



PROJECT: Lagos Cable Car Transit Project

COUNTRY: Nigeria

SUMMARY OF THE RESETTLEMENT ACTION PLAN (RAP)

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***Nigeria: Lagos Cable Car Transit Project
Project SAP number: P-NG-D00-004***

1. Introduction

Lagos is a rapidly growing city, currently with over 17million inhabitants. The existing transport infrastructure has become capacity constrained with unacceptable levels of traffic congestion. This congestion results in its inhabitants spending as much as 6 hours per day commuting to-from their place of work, reduced commercial efficiencies which also hamper future economic growth and an overall reduction in the quality of life of its residents.

The Government of Lagos State and **Lagos Metropolitan Area Transport Authority (LAMATA)** addressed these issues with the publication of the Lagos Strategic Transportation Master Plan, which includes the new LRT, Monorail and BRT transport corridors for implementation by 2012.

To further enhance the transportation system in Lagos, **ROPEWAYS TRANSPORT LIMITED (RTL)** in conjunction with **Lagos State Government** and **Lagos Metropolitan Area Transport Authority (LAMATA)** intends to provide an Aerial Transport System (Cable Car) in the Lagos Metropolis. The Aerial Transport System will utilize the Tri-cable Detachable Grip (TDG) technology for mass transit of people and goods.

The project is conceived out of the desire to reduce transport challenges in the State by complimenting the existing road and water transport systems and the planned rail transport systems within Lagos. In other words, the project is intended to provide a swift, modern and sustainable answer to Lagos's needs for mass transportation. The introduction of the Aerial Ropeways transport System is planned to decongest the roads of heavy vehicular traffic and improve the use of aerial travels. The African Development Bank is considering providing private sector financing in support of this project.

To realize the objectives of the Cable Transit Project, site preparation, construction and installation of the relevant facilities and amenities, operation and maintenance activities are necessary and shall be carried out. The proposed work activities have been identified to trigger involuntary resettlement because of the nature, location and scope.

In order to identify the levels of social impacts, RTL assigned **MULTIPLE DEVELOPMENT SERVICES LIMITED (MDS)**, a firm that specializes in the provision of Health, Safety and Environmental Consultancy Services with the task of preparing a Resettlement Action Plan (RAP) that will assist to mitigate impacts that could arise in the course of the project implementation.

2. Description of the project, project area and area of influence

The ropeway system is proposed to provide tri-cable combining features of both gondola and reversible systems. These detachable circulating ropeways operate with carrier capacities of up to thirty-eight passengers for a maximum transport capacity of 5,500 persons per hour. The advantages of bicable and tricable ropeways derive from their outstanding wind stability, low power consumption and the use of very long spans. Maximum line speed is 7.5 m/s. Tricable Ropeways detachable have two track cables and one haulage rope.

The design of the ropeway technology complies with the CEN Standards and has the following characteristics physical structures:

- Height (50-100m) and base (50m²).

- Cable type (Tricable)
- Capacity of the cable cars (Minimum: 15 persons; Maximum: 40 persons);
- Speed of the cable cars (40km/hr);
- Time for construction (2yrs).
- Three gas-fired generators will power the system and inverters will serve as back-ups. These will be located at the major terminals.

The proposed Cable Transit System will run between Ijora, Victoria Island and Apapa, with interchange at Adeniji-Adele. This will be constructed in the following three routes.

- Route 1 (or Blue Route): Ijora – Adeniji Adele
- Route 2 (or Red Route): Apapa – Adeniji Adele
- Route 3 (or Green Route): Adeniji Adele – Victoria Island

There are eight stations currently proposed for the three - line system: Ijora, Iddo, Adeniji Adele, Obalende, Falomo, Victoria Island, Apapa and Oluwole. The cable shall be supported with towers in 14 locations along the route.

3. Potential Impacts

The proposed Cable Transit System has three routes, eight stations and 14 towers in locations along the route.

The project will lead to land acquisition, which, in turn, would lead to physical displacement from land (e.g. denial of access to means of livelihood). This will induce negative impact and hence the need for mitigation measures.

The nature of losses identified in this RAP includes assets such as parking space, and businesses space. Much of the potential impact zone could be considered areas that will engender group loss, especially in term of open space for commercial vehicles, for instance. A total of 956 project affected persons (PAPs) have been identified and their impacted assets have been evaluated and quantified. Amongst these are the vulnerable (54 PAPs) who cannot successfully relocate without adequate support and assistance.

Generally, most of the affected groups belong to one formal trade organizations or the other who share common interests and concerns and can easily forge strong social cohesion when their businesses are under threat. The displacement of vendors/PAPs from the traditional place of business activities will result in the disruption of the social networks. However, the nature of the compensation shall largely ensure that those affected will still be in close contact with each other. Opportunities shall be created for PAPs to relocate within the vicinity of their current business areas, for those who prefer kind for kind. Necessary efforts should be made to obtain replacement land in the immediate vicinity wherever possible.

4. Organizational Responsibility

For effective implementation of the RAP, a number of organisations have been identified as instrumental. All identified agencies will be involved in the resettlements. This shall be carried out under the *supervision* of the Ropeways General Manager who heads the Resettlement Advisory Group (RAG). The Resettlement Implementation Committee (RIC) will work with Ropeways to ensure implementation and monitoring.

The general organization of the resettlement will be based on inputs from the following institutions whose *Roles and Responsibilities have been spelt out below:*

Ropeways Transport Limited

As the implementing authority, has the mandate to:

- Organize surveys on socio-economic conditions;
- Conduct the census and inventory of affected land and assets;
- Organize participation of key stakeholders throughout the entire RAP preparation and implementation process;
- Approve the interim and final Resettlement Action Plans, and have them approved by the Steering Committee;

- Implement the RAP including their involvement to redress complaints and internal monitoring;
- Co-ordinate all policies, programmed and actions of all related agencies in the States;
- Facilitate the discussion between PAPs and communities regarding compensation for land acquired for the project;
- Monitor the project work to ensure that the activities are carried out in a satisfactory manner;
- Organize the necessary orientation and training for the departmental officials so that they can carry out consultations with communities, support communities in carrying out RAPs and implement the payment of compensation and other measures (relocation and rehabilitation entitlement) to PAPs in a timely manner;
- Ensure that progress reports are submitted to the AfDB/IFC regularly;
- Take full responsibility for the Implementation of the compensation / resettlement plans, implementing it with their consultant and their own teams;
- Consult, sensitize and inform the Project Affected People;
- Pay for compensation and organize resettlement;
- Co-ordinate with other institutions involved;
- Organize and implement monitoring and assistance to vulnerable people;
- Participate in the process as the final owner of all land on the ROW;
- Sign maintenance restriction agreement with the remaining land user of the ROW;
- Ensuring that all relevant departments in Ropeways adhere to the strict implementation of this RAP with regard to their roles and responsibilities as outlined below:

Ropeways Safeguard Expert

- Charged with the responsibility of safeguard requirements and ensuring the sustainability of all assisted energy projects in Nigeria;
- Identify projects that require Social issues and carry out preliminary surveys;
- Prepare all relevant Social Documents (i.e. RAP etc.) in line with Ropeways, Federal Ministry of Environment, Federal Government of Nigeria and Policies on Social safeguard for Projects being implemented;
- Coordinate issues involving Social Impact Assessment/Audits wherever required for all project;
- Identify and liaise with all relevant Stakeholders (Ministry of Environment, RTL, Consultants, Communities, etc.) pre-and post project implementation;
- Coordinate the day-to-day activities with the relevant line departments and oversee the implementation of this Safeguard instrument, prepare compliance reports with statutory requirements, etc.;
- Sensitization of and Consultations with relevant Stakeholders during and after (where necessary) Project Implementation;
- Ensure compliance to all Social issues/activities affecting Project are done with the relevant Stakeholders (i.e. RAP, Enumeration/Evaluation for Compensation, Compensation, Consultancies, Consultations, Sensitization, etc.) are carried out in accordance to relevant Federal Government, AfDB/IFC and Ropeways Policies and Guidelines;
- Observe payment of Compensation to PAPs.

Resettlement Advisory Group (RAG)

- Made up of members from relevant MDAs and concerned LG and serves as an advisory and apex body to the overall implementation of the RAP;
- Ensure the smooth running of the implementations.

Resettlement Implementation Committee (RIC)

To ensure a broad representation with the intent of minimizing any conflict, it is recommended that the Resettlement Implementation Committee (RIC) members be drawn from amongst the following: State Ministry of Environment, representative of affected Communities, PAPs represented by their Trade Association/Union leaders/CBOs, Physical Planning Dept. of Local Governments affected. The Ropeways Safeguard Expert will coordinate the committee. The committee should be answerable to the Resettlement Advisory Group (RAG) made up of Ministry of Land, Physical Planning and Rural Development, Ministry of Environment, FMW, Ropeways and affected State Representatives.

The RIC's functions would entail the following, amongst others:

- Ensure the Implementation of the RAP without any conflict;
- Ensure that the Project design and specifications adequately reflect the recommendations of the RAP;
- Review and approve the Contractor's Implementation Plan;
- Establish dialogue with the affected persons and ensure that the concerns and suggestions are incorporated and implemented in the Project;
- Review the performance of the Project through an assessment of the periodic monitoring reports.

Ministry of Lands and Survey & Physical Planning and Rural Development

The roles of this Ministry in the resettlement plan will include:

- Verification of selected sites for resettlement and ensuring that such sites are ideally suitable for affected people;
- Invoke the physical planning and urban development law at the road;
- Ensuring that RTL/FMW meets with the requirements of resettlement as specified in the report;
- Make appropriate recommendation and input in the resettlement process;
- Ensuring that affected people are adequately compensated as stated in this report
- Participate in the Steering Committee;
- Participate in the monitoring;
- Issue land title to the Ropeways and relocated PAP.

Ministry of Environment

By the provision of acts, edicts and laws the states have also set up Ministry of Environments as the regulatory bodies to protect and manage the environmental issues in the states. The functions of the MOEs include:

- Enforcement of all environmental legislations and policies;
- Coordination and supervision of environmental assessment studies;
- Minimization of impacts of physical development on the ecosystem;
- Preservation, conservation and restoration to pre-impact status of all ecological processes essential to the preservation of biological diversity;
- Protection of air, water, land, forest and wildlife within the states;
- Pollution control and environmental health in the states.

Local Government Level Institutions

- Appointing a suitable Desk Officer;
- Responsible for coordinating activities at local level during the preparation and implementation of RAPs such as activities for determining the cut-off date and for actually implementing the resettlement, and for handling any grievances and complaints;
- Responsible for the appraisal of properties affected by the project;
- Provide additional resettlement area if the designated locations are not adequate;
- Provide necessary infrastructures in relocated areas;
- Engage and encourage carrying out comprehensive and practical awareness campaign for the proposed project, amongst the various relevant grass roots interest groups;
- Participating in sensitization of all communities;
- Participate in resolving grievances;
- Monitor implementation of sub-projects and activities of Operational Officers.

Project Affected Persons (PAPs)

Project Affected Persons are responsible for:

- Cooperating with the survey team in carefully checking and signing off their affected lands and other assets as well as their entitlements;
- Participating in all phases of RAP preparation and implementation;

- Providing feedback on improving the quality of the RAP and suggesting solutions for its effective implementation;
- Moving to new sites in a timely manner after receiving full entitlements;
- Using the designated complaint mechanism set forth for the Project in this RAP, for submitting and making complaints or grievances.

Community and other Institutions/Community Based NGO/Trade Union

- Assist in resolving grievances of PAPs;
- Ensures that social values are not interfered with;
- May have complaints that need to be resolved in the execution of the sub-project;
- Support and assist in the mobilization of the various relevant grass roots interest groups. May have complaints that need to be resolved in the execution of the project with a view to avoiding conflicts and grievances;
- Oversees the development needs of the entire community;
- Ensure Community participation by mobilizing, sensitizing community members;
- Support and assist in the mobilization of the various relevant grass roots interest;
- Resettlement could be a contentious issue and as such NGOs can play a useful role, providing much needed support to development agencies responsible for resettlement management;
- As a grassroots level worker in community participation, orientation and awareness and developing information campaigns;
- Oversee and coordinate/feedback on the consultation process of the Project;
- Oversee/feedback on the compensation process;
- Oversee the Monitoring and Evaluation (M&E) component of the project and generally the RAP implementation.

Witness NGO

- Witness the whole process of Compensation and resettlement as well as project implementation;
- Participate in the monitoring and in the External audits.

Commercial Bank

- Training of PAPs in Account opening procedures and Money Management;
- Serve as a channel for fund distribution to PAPs.

Lenders to the Project

- Maintains an oversight role to ensure compliance with the safeguards policies, review and provide clearance and approval for the RP of each project site;
- Maintain an oversight role of the supervision of the RAP implementation, and may conduct spot checks or audits as necessary;
- Conduct regular supervision missions throughout the project implementation, and monitor the progress of the project construction;
- Ensure Ropeways have the requisite social expertise to properly implement the project;
- Recommend additional measures for strengthening the management framework and implementation performance;
- Work with the implementing agency staff to solve implementation problems as they arise;
- In case the implementation of the RAP is not acceptable and no improvements can be expected, it will require that institutional capacity building measures be taken to strengthen the project implementation.

Strengthening Organizational Capability

Planning and coordination of the tasks of the various actors is crucial to successful implementation. To achieve this, workshops and training shall be organized with the stakeholders and relevant government agencies, trade unions, etc., at project launching and at the commencement of the project.

The workshops and trainings shall focus on the following:

- Taking stock of the legal framework for compensation - AfDB/IFC environmental and social policies, especially concerning involuntary resettlement, and relevant Nigerian laws and policies relating to land acquisitions and resettlement;
- Settling institutional arrangements and mechanisms for payment of compensation;
- Defining/appreciating tasks and responsibilities of each stakeholder;
- Establishing a work plan;
- Socio-economic survey report on the corridor;
- Compensation and supplementary assistance in the report;
- Discuss implementation plan and adopt the implementation plan in the RAP report.

It is the responsibility of Ropeways to ensure that all identified members of the implementation team are trained prior to implementation of the resettlement and compensation measures.

5. Community Participation

Public participation in this RAP included consultations and communications. Consultation included a two-way process in which ideas about the project and concerns of stakeholders and the project designers were shared and considered mutually by affected populations and other stakeholders. Communication included the dissemination of information from the project proponent to the concerned public about the project and any other relevant issues. Table 1 provides a summary of views of the PAPs and other stakeholders and how they are addressed by the project or during the consultations:

In line with the AfDB's Involuntary Resettlement Policy and the IFC Performance Standard 5 on Land Acquisition and Involuntary Resettlement, Ropeways shall ensure that the conditions of the PAPs are restored to the status that is at the minimum commensurate to their pre-project status. The list of all PAPs has been documented in the PAP register. In addition, every person affected by the project has been issued an identification means for easy identification and possible compensation.

PAPs shall be compensated for all their losses at full replacement costs before their actual move; before land and related assets are taken; and, if the project is implemented in phases, before project activities begin for each particular phase.

S/No	Stakeholders View/Concern	How it is addressed
	A laudable project and hope the project will not stop until completion	Thanks for recognizing this.
	Affected Persons without legal title of property should not be excluded from compensation/resettlement plans	This is noted in this instrument (RAP) that is being prepared
	Tenants without title ownership should not be excluded from compensation/resettlement plans and should be treated equally	This is noted in the instrument (RAP) that is being prepared and those impacted shall be assisted with some form of mitigation measures.
3.	Give adequate notice before demolition of structures	In line with the RAP being prepared, any affected structures will not be demolished before PAPs have relocated to new houses/locations. Adequate notice shall be given to PAPs before construction works start.

	How will PAPs get fair compensation values?	PAPs will be compensated based on local current market value/ replacement values and in line with provisions of the RAP being prepared that is based on best international standard. Compensation is only paid for assets that are affected by the project work. Moreover, provision shall be made to relocate all that needs to be relocated to nearby areas. Necessary amenities to make the areas functional shall be provided for group relocation such as the shifting and rearrangements of the vehicle parks
	What mechanisms are in place to ensure that the correct persons are compensated?	Only those PAPs whose names and property appears in the census register and those identified and confirmed by the local leaders as legitimate owners will be compensated, In deed everyone's support is solicited to avoid in this regard. Moreover that is the essence of preparing the RAP
	We do not want the tower to be situated at the chosen location as this is the only dry space in the area during flooding (INEC yard).	The project shall ensure that the general environment is fit for all-purpose beyond the Ropeways project. The flooding as part of the project design shall be tackled
	What will happen to the PAPs structures/ materials	PAPs are allowed to take their wares and materials before construction works begin. Developer to ensure that a notice of at least three months is given to PAPs before construction works start.
	How will PAPs complaints be addressed	A grievance mechanism shall be put in place to address all complaints and this would include representatives of the PAPs, government, etc. to assist accordingly or refer the matter to the Government agency in the event that it is not resolved amicably.
	Complains should not be neglected when made	That is the essence of grievance mechanism in RAP to handle any arising complains to the satisfaction of the aggrieved.
	What will be PAPs assurance that they will be compensated in time	No civil works shall start before PAPs are compensated for lost property. However, once compensated, PAPs must immediately vacate the locations for the work.

Preference to land-based resettlement strategies are considered and as a matter of priority offers land-to-land compensation and/ or compensation-in-kind in lieu of cash compensation where feasible; further, the Ropeways have clearly explains to affected people that cash compensation very often leads to rapid impoverishment.

While the PAPs have been offered a range of different compensation package, resettlement assistance, and livelihood improvement options, as well as options for administering these measures at different levels, and the PAPs themselves shall be given the opportunity to express their preferences. This option-based resettlement planning is part of a development approach that aims to ensure that the PAPs are able to reconstruct their production foundations and become self-sustaining producers and wage earners

All discussions conducted with PAPs have revealed, largely, that the general preference for compensation is for financial reimbursement for lost or damaged assets. Although few mentioned that they would prefer kind-for-kind, "compensation by Ropeways is restricted to structures, installations, and improvements on the land, not the land itself." Thus financial restitution to all lost assets has indeed been agreed as the only option available since the PAPs are not being moved entirely from the sites, but are instead improved upon by RTL.

6. Description of Procedures for Redress of Grievances

The resettlement process for the project has developed a grievance redress mechanism. The grievance redress mechanism consists of the following steps:

- **Step 1:** PAPs are informed of their losses and entitlement in writing and through personal contact by the RIC.
- **Step 2:** If satisfied, the PAP claims resettlement payment from the RIC. If dissatisfied or the PAP do not clearly understand the entitlement/any aspect of the resettlement plan, she/he approaches the RIC for clarification through R & R C. The RIC makes a note and explains the unclear issues to the PAP according to the RAP. If the issue(s) are resolved, the PAP collects the payment. If not solved PAP moves to step 3
- **Step 3:** The PAP writes up or fills a complainant's form appended with his signature formally to the Grievance Redress Committee (GRC) to be set up from amongst the RIC.. The GRC holds a session with the aggrieved PAP, minutes recorded and duly signed. If resolved, the payment is approved and the PAP collects his/her entitlements. The GRC has 2 weeks from submission to hold a session with the PAP.
- **Step 4:** If necessary, the R&RC will be asked to provide recommendations as to how the grievance is to be addressed. If deemed necessary by the RIC the case will be re-investigated and, depending on the nature of the issue or referred to the RAG and ultimately, as the case may be, a court of law for settlement

To further complement the above-mentioned steps, the following steps are designed to resolve each grievance:

1. As initial point of grievance resolution, the affected persons may first seek recourse through the trade union/park owners or community leaders in the event of any disagreement.
2. If that approach fails, the aggrieved party may take the matter up with the Local Government Area officers, who are their elected leadership and who can present the grievances to other parties.
3. If this fails, aggrieved party will have the option of resolving the issues with Project Liaison Officer/Project Site Engineer
4. If this fails, the Project Liaison Officer/Project Site Engineer turns to project managers the Chief Executive Officer of Ropeways to resolve it.
5. Yet if this attempt fails, there is also the option of using National RIC and the RAG.
6. Ultimately, aggrieved persons can take the matter to court after exhausting all available avenues. The judicial system will be the last resort to redress the issues if informal conciliation does not resolve the matter.

7. Socio-economic studies

Socio-economic studies were undertaken as part of the RAP to understand the socio-economic characteristics of the PAPs and ensure that they would guide the resettlement process. The overall analyses revealed that majority of the respondents were petty traders and drivers, whose means of livelihood depends on daily income realized from daily subsistence business pursuit. It is believed that the information provided by these categories of people are accurate about the businesses they represent/operate as they are directly involved in the day-to-day running of the businesses. The socio-economic study and conditions of the PAPs are summarized and presented below.

Age of Respondents

The prime age groups of 35-39 (21.4%), 25-29(17.6%), 30-34(17.6%), 20-24(11.1%), 40-44(9.6%), 45-49(7.1%), 50-54(5.9%) and 55-59(3.6%) are the ones seriously affected by the Project. This indicates a very active and productive group of the labour population being dominant along the corridors/project sites.

Marital Status and Number of Children of Respondents

The survey revealed that 74.3% were married, 25.1% Singles and the remaining 0.6% are widows. With regard to the number of children of respondents, 36.9% had 1 child, 22.7% 2 children, 20.5 % 3 children) and 19.9 % 4+ children. This indicates that the impacted livelihood concerns are of significant number for consideration.

Sex Distribution

With regard to sex, majority (68.6%) of the respondents were male compared to female (31.4%).

Educational Attainment of the Respondents

The majority (61.1%) of the respondents had attended secondary school, while 17.0% had primary education. 15% had not attended school at all while 6.9% had attended higher school (Polytechnic/ University). These imply the bulk of the respondents had basic education with no special skill developed at the level and so can hardly change trade or profession. There is need therefore to resettle them properly in the trade in which they have chosen, so as to avoid conflict.

Distribution of PAPs by Trade

The Respondents are predominantly Traders 71.6%. Others include Food Vendors 12.6%, Mechanics 2.1%, Vulcanizers 1.3% and Battery Charger 1.1%. These further justifies that they are low-income group people.

Daily Turnover of businesses/trades by Respondents

The Income analysis reveals that 50.67% of the respondents earn average monthly income of less than N10,000.00, 31% between N20,000.00-N30,000.00 and about 10% had monthly income of above N90,000.00. This shows that the greater majority needs immediate attention and hence recommendation needs quick consideration.

Ownership of Affected Assets

The survey revealed that the affected assets/premises are individually/self-owned (35.7%), Government owned State (35.1%) and trade union-owned (27.4%). This self-employed majority further justifies the urgent need for quick intervention.

Vendors with Salaried Assistants and Duration of Occupancy

33.1% of the respondents have support assistants that are on salary, while 66.9% run their businesses on their own. It is not unlikely that some those without salary support are likely to have daily paid workers.

Most of the Respondents spend as much as between 8hrs-14hrs on daily basis. It shows total dependence on their businesses, which leave them with virtually no other means of living.

Conflict Resolution among PAPs

All (100%) of the Respondents agreed that land issues are contentious and are better resolved amongst individuals or by heads of communities (King or Baale). Court is seen to be the last option.

Forms of compensation Preferred by Respondents

When asked the preferred compensation form, 64% of the respondents want to be compensated with cash, 6% proffered compensation in kind and 14% wants both. The remaining 16% was not sure of what they wanted.

8. Identification of PAPs and Categorization of Loss and Impact

It is recognized that the project will lead to land acquisition. To this end, an inventory of the assets to be displaced physically and a census of the affected persons have been carried out. A total of 956 PAPs were identified with different types of losses as shown in Table 2. No other structures would be affected or constitute hindrance to project activities, other than that of the PAPs within the project sites in the course of work. Most of the structures are made of either wood or blocks, roofed with iron sheets. Additionally livelihoods will be lost especially for people who carry out small-business activities.

Table 2: The number of PAPs from each Site

S/No	Location	N o o f PAPs	Mitigation Measures by Ropeways
1	Falomo Police Barracks	6	Re-arrange location, Negotiate and agree with Billboard owner on how to incorporate advertisement spot as part of station design Develop around the almond trees with re-green environment planned in the conceptual designs, Provide relocation assistance to shop owner and cash compensation for Church owner
2	Obalende	142	Rearrange station to incorporate the Parks and Filling Station. Petty traders assisted with income loss during the duration of work
3	Iddo Station	189	Rearrange to include PAPs and include cash compensation to cover for the waste treatment plant
4	Ijora	-	Negotiated Settlement with Owner
5	Adeniji Adele (station)	254	Shift back toward the bridge. Provide necessary amenities as support in the location for the community
6	Victoria Island	1	Negotiated Settlement with owner -Hitech equipment to be evacuated
7	Oluwole	276	Rearrange location, allow owners of structures to salvage the remains and provide cash assistance to cover for business time lost
8	Apapa	6	Provide cash assistance for income loss during the duration of work
9	Victoria Island	0	-
10	Falomo car park	0	Negotiated Settlement ion with owner
11	Mounted Police Barracks	0	Negotiated Settlement with the owner
12	O b a l e n d e Round About	0	Negotiated Settlement with the owner
13	Pike Street, Obalende	46	Provide cash assistance for time lost
14	Sandgrose, Obalende	0	Negotiated Settlement with the owner
15	B u i l d i n g Materials Market, Adeniji Adele	15	Provide cash assistance for business time lost
16	I n e c Y a r d , Adeniji Adele	5	Negotiated Settlement with the owner Provide cash assistance to squatters to relocate
17	Iddo Lorry Park	9	Negotiated Settlement with the owner

Table 2: The number of PAPs from each Site

S/No	Location	No of PAPs	Mitigation Measures by Ropeways
18	By Ijora Sinking House	0	Negotiated Settlement with the owner
19	Marina Car Park	1	Negotiated Settlement with the owner
20	Wharf / Aerodrome Rd, Apapa	6	Provide cash assistance for income loss during the duration of work
21	Aroloya	0	Negotiated Settlement with the owner
22	Idumota	0	No displacement
	Total	956	

Impact on Vulnerable Group

The various groups considered vulnerable due to their inability to cope with and participate in decision-making with regard to resettlement in the course of work were identified along the corridor as impacted. These included widows and the elderly (Table 3).

These vulnerable PAPs will need assistance and protection that will help them overcome difficulties in the process. They cannot successfully relocate without adequate support and assistance.

To provide a safety net until they become self-sufficient and resilient to economic stresses, as they were pre-project or even better, psychological preparedness of the entire resettlement process shall be ensured. Also, priority shall be given to this group in all mitigation measures related to them. Furthermore, stress transfer to this group shall be avoided where mitigation measures includes physical preparation of relocation site.

Table 3: Vulnerable Group

S/No	Vulnerable PAPs	Location and Nr of Vulnerable	No	Remarks
1	The elderly	Oluwole (8) Iddo (8) Pike (11)	27	Physically weak and cannot relocate to new shelters nor restore their livelihoods without support from others. It is more difficult for the female elderly.
2	Single mothers & female heads of household	Oluwole (8) Obalende (3) Pike (2)	13	Faced with multiple tasks of being breadwinners; mothers; providers of shelter; and providers of security for those under their responsibility. Shelter relocation and livelihood restoration will be huge tasks for single mothers. The same is true for female heads of households, probably more so because some of them will also have to deal with irresponsible husbands.

S/No	Vulnerable PAPs	Location and Nr of Vulnerable	No	Remarks
3	Widows	Oluwole (8) Obalende (3) Pike (2)	13	This group has lost their breadwinners and are suddenly faced with the reality that they have to provide for themselves, the children and other dependents. Resettlement will be an additional responsibility, which will need outside support. The need becomes bigger where the widow is elderly.
4	Terminally ill among which people living with HIV/ AIDS	Pike (1)	1	The terminally ill are vulnerable because they cannot attend to their resettlement responsibilities without support from family members or relatives.
Total			54	

9. Legal Framework Including Mechanisms For Conflicts Resolution And Appeals

A review of the relevant local laws, regulations and procedures on land acquisition and resettlement shows that the legal framework for land acquisition in Nigeria is the Land Use Act of 1978, reviewed under Cap 202, 1990. Also applicable is the African Development Bank's Involuntary Resettlement Policy and IFC Performance Standard (PS) 5 on Land Acquisition and Involuntary Resettlement since the Project is a private sector project.

While highlighting the differences between the Land Use Act and AfDB/IFC policies, it is emphasized that the higher (i.e. *the more beneficial to the project affected persons*) shall be adopted or followed where there is a conflict between the two standards/instruments (the Nigerian law, on the one hand, and AfDB Involuntary Resettlement Policy and IFC PS 5, on the other hand). This is because the higher standard also satisfies the requirements of the lesser standard.

Nigeria Land Use Act, AfDB's Involuntary Resettlement Policy and IFC PS 5 – A Comparison

Whereas the law relating to land administration in Nigeria is wide and varied, entitlements for payment of compensation are essentially based on right of ownership. Table 4 shows that AfDB's Involuntary Resettlement Policy and IFC PS 5 are fundamentally different from this and state that affected persons are entitled to some form of compensation and/or assistance whether or not they have legal title if they occupy the land by a cut-off date.

The PS 5 notes that *when host country regulations differ from the levels and measures presented in the IFC EHS Guidelines, projects are expected to achieve whichever is more stringent.*

Therefore, as this is a lender supported project, the principles of AfDB's Involuntary Resettlement Policy and IFC PS 5 are not negotiable as these tend to be more favorable to the project affected persons over the Nigerian Law. In other words, it is emphasized here that the higher of the two standards/instruments the Nigerian law on the one hand and AfDB's Involuntary Resettlement Policy and IFC PS 5, on the other hand, *the more beneficial to the project affected persons* is followed as it also satisfies the requirements of the lesser standard.

Table 4: Land Use Act, AfDB's Involuntary Resettlement Policy and IFC PS 5 on Compensation

Category of Affected People/Type of Assets	Nigerian Law	AfDB's Involuntary Resettlement Policy	IFC PS 5 on Land Acquisition and Involuntary Resettlement (PS 5)
Land Owners: Statutory Rights	Cash compensation based on market value	Preference for land-for-land compensation. If not, cash at full replacement value, including transfer costs	Preference for land-for-land compensation. If not, cash at full replacement value, including transfer costs
Land Owners: Customary Rights	Cash compensation for land improvements; compensation in kind with other village/ district land	Preference for land-for-land compensation, land of equal or equivalent value. If not, cash at full replacement value, including transfer costs	Preference for land-for-land compensation, land of equal or equivalent value. If not, cash at full replacement value, including transfer costs
Land: Tenants	Compensation based on the value of residual rights held under the tenancy agreement. Entitled to compensation based upon the amount of rights they hold upon land.	Compensation based on value of residual rights held under the tenancy agreement, plus disturbance allowances, Are entitled to some form of compensation whatever the legal recognition of their occupancy.	Compensation based on value of residual rights held under the tenancy agreement, plus disturbance allowances, Are entitled to some form of compensation whatever the legal recognition of their occupancy.
Owners of structures	Cash compensation based on market values, taking account of depreciation Cash compensation based on market value for Owners of "Non-permanent" Buildings	In-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of "Non permanent" Buildings	In-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of "Non permanent" Buildings
	Cash Compensation is based on Cash compensation based on market values, taking account of depreciation. Market value for Owners of "Permanent" buildings	In-kind compensation or cash at full replacement value including labor, relocation expenses, and transfer costs. Added disturbance allowances. Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of "Permanent" buildings	In-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement for Owners of "Permanent" buildings

Table 4: Land Use Act, AfDB's Involuntary Resettlement Policy and IFC PS 5 on Compensation

Category of Affected People/Type of Assets	Nigerian Law	AfDB's Involuntary Resettlement Policy	IFC PS 5 on Land Acquisition and Involuntary Resettlement (PS 5)
Losers of livelihoods (business people, employees)	No consideration other than cash values for assets as described above by asset category	Restoration of capacity to generate incomes at least at levels prior to losses. Programs of assistance to achieve this objective. Compensation for periods of lost income.	Restoration of capacity to generate incomes at least at levels prior to losses. Programs of assistance to achieve this objective. Compensation for periods of lost income.
Compensation	Existing Government Rates	Replacement Cost/Open market value	Replacement Cost/ Open market value

10. Eligibility

All PAPs irrespective of their status, whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the project area before the cut-off date (Table 5).

All persons residing, conducting activities or earning income within the project affected areas at the cut-off-date, which is the last day of inventory of loss will be entitled to compensation and resettlement assistance.

Table 5: Eligibility Criteria for Compensation and Assistance*

<i>P A P</i> <i>Classification</i>	<i>Eligible for</i>		
	<i>Compensation</i>	<i>No Compensation</i>	<i>Assistance</i>
Those with legal right	Land or asset at replacement cost	For land, assets, and structure on the land	Assistance (as needed)
Those with no legally recognized right	Assets at replacement cost except that compensation may be "topped off" to allow the PAP to acquire a new residence.	-	Assistance (as needed)
Those with business located within the site area	Assets and lost income as a result of lost business during project duration	For business located in Site area date and outside the affected area.	Assistance (as needed)

* For losses that cannot easily be valued or compensated for in monetary terms, in-kind compensation may be appropriate.

11. Cut-Off Date

To avoid opportunistic invasion, a cut-off date was declared on May 31, 2013, after which no newly arrived persons will be eligible for resettlement benefits. Though information about the project and locations had been put in the print media, the PAPs were informed of the cut-off date during site tours, meetings held at the various sites, during the census and through announcement using the associations' leadership at the various locations who know their members.

Notwithstanding the cut-off date announced, if works are not initiated two years or more after declaration of a cut-off date, a new/updated census and evaluation of properties/assets must be carried out.

12 Valuation of and Compensation for Losses

The Valuation methodology was guided by "replacement cost value"- the actual cash value of the asset affected. The valuation took into cognizance the following:

- Compensation for full replacement value to be paid for land to which people have rights or claims. If alternative land is provided, the value will be deducted from the compensation paid for full replacement value to be paid for structures and other assets.
- Depreciation is not taken into account.
- If the remaining part of a demolished asset is not economically viable, compensation is estimated based on the entire asset.

13 Description of the Packages of Compensation and Other Resettlement Measures

PAPs shall be compensated for all their losses at full replacement cost/actual cash value before their actual move; before land and related assets are taken; and, if the project is implemented in phases, before project activities begin for each particular phase.

Preference to land-based resettlement strategies are considered and as a matter of priority offers land-to-land compensation and/ or compensation-in-kind in lieu of cash compensation where feasible; further, the Ropeways have clearly explains to affected people that cash compensation very often leads to rapid impoverishment.

Income Restoration and Livelihood Improvement Strategy

One of the key objectives of the RAP is to ensure that the economic and social future of the affected persons/households/communities is at least as favorable as it would have been in the absence of the project. Therefore the affected people shall receive assistance titled towards attaining livelihood improvements that would enable them to, at least, restore their livelihood means to pre-project status. A participatory approach has been utilized in the development of the livelihoods improvement program as this enabled the inclusion of the ideas, wishes and needs of the stakeholders.

Potential rehabilitation measures for livelihood improvements could include any of the following:

- Assistance in starting a new business and/or strengthening a new one, in the form of management and marketing assistance, product design and prototype development,
- Assistance in finding new employment opportunities, including skill development through training for the new employment,
- Providing access to, and giving preference to affected people in, employment opportunities created by the project.
- Training in money management
- Employment at Construction -
It is advisable that, the petty traders whose livelihood is impacted by the project will get preference in jobs associated with the project construction, greening programs (e.g. tree planting and watering). PAPS should get preferential employment in project civil works based on their eligibility in the semiskilled and unskilled category. A clause should be incorporated in the contract document requiring contractors to give employment, if available to PAPs in preference to other persons.

14 Alternatives to Minimize Resettlement and Cost

The fundamental objective of a resettlement planning is to avoid resettlement whenever feasible, or, when resettlement is unavoidable, to minimize its extent and to explore all viable alternatives. Where land

acquisition and involuntary resettlement are unavoidable, resettlement and compensation activities are carried out in a manner that provides sufficient opportunity for the people affected to participate in the planning and implementation of the operation. Further, if incomes are adversely affected, adequate investment is required to give the persons displaced by the project the opportunity to at least restore their income-earning capacity.

For the proposed project, consideration has been given to minimizing the scope of physical and economic displacement associated with the project through a number of ways, outlined here below:

Site Selection Criteria

The site selection criteria for the terminal stations included the following:

- Connectivity of stations to other mode of transport
- Availability of adequate space for proposed terminal;
- Ease of land acquisition;
- Minimum possible infringement;
- Feasibility to cater for the required traffic projection;

Alternative Sites

The draft EIA report for the proposed project notes that 'at project conceptualization, about eleven (11) site locations were selected and studied and their benefits and drawbacks were examined in detail in terms of engineering feasibility, technology analysis, practicality of construction and operational requirements, costs, landscape, visual and environmental impacts. These locations included: Ijora, Iddo, Idumota, Apapa/Liverpool Street, CMS, Adeniji Adele, Obalende, Keffi, TBS, Falomo and Eko Hotel. However, the selection of specific sites within these locations has been challenging due to land acquisition reasons as some of the lands are State / Federal Government or Private owned.

Nevertheless, after due negotiations and consultation with the relevant stakeholders – Individuals and State/ Federal Departments, eight sites were established and these include: Ijora, Iddo, Apapa, Oluwole, Adeniji Adele, Obalende, Falomo and Victoria Island. Of these, six are Government owned property. Further analysis of the site on the basis of traffic, parking, access, visual impact and socio economic terms are reported in Chapter Five of the EIA Report.

In this RAP, the extent of land take and level of displacement are captured.

Project Design Alternatives

In land acquisition, the technical design ensured avoidance of impacts on expensive, historical and religious structures to minimize resettlement, social impacts and conflict. The extent to which project design alternatives (including the alternative of not proceeding with the project) and options to avoid minimize and mitigate involuntary resettlement impacts were considered during the pre-identification phase. This aspect has also been considered in details in the ESIA.

15 Modes of Restitution

All Project-Affected Persons (PAP) have been carefully documented with their contact addresses. Names of eligible PAPs shall be conspicuously displayed in affected areas and copies of the list shall also be sent to the local government councils. The notification for payment will include locations where payments will be made, amount to be paid, the time and date of payment.

Ropeways will organize the presentation of this report to the various stakeholders. In addition the report will be displayed at strategic public places including local government secretariat, government offices and selected libraries for review and possible comments. The comments will be incorporated in the final report that will be submitted to Ropeways.

The RAP implementation committee will verify the correctness of each PAP as stated in the register and ascertain that every identity card holder is correctly documented in the register. On completion of the PAP audit list, the project director will setup a committee that will carry out payment and compensation. This team will consist of Ropeways accountant, legal and a social safeguard expert, NGO, representatives of various local government trade unions/association. Payments will be made according to locations and adequate information will be made available to all affected persons before payment. Such information will include.

1. Dates and locations of payment
2. List of eligible people and amount
3. Mode of payment
4. Location of payment etc.

Payment will be made directly to the PAPs through the s and confirmation slips given to the PAPs individually. In the event that an individual is absent during payment, the compensation committee will immediately communicate a new date of payment to such PAP(s).

Advice will be offered to individual PAP on the need to open a Bank account where this has not been done with a view to securing their funds. ROPEWAYS will cover all charges for the opening of account. As may be needed, a specific training will be offered to the PAPs through the identified Bank under the responsibility of ROPEWAYS. An NGO shall be chosen to witness the training and payments to PAPs.

Measures to Prevent influx of ineligible persons

Group compensation features prominently in some of the sites. To this end, the leaders of the various groups should be the ones to deal with. It is not expected that monetary compensation be paid to the groups but the money should be used to enhance the remaining portions where the various groups would transact business.

Relocation

Relocation to different sites other than the present locations are not anticipated by the project, except at Simpsom street where a portion of land has been secured for the INEC office and for Sigjakk Limited to relocate to Ebute Metta Waterfront along Adekunle axis of the 3rd Mainland Bridge. Legal arrangements for regularizing tenure and transferring titles to the PAPs are also essential.

Nonetheless, there will be need to rearrange some of the sites after the necessary infrastructures have been provided. To this extent, Ropeways will work with the various union/trade leaders of the various groups at the various sites.

Provision of Amenities for the Community

In support of the communities and as part of the social responsibility of Ropeways, assistance shall be given to the PAPs in their various locations in terms of provision of amenities such as water, sanitary facilities, lighting, paved surfaces, etc.

16. Environmental protection

The key environmental issues or hazards with regard to this project during project implementation has been captured in the ESIA, a standalone document that was prepared *pari-passu* with this RAP for the project to which the PAPS might be exposed. In overall planning, to be borne in mind in the resettlement impacts are such as the numbers of people to be affected in each location which will influence the budget. The Environmental and Social Management Plan (ESMP) in the ESIA will ensure undue or reasonably avoidable adverse impacts of the project are prevented during the construction, operation and decommissioning' phases of the project.

17. Implementation schedules

The Table 6 indicates an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for achievement of expected benefits to PAPs needing to be resettled and hosts and terminating the various forms of assistance

Activities	Month												Completion
	1	2	3	4	5	6	7	8	9	10	11	12	

Table 6: Major Component Tasks and Schedule for the RAP Implementation

Activities	Month												Completion
Consultation/Community participation and Information to people affected Census and socio-economic survey, Analysis data and identification of impacts, Definition of assistance measures, RAP Preparation													Feb 2013 - Feb 2014
Consultations with the PAPs towards compensation procedures & Notification of PAPs prior to the activities that will affect them													Feb – Jun 2014
Disclosure of RAP													Mar - Jun 2014
RAP Implementation- Relocation/ assistance- Compensation and/ or Supplementary assistance.													Jun – Jul 2014
Civil Works - Commencement of project operations.													Jun 2014
Follow-up Visit by Responsible Stakeholders/Agency - Commencement of project operations.													Dec 2014 –Dec 2015
Income Restoration Assessment													Jun 2015

18. Costs and budget

The total cost implication for the implementation of this RAP is N492, 500,000.00 (Four **Hundred and Ninety-Two Million, Five Hundred Thousand Naira** only) that is approximately \$2,984,848.49.00 (Table 7). This sum covers compensation of assets affected, cost of rebuilding and additional mitigations for livelihood restoration measures, coordination of additional mitigations, grievance management and compensation commission.

In addition, a provision of 10% of this total budget for contingencies such as inflation that shall be allowed and added to the current budget.

Ropeways shall provide the fund for the payment of the necessary compensations and mitigation measures in a timely manner during the actual compensation before land is obtained from the PAPs or are dislocated.

Table 7: Budget Estimate for the RAP Implementation

S/N	ITEM		COST (N)
A	A	Compensation	

Table 7: Budget Estimate for the RAP Implementation

S/N	ITEM		C O S T (N)
	A1	Land	161,040,000.00
	A2	Structures	238,940,000.00
	A3	Trees	20,000.00
	A	Sub-total	400,000,000.00
B	B	Additional Mitigations & Implementation Costs	
	B1	Livelihood restoration measures	25,000,000.00
	B2	Vulnerable groups	7,000,000.00
	B3	Coordination of additional mitigations	25,000,000.00
	B4	Grievance management	15,000,000.00
	B5	Compensation Commission & NGO Witness	5,500,000.00
	B6	Capacity building/Institutional Strengthening	10,000,000.00
	B7	Disclosure	5,000,000.00
	B	SUBTOTAL (B)	92,500,000.00
C	C	Total	492,500,000.00*
D	D	+ Contingencies 10%	

1\$=N160

19. Monitoring and evaluation

In order to successfully complete the resettlement management as per the implementation schedule and compliance with the policy and entitlement framework, there would be need for monitoring and evaluation of the RAP implementation. Monitoring and evaluation will be a continuous process and will include internal and external monitoring. Generally, ROPEWAYS shall be responsible for reporting the progress of the plan implementation, typically quarterly. While an independent third party should monitor resettlement plan implementation with regular feedback from the affected persons.

An independent ex-post evaluation should be carried out by Ropeways and the provider of fund (Bank), and should be included in the budget of the plan. The Monitoring Indicators is shown in Table 8.

Table 8: Monitoring Indicators

Indicator	Variable
Compensation and reestablishment of affected owners/ individuals	<ul style="list-style-type: none"> > Number of affected assets > Number of owners compensated by type of loss > Amount compensated by type and owner > Number of replacement businesses constructed

Table 8: Monitoring Indicators

Indicator	Variable
Changes to homestead structure	<ul style="list-style-type: none"> ➤ Age distribution, Gender distribution, Marital status, Status of “vulnerable” business
Population migration	<ul style="list-style-type: none"> ➤ Movement in and out of the place of business)
Changes to access	<ul style="list-style-type: none"> ➤ Distance/travel time to nearest place of business
Access to Water & other amenities	<ul style="list-style-type: none"> ➤ Improvement in Quality of life
Changes to status of women	<ul style="list-style-type: none"> ➤ Participation in training programs ➤ Use of credit facilities ➤ Participation in -related activities and enterprises
Changes in social organization	<ul style="list-style-type: none"> ➤ Organizational membership of PAPs ➤ Leadership positions held
Population influx	<ul style="list-style-type: none"> ➤ Growth in number and size of market areas
Consultation program operation	<ul style="list-style-type: none"> ➤ Number of local committees established at project sites with huge population ➤ Number and dates of local committee meetings ➤ Type of issues raised at local committees meetings ➤ Involvement of local committees in development planning ➤ Number of participating NGOs
Dissemination	<ul style="list-style-type: none"> ➤ Number, position, staffing of Information Centres ➤ Staffing, equipment, documentation of Information Centres ➤ Activities of Information Centres ➤ Number of people accessing Information Centres ➤ Information requests, issues raised at Information Centres
Grievances resolved	<ul style="list-style-type: none"> ➤ Number of grievances registered, by type ➤ Number of grievances resolved ➤ Number of cases referred to court
Operation of training program	<ul style="list-style-type: none"> ➤ Number of PAPs members trained ➤ Number of affected population trained in Project-related Training courses
Staffing	<ul style="list-style-type: none"> ➤ Number of PAPs employed ➤
Procedures in operation	<ul style="list-style-type: none"> ➤ Census and asset verification/quantification procedures in place ➤ Effectiveness of compensation delivery system ➤ Number of land transfers effected ➤ Co-ordination between local community structures and officials