

LAGOS METROPOLITAN AREA TRANSPORT AUTHORITY (LAMATA)

PROCEDURAL MANUAL ON SOCIAL ASSESSMENT

**PREPARED BY
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FOREWORD

This social assessment manual is designed to facilitate LAMATA in the management of social issues in the daily operations of road works - and provides guidance for mainstreaming social issues in the road works planning and management activities.

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ABBREVIATIONS AND ACRONYMS

ERPF - Extended Resettlement Policy Framework

FMENV. Federal Ministry of Environment

FRSC - Federal Road Safety Corps

LAMATA - Lagos Metropolitan Area Transport Authority

LASEPA – Lagos State Environmental Protection Agency

LSMT - Lagos State Ministry of Transportation

LUTP - Lagos Urban Transport Project

LUA – Land Use Act

FGDs – Focus Group Discussions

NGO - Non-Governmental Organization

NMV – Non-Motorized Vehicle

SECTION 1

1. Introduction

Development projects are intended to modify social and natural environments in order to create or enhance the economic well being and livelihood and other benefits that are valued by society. This goal, however, can be denied through unanticipated or unintended negative social or environmental impacts that reduce desired benefits or, if severe enough, threaten the sustainability of the project.

1.1 Potential Socio-Economic Impacts of Road Projects

Socio-economic benefits provided by road and highway projects include all-weather reliability, reduced transportation costs, increased access to markets for local produce and products, access to new employment centers, employment of local workers on the project itself, better access to health care and other social services, and strengthening of local economies. However, roads and highways can produce complex negative impacts. The impacts of improvement, rehabilitation and maintenance projects, although usually more limited, can still be significant, not only on natural resources and systems but also on the social and cultural environment.

The transport sector is a significant source of employment. Employment benefits are likely to be both direct (operations and maintenance of infrastructure) and indirect (surplus services and materials), with associated changes in income and livelihoods for those employed. It is anticipated that the skill-base of the local labour pool will be strengthened, thereby enhancing prospects for future employment.

Road construction and maintenance activities may also affect socio-economic conditions by creating more difficult trading conditions, thus having a negative effect on livelihoods. Activities such as noise or dusty/odorous equipment or materials stockpiles may discourage trading in immediate vicinity. Some traders may easily relocate nearby, however some may not. Although numbers may be small, effects could be significant by increasing individuals' vulnerability to poverty. Finally local trading may increase at some locations due to the presence of local workforces.

Disruption to traffic and access caused by construction works is also expected to affect socio-economic conditions through increased journey times.

This manual provides an outline of the relevant issues that users should take into account in conducting a social assessment of the road improvement (rehabilitation/maintenance) programme.

1.2 Use

This manual is designed primarily for the use of the Environmental/Social Safeguard Unit of LAMATA, most especially, the Social Section that is charged with the responsibility of ensuring effective consideration and management of social concerns in all aspects of LAMATA work, from the design, planning, implementation, monitoring and evaluation of transport initiatives in the Lagos Metropolitan Area.

Apart from the staff of the Safeguard Unit, this monitoring manual is designed also for the other staff of LAMATA, Private Sector Consulting Social Scientists and Engineers, and Contractors who are directly involved in executing road construction, maintenance and rehabilitation works for LAMATA, as well as, other stakeholders.

A major aim of this document is to provide specific guidelines on how to integrate social and environmental concerns associated with road improvement into the planning, design and implementation of road rehabilitation and maintenance works of LAMATA. It complements the Social and Environmental Impact Assessment procedures developed by the Federal Ministry of Environment and the Lagos State Environmental Protection Agency, as well as, the Procedural Manual on Environmental Assessment prepared by LAMATA. It is neither a legal document nor a book of recipes to be followed mechanically. It is rather, a set of ideas and options from which the Safeguard Unit and other interested parties can choose activities appropriate to their specific conditions. It can be used for monitoring and supervision of major road works such as road reconstruction and rehabilitation or for small works such as maintenance.

There are five (5) distinct activities/areas on which attention would be focused. These are:

- (i) Socio-economic impacts
- (ii) Health and Safety
- (iii) Cultural/Religious and historical aspects
- (iv) Poverty
- (v) Resettlement and Compensation.

1.4 Overview

Section 1 of this manual discusses the potential socio-economic impact of road projects.

Section 2 outlines the main components of socio-economic impact assessment, the analytical method of execution and the checklist of relevant data for socio-economic impact assessment.

Section 3 identifies the health and safety component of Social Assessment.

Section 4 focuses on Cultural, Religious and Historical Aspects.

Section 5 examines the key issues on Poverty Impact Indicator.

Section 6 outlines the guidelines for executing a Resettlement Plan.

CHAPTER 2

SOCIO-ECONOMIC IMPACT

The Social Section of the Safeguard Unit of LAMATA, together with external consultants, would undertake specific studies on the following areas:

- direct impact on employment
- direct impact on transport infrastructure and services
- direct impact on general economy
- direct impact on trading condition
- impact on income
- impact on the environment

2.1 The Analytical Method

It is desirable that the impact study should utilize two types of analyses:

- “before and after”, that is comparing current conditions with those before the interventions.
- “with and without”, that is comparing conditions in the project road to a control road that did not benefit from improvements over the study period.

The impact study will be carried out through socio-economic surveys. These include (a) key informant interviews and (b) focus group discussions. Those to be affected by the road project are composed of diverse group of people including formal and/or informal traders, organized professional/social groups in the transport industry, commuters and the general public.

The social assessment should disaggregate the affected population into social groups, which may be affected in different ways, to different degrees and in different locations. Important social differences, which may be environmentally significant include occupation, socio-economic status, age and gender.

2.2 Checklist of Relevant Data

Information will be required in the following areas, among others:

Employment

- Direct impact arising from any new jobs created to carry out the proposed works
- Indirect impact as a result of increased expenditure on the supply of goods and services.
- Available labour capacity
- Changing skill-base of local labour
- Extent of application of labour based methods in construction works
- Encouraging of small scale contractors as viable options for expanding labour based methods
- Development of labour redundancy schemes, which mitigate the effects of redundancy. Examples include training, employment opportunities such as conversion of redundant workers to small-scale contractors and financial support.
- Gender issues in employment
- Changes in income and livelihoods for those employed

2.3 Livelihoods and Access of formal and informal street traders

- Determination of interference or disruption to street traders
- Whether the disruption is temporary or permanent
- The degree of disruption
- The number affected

- Possibility of allocation of equivalent assets or livelihood opportunities
- Improvement in markets
- Changes in number of permanent shops

2.4 Livelihood and per capita income

- Changes in assets – human, natural, physical, financial and social
- Changes in income
- Better health
- Reduced vulnerability

2.5 Transport system and services

- Changes in traffic
- Changes in number of buses and small trucks providing passenger/cargo services
- Degree of improvement in accessibility measured by the period when roads were not pass-able or reduction in road closures
 - Changes in demand for traffic
 - Reduction in rate of traffic
 - Reduction in travel time
 - Reduction in physical effort
 - Improvement in passenger's comfort
 - Reduction in over crowding and long delays at bus stops
 - Improvement in quality and quantity of public transportation

2.6 Gender Issues

- Reduction in transport burden of women as indicated by reducing time and efforts.

- Provision for under-privileged including the elderly, handicapped and children.

2.7 Focus Group Discussions (FGDs)

Focus group discussions would be carried out at communities where the proposed interventions are expected to take place. The data so collected would complement data from the quantitative surveys.

SECTION 3

HEALTH AND SAFETY

3.1. Introduction

Road projects have the potential to drastically degrade the health and safety of local residents if developed or managed incorrectly. By encouraging direct contact between previously disparate areas, roads provide ideal corridors for the transmission of disease between humans, and from plants and animals to humans. It is also likely that some form of air or water pollution will occur as a result of road development, further endangering the health of people living near the new development.

The guidelines for determining the impact of road projects on health and safety are as outlined in table 3.1

3.2 Determining the Nature and Scale of Impacts

3.2.1 Human Health

Road development could be instrumental in the decline in health of a local population in several ways. It can

- facilitate the transmission of diseases;
- contaminate the local water supply
- pollute the air
- become a source of noise pollution

3.2.2 Remedial Measures

LAMATA, in co-operation with the Ministry of Health, would embark on a comprehensive health awareness campaign as prevention to major outbreaks of diseases. Such awareness programs would include preventive measures such as immunizing the vulnerable population, and educating people about diseases, how they are contacted, and how to avoid them by using treated water, practicing “safe sex”, and keeping living areas cleaner. Spraying, incoming and outgoing vehicles, as well as screening and treating affected local and migrant populations are two measures which may also be effective in controlling the movement of disease vectors (through contaminated water and between people).

TABLE 3.1: HEALTH AND SAFETY IMPACTS AND REMEDIAL MEASURES

Nature and Scale of Impacts	Remedial	Responsible Organizations
<p>Human Health</p> <p>Road development may be instrumental in the decline in health of a local population in several ways. It can</p> <ul style="list-style-type: none"> • facilitate the transmission of diseases; • contaminate the local water supply • pollute the air • become a source of noise pollution 	<ul style="list-style-type: none"> - Health awareness Programme - Prevention of major outbreak of diseases especially HIV/AIDs - Immunization - Education - Vehicle Spraying - Prevent inhalation of airborne contaminants 	<p>Ministry of Health Safeguard Unit of LAMATA, Lagos State Ministry of Transport</p>

	<p>through:</p> <p>(i) planting of dense stands of vegetation along the road to filter dust and other pollutants</p> <p>(ii) increasing the distance between the road and the people either by moving the road or re-settling the people.</p>	
Safety	<p>Road Safety Policy</p> <p>Should evaluate and recommend for adoption of road safety policies such as</p> <ul style="list-style-type: none"> • mandatory use of seat belts; • compulsory driver training and testing; • prohibition and punishment of driving, while impaired by drugs or alcohol; • traffic safety education for children; and • testing and inspection of all vehicles according to national vehicle safety standards. 	Safeguard Unit of LAMATA, Lagos State Ministry of Transport, Federal Road Safety Corps (FRSC) and Nigerian Police.

Road Safety Plan	<ul style="list-style-type: none"> • ensuring that post-accident emergency assistance and medical care are available to all accident victims; • developing an accurate accident data recording system; • conducting research and regularly monitoring the state of road safety; • determining the need for further road improvements (based on accident data); and • encouraging research and development of new, safety-oriented road technologies. 	Safeguard unit of LAMATA, Contractors, Federal Road Safety Corps (FRSC), Lagos State Ministry of Transportation and the Nigerian Police

3.2.3 Safety

Accident prevention is more valuable than any mitigative or compensatory measure. Proper design of road safety features is a very effective way of preventing accidents.

LAMATA and contractors involved with the design of the road would:

- examine road design standards, safety equipment specifications and training to ensure that design details take account of safety concerns and that specific safety features are correctly designed and installed;
- require that road design audits be done, at preliminary and final design stages, by specialists in road safety and traffic operations; and
- draft traffic management plans, including details of signs, marketing, intersection layouts, channelization of flows, access restrictions, footpaths, bus stops, and provisions for non-motorized vehicles.

Road safety and accident prevention are also the responsibility of the ministries and agencies, which regulate the transportation network. LAMATA, in conjunction with Lagos State Ministry of Transport, the Federal Road Safety Corps, and the Nigerian Police should evaluate and recommend for adoption of road safety policies such as

- mandatory use of seat belts;
- compulsory driver training and testing;
- prohibition and punishment of driving, while impaired by drugs or alcohol;
- traffic safety education for children; and
- testing and inspection of all vehicles according to national vehicle safety standards.

LAMATA, in conjunction with Federal Road Safety Corps (FRSC), and Lagos State Ministry of Transport would develop road safety plans, which might include the following:

- ensuring that post-accident emergency assistance and medical care are available to all accident victims;
- developing an accurate accident data recording system;
- conducting research and regularly monitoring the state of road safety;
- determining the need for further road improvements (based on accident data); and
- encouraging research and development of new, safety-oriented road technologies.

3.2.4 Safety and Non-Motorized Vehicle (NMV)

LAMATA would pay attention to the impact prevention for the more vulnerable road users – pedestrian, cyclists, etc. Improvement in road safety features for non-motorized vehicles could take the form of:

- NMV lanes physically separated from motorized traffic by barriers or designated by pavement markings;
- Shoulder improvements;
- NMV paths within an independent right-of-way;
- Streets on which motorized vehicles are banned;
- Bicycle parking lots; and
- Waiting areas (for example for cyclists)

The construction of exclusive facilities is the most effective approach in the minimization of safety impacts on non-motorized vehicles. Pedestrian facilities such as sidewalks, zebra crossings, and pedestrian bridges improve the flow and safety of vehicular traffic, particularly in urban and near-urban areas.

3.2.5 Checklist of Actions/Improvement Programme

The checklist of other recommended key actions by LAMATA for a comprehensive improvement program can be summarized as follows:

- Accident data reporting and analysis
- Accident prevention including promotion of “safe” traffic management designs (such as appropriate standards, speed limits and speed controls, recognition of vulnerable system users in scheme design etc.)
- Accident reduction by traffic management improvements at problem sites
- Enforcement of traffic regulations
- Vehicle testing and inspection
- Driver training and testing
- Traffic education for children
- Publicity
- Road safety monitoring and research
- Emergency services and first aid
- Road safety legislation

- Establishment of financial mechanisms to implement road safety programs
- Establishment of a lead agency and/or a “Traffic Safety Committee” to co-ordinate inter-agency safety programs
- Community participation in the development and implementation of safety programs.

SECTION 4

CULTURAL, RELIGIOUS AND HISTORICAL ASPECTS

4.1 Introduction

The need for this section could arise if LAMATA decides to extend its mandate to the rural areas of the state through construction of new roads. Cultural heritage issues are unlikely to arise in a rehabilitation program such as that being currently undertaken by LAMATA. Cultural heritage, also termed cultural property in the World Bank's Safeguard Lexicon refers to sites, structures and remains of archeological, historical, religious, cultural or aesthetic value. Many projects or project components have a potential impact on archaeological sites, building complexes, architecture, monumental sculpture, painting, inscriptions, and other physical remains left by previous human inhabitants and considered part of a country's cultural heritage.

The purpose of this section is to discuss procedures and guidelines for use by the Safeguard Unit of LAMATA in handling cultural sites or cultural property in LAMATA.

A road project may have the following impacts on cultural heritage:

- Damage caused by road construction, related works such as quarries and borrows sites, and unregulated access to cultural heritage sites. Such damage could affect the historical, scientific, social and amenity values;

- Aesthetic impacts on cultural monuments and archaeological sites; and
- Positive impacts on the amenity value arising from improved access to sites recognized for their cultural value, and on the scientific, historic, and social values arising from the addition of interesting sites previously unknown or overlooked; and the updating of the region's heritage.

4.2 Determining the Nature and Scale of Impacts

This can be achieved through (i) Preliminary Assessment; and (ii) Complete Assessment

Preliminary Assessment

This could be carried out through public consultation or knowledge of prior archaeological or cultural finds in the region.

Complete Assessment

This could be carried out with the assistance of an archaeologist or historian.

4.3 Component of Cultural Heritage Impacts Assessment

- (i) secondary sources of information;
- (ii) the survey process;
- (iii) the establishment of cultural significance and priorities; and
- (iv) the assessment of the scale and cost of the impacts.

4.3.1 Secondary Sources of Information include the following:

- Inventories of sites, classified according to applicable legislation and comprised of specialized publications from the departments of the culture ministry (or its equivalent); or from universities and research centers, descriptions of ruins and sites, and excavation reports.
- Legislation to identify any restrictions on certain categories of cultural heritage;
- Bibliographic sources, including travelers' accounts;
- Maps which may reveal such information as field boundaries that conserve traces of ancient roadways, and other cartographic evidence of cultural heritage;
- Low altitude aerial photography.

4.3.2 The Survey Process

Field surveys for cultural sites generally include the following three steps:

- (i) carry out a rapid field survey, usually on foot, to identify the pattern of site distribution in the area under examination;
- (ii) determine the area that includes evidence of remains and the points that present the highest concentration of artifacts; record their location, characteristics, and state of conservation-carrying out sample soundings, if necessary; and
- (iii) authenticate and localize the information gathered.

4.3.3 The Establishment of Cultural Significance and Priorities

Once the survey information has been gathered, the team can conduct a significance assessment of each site based on an analysis of the remains for their archaeological, historical, scientific, religious, or aesthetic significance. At this state the state of conservation of the remains should also be assessed and recommendations should be made regarding needed protective measures.

Relative to each site, priorities can then be determined, taking into consideration site classification according to legislation, the depth to which archaeological artifacts may be found below the ground surface, and the condition and significance of the site. These priorities might be organized as follows:

- highly important sites and protected sites, to be preserved intact;
- sites of special cultural interest, to be avoided whenever possible; and potential sites, requiring surface exploration as well as limited archaeological sounding and recording.

4.3.4 The Assessment of the Scale and Cost of the Impacts

The assessment of the scale of the impacts will reflect the significance of the heritage, the degree of irreversibility of the anticipated impacts and the extent of potential damage. Both direct impacts (e.g. destruction) and indirect impact (e.g. changes to water tables and induced development) should be assessed.

4.4 Archaeological Chance Find Procedures

The following archaeological chance finds procedures should be adopted in project design and construction contracts:

- notification of the relevant department of antiquities;
- request for a representative to make a site inspection;
- cessation of work in the vicinity of the find until the visit of a representative; and
- decision by department of antiquities on possible salvage or excavation (usually required within 48-72 hours of notification).

In projects with major impacts on cultural resources, consideration should be given to setting up a conservation unit located in the Lagos State Ministry of Culture and Social Welfare.

Where sites are considered sacred, as in the case of religious shrines, the impact of relocation is complex. In such instances it is strongly advised that a team be formed to develop mitigation measures. The team should have an art or architectural historian knowledgeable about the particular cultural tradition, an architectural conservator, an anthropologist familiar with the population of the area, and a coordinator who would bring together the relevant government organizations, experts, and community leaders.

4.5 Prevention

Where possible, road construction should avoid any alignment that cuts through known cultural sites. If an important site is uncovered during road works, possible realignment of the road should be considered.

In some unusual cases it is preferable to leave a cultural site buried beneath the road. This may involve raising the level of the road.

4.6 Mitigative Measures

The mitigative measures include the following:

- (i) excavation,
- (ii) erosion control,
- (iii) restoration and structural elements,
- (iv) rerouting of traffic; and
- (v) site mapping.

In exceptional case, if it proves impossible for an alignment to avoid a cultural site of value, salvage excavation should be undertaken. Relocating artifacts or ruins from a site is a last alternative and can be expensive.

Dialogue between LAMATA and the Lagos State Ministry of Culture and Social Welfare, and the Federal Department of Antiquities, which is in charge of cultural heritage, needs to be frequent and continuous to avoid situations which either damage the cultural site or delay the project.

SECTION 5 POVERTY IMPACT INDICATORS

5.1 Introduction

The poverty aspects of LAMATA projects have been appraised in terms of the project's expected impact on creation of opportunities, empowerment and security for the poor. The exact nature of how transport benefits are distributed is uncertain, but the design of LAMATA is clearly pro-poor in that it focuses attention on the main means of transportation used by the poor, i.e. public transport and non-motorized transport (including walk). The main concern, which will need to be addressed, is the issue of rail fares policy. The fares strategy adopted will clearly have an important effect on ridership and hence viability. But equally the poor will not benefit if their journeys become more complex and costly as compared to using the existing bus system. Conversely, if fares are kept artificially low then this will inevitably introduce the need for subsidy, which may have long-term detrimental effects on the transport system, and hence work against the interests of the poor. LAMATA will need to develop a capability for continually monitoring this and other poverty impacts of transport, using both indicators and consultation processes.

5.2 Measurement of Poverty Impact

According to Fouracre (2002), poverty impact may be measured by three indicators. Namely: (i) reduction in time spent on personal travel by poor households; (ii) reduction in the proportion of household income spent on transport; and (iii) reduced number of accidents with injuries (including those involving pedestrians).

The types of information necessary to monitor the impact of transport on poverty are listed below under the headings of economic opportunity, security, and empowerment.

5.2.1. Economic Opportunity

The recommended indicators include

- Availability and accessibility of public transport services.

Pertinent issues are:

- Positive changes in capacity of public transport services
- Changes for better travel conditions
- Faster journeys
- Stability of transport cost and on outlays as a proportion of household expenditure

Other critical indicators include:

- Percentage of population below poverty line

5.2.2 **Security**

The indicators center on the safety of using public transport. Critical issues will include:

- Reduction in accident rates
- Reduction in criminal activities

Some core questions will include the following:

- Does the State or Project has an effective emergency response system and first aid?
- How effective is the enforcement of traffic regulations?
- How frequent are vehicles tested and inspected?
- Are there specialized lanes for pedestrians?
- Do formal or informal insurance scheme (especially accident insurance) exist?

5.2.3 **Empowerment**

The indicator is demonstrating the involvement of the poor in the design and planning process. Critical issues include:

- To what extent are the stakeholders organized?
- Do relevant stakeholder NGOs exist at the national level, State or Local level?
- Do they focus on issues of concern to poor people, and are poor people involved?
- Are stakeholder organizations such as Market Women Organizations, Mole Operators Association, Danfo Operators Association, Okada Operators Associations, Taxi Operators Associations, and Long-distance Lorry/Bus Operators Associations effective?.
- Do certain segments of the stakeholders have greater voice than others?
- What are their links with traders/professional organizations, NGOs, and government officials?
- To what extent are poor people aware of their rights, or policies and legislation?
- What are their sources of information?

5.3 Impact of LAMATA on Poverty

In order to capture the effects of the linkages between transport, poverty and environment, especially, with reference to health issues, the following indicators are suggested:

- levels of particulate matter suspended in urban air,
- levels of airborne lead or lead in foodstuffs
- prevalence of and deaths caused by acute respiratory infections
- prevalence and death caused by malaria
- transportation of water

Table 5.2: Poverty aspects of LUTP draft policy recommendations

Policy direction	Objective	Key poverty dimensions			Compliance of draft policy direction with poverty aims (current status)	
		Economic opportunity		Empowerment		Security
		Growth	Redistribution			
Maximising use of existing transport capacity	Improve network efficiency	Faster travel speeds and less congestion contribute to economic growth through improved productivity.	Only of direct value to the poor in respect of roads which are used by public transport, or where roads improve accessibility to poor areas.		Improved access roads to poor areas reduce isolation effects.	The roads programme is focussing on public transport routes, and also includes provision for bus priority measures. Improvements to the secondary road system should focus on opening up access for poor communities.
Promotion of affordable public transport services	Increasing productivity of road public transport	More productivity in the transport sector contributes to economic growth through efficiency gains	Mainly poor people, and any improvements in service impact directly upon them use public transport. Public transport is also a major employment sector for the urban poor.		Conditions of travel can create opportunities for crime and sexual harassment.	The measures being adopted are largely focused on financial efficiency. Some consideration should be given to security issues: for example, trying to improve the comfort of travel (which may be achieved through purchase of high capacity vehicles), the management of terminals and the siting of bus stops. Any negative impacts on employment must be supported by remedial safety net actions.

	Promote modal diversity and service integration	Efficiency gains through competition.	As main users of public transport, any efficiency gains will impact mostly on the poor.		As above, conditions of travel are a security consideration. The existing rail alignment provides other livelihood opportunities (e.g. settlement, market space and walk way) for the poor, which will need addressing	Not clear from the current specification whether the up-graded services on offer will present a realistic alternative for existing bus users. Intermodal transfer facilities offer the opportunity for improved travel conditions (reduced waiting times, more comfort) if well designed. No indication from current specifications of the impact on resettlement of individuals, communities and markets (with particular respect to the rail scheme)
Reduce adverse environmental effects	Reduce modal loading on neighbourhood roads	Economic gains may result from improved safety and reduced emissions (see below).	Of concern in high-income areas, where car ownership is high. The poor may equally suffer from 'rat running' through low-income areas.			Getting some order into classification of road hierarchy is clearly important, and high volume, fast traffic should be excluded from communities. However, the extent and incidence of the problem is not clear. It is not evident from the present design whether this is a specifically pro-poor, pro-rich or neutral action.
	Reduce accidents	Road accidents are a serious drain on human resources; any reduction will contribute to economic growth.	Road accidents are likely to have high incidence on poor because of higher risks associated with use of walking, NMT and public transport modes.		Poor are very vulnerable to the shocks created by road accidents – loss of income and inability to pay for medical treatment.	As currently specified, the instruments are not sufficiently inclusive. Need to address safety issues of the poor who are restricted to use of high-risk transport.

	Improve movement for pedestrian movement	Economic gains may result from reduced exposure to traffic and hence fewer accidents.	Distribution of benefits likely to be skewed towards poor.		Comments as above.	Pedestrian facilities are a common facility for all, but this is largely a pro-poor initiative if it can be assumed that the facilities are sited in appropriate locations.
	Reduce vehicle emissions	Health hazards associated with pollution are an economic cost (though difficult to quantify)	Incidence of health hazards may be higher on the poor because they are more exposed (by the nature of their settlement and work) to traffic.		Poor are very vulnerable to shocks created by ill health.	All the standards, enforcement measures and associated additional costs impinge on vehicle owners, who are likely to be the rich.
Institutional reform	Manpower development	Efficiency gains through improved quality of labour inputs	All levels of labour will benefit from training.	A better-educated workforce may play a more responsible role in urban development.		The specification for this policy initiative is vague. It is not clear who is to be trained, for what specific purpose, how and to what level. Clearly, individual project components will address these issues in more detail. But at a policy level, more could be said about general approach, targeting and assessment. The subject has gender implications.
Improve the integration of urban transport and physical planning policies	Establish framework for integrated transport and land use planning	Transport efficiency can be improved by more judicious land-use development and control.	No significant implications for urban poor. All should benefit from improved journey times and reduced congestion resulting from better planning practice.	At present poor people, women, and other disadvantaged have little say in the process of urban development.		This is an opportunity for implementing practices that include the voice of the poor and other disadvantaged groups in urban development. The planning review procedures must accommodate this initiative.

	Employ traffic demand management measures	Transport efficiency will be improved through the user-pays self sufficiency criteria.	The impacts of user-charging schemes are most likely to be borne by the rich car-owning community.			The schemes identified are largely pro-poor, in that they will not impact significantly on non-car users.
	Establish framework for integrated utility and transport planning	Reduced disruptive effects on road use, and hence efficiency is maintained over longer periods.	Impact related to the disruptive effects on public transport.			An important issue for minimising disruption to traffic, but of little direct significance to the poor.
Improved financial management	Achieve cost-effectiveness in investment decisions	Efficient use of resources, to tackle major transport problems in prioritized manner.	Important to the extent that pro-poor transport is included. Problem of being able to justify some pro-poor schemes on purely efficiency grounds.	At present poor people, women, and other disadvantaged have little say in the process of investment.		The investment appraisal procedures should include mechanisms for EIA and SIA (including some form of poverty audit). User consultation and participation should also be included in the process, to ensure all voices are heard.

Table 5.3: Project component – poverty matrix

Project component	Key poverty dimensions			Compliance of project design with poverty aims (Current status)	
	Economic opportunity		Empowerment		Security
	Growth	Redistribution			
<p>Policy and institutional reform:</p> <p>a) Establishment of policy, regulatory and legal frameworks</p> <p>b) LAMATA: creation and operationalising</p>	<p>A mechanism for creating a more effective and efficient operating environment, within which transport operators can be more productive, and hence cost-efficient and thus contribute to urban growth.</p> <p>Opens up opportunities for new investment in the transport sector, and hence increased employment. Improves competitiveness of firms, and efficiency of labour markets.</p>	<p>Priority interventions directed at enhancement of public transport performance and promotion of NMT is likely to be highly pro-poor.</p> <p>Care needed to avoid short-term pro-poor measures, which over the long-term are likely to be regressive (e.g. fares controls and blanket subsidies)</p>	<p>Opportunities for significant involvement of stakeholders and local communities at many levels in the project cycle.</p> <p>Need to include mechanisms (like participatory analysis, focus groups, etc.) for canvassing opinion of users</p>	<p>Improved transport will contribute to lowering vulnerability through greater ease of movement and access to opportunities, less exposure to accidents, and better quality of life. Enhanced conditions of travel support improved social networking. Improved quality may also reduce security (crime, sexual harassment, etc) concerns (which may currently engender fear of travel and hence social isolation).</p> <p>The global outline of the project is pro-poor, though there is much in the detail that still needs elaborating to indicate the specific nature of how the poor will benefit. The detailed design of each project component should be subject to a poverty audit.</p>	

<p>c) Establishment of safeguards assessment, enforcement and poverty reduction frameworks</p>			<p>and operators. Staffing should make provision for employment of social and gender specialists.</p> <p>Formal mechanisms for including consultations and analyses in planning and development activities; remedial actions, designed to conform with requirements, must be specified and implemented.</p>	<p>Frameworks should take account of security issues</p>
<p>d) Creation of dedicated Transport Fund from sector based user charges</p>	<p>Efficient mechanism for sustainable funding based on user cost-recovery approach.</p>	<p>Likely that fund will be progressive in its incidence, in that it will be generated largely from higher income road users, while being spent on pro-poor interventions (public transport, NMT, etc)</p>		
<p>e) Restructuring and enhancement of the capacity of existing transport sector agencies</p>	<p>Improves productivity of agencies, and hence more cost- efficient service provided.</p>		<p>Opportunity to include gender dimensions and approaches</p>	
<p>f) Establishment of Traffic Management Units</p>	<p>Contributes to reduced traffic congestion and hence productive transportation. For cost-efficiency, opportunities for private participation (e.g. signal maintenance contracts)</p>	<p>Developments in parking controls present opportunities for creating employment. Possible road safety spin-off, which should be progressive if attention given to pedestrian – vehicle interface.</p>		

<p>g) Detailed demand study</p> <p>h) Support to the development of urban transport policies and strategies at the National level and in Abuja and other major cities</p>	<p>Developing understanding of the transport system, for more informed and effective planning</p> <p>Opportunity to transfer experience, knowledge and good practice in urban transport planning (for efficiency)</p>	<p>Opportunity to trace and quantify poverty impacts of transport.</p>	<p>Opportunity to establish gender dimensions of travel and approaches to meeting gender needs.</p> <p>Experiences from Lagos can help inform policy development, and demonstrate/mainstream the poverty/ gender dimensions and approaches.</p>	<p>To inform policy development, the role of transport in livelihoods should be established</p>	
<p>Rail mass transit development:</p> <p>a) Detailing of plan of works for securing the use of the existing NRC ROW</p>	<p>An economic justification for rail mass transit can generally be made on the grounds of time savings. Those bus users who do not switch to rail may also benefit from reduced journey times (because of less congestion). Some resource cost savings (less fuel consumed as a result of mode shift from buses and cars to rail) is also probable.</p> <p>New urban rail systems often increase property values along their alignment, focussing new development and job opportunities. This is a potential source of funding (property development income at rail terminals, and property tax).</p>	<p>The development of rail mass transit can extend journey lengths, requiring users to make additional interchanges (bus-rail) and imposing time penalties for interchange. Total fare expenditure per trip may increase, and clearly this is regressive.</p> <p>If subsidy is paid to maintain a low-fares policy, the welfare gain to rail users may be outweighed by 'losses' in other sectors. To reduce this loss, subsidy should be highly targeted.</p> <p>Increasing land values along rail ROW deter urban poor settlement along alignment, and hence reduce their access.</p>	<p>Need for strong community participation.</p>	<p>Current ROW is 'used' for other purposes by the poor: housing, marketing and as an access track for walking.</p> <p>Need to establish</p>	<p>Current specification of this project component is not sufficient in detail (comparative fare levels, journey times, comfort etc) to say clearly that this is a pro-poor programme. The indications are that it should be, but there is need for much more detail on predicted ridership and fares strategy.</p>

<p>b) Agreeing concession agreement and preparing bid documents</p>	<p>A cost-efficient way of running a transport organisation.</p>	<p>The concession agreement will need to address the issue of tariffs, and the extent to which the concessionaire can increase rates to the detriment of the poor. The agreement must also address the issue of staffing levels, and remedial measures in respect of redundancies.</p>		<p>appropriate remedial measures. Safety nets need to be put in place in respect of those made redundant.</p>	
<p>c) Detailed design of the fixed infrastructure</p>		<p>Consider pro-poor facilities within the designs (e.g. marketing facilities within the station areas; pedestrian crossings; ease of transfer from bus to rail; protected waiting areas)</p>		<p>Need to consider issue of severance of communities because of the need (for safety reasons) to construct measures to prevent access by the public to the track; hence need to plan (involving community participation) and design for frequent pedestrian crossings of lines</p>	
<p>d) Low cost improvements to existing urban rail services of NRC</p>	<p>Improving transport efficiency and effectiveness through better use of existing resources</p>	<p>Will impact on the poor: may require immediate measures concerning the resettlement of poor communities living on or close to the tracks. Possibility of retrenchment of staff, many of whom will be from the poorer strata. Need to develop mechanisms for job retraining, etc.</p>			

<p>Bus service enhancement:</p> <p>a) Establishment of a regulatory framework for the provision of public transport services</p> <p>b) Preparation and implementation of a strategic plan for improving the performance of private bus operators</p> <p>c) Detailed design and implementation of low cost Transport Systems Management measures on Lagos Is. for improved bus operations</p>	<p>Measures, which can enhance the productivity of the bus service, should be easily justified in economic and financial terms.</p> <p>To control any significant oversupply of capacity which could be counter-productive. To counter restrictive practices of owners and drivers.</p> <p>Competition within the sector should help to restrict market distortions, and will be progressive.</p> <p>Enhanced productivity of buses</p>	<p>Buses are a main mode of transport for those urban poor who can afford to pay for travel. Productivity enhancements, which make travel cheaper, will extend the catchment of the poor (though it may be difficult to transfer such productivity improvements through to lower tariffs). Travel times for the poor should be reduced.</p> <p>More effective quality controls (in respect of drivers and vehicles) should be considered (to improve quality and safety of travel for poor).</p> <p>Identify any impact on employment (numbers and conditions of service) in the sector.</p> <p>A progressive measure, in that it promotes public transport users at the expense of private car users.</p>	<p>Increased accessibility within the city for the poor and hence strengthening of social and political connectivity.</p>	<p>Bus travel is a major source of insecurity (theft, sexual harassment, etc.) Enhanced quality of travel may contribute to reduced concerns.</p> <p>Consider inclusion of provisions directed at crime problem: improved supervision of services; involvement of community (e.g. for quality reporting)</p> <p>Identify the quality aspects of travel, which are important to users, and address these to the extent possible within the process of improving performance. Consider safety nets for those unable to access the system.</p>	<p>The project is still not sufficiently developed to indicate the impact on the poor. But there is little doubt that an improved bus service will be highly beneficial.</p>

<p>d) Introduce low cost bus priority measures and terminals along identified major public transport routes</p> <p>e) Financing of bus fleet renewal by private sector operators</p> <p>f) Pilot implementation along identified bus route network</p>	<p>Opportunity to introduce more space-efficient, high-capacity vehicles; a cost-efficient way to move high volumes of demand.</p>	<p>Need to ensure that pedestrian access needs and safety are included within the designs.</p> <p>As above.</p> <p>Increases in fare levels associated with new vehicles is a possibility, and clearly regressive.</p>	<p>Include users and local communities in the processes of design and location of terminals. Possible gender implications.</p>	<p>Likely to offer much higher quality of service than currently enjoyed by public transport users.</p>	
<p>Road network efficiency improvements</p> <p>a) Maintenance and rehabilitation of 820km of high priority road links in Lagos Metropolitan Area</p>	<p>It should be possible to economically justify improvements to the road network on the basis of timesavings to road users.</p>	<p>Because the focus of improvements is on the bus network routes, the urban poor (who are highly reliant on public transport) will be major beneficiaries from improved journey times.</p> <p>Ensure that designs take account of the access and safety needs of pedestrians. This is of particular concern where roads cause severance of communities.</p>	<p>Involve local community in the design process. Severance, increased exposure to traffic accidents and other environmental nuisance is a key element of the</p>	<p>The poor are likely to be most exposed to the externalities of road development – increased pollution, increased accident risks due to greater exposure to traffic, severance, re-settlement.</p> <p>Severance effects could impact on community support mechanisms, and general social networks.</p>	<p>These improvements are not specifically pro-poor, though the fact that the focus is on public transport routes helps. However, the improvements must encourage urban efficiency and development, with indirect benefits to the poor.</p>

<p>b) Rehabilitation and improvement of major junctions using mainly low cost Transport System Management measures</p> <p>c) Establishment of road and bridge management system</p> <p>d) Preparation and implementation of a road safety audit along priority road links , and development of guidelines for audits</p> <p>e) Implementation of TSM measures on Lagos Is.</p> <p>f) Preparation and implementation of TSM measures to improve traffic flow in Ikeja</p>		<p>Ensure that designs take account of the access and safety needs of pedestrians.</p> <p>The safety audit should be all-embracing, and include pro-poor issues like the placing and management of bus stopping points.</p> <p>Ensure that designs take account of the access and safety needs of pedestrians.</p> <p>Ensure that designs take account of the access and safety needs of pedestrians.</p>	<p>consultation process.</p> <p>Involve local community in the design process</p> <p>Involve local community in the design process</p> <p>Involve local community in the design process</p>	<p>Badly sited bus stops (in relation to the catchment area) and poorly designed terminals may contribute to crime risks and sense of vulnerability.</p>	
<p>Water and non-motorised transport promotion</p>	<p>The economic justification of improvements to these modes may be difficult.</p>	<p>These are modes that are largely used by the urban poor. Any measures to encourage better performance or greater up-take are pro-poor in respect of users.</p>	<p>A direct response to the voice of the poor, which may have had little political influence in the past – giving attention to the modes used by the very poor</p>		<p>These components are clearly directed at the poor. The experimental nature of some of the components is clearly necessary, because there is no tradition or culture in use of bicycles.</p>

<p>a) Development and implementation of strategic plan for improving the use of waterways for transport services</p> <p>b) Encouragement of private sector participation in the provision of water transport services, including privatisation of existing services</p> <p>c) Rehabilitation and judicious addition to existing routes and terminal facilities</p> <p>d) Development and implementation of strategic plan for the promotion of NMT, with guidelines for conducting NMT impact audit of proposed interventions</p> <p>e) Pilot project to promote use of bicycles</p> <p>f) Demonstration project on use of pedestrian priority measures</p>		<p>Determine impacts on employment, and devise mitigation measures in respect of any redundancies (e.g. retraining)</p> <p>Impact is uncertain (because there is no tradition in use of bicycles, and the initial cost of a bicycle may be a disincentive to ownership), and needs to be carefully monitored. There may also be gender issues concerning the social acceptance (and hence exclusion) of women-cyclists.</p>	<p>Involve local communities in development of pilot project</p> <p>Involve local communities in development of demonstration projects.</p>		
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SECTION 6

GUIDELINES FOR EXECUTING A RESETTLEMENT PLAN

This section of the manual provides an outline of the steps that users may follow to complete a resettlement plan. The manual further establishes the roles to be played by different actors during the process of resettlement plan and review. This section of the manual should not be put into use in isolation; rather it should be read in conjunction with the **Resettlement Policy Framework** document, which provides in more details process for processing and approving resettlement plan

6.1 Resettlement Plan

The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about

- (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups; and
- (b)** the legal issues involved in resettlement

The treatment of resettlement in developing projects is outlined in the World Bank document OD 4.12 (Dec. 2001).

The key elements of a resettlement plan include the following:

- Description of the Project
- Potential Impacts
- Objectives
- Socio-Economic Studies
- Legal Framework

- Institutional Framework
- Eligibility
- Valuation and Compensation for Losses
- Resettlement Measures
- Site Selection, Site Preparation, and Relocation
- Housing, Infrastructure, and Social Services
- Environmental Protection and Management
- Community Participation
- Integration with Host Populations
- Grievance Procedures
- Organizational Responsibilities
- Implementation Schedule
- Costs and Budget
- Monitoring and Evaluation

6.1.1 Description of the project.

This includes the general description of the project and identification of the project area.

6.1.2 Potential impacts.

This includes an identification of the following:

- (a) the project component or activities that give rise to resettlement,
- (b) the zone of impact of such component or activities;
- (c) the alternatives considered to avoid or minimize resettlement; and

(d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

As far as (a) - the project component or activities that give rise to resettlement is concerned, an example is the loss of roadside community business and social activity.

Permanent occupancy of the open space of a publicly owned right-of-way quite commonly invites encroachment of local community activities onto the roadside, the footpaths, the bus stops, and even the road surface itself. These activities take many forms, including

- the selling of goods, whether from individual kiosks or more expensive markets;
- small businesses such as cafes and vehicles repair shops;
- uncontrolled stops by buses, taxis, and informal public transport;
- unregulated parking, often associated with business activities;
- the production of bricks on the road surface

Added to this list of activities are social activities associated with the roadside, which are far from illegal.

6.1.3 Objectives.

The main objectives of the resettlement program.

6.1.4 Socio-Economic Studies.

In broad terms, the assessment of the potential impacts a road project may have on a community is a two-step process involving:

(a) a preliminary assessment; and

- (b) a complete social assessment (only if warranted)

For simple rehabilitation and maintenance projects on roads with little roadside activity, the preliminary assessment may determine that the impacts will be minimal, and no further assessment is required this is the case with the first year of operation of LUTP. Where there is a possibility of wider impacts, a complete social assessment is required at the early stages of project preparation and with the involvement of potentially displaced people.

The main area of socio-economics studies include the following:

- (a) the results of a census survey covering

- (i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;

- (ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;

- (iii) the magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic;

- (iv) information on vulnerable groups or persons especially women and children; and

- (v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

- (b) Other studies describing the following

- (i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
- (ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
- (iii) public infrastructure and social services that will be affected; and
- (iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., market women organizations, molue operators association, danfo operators association, okada operators associations, taxi operators associations, and long-distance lorry/bus operators associations).

6.1.5 Legal Framework.

The findings of an analysis of the legal framework covering

- (a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- (b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
- (c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation an example is the Nigeria Land Use Act;
- (d) laws and regulations relating to the agencies responsible for implementing resettlement activities;

(e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and

(f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land—including claims that derive from customary law and traditional usage.

6.1.6 Institutional Framework

The findings of an analysis of the institutional framework covering

(a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation; for LUTP the relevant NGOs are market women organizations, molue operators association, danfo operators association, okada operators associations, taxi operators associations, and long-distance lorry/bus operators associations.

(b) an assessment of the institutional capacity of such agencies and NGOs; and

(c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

6.1.7 Eligibility.

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

In some informal sectors it is not easy to determine exactly who is affected or what the long-term impacts are likely to be. Many markets and 'squatter' businesses', such as roadside kiosks and small workshops, are not formally organized and

have few, if any, records of ownership, tenancy, income, or length of occupancy. Tax collectors or unofficial market administrators may have detailed knowledge, which can be supplemented by other forms of local consultation.

A related problem is that the benefits of compensatory and mitigative measures may not go to those most affected and in need, especially if alternative facilities are of a higher quality than those lost and these become attractive to other more influential groups in the community.

Similarly, the survey team should be looking for signs of recent invaders who may have moved into the area once it has become public that some assistance with improved conditions may be available. Relevant trade and professional associations such as market women organizations, molue operators association, danfo operators association, okada operators associations, taxi operators associations, and long-distance lorry/bus operators associations and other interested non-governmental agencies can frequently be enlisted to help prevent such invasions.

According to the ERPF, compensation and rehabilitation will be provided for all displaced people affected by LUTP under the following conditions:

1. if their land or income source will be removed due to land acquisition of the project;
2. if their houses or residential plots will be demolished or partly damaged due to land acquisition; or
3. if their other properties or access to those properties will be removed or damaged due to land acquisition or construction of the project.

Lack of legal documents for customary rights of occupancy under the Land Use Act shall not be an obstacle for obtaining compensation or relocation assistance. Thus, all displaced people, regardless of their legal status, will be rehabilitation based on the ERPF to be adopted by LAMATA.

6.1.8 Valuation and compensation for losses.

The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

In Nigeria the Land Use Act establishes the general principle for the calculation of the value of assets to be taken when occupancy rights are invoked. Compensation is paid for future rents paid, crops, and buildings and installations. Rents already paid for use after revocation of the occupancy certificate are refunded. Crops are reimbursed at the value assessed by the appropriate officer. And, for structural improvements on the land, “the amount of the replacement cost of the building, installation or improvement, that is to say, such cost as may be assessed on the basis of the prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interest at the bank rate for delayed payment of compensation.

These principles are complemented by implementation regulations that provide detailed compensation rates determined by the State Government.

According to the ERPF, the building compensation rates to be applied by LAMATA are based on full replacement cost without depreciation. The project will also be responsible for providing (or arranging to provide) alternative residential plots to the displaced persons.

6.1.9 Resettlement Measures.

A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy. In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

6.1.10 Site selection, site preparation, and relocation.

These include consideration of alternative relocation sites and explanation of those selected, with specific reference to the following:

- (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, location advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- (c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (d) legal arrangements for regularizing tenure and transferring titles to resettlers.

6.1.11 Housing, Infrastructure, and Social Services.

These should detail out plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

6.1.12 Environmental Protection and Management.

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

6.1.13 Community Participation

Details of involvement of resettlers and host communities, including

- (a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;
- (b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
- (c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
- (d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

6.1.14 Integration with Host Populations.

Measures to mitigate the impact of resettlement on any host communities, should be well spelt out. These will include:

- (a) consultations with host communities and local governments;
- (b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;
- (c) arrangements for addressing any conflict that may arise between resettlers and host communities; and
- (d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

6.1.15 Grievance Procedures.

There should be put in place the affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

As already indicated, LUTP will undertake a highly consultative process for transport rehabilitation that should provide ample opportunity to redress complaints informally, in addition to the existing formal administrative and legal procedures.

Apart from the provision for *grievance contained in the* Land Use Act, ERPF provides for the establishment of an informal grievance redress mechanism through its Safeguard Unit. As indicated earlier, the social section of the Safeguard Unit will be charged with coordinating with local government and community groups, as well as with informal committees of market vendors and transporters, to determine the design and the implementation timetable of subprojects. Such local coordination and consultation serves various purposes. In the first instance, it helps inform the community of possible improvements in the transport network in their local area. These consultations also provide a forum to ascertain general opinions about the initiatives and to solicit both local concerns and their suggestions for alternative solutions, including how to avoid or reduce to a minimum all displacement. In the instance of vendors and transporters, such consultations help enlist their collaboration and cooperation, and contribute importantly to subproject planning and implementation.

Third, where displacement is unavoidable and displaced people are dissatisfied with the compensation and rehabilitation. LAMATA will establish an informal forum for the presentation and consideration of individual complaints. The informal forum will include local government, the transport agency, and other concerned responsible parties, as deemed appropriate by LAMATA. The existence, location, purpose and composition of this forum will be publicized, so that displaced persons are knowledgeable about the availability of this forum for resolving any grievance. If a grievance cannot be resolved in these informal venues, the complainant may take recourse to the administrative and legal systems for satisfaction.

6.1.16 Organizational Responsibilities.

The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

The social section of LAMATA Safeguard Unit will be responsible for the preparation of the resettlement/plan. As indicated earlier, the unit will take care of the management of the resettlement scheme including consultation, determining the eligibility criteria and management of the resettlement fund. In carrying out the asset valuation and other functions, the social unit may require the services of specialized consulting firms.

6.1.17 Implementation Schedule.

There is need for the development of an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and

terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

6.1.18 Costs and Budget.

Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

6.1.19 Monitoring and Evaluation.

Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Funding Agency, such as the World Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

The social section of Safeguard Unit will be responsible for monitoring and evaluation of the activities of the organization with particular emphasis on the resettlement scheme of the organization. The social section may perform this responsibility either directly or in collaboration with qualified consulting firms.

TERMS OF REFERENCE

The terms of reference of this study is to develop Procedural Manuals on Environmental and Social Assessment for the Safeguard Unit of the Lagos Metropolitan Area Transport Authority (LAMATA).

The Manuals will be a critical resources for the Safeguard Unit at two levels:

- Firstly, they will ensure the effective consideration and management of environmental and social issues in the daily work of evaluation of transport initiatives.
- They will provide guidance for mainstreaming environmental and social issues across the wider policy and investment spectrum and to seek a co-ordinated response to shared concerns where the transport sector interacts with other government institutions.

Scope of Work

These will be in two aspects: (i) the environmental aspect; (ii) the social and economic aspect.

- (i) For the environmental aspect, the scope to be covered will include, among others, environmental assessment, mitigation, monitoring and reporting.
- (ii) The socio-economic aspect includes changes in employment, livelihoods and per capita income. It will also include, health and safety issue, as well as cultural, religious and historical aspects, resettlement and compensation. A very important aspect of the socio-economic aspect is the poverty impact indicator.

REFERENCES

Bojo. J, Bucknall. J, Hamilton. K, Kishor. N, Kraus.C and Pillai. P (2001`): Environment, The World Bank Environment Division, Washington, D.C

Cracknell, J.A. (2000): "Experience in Urban Traffic Management and Demand Management in Developing Countries, World Bank Urban Transport Strategy Review, Background Paper, The World Bank, Washington, D.C.

Federal Republic of Nigeria, (1991): Official Gazette on National Environmental Protection Management of Solid and Hazardous Waste.

FEPA, (1992): Decree No. 86 – Environmental Impact Assessment.

FEPA, (1992): Guidelines for Environmental Audit in Nigeria

FEPA, (1995): Environmental Impact Assessment, Procedural Guidelines.

FEPA, (1999): National Guidelines on Registration of Environment Friendly Products and Eco-Labeling

FEPA, (1999): National Guidelines on Environmental Management System in Nigeria.

FEPA, (1999): National Guidelines on Waste Disposal Through Underground Injection.

Fouracre, P.R. (2002): Lagos Urban Transport Project: Poverty Impact Assessment, Final Report

Gannon, C, Liu, Z. (1997): Poverty and Transport. The World Bank, Washington, D.C.

Gannon, C, Gwilliam, K, Liu, Z, and Calvo, C.M. (2001): The Sustainable Livelihood Framework. Transport Technical Notes and Case Studies. The World Bank, Washington, D.C.

Lagos State Environmental Protection Agency (LASEPA): Policy on the Environment.

Lagos State Environmental Protection Agency (LASEPA) (1997): State of the Environment Report

Lagos Urban Transport Project, (2002): The Federal Republic of Nigeria. Government of Lagos State. Lagos Urban Transport Project. "Environmental Management Framework" Final Report, Vol. 1

Lagos Urban Transport Project, (2002): Resettlement Policy Framework.

Lagos Urban Transport Project, (2002): Environmental Specifications for Construction.

Osuntogun, A. (2001): Applied Poverty-Environment Indicators: The Case Study of Nigeria, Report submitted to the Environment Department, World Bank, Washington, D.C

Segnestam, L. (1999): Environmental Performance Indicators. A second Edition Note. The World Bank, Washington, D.C

Shackleton, S, Shackleton, C, and Cousins, B. (2000): Re-Valuing the Communal Lands of Southern Africa: New Understanding of Rural Livelihoods. ODI,

Shyamsundar, P. (2001): Poverty-Environment Indicators. The World Bank, Washington, D.C.

Tsunokawa, K, Hoban C, (1997) Ed.: Roads and the Environment. A Handbook. The World Bank, Washington, D.C.

World Bank (1991): Environmental Assessment Sourcebook. Vol. I, Policies, Procedures, and Cross-Sectoral Issues. The World Bank, Washington, D.C.

World Bank: Cultural Property. OP. 4.11, August 1999

World Bank: Involuntary Resettlement Instruments. OP.4.12, December 2001

World Bank: Towards an Environment Strategy for the World Bank Group. Progress Report/Discussion Draft, April 2000

World Bank: Safeguard Policies: Framework for Improving Development Effectiveness. A Discussion Note, October 2002

World Bank (2002): Project Appraisal Document on Lagos Urban Transport Project.

This monitoring manual is also based on key environmental assessment documents including the following:

(i) World Bank: Environmental Assessment Sourcebook. Vol. I, Policies, Procedures, and Cross-Sectoral Issues, 1991

(ii) World Bank: Cultural Property. OP. 4.11, 1999

(iii) World Bank: Involuntary Resettlement Instruments. OP.4.12,

2001

- (iv) World Bank: Project Appraisal Document on Lagos Urban Transport Project, 2002
- (vi) Environmental Impact Assessment Procedural Guidelines for the Federal Republic of Nigeria, 1995
- (vii) Environmental Impact Assessment Decree 1992
- (viii) National Guidelines on Environmental Management System in Nigeria, 1999
- (ix) National Environmental Protection Management of Solid and Hazardous Wastes Regulations 1991.
- (x) National Guidelines on Waste Disposal Through Underground Injection, 1999
- (xi) Lagos State Government Policy on the Environment, 1997
- (xii) Lagos State Environmental Protection Agency: State of Environment Report, 1997
- (xiii) Guidelines and Standard for Environmental Pollution Control in Nigeria.
- (xiv) Guidelines for management of solid hazardous waste.
- (xiii) Fourcacre, P.R. (2002): Lagos Urban Transport Project: Poverty Impact Assessment, Final Report
- (xiv) Lagos Urban Transport Project. "Environmental Management Framework" Final Report, 2002
- (xv) Lagos Urban Transport Project, Resettlement Policy Framework. 2002
- (xvi) Lagos Urban Transport Project, Environmental Specifications for Construction 2002

- (xvii) Osuntogun, A.: Applied Poverty-Environment Indicators: The Case Study of Nigeria, 2002
- (xviii) Segnestam, L.: Environmental Performance Indicators. A second Edition Note, 1999
- (xix) Shyamsundar, P.: Poverty-Environment Indicators, 2001