed Value (GHS)
274,820.00	97,817.63	49,262.16	31,850.00	453,750.29

8.4.2 Summary of Compensation by Types of Structures

Table 8.14 provides breakdown of assessed compensation values due PAPs classified by the types of structures impacted and market sections. PAPs who own and operate in temporary structures are entitled to the highest sum of assessed compensation (**GHS 247,901.00**). This is followed by PAPs who own and operate in permanent structures (**GHS187,510.29**) and PAPs who own and operate in open spaces (**GHS18,339.00**).

Table 8. 8: Summary of assessed values by types of structures owned by PAPs

Market	Open Space (GHS)[21]	Permanent (GHS)	Temporary (GHS)	Total (GHS)
Zongo Market	18,339.00	187,510.29	247,901.00	453750.29

8.4.3 Supplemental Assistance for Vulnerable PAPs

A total of **GHS6,637.40** was assessed as vulnerability allowance due eligible PAPs. Vulnerable PAPs identified with only one vulnerability type are collectively entitled to the highest sum of vulnerability allowance **(GHS3,999.54)** as shown in Table 8.9. The table further indicates the assessed vulnerability allowance entitled to vulnerable PAPs in the Zongo Market.

[21] Compensation estimated is related to temporary loss of livelihood

Table 8. 9: Summary of Vulnerability Allowance due PAPs of different vulnerability indicators

Market	No. of Vulnerable Vendors	Vulnerability Indicators & Assessed Allowance				
		Indicator 1 (GHS)	Indicator 2 (GHS)	Indicator 3 (GHS)	Indicator 4 (GHS)	Total (GHS)
Zongo Market	**101**	**3,999.54**	**1,679.11**	**828.75**	**130.00**	**6,637.40**

9. Grievance Redress Mechanism

9.1 Overview

This chapter outlines the grievance redress mechanism and procedures available to Project Affected Persons (PAPs) to systematically register, investigate, and resolve any grievances or concerns related to resettlement activities. This grievance mechanism is supplementary to the Resettlement Stakeholder Engagement Plan (RSEP) which also provides details of the Grievance Redress Mechanism (GRM) and stakeholder engagement process for the resettlement planning. The RSEP is integrated into the ARAP preparation process and the overall project Stakeholder Engagement Plan (SEP).

The GRM is designed to specifically address grievances resulting from resettlement activities; however, it will also combine with the overall Project grievance process so that both are streamlined. The grievance redress process will serve to:

- Provide early warning of possible problems;
- Involve all necessary stakeholders in the grievance management process, including representatives of PAPs;
- Provide PAPs with accessible procedures for settlement of disputes;
- Provide a consistent way to address, resolve and close grievances;
- Identify and implement appropriate and mutually acceptable corrective actions to address complaints;
- Contribute to building trust and good relationships with the PAPs, the host communities and other key stakeholders; and
- Avoid, wherever possible, the need to resort to judicial proceedings.

9.2 Registration of Grievances

It is inevitable that complaints and grievances will arise, especially given the emotive nature of displacement issues. In this report, a grievance is considered to be any complaint or concern raised by an individual or group within the project area and communities affected by project operations. Grievances are likely to peak during the verification of the valuation report by LVD, further negotiations, and finalisation of resettlement packages and compensation agreements. Grievances relevant to land tenure where the need arises, and resettlement need to be accommodated by the GRM (database), taking cognizance of the various categorisations as shown in Table 9.1.

Table 9. 1: Types of Grievances and mitigation measures

Type of grievance	***Description***	***Mitigation***
Grievances/errors relating to additional asset inventory	Potential grievances may arise during additional asset inventories (Updating of this Report/ARAP) that may be required, whereby the PAP does not agree with assets and values recorded.	All asset inventories must be verified and signed off by a NJSMA representative/ARAP Implementation Committee, the independent valuer and PAP/trader. PAPs will also receive a copy of the inventory and photogARAPhic evidence will be taken during the survey. The survey procedure will be explained to the PAP in advance to ensure that they fully understand the process. They may also be present during the survey to witness the process themselves.
Misidentification of tenant/owner/occupier of eligible store/stall/shed/property and assets	Valuers may misidentify the tenant/owner/occupier creating grievances or conflict between the parties involved	To avoid misidentification of eligible tenants/business operators, local assembly members and representatives of the market leaderships will confirm each potential PAP in the Zongo Market and will validate the eligibility through their signature on the Valuations sheet. All valuations will be documented with photogARAPhs and reference numbers, providing an exact record of PAP/trader identification to support later disputes.
Complaints regarding the eligibility and entitlements matrix/policy	Grievances may be raised regarding the eligibility and entitlements matrix and resettlement assistance or compensation provided to PAPs	A thorough consultation programme in partnership with the NJSMA in the affected markets/communities will provide a platform for PAPs to ask questions and provide feedback to be considered in the final matrix. Additionally, ongoing consultation meetings and the presence of project representatives, including community liaison staff, will allow for additional questions and feedback regarding the policy to be addressed.

Type of grievance	***Description***	***Mitigation***
Potential grievances following valuation	Grievances may arise following the public disclosure of the valuation report by the government. In particular these may include disagreement on asset valuation	Valuations will be based on market rates, in line with best practice in agreement with the PAP. Disputes will be resolved in consultation with the ARAP Implementation Committee (RIC) and Land Valuation Department (LVD).

9.3 Structure of the GRM

The GRM shall involve both formal and informal grievance resolution mechanisms, characterised by;

Multiple uptake points - complainants shall be provided with multiple channels to submit their complaints including postal mail, electronic messages, telephone, SMS, personal delivery/walk-in, or through the mainstream and social media. A project specific hotline will be established to enable complainants to lodge their complaints. The project will take advantage of the presence of local assembly members in each project community to receive/share complaints with project staff. Additionally, Liaison Officers (LOs) will be designated within each affected market to receive, resolve (where possible) and communicate grievances to the designated Grievance Resolution Officer (GRO). The LOs are charged to enforce the project cut-off date for the asset inventory and baseline data collection.

Timely resolution at the lowest possible level – this project will strive to attend to complaints in a timely manner and at the lowest level of operation to the extent practicable. To do this, the project will designate a Grievance Resolution Officer, i.e., a contact person at the site level. In this regard, the Social Safeguards Officer stationed at the New Juaben South Municipal Assembly is designated as the GRO. The GRO will take measures to resolve grievances at this level where possible. The procedure for handling grievance at this level is detailed under section 9.4.

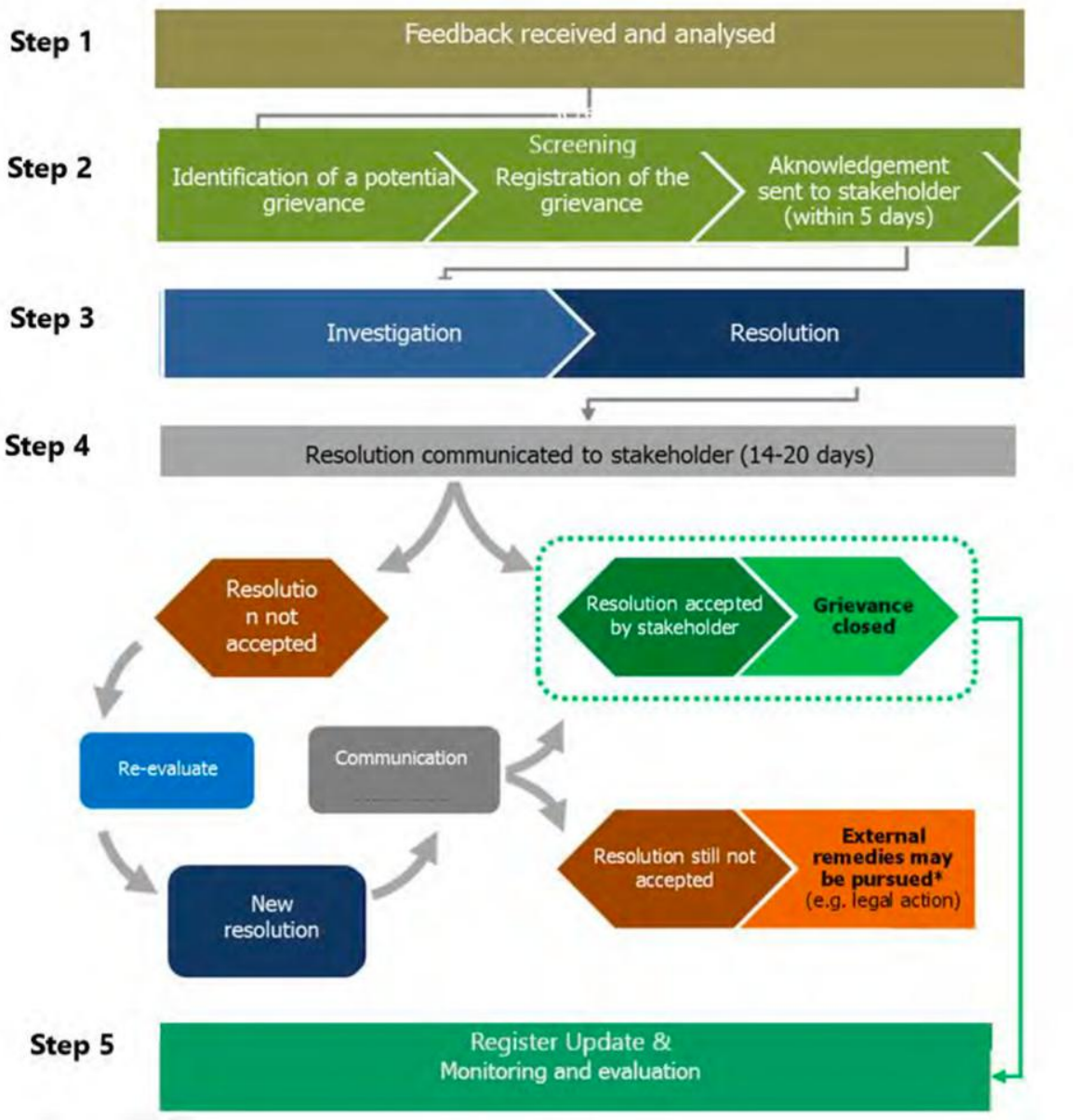
System for receiving, sorting, verifying and tracking - A simple system (preferably computer based) shall be developed for more effective management of complaints to guide the NJSMA/contractor, particularly during project implementation.

In line with international procedures such as the IFC (PS 10), the following five-step process is proposed;

- Step 1: Receipt of grievance
- Step 2: Screening (classification, registration and acknowledgement) of grievance
- Step 3: Investigation into grievance
- Step 4: Resolution and Feedback
- Step 5: Monitoring and Evaluation.

This five-step procedure is illustrated in figure 9.1 and elaborated in the following sections.

Figure 9. 1: Grievance Redress Mechanism



9.4 Procedures for Handling Grievances

The procedure for handling grievances under this project include multiple levels, as elaborated below;

9.4.1 First tier of grievance redress

All grievances (irrespective of mode of receipt or level at which they were lodged) shall be referred to the site-based Grievance Resolution Officer (GRO) for resolution. A grievance form shall be completed for all grievances received and logged into the site-based grievance system for tracking. If the affected person appears in person, the affected person should file his/her grievance in writing. The grievance form should

be signed and dated by the aggrieved person. Where the affected person is unable to write, s/he should be assisted to complete the grievance form and emboss the form with his/her thumbprint. A sample grievance redressal form is provided in Appendix H. The GRO shall respond within 14-20 days during which time any meetings and discussions to be held with the aggrieved person(s) should be conducted.
If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time, the grievance is escalated/lodged with the RIC or a constituted Grievance Redress Committee (GRC) where possible. The Grievance Officer is responsible for processing and resolving the grievance with relevant departments and stakeholders, including the complainant, and the ARAP Implementation Committee (RIC). The GRO may draw on existing mechanisms in the community including community leaders, opinion leaders, local government officials, traditional justice system, etc. and may constitute a site-based local Grievance Redress Committee (GRC) in his attempt to address the grievance. If the grievance relates to the valuation of assets, experts may need to be requested to revalue the assets, and this may necessitate a longer period of time. In this case, the aggrieved person must be notified by the GRO that his/her complaint is being considered.

9.4.2 Appeal and mediation

If a grievance is not resolved at the first-tier level, it will be elevated to the level of the District Grievance Redress Committee which will be constituted under the chairmanship of the Presiding Member of the New Juaben South Municipal Assembly. It will be the responsibility of the Grievance Redress Officer (GRO) to provide the required feedback to the district grievance committee regarding the complaints and efforts exhausted at the community level to resolve the issue. The composition of the District Grievance Redress Committee shall include:

- Presiding Member of District Assembly (Chair)
- District Development Planning Officer
- Representatives of affected stakeholder groups within the project area of influence
- Site Grievance Redress Officer(s)
- Contractor's Grievance Redress Officer
- Representative of traditional authorities, if necessary

After receiving a complaint, the first step will be the entry of the complaint in the computer database, and within 5 days, the GRC will convene meetings with the aggrieved person(s) and community members to assess the problem and find plausible solutions on the scheduled dates and times.

Following the preliminary assessment, the presiding member as chairman will investigate the complaint through the local administration, which will share its fact-finding report with the district grievance committee within 15 days of receipt of the complaint. After receipt of the findings report, within the next 3 days, the GRC will

convene its meeting and adjudicate the issue as per the eligibility and entitlement provisions outlined in the ARAP, fully consistent with local customs and the legal and administrative framework of the area.

The GRC shall decide the complaint and share its decisions with the NJSMA Safeguards Team and complainant within 30 days of receipt of the complaint for further implementation or execution of the decision and subsequent closure of the complaint accordingly. However, if the complainant or aggrieved person is unsatisfied with the GRC's decision, the person can request that the GRC elevate the complaint to the next higher level, which is the project ARAP Implementation Committee (RIC).

The Project Resettlement Implementation Committee (RIC) will be established at the New Juaben South Municipality in Koforidua. The project RIC will comprise of nominated representatives of the New Juaben South Municipal Planning Coordinating Unit (MPCU) and the project affected groups. The composition of the RIC shall include:
NJSMA Membership

- Presiding Member
- Municipal Development Planning Officer
- Physical Planning Officer
- Head of Works
- Social Welfare and Community Development Officer

Representative from LVD
Membership of Affected Market and Communities[22]

- Representative of Zongo Market (Shops)
- Assembly Member for electoral area covering Zongo market

The Project Resettlement Committee will be the focal point to receive, record, review, and address project-related concerns in coordination with the Municipal Planning Coordinating Unit (MPCU) and the Development Planning Subcommittee of NJSMA. The MPCU and the Development Planning Subcommittee are responsible for the implementation of the RPF and oversight respectively. Complaints received at this level shall be addressed within 10 working days of receipt.

9.4.3 Appeal to court

If no agreement is reached at the project resettlement committee stage, then the grievance is taken to the Commission for Human Rights and Administrative Justice (CHRAJ) or the courts, whose verdict will be binding on the parties.

[22] The membership includes the representatives of the project affected and host communities/sites.

9.5 Record-Keeping

A grievance log will be maintained to record all grievances received, management actions, and whether they have satisfactorily been closed out. This will enable the identification of patterns, avoid recurrent problems, and improve the Project's overall social performance. Hard copies of all Grievance Forms and letters will also be kept on file.

The Development Planning Officer, in coordination with the Grievance Officer, will produce a monthly report to be consolidated into a Grievance Report for monitoring and third-party auditing purposes.

9.6 Publicising the Grievance Mechanism

The grievance mechanism described above will be widely advertised to affected stakeholders so that they are aware of the process, know they have the right to submit a grievance, and understand how the mechanism will work and how their grievance will be addressed. Being the responsibility of the NJSMA, this process shall primarily be carried out through community visits and the distribution of flyers.

10 Institutional Responsibilities and Arrangement for ARAP implementation

10.1 Institutional Framework and Implementation Responsibilities

This section presents a summary of the organisational framework required for the planning and implementation of the land acquisition where applicable, resettlement and livelihood restoration activities detailed in this ARAP. The compensation/resettlement programs described in this ARAP involve distinct processes and different agencies earlier outlined in the document. These agencies and their specific roles in the various aspects of the ARAP implementation are as follows;

10.1.1 Ministry of Local Government, Decentralisation and Rural Development (MLGRD)

The MLGRD is the central government agency responsible for the promotion of government policies and projects at the local levels in Ghana. MLGRD is the lead implementing agency for the GSCSP. The Planning, Budgeting, Monitoring and Evaluation (PBME) Department of the MLGRD is designated to manage the project (GSCSP). PBME also supervises the implementation of the ARAP by the NJSMA.

MLGRD is responsible for supporting NJSMA in: (i) preparing TORs for the ESIA/ESMP and ARAP/ARAP; (ii) ensuring the contractors comply with the recommendations the environmental and social assessments and environmental and social management clauses (inserted into the contract) during construction phase.

MLGRD retains an Environmental and Social Officer (ESO) who acts as the interlocutor of the GSCSP at MLGRD and the NJSMA (Planning Officers and Environmental Health Officers). Other responsibilities of the ESO include: Coordination with MPCU (NJSMA) in monitoring of the contractors and works; Compilation and preparation of bi-annual environmental and social impacts monitoring reports for submission to the World Bank; Review of ESIA reports from consultants in collaboration with EPA and MLGRD; Facilitating the disclosure of ESIAs and ARAPs/ARAPs in-country; Data management; and Sub-project inspections, monitoring and giving technical advice to the NJSMA.
Additionally, MLGRD is responsible for strengthening/building capacity of the project executing institutions including the NJSMA and the Eastern Regional Coordinating Council (RCC) to effectively carry out the environmental and social management responsibilities for project implementation.
Following the establishment of valuation for project impacts, MLGRD will produce a Contract or Agreement that lists all property and assets being acquired or impacted by the proposed project and the types of compensation selected.

10.1.2 The Environmental Protection Agency (EPA)

Ghana Environmental Protection Agency (EPA), through the Eastern Regional office, will be responsible for providing overall quality control through the review and

clearance of the ESIA and ARAP and validating the Environmental Audit Reports (EAR) to be prepared at the completion of works by the project contractor. EPA will also assist in enforcing compliance with World Bank safeguards policies and monitor the implementation of the ESMPs. The EPA will also support the NJSMA in coordinating safeguards activities.

10.1.3 Lands Commission

The passage of the Lands Commission Act, 2008 (Act 767), incorporates four of the public sector land agencies (Survey and Mapping Division (SMD), Land Registration Division (LRD), Land Valuation Division (LVD) and the Public and Vested Lands Management Division (PVLMD)) into a single entity – the Lands Commission (LC). This initiative restructured land administration in Ghana with the aim to ensure efficiency and effectiveness in land administration.

The PVLMD is charged primarily with the management and administration of state and vested lands. The LC's role in the area of compulsory acquisition is that it serves as a Member/Secretary to the permanent Site Advisory Committee, a technical committee that considers requests for compulsory acquisition by state agencies and recommends its acceptance or otherwise. The proprietary plan covering the site to be acquired is plotted by the Commission in the government records. Also, endorsement of the acquisition is processed by the Commission for the approval of the Minister responsible for lands, before an Executive Instrument (EI) would be issued and gazetted.

The LVD of LC, as the government agency authorised to process compensation claims on compulsory acquisitions for government projects, has been involved in the process of collection and authentication of documentation on affected persons and properties, and the preparation of this ARAP. LVD also validates the assessment of loss and compensation payable to PAPs to ensure that payments are made to all eligible PAPs at Full Replacement Cost, as required by the national laws and the World Bank policy. The Regional Lands Commission (and the LVD), with support from the ARAP Implementation Committee will draw up a contract listing all property and land to be acquired/surrendered for the project implementation, as well as all types of compensation (cash and/or in-kind) selected. PAPs entitled to in-kind compensation will sign an order form to be witnessed.

The authorised compensation valuation list from the LVD will be forwarded to NJSMA (the implementing agency) for processing of payment. Subsequent to clearance being given by LVD, NJSMA will apply to the MoF, on request from the MLGRD, for the release of funds for compensation payment

10.1.4 Ministry of Finance

The Ministry of Finance and Economic Planning is the agency that manages the central government's budget. The Ministry of Finance is responsible for releasing

money to be paid to victims of projects undertaken by state agencies. On request from MLGRD, the Ministry of Finance will authorise and release to NJSMA, the funds required to implement the ARAPs, pay supplemental assistance and compensations. The Ministry may also enter into special arrangements with the NJSMA regarding implementation of provisions in the ARAPs especially with reference to payments of compensations.

10.1.5 New Juaben South Municipal Assembly (NJSMA)

The NJSMA is the planning authority who has jurisdiction over the project corridors and sites. NJSMA, through the Physical Planning Department, prepares planning layouts for towns/cities in the New Juaben South Municipality, as well as defines safety zones/right of ways. It also vets and approves layouts prepared by prospective developers and specifies all reservations based on forecasted land-use plans. The department is required to approve developments and grant permits in conformity with the already prepared layout of the area.

Land demarcation and general development plans of communities within the New Juaben Municipality lies with the NJSMA as well as the communities in consultations with the Traditional Authorities (particularly the New Juaben Paramountcy) who is the custodian of lands in the New Juaben Traditional Area. The NJSMA will acquire land for the proposed project where necessary, thus responsible for the implementation of the provisions of this ARAP.

The implementation of the ARAP at the NJSMA level will be under the Municipal Planning Coordination Unit (MPCU) with oversight provided by the Development Planning Subcommittee of the assembly. The main focal and overall responsible person will be the Planning Officer who will be responsible for compliance with environmental permitting of developments, measures for social impacts mitigation, monitoring and reporting as stipulated under the RPF and the ESMF. The NJSMA will engage an Environmental Officer (EO) to ensure the implementation of the ESMF through collaboration with the Municipal Development, Planning and Coordinating Unit of the NJSMA.

NJSMA will serve as media for public education and community consultations. Some of the administrative structures of the Assembly, that is, the offices of the Assembly member and the Unit Committees will play a key role in awareness creation on project activities, their impact and proposed mitigation measures. The Assembly members also act as witnesses during payment of compensation and supplemental assistance to PAPs.

10.1.6 Attorney General's Department and Ministry of Justice

The Attorney General's Department and the Ministry of Justice has redress mechanisms in place for aggrieved persons. The Attorney General encourages all individuals (PAPs) who will not be satisfied with resettlement packages/compensation

offered to them to seek redress in a court of law as empowered by constitution. Within the grievance redress mechanism this will be a last resort after all parties have exhausted opportunities outlined by the grievance redress team established by the project.

10.1.7 Eastern Regional Coordinating Council (ERCC)

The Eastern Regional Coordinating Council will play coordinating roles for the NJSMA on safeguards issues. The RCC will also coordinate and monitor the implementation of the proposed project at the regional level by ensuring prudent management of funds.

10.1.8 Land Use and Spatial Planning Authority (LUSPA)

The LUSPA (formerly Town and Country Planning Department), with the passage of the Land Use and Spatial Planning Act, 2016 (Act 925) is the national entity solely responsible for land use and spatial planning in Ghana. In line with the new three-layer planning model formulated under the Land Administration Project (LAP - 2), the LUSPA is tasked with the preparation of long term national spatial development strategy/framework for achieving defined social, economic and environmental policies.

LUSPA has finalised the preparation of the National Spatial Development Framework (2016 – 2035). It is intended that from the national spatial development strategy/framework, regional and MMDA spatial development frameworks will be developed. Act 925 is expected to be the institutional structure for preparation and enhancement of comprehensive spatial development plans for all MMDAs, sub-regions and regions, and requires the preparation of structural and local plans for all urban areas to guide future development and redevelopment and upgrading of existing communities (including slum areas). These innovative arrangements would significantly inform site selection, planning and implementation of the project within the New Juaben South Municipality. This emphasises the need for a close collaboration amongst the various ranks of planning authorities (from national, regional and MMDA levels).

10.1.9 Non-governmental Organisations (NGO)

NGOs are independent bodies who serve as the mouth-piece of the local people. They participate in public hearings of ESIAs and ARAPs and in addressing the concerns of the communities. With regards to the implementation, resettlement and compensation responsibilities of the proposed project, NGOs will serve as independent bodies to validate compensations, help with sensitisation and awareness programs regarding safeguards compliance.

10.1.10 Traditional Authorities - New Juaben Traditional Council

The Omanhene, traditionally called "Dasebere" is the epitome of the New Juaben culture. He presides over all the other Chiefs within the New Juaben Traditional Council area. Below the Omanhene are the divisional Chiefs and the "Adikrofos" who pay

homage to the paramountcy (New Juaben Traditional Council). The proposed project lies entirely within the New Juaben Traditional Area, thus recognises the cultural and land governance structures relevant to project implementation. The Omanhene of the New Juaben Traditional Council, Daasebre Kwaku Boateng III is a primary stakeholder with significant potential to influence the outcome of the project.

10.1.11 Utility Service Agencies

The utility companies that are likely to play a role in the resettlement schemes are: The Electricity Company of Ghana (ECG), Ghana Water Company Limited (GWCL) and the telecommunication companies. These agencies will, at the appropriate times, disconnect and reconnect PAPs to their services before and after relocation as the case may be. Arrangements will be made for special priority to be given to PAPs so that they are not treated as usual applicants for services to their new places.

10.1.12 Local Communities

Local communities will be part of the implementation arrangements by participating in the monitoring and evaluations of the project. This will be done through their representatives on PCDMC and the GC. For the purpose of ARAP implementation (and general project implementation), a Project Community Dialogue and Monitoring Committee (PCDMC) will be constituted to assist with monitoring of the proposed project. The membership of such a committee should include:

1. Chiefs/ opinion leaders;
2. Assembly member or unit committee member;
3. Community women's representative; and
4. Representatives of the NJSMA such as the Development Planner, Works Engineer and Gender Desk Officer.

Key functions of the PCDMC include the following:

- Taking project information from implementers to the community members. The information provided must be timely and accurate and tailored to the level of all community stakeholders. Project implementers shall prepare the information in a variety of ways to meet the needs of project stakeholders before giving it to the committee.
- Receiving feedback from the community and stakeholders for onward delivery to the project implementers.
- Creating understanding between the project and the community members.

To be able to achieve these responsibilities, the NJSMA/contractor's ESHS team shall train members of the PCDMC to raise awareness among community members about the project procedures.

The PCDMC shall only deal with matters relating to the dissemination of information about the project to community stakeholders. Example of information that needs to be given to members of the project communities can be the specific time that the contractor will reach any particular community to enable affected persons relocate

in good time and the whole community prepare mentally and to implement any precautionary measures that have been agreed. Under Ghana laws, Project Affected Persons (PAPs) whose temporary structures are being affected have at least three weeks within which to relocate after receiving compensation. Community meetings will be a good way to present project related information.

For community-based monitoring on the projects, members of the PCDMC will be expected to monitor:

- Resettlement Action Plan (ARAP) implementation: The committee shall be responsible for ensuring that the principles and specific requirements of the ARAP are adhered to and implemented.
- The activities of the contractor with respect to the works: An example will be to make sure that if the contractor uses noise-making heavy machinery after 1800 hours, the committee will alert the Resident Engineer (RE) for necessary action to be taken.
- The interaction between the contractor's workers and community members, for example, will be to make sure that the contractor does not engage in any unapproved relationships with community members e.g., sex with underage girls etc.

10.1.13 The Compensation Disbursement Team (CDT)

This team will be responsible for organising and ensuring that compensations payable to PAPs are delivered in line with the provisions and procedures set out in the ARAP and the Resettlement Policy Framework. The CDT will comprise personnel drawn from Regional LVD, NJSMA, and the Contracting Entity, in addition to representative(s) from the PCDMC.

10.1.14 The Project Grievance Redress Team

The GRC (as set out in chapter 6) will be responsible for receiving and logging complaints and resolving disputes. The team will undertake follow-ups on all measures taken to resolve each grievance or dispute to ensure that redress actions are implemented by whoever is tasked to undertake such action.

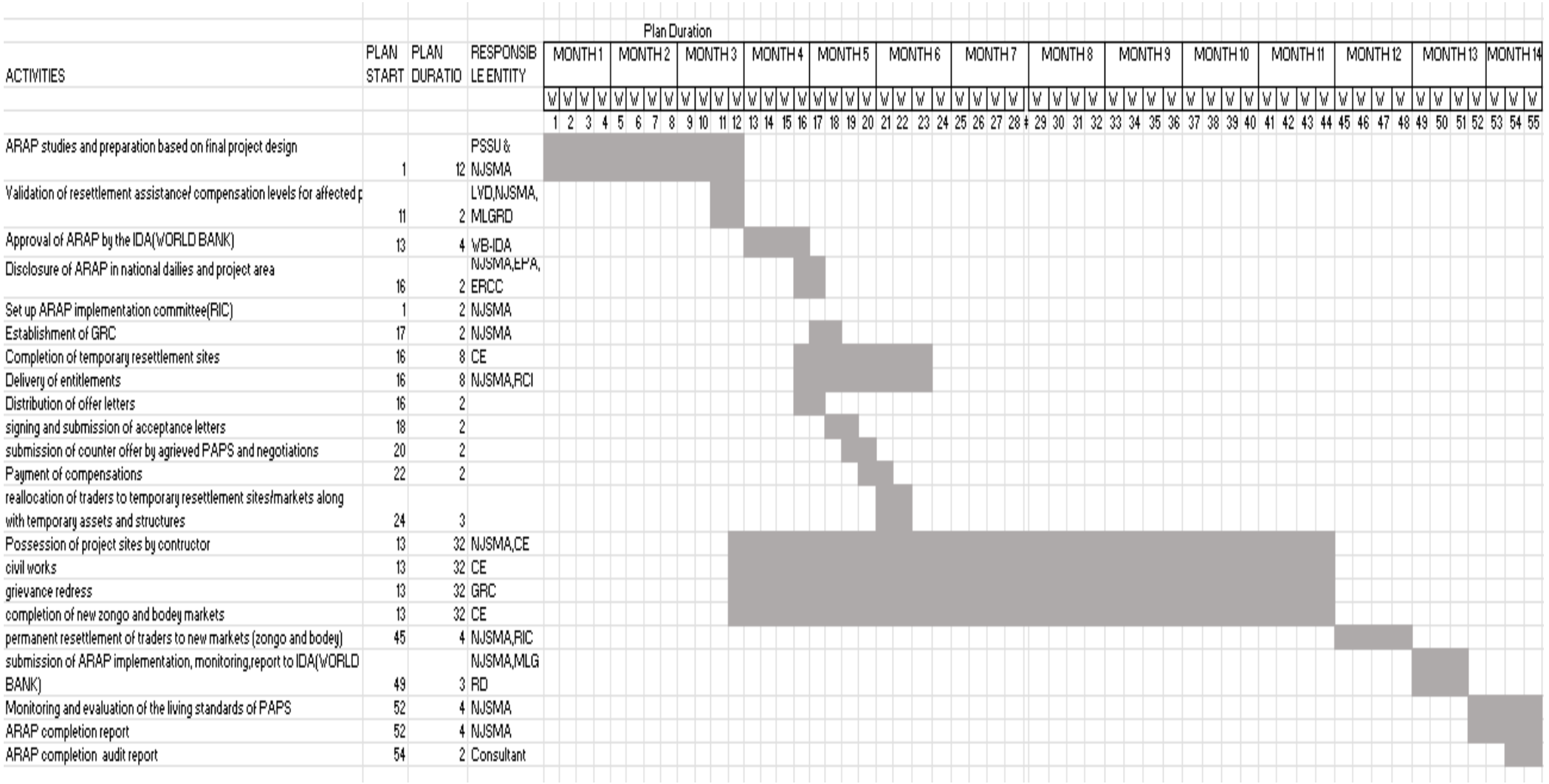
10.1.15 The Monitoring and Evaluation Team (MET)

The Monitoring and Evaluation Team comprising representatives from NJSMA, MLGRD, EPA, LVD and MoF will be responsible for monitoring of the ARAP implementation program to ensure that stated targets are met and project affected persons are duly compensated in line with the ARAP requirements.

10.2 Implementation Activities, Procedures and Schedule

The implementation activities start with the approval and clearance of this ARAP by the World Bank and disclosure by NJSMA. The ARAP implementation activities, responsible agencies, and time frame have been tabulated below. The ARAP implementation schedule is proposed over a period of 8 months, as shown in Figure 10.1 below. However, it is possible to commence civil works in sections of the markets where compensation or resettlement activities are completed.

Figure 10. 1: Indicative Schedule for Implementation of ARAP



10.2.1 Validation of Resettlement Packages/Compensation Levels

The assessment of resettlement packages and or compensation (specific compensation packages for PAPs) as contained in this draft ARAP shall be verified/certified by the LVD. Following this, the draft ARAP will be finalised for clearance or approval by the NJSMA before implementation. All the activities outlined are expected to happen within two months after the submission of this draft ARAP.

10.2.2 Disclosure of the ARAP

Following the approval or clearance of the ARAP, the NJSMA will disclose the ARAP on its website, through all forms of media (newspapers, local radio stations etc) and project sites. In addition, hard copies of the ARAP document will be placed in the regional office of the EPA and ERCC who are involved in this project. Officials at the NJSMA will support the publicisation of the resettlement activity to the public and all other stakeholders involved. This will allow the public to view and update themselves throughout the project implementation. For security reasons and for the sake of confidentiality, the specific compensation packages will not be part of the disclosed version of the ARAP.

The ARAP will be disclosed during public meetings in the various communities. This will enable community members to express their views and concerns on the resettlement. It is expected that NJSMA will complete this activity within two weeks from the date of approval.

10.2.3 Formation of ARAP Implementation Committee

An ARAP Implementation Committee (RIC) will facilitate the smooth implementation of the plan. Membership of the RIC will comprise the Environmental and Social Safeguards Team of NJSMA; representatives; representation of affected traders, affected and host sites/markets/communities; the Contractor; and representation of relevant implementation departments as may be required (including LVD, utility services providers, etc.). NJSMA will facilitate the establishment of this committee.

Responsibilities of the RIC include the following:

1. Organisation ensuring that resettlement entitlements and compensations payable to PAPs are delivered in line with the provisions and procedures set out in the ARAP.
2. Ensuring maximum participation of the affected people in the planning of their own resettlement and post resettlement circumstances.
3. Facilitating all consultation and engagement activities with affected vendors.
4. Providing support and assistance to vulnerable groups.
5. Ensuring monitoring and evaluation of the PAPs and the undertaking of appropriate remedial action to deal with grievances.
6. Ensure the GRM is communicated to all stakeholders from the early stages of the resettlement process.

7. Coordinate the relocation of vendors to the temporary market and reinstatement of all vendors in the re-constructed market.

10.2.4 Formation of Grievance Committee (GC)

The ARAP has outlined a Grievance Procedure that lays down clear guidelines for the grievance redressal process. This process will be disclosed through public campaigns (including different media ways), group and individual meetings, as well as disclosure in prominent places. Brochures on the grievance process will be displayed in prominent places such as the office of NJSMA, in the offices of the Heads of Unit Committees within the project area and in the palaces of traditional authorities, particularly the New Juaben paramountcy.

NJSMA is required to establish a grievance mechanism prior to the delivery of entitlements. This involves appointing a dedicated grievance officer, establishing a local/community grievance committee three weeks after the approval of the ARAP. These established mechanisms will be useful to affected traders/persons who wish to lodge grievances or use any of the uptake points (phone calls, SMS, email etc.).

10.2.5 Distribution of Offer Letters

The NJSMA in collaboration with the MLGRD and LVD shall prepare offer letters for distribution to all PAPs by the NJSMA (through the RIC), stating the type and amounts of resettlement support/compensation being offered. The contents of the letters will be explained to PAPs in languages they understand. PAPs shall be given a period of two (2) weeks after receipt of the offer letters to accept or reject the offer, offer a counterclaim, and seek redress under the grievance procedures established. Those who accept will be required to sign and submit the acceptance letters for their resettlement entitlement to be delivered and or compensation to be paid. Those who do not accept have the right to make a counteroffer and will be invited for negotiations with the RIC. The offer and acceptance activities will go on concurrently with the GC formation. An illustrative example of an offer or acceptance form is attached as Appendix I.

10.2.6 Delivery of Entitlements

Entitlements for project affected traders/individuals would range from cash compensation to in-kind (non-cash) resettlement packages for losses in accordance with the eligibility and entitlements matrix developed. The approved entitlements or amounts would be communicated to NJSMA for delivery or payment to the beneficiaries. Where applicable, compensation would be paid before the traders/occupiers are relocated to the respective temporary resettlement sites for commencement of works. The affected traders will be given adequate notice of not less than one month after payment of compensation to relocate to the temporary relocation markets depending on the nature of relocation or resettlement.

All compensation payments will be made by NJSMA in the presence of the affected party and officials of EPA and the LVD and with an NGO as a witness; or in the

presence of the RIC (or a quorum of members) and an independent witness of the affected person or opinion leader. The MLGRD will ensure that due process has been followed by the NJSMA in preparing and paying of the appropriate compensation. Payments will start two (2) weeks following the communication of the first offer to PAPs. The process will be ongoing until entitlements are duly delivered to PAPs. Uncollected funds at the end of the designated payment period will be held in an escrow account. Any disagreement regarding eligibility will be referred to the GRM. The RIC will ensure that due process has been followed in preparing and paying the appropriate compensation.

Payment will follow the established country financial management regulations procedures which requires that all government payments are properly documented and preferably made by check or banker's draft. The following process is recommended to ensure prompt payment of compensation to affected persons and entities where applicable:

- Cheques shall be preferred as first mode of payment; however, payment may be by banker's draft; or mobile money where the amounts involved are less than Gh₵1,000.
- PAPs will be required to produce a GoG issued ID for identification purposes. PAPs will also be required to sign an agreement indicating that the compensation payable is the full and final amount due PAP and sign a payment receipt acknowledgement form. A picture will be taken of the PAP displaying the issued cheque or bankers draft for records.
- Proper receipts will be issued by the Contracting Entity (CE) and copies given to the affected person, and the Accounts Department of the NJSMA.

The Planning and Development Unit of NJSMA will ensure that no construction begins until affected traders have been resettled and/or duly compensated (according to World Bank Operational Policies OP 4.12). All compensation, whether cash payments or in-kind, would be delivered to the PAPs before commencement of construction. However, for the traders/tenants entitled to resettlement at the new markets upon completion, delivery of entitlement prior to the commencement of project works will constitute partial execution until relocation to the completed markets.

10.2.6.1 Relocation of traders to temporary resettlement sites/markets

Up to three weeks after receipt of compensation where applicable, NJSMA and the CE will supervise PAPs with temporary structures to relocate them to designated temporary resettlement markets. As soon as the first group of traders vacate the site, civil works can commence.

10.2.7 Possession of project site by CE and commencement of Civil Works

Following the successful delivery of entitlements and relocation of affected traders, the CE will be issued notice to proceed with works by the NJSMA. The CE will possess and clear/prepare the project site for civil works to commence.

10.2.8 ARAP Implementation Reporting

The first ARAP implementation report, to be prepared by the NJSMA shall be due one (1) month after implementation activities have commenced. Subsequent reports will follow at quarterly intervals for the period of ARAP implementation. The implementation reports will be prepared by NJSMA with supervision and technical guidance from MLGRD through the PBME and ESO. The monitoring will focus on the restoration of livelihood processes for all project-impacted landowners and users, potential and actual issues and concerns related to ARAP, corrective actions which need to be taken, any lessons learnt from the consultation/disclosure as well as grievance redressal.

11 Monitoring and Evaluation

11.1 Introduction

This chapter discusses the internal and external monitoring and evaluation activities required to ensure an effective ARAP implementation that incorporates feedback and learning. The objective of the monitoring and evaluation (M&E) is also to provide project stakeholders, PAPs, and relevant authorities with information on whether resettlement activities align with overall resettlement objectives. It also evaluates the resettlement impact in relation to baseline indicators and objectives of the ARAP process.

11.2 Internal Monitoring

The internal monitoring will involve continuous follow-up on implementation activities to ensure their consistency with the ARAP strategy in terms of their performance and impact. This is to enable the NJSMA to take appropriate actions to address any challenges, gaps, deviations, etc. It will involve a day-to-day tracking of progress on ARAP planning and implementation activities, including compensation payments, consultation and community feedback campaigns, resettlement, rehabilitation and income restoration measures implemented, community concerns and grievances recorded and resolved, corrective actions implemented etc.

11.2.1 Performance Monitoring

The internal monitoring of the performance of the ARAP will be done by the ARAP Implementation Committee. Specifically, the day-to-day ARAP supervision will be conducted by the Safeguards Officer assigned to the project. He will produce monthly and quarterly progress reports, which will be reviewed by the ARAP Implementation Committee.

The scope of internal performance monitoring will include:

- compliance with the agreed policies and procedures for land acquisition, where required;
- grievance redress procedures in place and functioning
- prompt approval, allocation of entitlements and/or disbursement of compensation payments to PAPs, including, if necessary, supplemental compensation for additional and/or unforeseen losses; and,
- remedial actions, as required.
- identification of emerging issues and potential problems that need to be managed

11.2.2 Impact monitoring

The long-term impacts of the resettlement processes on the overall well-being of the project affected persons will be monitored and evaluated. Indicators related to the living standards and livelihoods of PAPs and host communities will be tracked against the socio-economic baseline obtained during the census and survey. Monitoring impact should cover a variety of outcomes for PAPs including;

- Being satisfied with their compensation/resettlement packages
- Accessing adequate and convenient market space
- Securing employment
- Having reinstated profitable businesses

A quarterly impact and performance monitoring report will be prepared until all relocated vendors are reinstated (i.e., payment of adequate compensation or resettlement where appropriate). Monitoring reports will be evaluated to provide an opportunity to identify key lessons learned and correct deviations from the principles and objectives outlined in the ARAP. Even after physically displaced persons are compensated or resettled (where appropriate), monitoring frequency will remain quarterly until the completion audit.

11.3 External Monitoring

External monitoring is undertaken to ensure compensations and entitlements, and other Project efforts to restore/improve the living standards and livelihoods of PAPs have been achieved. It is also to assess the performance of the ARAP implementation activities from an external perspective.

The Environmental Protection Agency, through its offices (national and regional), will be responsible for the external monitoring. Additionally, a private supervising consultant may be appointed by the project to assist with independent external monitoring of the implementation of the ARAP. The project donor may also conduct external audits as and when it deems fit. The activities involved in external monitoring will include:

- Review of pre project (before displacement) baseline data on PAPs
- Verify the progress of implementation of ARAP based on the records available
- Advise on safeguard compliance issues if significant involuntary resettlement issues are identified, prepare a corrective action plan to address such issues
- Identify an appropriate set of indicators to gather and analyse information on resettlement impacts
- Use of various formal and informal methods for impact analysis
- Assessment of resettlement efficiency, effectiveness, impact and sustainability
- Provide guidelines for future resettlement policy making and planning based on the lessons learned.

The external monitor (either the EPA or the private supervision consultant) will document monitoring results, identify the essential corrective actions, and reflect them in a corrective action plan when significant non-compliance issues are detected. The Project ARAP Implementation Committee of the NJSMA is required to prepare a corrective action plan to address such issues. The ARAP Implementation Committee will in each quarter, review compliance to the action plan developed in the previous quarter.

External evaluation may be undertaken monthly prior to relocation. Subsequently, quarterly for the remaining duration of the ARAP implementation, and until a completion audit has demonstrated the successful conclusion of resettlement and livelihood restoration.

11.4 Monitoring and Evaluation Indicators

Table 11.1 below presents the key indicators that will be monitored and evaluated both internally and externally under this ARAP

Table 11. 1: M&E Plan with indicators

Activity	**Monitoring Indicators**	**Means of verification**	**Monitoring frequency**
Development and update of vendors' register	Full list of updated vendors' registers. Schedules for further update of vendors' register.	Review of monthly performance reports	Once in a month after update
Identification and acquisition of temporary relocation Site.	Documentary evidence of ownership and/ or access to the temporary relocation site.	NJSMA's records of evidence of ownership of and/or access to temporary relocation sites.	Once after the site is identified and prior to relocation of vendors
Preparation of the temporary relocation site to receive vendors	• Levelling the relocation sites • Zoning of market area, ground allocation markings • Installation of temporary stalls on site • Sanitary facilities on site • Utilities (water and electricity) on site • Provision of security on site • Drainage improvements where applicable • Provision of temporary warehouses on site	Daily and monthly site inspections.	Daily for internal monitoring Monthly for external monitoring before relocation

Activity	Monitoring Indicators	Means of verification	Monitoring frequency
Formation and Induction of ARAP and GRM Committees.	• Record of ARAP committee formation and inauguration • Record of training for committee members. • Training schedules for committee members.	List of members of the committees and the contacts Contacts of committees displayed at the temporary site notice board. Review of monthly performance reports Monthly and quarterly field monitoring inspections. Minutes of committee engagements	Monthly for Internal monitoring Quarterly for external monitoring
Sensitization of Market Vendors on relocation and reinstatement	• Record on awareness raising meetings with vendors on relocation and reinstatement • Record on public announcements • Schedules for public awareness campaigns	Review of monthly performance reports	Monthly for internal monitoring until vendors are reinstated in the new market Quarterly for external monitoring until vendors are reinstated in the new market

Activity	Monitoring Indicators	Means of verification	Monitoring frequency
Relocation of vendors to temporary relocation sites	• Relocation schedules for vendors. • Public notice on relocation dates and procedures. • Record of cash facilitation or other form of assistance for key vulnerable groups (Persons with disability and the elderly above 70 years of age). • Record of grievances from vendors	Review of monthly performance reports Monthly field inspections	Monthly for internal monitoring until vendors are reinstated in the new market Quarterly for external monitoring until vendors are reinstated in the new market
Reinstatement of vendors to the redeveloped market	• Relocation schedules for vendors. • Public notice on relocation dates and procedures. • Record of cash facilitation or other form of assistance for key vulnerable groups (Persons with disability and the elderly above 70 years of age). • Record of grievances from vendors	Review of monthly performance reports Monthly field inspections	Monthly for internal monitoring until vendors are reinstated in the new market Quarterly for external monitoring until vendors are reinstated in the new market

11.5 ARAP M & E Roles and Responsibilities

The internal monitoring and evaluation will be undertaken by the ARAP Implementation Committee, while the external one will be done by the EPA and/ or a private monitoring consultant to be appointed by the NJSMA and the World Bank, where necessary.

11.6 ARAP Monitoring Schedule

Internal monitoring of the ARAP begins with disclosure of the cut-off date. Progress of ARAP implementation shall continue daily till the relocation of PAPs to temporary relocation sites and subsequently monthly till the reinstatement of PAPs to the new market. The external monitoring may however, be monthly prior to the relocation of PAPs and thereafter quarterly until the reinstatement of PAPs to the new market and completion audit undertaken.

11.7 Reporting and Dissemination of Periodic Reports

Performance monitoring reports shall be prepared by the ARAP Implementation Committee at regular intervals as outlined in the ARAP M&E plan (monthly, quarterly, semi-annually, and end of ARAP). The reports will be submitted to the Project Team and may be shared with relevant stakeholders and the World Bank.

11.8 ARAP Completion Audit

A completion audit will be done to;

- determine whether the efforts to restore the living standards of the affected population have been properly designed and executed.
- verify that all physical inputs earmarked in the ARAP have been delivered and all services provided.
- evaluate if the mitigation actions prescribed in the ARAP have produced the desired effect.

The baseline conditions of the PAPs before the relocation will be used as a measure against their socio-economic status post- resettlement.

The completion audit will occur after all ARAP activities including construction activities have been completed. However, the audit will occur before the financial commitments to the project are complete. The essence is to allow for greater flexibility to undertake any remedial activities that the auditors may recommend before the project is completed.

12 ARAP Implementation Budget and Funding Arrangements

12.1 Overall ARAP Implementation Budget

There will be no land-take hence there will be no compensation payable to traders/PAPs in this respect. In total, it is estimated that resettlement activities associated with the construction of the proposed Redevelopment of the Zongo Market will cost **one million and sixty-two thousand eight hundred Ghana Cedis (Gh₵1,062,800.00)**, the equivalent of **USD 91,225.23**[23]. Table 12.1 below presents a breakdown of the budget. The estimated ARAP cost is assessed based on the latest available design shared with the consultants by the design team. The budget components include compensation cost for the identified structures and impacts to livelihoods; vulnerability support; cost of livelihood restoration program; administrative cost (i.e., grievance management, implementation, monitoring and evaluation); as well as contingencies associated with implementation of the ARAP. Compensation and resettlement will be funded by the NJSMA however costs associated with the preparation of the ARAP instruments will be borne by project funds.

Table 12. 1: Indicative Resettlement Budget for the Project

#	Expenditure Description	Amount (GH₵)
A	**Cash Compensation**	
1	Demolition of permanent/immovable structures/assets owned by vendors	97,817.63
2	Relocation of vendors to temporary market sites [Cost of transporting temporary structures/assets owned by vendors]	31,850.00
3	Reinstatement of vendors in the Redeveloped Markets	47,775.00
	Sub-total	*177,442.63*
B	**In-kind Compensation**	
1	Loss of Business Income + Disturbance [waiver of the equivalence of market rents and dues payable by traders for months]	324,082.16
2	Development & Preparation of temporary resettlement facilities/markets	330,000.00
	Sub-total	*654,082.16*

[23] Interbank exchange rate of GHS11.65 to USD was adopted as at the December 2023. Source: https://www.bog.gov.gh/treasury-and-the-markets/historical-interbank-fx-rates/

B	**Vulnerability support**	*6,637.40*
C	**Livelihood restoration program (2%)**	*16,530.50*
D	***Administrative Cost***	
1	Grievance Management (5%)	41,576.24
2	Decommissioning of Resettlement Sites	16,630.50
3	Monitoring (3%)	24,945.74
4	ARAP implementation (10%)	83,152.48
5	Contingency (5%)	41,576.24
	Sub-total	*207,881.20*
E	**GRAND TOTAL**	**1,062,673.88**

12.2.1 Breakdown of Budget for Preparation of Temporary Relocation Sites

The NJSMA will develop the temporary relocation sites and provide (temporary) basic facilities including water, electricity, security, and adequate sanitation facilities in preparation to receive the affected traders from Zongo Market. The total estimated cost for the preparation of the temporary resettlement site is approximately **three hundred and thirty thousand Ghana Cedis (Gh₵330,000.00)**, the equivalent of **USD 28,326.18**. The budget details are presented in Table 12.2 below.

Table 12. 2: Breakdown of budget for the preparation of temporary relocation site

S/N	DESCRIPTION	UNIT COST (GH₵)
		Krobo Junction
1.	Security installations	15,000.00
2.	Provision of toilet and waste management facilities	150,000.00
3.	Levelling	5,000.00
4.	Construction of temporary structures	140,000.00
5.	Miscellaneous	20,000.00
GRAND TOTAL		**330,000.00**

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Appendices

Appendix A: Evidence of relocation notices and radio broadcast
[See separate attachments]

Appendix B: Minutes of Meetings with Stakeholders
[See separate attachments]

Appendix C: Typical tenancy agreement between vendors and NJSMA
[See separate attachments]

Appendix D: Project Site/Land Ownership Evidence
[See separate attachments]

Appendix E: Valuation report for enumerated PAPs and assets
[See separate attachments]

Appendix F: ARAP Payment list and Valuation Summary
[See separate attachments]

Appendix G: List of vulnerable PAPs and Assessed Vulnerability Allowance
[See separate attachments]

Appendix H: Sample grievance redressal form

Appendix I: Sample Acceptance/Decline Letter