



**GHANA NATIONAL PETROLEUM  
CORPORATION  
(GNPC)**

**NATURAL GAS TRANSPORTATION  
AND PROCESSING PROJECT  
(NGTPP)**

***RESETTLEMENT POLICY FRAMEWORK  
(RPF)***

**TERMS OF REFERENCE**

## **1.0 Introduction and Background**

The Government of Ghana (GoG) has acquired a credit facility from the International Bank for Reconstruction and Development (IBRD) for a Gas Infrastructure Development project known as the Natural Gas Transportation and Processing Project (NGTPP) related to the discovery and processing of gas from the Jubilee and Tano fields.

This project aims at bringing natural gas from the Jubilee and shallow water Tano fields and future discoveries for processing and further distribution to the Effasu Power Barge, the Takoradi Thermal Plant and to other interested parties including export.

The project has triggered the World Bank's safeguards policy on Involuntary Resettlement, O.P 4.12. This implies that this project is likely to have social impacts on land access, restriction of access to assets, displacement and loss of livelihood among others. Preliminary studies and assessment recognize the positive social and economic impact that the project can generate. These assessments also highlight the potential negative social impacts and therefore the need for mitigation measures.

As part of the World Bank requirement for safeguards to ensure that the project either avoids completely negative impacts or minimize such impacts, the project will have to prepare a Resettlement Policy Framework. The Government of Ghana through its implementation agency, the Ghana National Petroleum Agency (GNPC) intends to use part of the credit for the development of the required Resettlement Policy Framework (RPF).

This Terms of Reference (ToR) is developed to guide the preparation of the RPF.

## **2.0 The Project**

The project has two (2) major components.

Component 1: Comprises of offshore pipelines transporting dense phase gas from Jubilee field to a landing point on shore in the Bonyere area as well as offshore pipelines supplying gas to the Osagyefo Barge at Effasu and to the Aboadze Thermal Power plant near Takoradi.

Component 2: Comprises of a Gas Processing Plant to be located about 2 km on shore in the Bonyere area with related infrastructure including pipelines, storage tanks, access roads, water and power supply, export pipelines, mooring buoy, etc.

The project is in the Western Region and stretches between Bonyere and Half Assini. Other important locations for the project are Takoradi and Effasu where the Thermal plant and the Osagyefo Barge are located respectively. Involuntary resettlement is likely to happen in these areas and surrounding communities that straddle along these towns and cities.

### **3.0 Objective and Rationale for the Assignment**

This ToR is aimed at developing a Resettlement Policy Framework (RPF) for the Gas Infrastructure Project. The objective for the RPF is to set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of anticipated resettlements. These arrangements are also to ensure that there is a systematic process (as against an adhoc one) for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government of Ghana procedures and requirements, and outline compensation for affected persons.

The consultant is to develop the RPF taking into consideration the outlined objective and principles. This RPF will serve as the framework within which a resettlement action plan will be developed when the project is certain of the locations and specific impacts of the project.

### **4.0 Specific Requirements of the RPF**

The preparation of this RPF shall follow the requirements of the World Bank's policy on Involuntary Resettlement, OP 4.12. The RPF shall also make reference to Government of Ghana's legal and institutional requirements. Any identified gaps between these two requirements are to be clearly captured, explaining how these gaps will be filled, and which should take precedence with reasons.

### **5.0 Scope of Assignment**

The assignment by the consultant shall cover the following key areas as described in this ToR. Other areas considered relevant may be considered by the consultant so far as they add value to the outlined areas below.

#### **(i) Project Description**

Provide a brief description of the project to place the RPF in the relevant context. This would include a summary of the background to the project and the different components. Most importantly, the consultant shall identify the possible resettlement issues that each component and subcomponents are likely to generate and for which reason this RPF is being developed.

#### **(ii) Country Legal and Institutional Guidelines and Requirements**

This will present a review of the national laws governing land acquisition and other assets. It shall also look at the various land tenure and ownership systems in Ghana, the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies. The consultant shall describe any discrepancies identified in the different legal instruments.

The RPF shall also identify the legally mandated institutions associated with these legal instruments and their respective roles. This should be at all levels where implementation of project activities is likely to take place. Particular attention should be given to local-based institutions and structures at the project site(s). The institutional arrangements will include

implementation and monitoring mechanisms that ensure inclusiveness and participation of all affected people, groups and communities.

**(iii) World Bank Safeguards Policies**

The Consultant shall spell out the World Bank's policy on Involuntary Resettlement OP 4.12 and assess how this applies in the specific case of the NGTPP. Attention should be paid to and documented on the difference(s) between the Bank's policy and Ghana's policy on involuntary resettlement if applicable, noting that where the differences are significant whichever policy is considered to be of a comparatively higher standard shall apply.

**(iv) Social Assessment and Socio-Economic Surveys**

The Consultant shall conduct an initial social and economic survey at the various proposed sites for the project activities required under the different components and subcomponents that trigger the involuntary resettlement policy. The survey shall cover issues on the social structure, economic activities, social characterization of potential affected persons, and the numbers likely to be involved, the different social institutions, social capital and mechanism for social cohesion. The RPF shall also explore and describe existing conflict resolution mechanisms and potential for conflict situations arising as a result of the potential conflicts inherent in dealing with natural resources in general, and oil and gas in particular. This information will serve as critical baseline data for a future Resettlement Action Plan (RAP).

**(v) Estimated Population, Displacement and Categories of Affected People**

This requires a record of the number of estimated people likely to be affected or displaced by the project activities (Project Affected Persons – PAP) as noted in the project component description above. The different categories of affected persons may include those who may be losing legal title to land and those without legal title but who use the land for economic activities or for residential purposes. There may be those who may be losing temporary access to property or business sites. These are only examples of those who are likely to be affected through displacement. The RPF shall identify the right categories based on the impacts noted or expected.

**(vi) Eligibility Criteria for various Categories of Affected People**

The consultant shall determine the method for setting a cut-off date for eligibility for compensation and also as a means for making this information (on cut-off date) reach the wider public. In addition, the consultant shall determine the compensation type for the different categories, losses and affected persons. These may include persons affected by land take, rights of access to resources or properties like housing, and water sources, loss of livelihood, and loss of cultural properties. The RPF shall take particular note of the multidimensional impact of the project and factor that into the analysis especially with regard to different sites and different forms of social impacts. The RPF shall pay particular attention to the different forms of impacts as a result of the nature of the project and explore the relevant issues appropriately.

The criteria for compensation should be in line with national legal requirements and provisions, World Bank OP 4.12, social sustainability and poverty reduction factors and fairness to avoid conflict and dissatisfaction. The section should also identify and document the unit of

compensation that is whether individuals, families or groups and indicate the scenarios or cases for the application of each unit of analysis or a combination of units where appropriate.

**(vii) Entitlement Matrix for proposed Resettlement and Compensation Policy**

Following from the above, the RPF shall develop a matrix that detail the type of compensation that each identified PAP will be entitled to and a rationale as part of the matrix explaining the reasoning behind the entitlement as will be proposed in the Matrix.

**(viii) Methods for Valuing Affected Assets**

This section shall describe in detail the methods used in valuing those assets that will be eligible for compensation either as per national or World Bank policy on involuntary resettlement (OP4.12). This method shall be consistent with both national policy requirements and regulations and OP4.12. This process should capture the methodology for taking of inventory of assets, values assigned and agreement reached with each identified PAP and consider inflationary realities in the final determination of values. The RPF shall include a clear statement alluding to the possibility of revised values should there be major discrepancies between dates for value determination and actual date for payments. The PAPs should have an opportunity to do their own valuation if they have doubts or misgivings through the facilitation of the project for further negotiations between the PAP(s) and the client. Valuing of assets should be a process of engagement with PAPs and not an imposition. The RPF shall demonstrate that the methods used for the exercise in its entirety were fully participatory and acceptable to all stakeholders.

**(ix) Organizational Arrangements and Procedures for Delivery of Entitlements**

The RPF shall describe the process for organizational arrangements, responsibilities and roles. The RPF shall describe the approval processes for the various stages of the compensation work including the various actors and their roles and responsibilities. This section will also spell out the actual process for delivering the entitlement including the roles for the different agencies and reporting formats.

**(x) Methods for Consultation with and participation of Affected People**

The consultant should as a matter of importance, describe in clear terms the methodology for consultation and participation by the PAPs in the process until they have received their entitlements. This process should be elaborate and clear to avoid and minimize confusion and suspicion. This could be done according to the different levels of consultations, the expected outcome form the different stages of the consultation and participation approach that would be adopted.

The consultation process includes that for the development of the RPF and subsequent RAPs. The RPF should categorically emphasize the importance of documentation and other evidential indication for the consultation and participation process for this RPF and for subsequent RAPs. The record of consultation and participation for this RPF should be attached as an annex to the final RPF report for the client. As part of this, the consultant will develop a program for the disclosure of the RPF to facilitate the work of the client on this matter. The responsibility for both the disclosure and dissemination however lies with the client.

(xi) **Grievance Redress Mechanisms**

Under the grievance redress mechanism, the consultant shall describe the options available to PAPs for grievance redress they may have about the process, the identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process. The RPF shall indicate how these would be disseminated and accessible to them in a way that is clear and comprehensible to the PAPs. The grievance redress mechanism should also have an in-built monitoring mechanism to check on responsiveness to complaints or grievances lodged. The different forms of receiving the complaints should be clearly described together with the different stages of going through the process. In addition, the redress mechanism shall indicate alternatives, in case the proposed mechanism, for any reason, does not respond to all grievances and complaints.

(xii) **Budget and Funding Arrangements**

The RPF should clearly state the sources of funding for subsequent RAPs, an overall cost estimates for resettlement including for monitoring of the resettlement activities. If there are multiple sites, the RPF should give an indicative budget for resettlement for each of the sites or communities. The financial responsibility of the relevant stakeholders, where applicable, should be categorically stated to avoid ambiguity of source of funds for resettlement activities. These budgets should take into consideration inflationary tendencies

(xiii) **Monitoring Arrangements**

The RPF shall provide appropriate mechanism for monitoring the implementation of the resettlement activities. The consultant shall propose current and participatory monitoring methodologies that would involve the PAPs themselves. The roles of different players like the PAPs, civil society, traditional authorities, and local government authorities among others, in the implementation and monitoring process will need to be clarified. The RPF shall develop, as part of this, a template for monitoring with indicators based on the main issues identified and spelt out in the RPF.

(xiv) **Implementation Schedule**

To avoid confusion with cut-off dates and other time lines especially because compensation will have to be paid prior to commencement of any civil works, it is important for the RPF to set out implementation schedule for the resettlement. Due to the fast track nature of this project, the RPF shall in addition to the implementation schedule identify potential risks that could militate against the smooth implementation of the resettlement actions and suggest plausible mitigation measures to serve as a guide to the client and the team who will be working on the implementation.

(xv) **Outline of Resettlement Policy Framework**

The Resettlement Policy Framework to be developed under this project will accord with Ghana legislation and regulations and with World Bank Operational Policy 4.12 on Involuntary Resettlement.

The outline for the RPF will follow that provided in OP 4.12, Annex A.

## Executive Summary

### I. BACKGROUND

- Project Description and Overall Context
- Rationale for Preparation of the Resettlement Framework
- Objectives of the Resettlement Framework
- Potential for Adverse Social Impacts

### II. INSTITUTIONAL FRAMEWORK

- Project Organization and Implementation Arrangements
- Resettlement Planning: Principles and Practices

### III. LEGAL FRAMEWORK

- Constitution
- Laws on Property, Compensation, Expropriation
- World Bank Policy OP 4.12 (Involuntary Resettlement)

### IV. ORGANIZATION

- Implementation Process
- Grievance Mechanism

### V. OPERATIONAL PROCEDURES

- Stakeholder Analysis
- Institutional Arrangements
- Project Implementation

### VI. SOCIO-ECONOMIC BACKGROUND

- Approach for Identifying Project Affected Persons (PAPs)
- Creation of Baseline Information on PAPs
- Social Impacts

### VII. METHODS FOR VALUING ASSETS

- Organization Procedures
- Methods for Valuation
- Compensation and Project (Civil Works) Schedule

### VIII. BUDGET AND SOURCES OF FUNDING

## IX. CONSULTATION AND STAKEHOLDER PARTICIPATION

- Involving Stakeholders
- Documenting Consultation and Participation

## X. MONITORING AND EVALUATION

- Content of Monitoring and Evaluation Program
- Mechanisms for Monitoring
- Mechanisms for Evaluation (Internal and External)

## ANNEXES

1. List of Relevant Institutions
2. Outline of a Sub-Project Resettlement Action Plan
3. List of Methods of Valuation of Assets
4. References

### *(xvi) Template for the Design of Resettlement Action Plan*

The RPF shall develop a template for the design of a RAP based on the details of the RPF and informed by World Bank framework for RAPs. This template will spell out the main subsections of the RAP and any other relevant annexes that should be included.

## 6.0 Qualifications and Experience

The assignment will be carried out by a firm. The firm should have a set of skill mix and higher levels of qualifications. The Lead Consultant should have a minimum of five (5) years working experience in sociology, anthropology, development planning or other relevant field. S/he should also have expertise and knowledge in social safeguards or involuntary resettlement like Resettlement Policy Framework (RPF) and Resettlement Action Plan (RAP). The Lead Consultant should have relevant experience with working with international development institutions like the World Bank, the IFC, the African Development Bank among others. Such experience will be an added advantage. Knowledge about World Bank safeguard policies and experience in the oil and gas industry will be additional advantage.

Other members of the team should have expertise in similar fields including community mobilization and participatory and consultation skills. The team members should have at least three years of post graduation experience in the fields spelt out for the Lead Consultant. Knowledge and experience in World Bank safeguard policy on involuntary resettlement, OP4.12, will equally be added advantages.



## 7.0 Facilities to be provided by Client

The consultant shall be provided with project document, studies already conducted for the project including ESIA and participatory strategy. The client may also facilitate meeting with stakeholders for the consultant to give legitimacy and support from the key stakeholders.

## 8.0 Time Frame

The assignment shall be completed within six (6) weeks after signing of contract.

## 9.0 Expected Output/Deliverables and Reporting Format

The Consultant is expected to have the following deliverables:

- (i) Inception Report with detailed work plan and indicators of performance. This will be discussed by consultant, client and other experts to ensure quality of final outcome. Six (6) copies shall be submitted to the client. In addition there shall be an electronic version.  
This will be delivered one (1) week after signing of contract;
- (ii) Draft Report This will be circulated for comments and relevant issues raised incorporated into revised version. Eight copies shall be submitted to the client. In addition the consultant will provide an electronic version.  
This will be delivered three (3) weeks after submission of inception report.
- (iii) Final Report The final report should include a concise Executive Summary and should have all annexes and bibliography and the dissemination/disclosure plan. This will be delivered two (2 ) weeks after submission of draft report.

## 10.0 Payment Schedule

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| • Signing of Contract and start of assignment | 10% |
| • Submission of Inception Report              | 20% |
| • Submission of Draft final Report            | 40% |
| • Submission of Final acceptable Report       | 30% |