

THE GOVERNMENT OF SOMALILAND



Ministry of Education and Science

**SOMALILAND EDUCATION FOR HUMAN CAPITAL
DEVELOPMENT PROJECT (P172434)**

RESETTLEMENT POLICY FRAMEWORK (RPF)

28th of December 2023

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Acronyms and Abbreviations

ABE	Alternative to Basic Education
BRA	Benadir Regional Administration
CBO	Community-based organization
CEC	Community Education Committee
CoC	Code of Conduct
CPF	Country Partnership Framework
CSO	Civil society organization
DG	Director General
DoECC	Directorate of Environment and Climate Change
EA	Environmental Audit
ECCE	Early Childhood Care and Education
EHSGs	Environmental Health and Safety Guidelines
EiE	Education in Emergency
ESC	Education Sectoral Committee
ESCP	Environment and Social Commitment Plan
ESF	Environment and Social Framework
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environment and Social Standard
FCV	Fragility, Conflict & Violence
FGM/C	Female genital mutilation/circumcision
FGS	Federal Government of Somalia
GAP	Gender Action Plan
GBV	Gender-based Violence
GCF	Green Climate Fund
GDP	Gross Domestic Product
GEF	Global Environment Facility
GHG	Greenhouse Gas
GIS	Geographic Information System
GNI	Gross National Income
GRM	Grievance Redress Mechanism
IA	Implementing Agency
ICR	Implementation Completion Report
IDA	International Development Association
IPF	Investment Project Financing
IPV	Intimate partner violence
IVA	Independent Verification Agent
LMP	Labour Management Procedures
M&E	Monitoring and Evaluation
MDAs	Ministries, Departments and Agencies
MIS	Management Information System
MoEACC	Ministry of Environment, Agriculture and Climate Change
MoECHE	Ministry of Education, Culture, and Higher Education
NGO	Non-governmental Organization
OHS	Occupation health and safety
OP	Operational Policy
OPM	Office of the Prime Minister
PCU	Project Coordination Unit

PDO	Project Development Objective
PIU	Project Implementing Unit
PMU	Project Management Unit
PWDs	People with disabilities
RP	Resettlement Plan
RCRF	Recurrent Cost and Reform Financing
RPF	Resettlement Planning Framework
RVI	Rift Valley Institute
SAC	Social Accountability Committee
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
SOPs	Standard Operating Procedures
SPVA	Somali Poverty and Vulnerability Assessment
TA	Technical Assistance
ToR	Terms of Reference
TTL	Task Team Leader
TVET	Technical and Vocational Education and Training
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
WBG	World Bank Group

DEFINITION OF TERMS

Census	A complete and accurate count of the population that will be affected by land acquisition and related impacts. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation and for preparing and implementing RAPs/RPs.
Compensation	Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced. ¹
Cut-off Date	The date the census and assets inventory of persons affected by the project begins. Persons encroaching on the project area after the cut-off date are not eligible for compensation and/or any other type of resettlement assistance. ²
Displaced Persons	The people or entities directly affected by a project through the loss of land and the resulting loss of residences, other structures, businesses, or other assets ³ .
Eligibility	The criteria for qualification to receive benefits under a resettlement program. ⁴
Grievance Redress Mechanism (GRM)	Complaints mechanism is a means through which PAPs, communities and other stakeholders may raise their concerns or provide feedback to the project when they believe the project has caused or may cause them harm. The GRM ensures that complaints are being promptly received, assessed and resolved by those responsible for the project.
Host Community	A host community is any community of people living in or around areas to which people physically displaced by a project will be resettled.
Household	A household refers to a group of people who reside together and share in the functions of production and consumption. It is also the smallest unit of consumption and sometimes production.
Household Head	For purposes of a census, the household head is considered to be that person among the household members who is acknowledged by other members of the household as the head and who is often the one who makes most decisions concerning the welfare of the members of the household.
Involuntary Resettlement	Direct economic and social impacts that both result from investment projects, and are caused by: (a) the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (b) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. ⁵
Involuntary	Actions that may be taken without the displaced person's informed consent or power of choice. ⁶
Land Acquisition	The process of acquiring land under the legally mandated procedures of eminent domain.
Livelihood Restoration	The measures required to ensure that PAPs have the resources to at least restore, if not improve, their livelihoods. It requires that people are given the means and assistance necessary for them to improve, or at least restore their livelihood and living conditions to pre-project levels. Inventory of losses means the pre-appraisal inventory of assets as a

¹ IFC Handbook for Preparing a Resettlement Action Plan, Undated

² World Bank Operational Policies (OP 4.12)

³ Ibid

⁴ Ibid

⁵ Involuntary Resettlement Sourcebook, Planning and Implementing in Development Projects, 2004 World Bank

⁶ Ibid

	preliminary record of affected or lost assets.
Project Affected Person (PAP)	These are person who are affected by the project land acquisition process and are classified as persons: (i) Who have formal legal rights to land or assets ; ii) Who do not have formal legal rights to land or assets but have a claim to land or assets that is recognized or recognizable under national law; or (iii) Who have no recognizable legal right or claim to the land or assets they occupy or use
Replacement Cost	<p>Full market value for replacing lost assets, plus transaction costs. For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes.</p> <p>In determining replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where the law of Somaliland does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard.⁷</p>
Resettlement	Resettlement covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. ⁸
Resettlement Plan	An abbreviated or full resettlement plan (RP) is the planning document that describes what will be done to address the direct social and economic impacts associated with involuntary taking of land and physical displacement of persons.
Livelihood Plan	An abbreviation of a plan documenting a process of what will be done and by whom to address the impact and compensation mechanism for persons suffering economic displacement.
Resettlement Entitlements	Resettlement entitlements with respect to a particular eligibility category are the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category.

⁷ Ibid.

⁸ Ibid.

1. INTRODUCTION

1.1. Project Context

1. Situated in the Horn of Africa, Somaliland is bordered by Ethiopia to the south and south west, Djibouti to the northwest, the Gulf of Aden to the north, Puntland to the east. With a total land area of 176,120 km² and situated between 8°N and 11°N latitudes and 42°E and 49°E longitudes, the area’s terrain consists mainly of plateaus, plains and highlands. Climatically, hot conditions prevail year-round, with periodic monsoon winds and irregular rainfall.

2. Somaliland is faced with two critical challenges: (i) establishing sustainable internal peace; and (ii) paving the way for shared economic growth and prosperity. Among the most critical sectors for the emerging state is the education sector. However, after enduring several decades of civil strife, the education sector in the Somaliland is in a dire state. Years of internal conflict virtually wrecked the education system, resulting in a sector "characterized by poor-quality education, insufficient numbers of qualified teachers and inadequate resources," according to the United States Agency for International Development (USAID 2020). Country-wide, more than three million children, aged between 6 and 13 years, are reportedly out of school. The absence of a conducive environment, including appropriate educational facilities, restricts access to schooling in Somaliland, resulting in a primary school enrolment rate of around 30 percent on average, further declining to 18 percent in the more remote and less secure southern regions.

3. Somaliland, a self-declared independent region located in the northern part of Somalia, faces significant challenges in the context of quality of life and poverty, sharing similar socioeconomic conditions to Somalia due to geographic proximity and its history. See Map of Somaliland, including regions in Figure 1 below.



Figure 1: Map of Somaliland

4. With a gross domestic product (GDP) of about USD 7.2 billion as of 2022, the poverty rate in Somaliland is a pressing issue, further exacerbating the numerous social and environmental challenges, inclusive of inadequate infrastructure, environmental degradation and limited access to basic services including but not limited to education and health. Quality of life in Somaliland is considerably low, mirroring the vast challenges faced by its population. Data obtainable from the Global Data Lab denotes that the human development index (HDI) of Somalia is the lowest in the world at 0.361 (2019), which by extension, places Somaliland at an even worse and perilous position. Further, the prevailing nomadic culture in Somaliland poses additional obstacles to development efforts, with the nomadic lifestyle of the population

hindering access to formal education, social services, and healthcare. Here, families' abilities to engage in alternative economic activities is hindered by the prioritization of traditional livelihoods such as pastoralism and livestock herding. Additionally, pockets of insecurity and sporadic conflicts hinder implementation of development projects in Somaliland, further exacerbating social and environmental challenges.

5. According to the Somali Poverty and Vulnerability Assessment (SPVA), nearly 90 percent of Somali households – and by extension, those in Somaliland - are deprived of at least one fundamental dimension: access to income; electricity; education; or water and sanitation. The Somali civil war and the associated violence and collapse of state institutions has resulted in generations of children largely missing school, with the impact being even more profound in Somaliland owing to the historical context and severe challenges prevalent in the region. Literacy rates in Somaliland are relatively low, with completion rates for primary and secondary education being considerably lower as compared to those for low-income Sub-Saharan countries.

6. Somaliland's Education Sector Strategic Plan (2017-2021) goes beyond a mere statement of objectives and activities of the education subsectors, calling for prominence to be given to the themes of education financing, curriculum development, out of school children, governance, internal and external efficiency, gender and equity, as well as the role of these in sustaining the main subsectors and their contribution to provision of quality education and training services. The proposed project's interventions will have implications for each of these themes.

1.2. The Somalia Education for Human Capital Development Project

7. The Somalia education project has a tentative project budget of US\$40 million. This amount will be spent on four components, in Somalia as well as in Somaliland, over a period of 5 years. The proposed project aims to create schooling opportunities in Somalia at the lower primary education level and thereby promote literacy and numeracy in the country. It will ensure that the schooling leads to learning and that girls participate equally in schooling. Over the project's life, dependent on the dedication of adequate investments by government and its development partners, the proposed project is expected to increase the number of children enrolled in lower primary school, increase gender parity at the targeted level and increase the share of students attaining grade level competency in key subjects.

8. The theory of change in education holds that short-term but high-potential interventions can rapidly increase schooling opportunities, with a deliberate focus on the most disadvantaged communities in Somaliland, specifically those residing in rural areas and girls. The project proposes to leverage Somaliland's strengths, specifically its high mobile penetration and relatively advanced internet telephony system to test innovative approaches to enhancing teacher quality and provide effective teaching and learning materials to students using digital technology. The project will also support the development of a robust system for regularly and reliably collecting data on sector outcomes. In addition, the project will focus specifically on building systems to systematically and regularly collect information on student learning achievements.

1.3. Project Development Objective and Components

9. **Project Development Objective.** The Project Development Objective (PDO) of the Somalia education project is: "In unserved areas, increase access to primary education with a focus on girls and improve quality of instruction." The project will have four components. These components are, Component 1 "Systems building", Component 2 "Expansion of access to quality schooling for the disadvantaged", Component 3 "Enhanced instruction quality", and Component 4 "Project management". However, at this stage, Somaliland will only participate in the interventions of Component 2 of the project, and the Project will finance establishment of PIU under Component 4, as described below.

Component 2 "Expansion of access to quality schooling for the disadvantaged" will focus on supply-side constraints faced by school going-age children who do not have access to education due to a dearth of schools or who are inhibited from enrolling in local non-state schools due to their inability to pay school fees. The component will provide out-of-school children from disadvantaged backgrounds in the

targeted 2 districts in Somaliland (namely in Oodwayne and Xuddun) with access to good quality schools by (i) incentivizing nonstate providers to enroll children free of cost; and (ii) building new schools that provide a minimum package of support that includes teachers, classrooms and school grants to meet recurrent expenditures of these new schools. In the 2 selected districts the Project will finance the construction of 13-14 4-classroom schools per each (total 26). The final number of new schools and size of school to be constructed will depend upon the findings of the assessment conducted in the districts. All schools will be designed with functioning WASH facilities. About 750 qualified teachers will be hired to provide instruction to approximately 8,320 pupils that will be enrolled in the new schools, 50 percent of whom will be girls.

Approximately US\$ 3 million of the total allocation for this component will be available to Somaliland to implement activities described below to increase access of disadvantaged children to education opportunities in the targeted districts in Somaliland. In case these funds are not accessed by the time of the project's midterm review they will be reallocated to jurisdictions that demonstrate strong implementation performance. For the new school construction:

- *School location planning.* School sites will be selected based on the findings of a needs assessment survey. Communities that have large numbers of primary-aged girls and boys that do not have a school (public or non-state) within a 30-minute walk will be prioritized. This survey will assess land tenure, social issues such as conflict over land, and presence of VMGs, environmental factors and community support for new schools and will determine the size of the school to be built (number of classrooms). During survey administration, community-based organizations will be consulted for advice on school location planning and demand for schooling.
- *Community mobilization.* Communities will be mobilized through Village Development Committees (VDC) in places where there is no CEC to play a key role in selecting the CEC as per the government CEC policy. The CEC which will be responsible for (i) placement, construction and management of the new schools (ii) responsible for day-to-day supervision of the school, including of decision-making on school management related issues and monitoring teacher attendance in line with government's policy on CECs; (iii) enrolling students including meeting minimum targets for girls enrolment and following up on steps to reduce drop-outs; (iv) identifying potential teachers from their communities, with preference for female teachers; (v) locating and arranging sites for schools and maintenance of school facilities; and (vi) submitting periodic reports, including via a mobile app when possible, to District Education Officers on student, teacher, and school matters.
- *School construction.* New schools with a proportional allocation of gender-separated washrooms and water delivery points for each school will be constructed. Construction specifications for the new classrooms and schools⁹ will conform to the government's school prototypes, align with agreed standards (safe, disability-inclusive, resilient, and climate-smart), and incorporate a modular approach as appropriate to suit local needs so as to ensure optimal coverage and minimal distances for children to travel. The Ministry of Education and Science (MoES), with the support of its construction supervision contractor, will establish guidelines for phasing in the construction and opening of the schools over 4 years. All new schools will be provided with furniture for students, teachers, and administrators, as well as a core set of equipment for teaching and learning, such as white boards or instructional technology for the larger schools.

Component 4: "Project management": At the Government of Somaliland's level, the Project will finance the establishment of a Steering Committee, a Technical Committee and a Project Implementation Unit (PIU). The Project component of Somaliland will be managed by a dedicated PIU staff, who will comprise of a Project Coordinator, a Financial Management Specialist, a Procurement Specialist, a Communication Specialist, a M&E Specialist, an Environmental Safeguards Specialist, a Social Safeguards Specialist, a GBV/SEAH Specialist.

⁹Per each district, 13-14 4-classroom schools are anticipated to be newly constructed.

1.4. Project Beneficiaries

10. While the project supports country-wide policy and system development, such as the platforms for teacher development and content delivery to student and Early Grade Reading Assessment (EGRA), the focus will be on the educationally most disadvantaged parts of the country through Component 2 of the project to create supply of schooling opportunities with quality. Under the project, priority will be given to districts in which children do not attend school because of either an inadequate supply of school places or because they experience social hardships that inhibit their demand for schooling. Districts will be selected based on current education access rates; those with Gross Enrolment Rates (GER) below 10% would be considered eligible, with priority given to districts that engage directly in social safety net support programs, thereby ensuring demand-side support that enables children to attend school. Districts that are not accessible due to security reasons for adequate supervision by the World Bank will be excluded at this stage.

11. It is anticipated that two districts from Somaliland – namely Oodwayne and Xuddun - will be selected. Thereafter, an assessment of schools will be carried out to prioritize school sites for construction. These new schools will be in areas where there are no existing schools in a 30 min radius thus, they are expected to be in rural areas. This assessment will likely be carried out by a consortium of organizations working in the different districts using a participatory methodology. The assessment will screen out areas where there is contested land or multiple claims on land. Consultations with all residents, users and residents on the siting of the school and agreements on land will be an important aspect of site selection. Consideration will be made of geographical spread, and inclusivity ensuring that in any district all schools are not selected in one clan's area. The assessment will also explain the objectives and criteria of the project and provide information about stakeholder engagement plans and GRM focal points. The assessment will also help identify the existence and capacity of potential construction companies and their capacity to comply with E&S requirements as well as measures to prevent elite capture by involving CECs and where not available the village development committee (VDC) and other representative community structures.

12. The project will benefit approximately 8,320 primary school-aged students in Somaliland, at least 50 percent of whom will be girls, in the selected 2 target districts. Benefits will accrue through improved access to new schools in close proximity to communities enabling children to attend school. The project targets the areas with the lowest access rates to maximize benefits from investments. Component 2 will directly benefit these students through the establishment of new schools, provision of teachers and school grants for teaching and learning materials and support for poor households to send their children to non-state schools free of charge.

13. Students, teachers and communities country-wide will benefit from improved system performance and a greater focus on learning outcomes. A total of approx. 750 teachers in Somaliland are expected to benefit from professional development through a blended training program. The indirect beneficiaries include traders, salesmen, IT companies, contractors and suppliers.

14. Somaliland will be responsible for sustaining the investments in the education sector beyond the project financing period. This would be done by absorbing the established schools and the teachers into the regional Education structures. The ongoing restructuring and strengthening of the education sector will consider the structures being established through this and other education projects.

15. The project envisages both direct and indirect beneficiaries. The direct beneficiaries will include school-going children, teachers, parents, communities targeted for support, MoES and regional directorates.

1.5. Purpose of the Framework

16. The project has prepared this RPF to ensure that appropriate measures in Somaliland are in place to address any issues that might arise from potential land acquisition and/or economic displacement under the project. Given that exact site locations have not been determined, and the Project Affected Persons (PAPs)

are not known yet, the Resettlement Policy Framework (RPF) is the most appropriate instrument to guide resettlement activities under the project. Once subproject locations are defined, and necessary information becomes available, the project will prepare site-specific Resettlement Plans (RPs) or Livelihood Restoration Plans (LRPs) and land agreements proportionate to the potential physical or economic displacement risks. No physical and/or economic displacement or construction will occur until plans and documentations required by ESS5 have been finalized and approved by the World Bank.

17. The district assessments report will guide in excluding areas where there is land contestation or communities or private individuals are unwilling to donate land. Any squatters or land owners must be compensated so their lives and livelihoods are not negatively affected. During project design stage, potential sites will be screened to ensure that negative impacts are minimized or avoided. The screening criteria has already been included in the ESMF and will be properly documented.

2. LEGAL AND POLICY FRAMEWORK

2.1. National Legal and Policy Framework

18. Somaliland national legislation is drawn from a variety of different historical legal regimes. Currently, many new laws or revisions are in progress. While legislations have been developed around land, the country only has fledgling laws in place that do not yet define land rights.

The Constitution of Somaliland.

19. The key legal instrument for the management of human rights and management of properties in Somaliland is the Constitution, especially Article 8 (“Equity of Citizen”), Article 12 (“Public Assets, Natural Resources and Indigenous Production”), Article 15 (“Education, Youth and Sports”), and Article 31 (“The Right to Own Private Property”).

20. Article 8: Equality of Citizens

1. All citizens of Somaliland shall enjoy equal rights and obligations before the law, and shall not be accorded precedence on grounds of colour, clan, birth, language, gender, property, status, opinion etc.
2. Precedence and discrimination on grounds of ethnicity, clan affiliation, birth and residence is prohibited; and at the same time programmes aimed at eradicating long lasting bad practices shall be a national obligation.
3. Save for the political rights reserved for citizens, foreigners lawfully resident in Somaliland shall enjoy rights and obligations before the law equal to those enjoyed by citizens.

21. Article 12 (“Public Assets, Natural Resources and Indigenous Production) exhorts that:

1. The land is a public property commonly owned by the nation, and the state is responsible for it.
2. The care and safeguarding of property, endowments and public assets is the responsibility of the state and all citizens; and shall be determined by law.
3. The Government shall have the power to own and possess movable and immovable property; and to purchase, sell, rent, lease, exchange on equivalent value, or otherwise expend that property in any way which is in accordance with the law.
4. The national government is responsible for the natural resources of the country, and shall take all possible steps to explore and exploit all these resources which are available in the nation’s land or sea. The protection and the best means of the exploitation of these natural resources shall be determined by law.
5. Where it is necessary to transfer the ownership or the benefits of a public asset, the transfer shall be effected in accordance with the law.

22. Article 15: Education, Youth and Sports

1. The state shall pay particular attention to the advancement, extension and dissemination of knowledge and education as it recognizes that education is the most appropriate investment that can play a major role in political, economic and social development.
2. Education is in the public interest, and is rooted in the experience and the special environment of the Somaliland society.

23. Article 28: Right to Sue and Defend

1. Every person shall have the right to institute proceedings in a competent court in accordance with the law.

2. Every person shall have the right to defend himself in a court.
 3. The state shall provide free legal defence in matters which are determined by the law, and court fees may be waived for the indigent.
24. Article 31 on The Right to Own Private Property stipulates that:
1. Every person shall have the right to own private property, provided that it is acquired lawfully.
 2. Private property acquired lawfully shall not be expropriated except for reasons of public interest and provided that proper compensation is paid.
 3. The law shall determine matters that are within the public interest, which may bring about the expropriation of private property.
25. Rural land in Somaliland falls into two categories: agricultural land and pastoral land. Agricultural land consists of land that is rain-fed and land set aside for irrigation while pastoral land, sometimes also called range land is by implication all land that is not urban, agricultural or attached to mineral rights. While this classification is not explicitly laid out, Article 17 of the Agricultural Land Law of 1999 stipulates that no rain-fed agricultural land shall be taken out of the common range lands and Article 8 (1) of the Urban Land Law of 2001 stipulates that the Local authorities may not grant any land that is set aside for mining or agriculture, that lies along the coast or is public land. The Ministry of Agricultural Development (MoAD) manages all agricultural land while the Ministry of Rural Development & Environment (MoRD), oversees the management of pastoral land in conjunction with the Ministries of Water, Mineral Resources and the Ministry of Livestock. The Ministry of Rural Development and Environment is also tasked by virtue of the 1999 law with the conservation of the environment. In detail the Land and Agricultural laws stipulate the following:
26. **Urban Land Management Law No: 17/2001 as amended in 2008.** Urban Land Law vests the power to grant title within urban areas in Local Authorities. This authority is exercised by the Executive Committees of the various District Councils or their Land Subcommittee along with other duties such as land allocation, planning and development of land, land tenure, disputes, and appropriation of land for public use. Regarding the settlement of land disputes, in particular, Article 28 of the 2001 law had initially established a quasi-judicial committee chaired by a District Judge which deals with disputes about urban land, appeals to decisions of the committee lay with the Regional Court. Following Presidential Decree 363/2008 which came into force on 09/09/2008, this position was changed and now disputes are heard by technical committees – the Administrative Urban Land Disputes Committees. An example of the casual manner in which this formal land dispute resolution mechanism interacts with traditional systems is to be drawn from the observation that the committees often refer disputants back to elders. As with all other administrative bodies, appeals from this committee lie to the Supreme Court. In retrospect, this development may have made it harder for disputants to sufficiently resolve land disputes using the legal system as the latter mechanism is bound to be more cumbersome and expensive than before.
27. **The Somaliland Agricultural Land Ownership Law (No. 08/99).** Article 4 provides that already owned lands shall be registered at the Ministry of Agriculture within one year from the effective date of this Act, with maximum agricultural land to be given as private property being 8 hectares of rainfed land, and 4 hectares of irrigated land. However, this provision doesn't apply to government/ company properties (Article 5). Further, Article 8 speaks to ownership for the public interest, establishing that any cultivated land may be confiscated – reasons for which are listed in Article 12 - and the confiscation shall be compensated. Rights of the landowner are provided for in Article 10, with responsibilities of said owner being (i) improving the land by increasing productivity, (ii) paying for employees and guaranteeing worthy work as per the Labor Law, and (iii) paying required land taxes (Article 11).
28. **Regions and Districts Law (Law No: 23/2002) As Amended 2007.** The main law governing Somaliland local government is the Regions & District (Law No. 23/2002) Amended 2007. Besides addressing

issues related to security, law and order, the district councils are also responsible for the allocation or planning of new land schemes in their areas of jurisdiction (article 20 and 34). Article 24 gives the mandate to propose, in accordance with the law, the appropriation of privately-owned vacant land for public interest reasons, which means that the district authorities have powers to expropriate private owned vacant lands for purposes of public interest. The ministry of interior has wide authority within the act to operationalize the relevant sections relating to the district council powers over land allocation and distribution within their respective jurisdictions.

29. Therefore, both Law No. 17 and Law No. 23 of Urban Land Law and Regional and District Law mandate the minister of interior to issue regulations to implement these acts. In Hargeisa, the capital city, the municipality has a land department which oversees land regulation and allocation. There is a second section which is in charge of ownership transfers and building permit registration. Meanwhile, a third, independent department is responsible for issuing title deeds. The building permit is a compulsory document that is evidence of an owner's permission to develop and construct a building, but it is not compulsory to register the title to the building or land. All private land transactions are subject to notification and registration with a public notary. Registration is manual and the link between the registration office and the mapping section is very weak. The mapping section employs two staff to develop basic maps of Hargeisa; however, very little information appears on the maps. In the rural hinterland, the institutional setup is not clear.

30. ***The Somaliland Penal Code*** is divided into three “books”, pertaining to (i) Offences in General – covering general principles such as non-retroactive application of law, jurisdiction, offences committed abroad and extradition; (ii) Crimes – encapsulating crimes against personality of the state, against public administration, against the course of justice, against public order, against public safety, against national economy, industry and commerce, against property, and against the person and safety of individuals, to mention but a few, and (iii) Contraventions.

2.2. Institutional Capacity for Environmental and Social Management.

31. The Government of Somaliland has a Ministry of Environment and Climate Change (MoECC), which bears the lead responsibility for developing the Climate Change sector, protecting, conserving, and managing the environment through sustainable development aimed at eradicating poverty, improving living standards, and ensuring that a protected and conserved environment is available. Further, the MoECC is responsible for carrying out environmental impact assessments (EIAs) or overseeing the EIA process, playing a crucial role in ensuring that development projects and activities comply with environmental regulations and guidelines to minimize negative impacts on the environment. Further, the Environment Management Act (LR 79/2018) of Somaliland creates a Somaliland Environmental Authority (SEMA) with membership from different ministries ranging from Mining, Fisheries, Water, Planning, Agriculture, Livestock and, Industry. It further provides that the MoECC shall prepare and adopt guidelines for Environmental and Social Impact Assessment (ESIA) on proposed actions which may affect the country's natural and social environment, as provided for under the ESIA Operational Guidelines¹⁰ which serve as the basic administrative directive.

32. The MoECC has a number of priorities, including institutional capacity development; climate change adaptation; biodiversity management, national range land rehabilitation, ecological improvement and management; reduction of charcoal production and increasing of alternative energy. The government of Somaliland, government has also enacted a number of land and environmental laws including Urban Land Management Law 2001 (amended 2008) and Somaliland Environmental Management Act 2014 which contains the EIA regulations.

33. In addition to the MoECC, other Ministries such as MoES (as the Project proponent), Ministry of Public Works Land and Housing (MoPWH), Ministry of Interior (MoI) and Ministry of Agricultural Development (MoA), Ministry of Rural Development (MoRD), and others are to be consulted before any

¹⁰ These ESIA Operational Guidelines are available [here](#).

infrastructure activities in the selected locations with potential environmental and social risks and impacts. In addition, the Ministries are mandated to supervise all matters relating to the environment including the review and approval of ESIA's and Resettlement Action Plans (RPs). These relevant ministries are also mandated to supervise, and co-ordinate all matters relating to the environment and beneficiary communities. They will likely want to review and approve the safeguards documents such as ESMPs and Resettlement Plans (RPs) during schools' construction and overall implementation of the Project.

34. **Project Implementation Arrangements.** The proposed project will be implemented by the Ministry of Education and Science. A Project Steering Committee (PSC) will be established to provide oversight and policy direction while a Project Implementation Unit (PIU) will be set at the national level to manage the activities. The PIU will include Project Coordinator, Financial Management Specialist, Procurement Specialist, a full time Social Safeguards Specialist, a GBV/SEAH Specialist and a part time Environmental Safeguards Specialist. All the positions will be competitively recruited, and diversity will be encouraged. These staff members will be provided with capacity building support in environmental and social safeguards. All matters concerning land acquisition, physical displacement, economic displacement will be received, studied, processed, communicated and cleared through the PIU at the MoES.

35. The MoES will work closely with the MoECC and other ministries and departments including World Bank funded projects and development partners. The school management and Community Education Committees (CECs) will lead the project at community level, with the Social Accountability Committees (SACs) providing an independent structure to ensure transparency, promote inclusivity and collecting and raising grievances at the community level. The Somaliland Ombudsman Office (Established in Article 90 of the Constitution). It is stipulated that the office shall:

- Address complaints, whereby the Ombudsman Office receives and investigates complaints and grievances from entities and individuals concerning administrative injustices, human rights violations, maladministration, abuse of power, or any other form of misconduct in the public sector.
- Ensure administrative fairness, where the Ombudsman Office aims to ensure accountability and fairness in the administrative actions and decisions of government bodies and officials. It investigates allegations of administrative injustices, including discrimination, improper procedures, abuse of power and arbitrary actions.
- Promote human rights, where the Ombudsman Office works to promote and protect human rights within the Government of Somaliland, which involves monitoring human rights issues, conducting investigations into violations, and advocating for protection of individual freedoms and rights.
- Mediate and resolve conflict, where the Ombudsman Office, as an independent and neutral body, facilitates resolution of disputes and conflicts between government entities and individuals through mediation, negotiation, or other peaceful means.
- Promote good governance, where the Ombudsman Office contributes to enhancement of good governance practices by monitoring and evaluating performance of public institutions, recommends improvements, raises awareness about principles of accountability, ethical conduct and transparency, and

36. Conduct investigations and make recommendations, where the Ombudsman Office is authorized to conduct thorough investigations into complaints and issues within its mandate. Based on its findings, the office can make recommendations to relevant authorities for corrective actions, improvements or policy changes in administrative practices.

2.3. World Bank Environmental and Social Standards

37. **ESS5: Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement.** ESS5 recognizes

that project-related land acquisition and restrictions on land use can have adverse impacts on individuals and communities. These may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. The term “involuntary resettlement” refers to such impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

38. Experience and research indicate that physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks, including: production systems may be dismantled; people may face impoverishment if their productive resources or other income sources are lost; people may be relocated to environments where their productive skills are less applicable and the competition for resources greater; community institutions and social networks may be weakened; kin groups may be dispersed; and cultural identity, traditional authority, and the potential for mutual help may be diminished or lost. Therefore, due to the difficulties that can be occasioned by resettlement, involuntary resettlement should be avoided when designing and implementing projects. Where involuntary resettlement is unavoidable, it should be minimized, and appropriate measures put in place to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons).

39. The World Bank's ESS5 requires projects to avoid involuntary displacement of people to the extent possible, whether physical or economic, permanent or temporary. Unavoidable displacement must be minimized, and affected people compensated for lost assets at rates sufficient to replace the losses. People identified by assessments as 'vulnerable' require additional support to reduce hardships and people losing or experiencing reduced livelihoods as a result of the project must have opportunities for them to be restored. Forced evictions are not permitted.

40. However, the effective implementation of ESS5 in Somaliland is complex and challenging for a number of reasons:

- i. ***Irregular formal land tenure and no compulsory land acquisition.*** In most countries, World Bank involuntary resettlement policies build on national land administration and compulsory acquisition laws. In Somaliland, land tenure is regularised in a number of urban areas under municipal codes (albeit sporadically), but in rural areas there is no formal titling. Moreover, although compulsory acquisition is allowed for in the Constitution for the public interest, these provisions are not enforceable. The country currently does not have a national land acquisition law, and any attempts to regularize and formalize titles to land will likely take many years and may exacerbate local conflicts, as contested claims are resolved.
- ii. ***Government legitimacy over land.*** In Somaliland, land is inextricably linked to a clan's collective identity and the Government's authority over it is not widely recognized. This makes the use of compulsory acquisition through the exercise of eminent domain impractical for the foreseeable future.
- iii. ***Land in Somaliland is often shared and often contested.*** Around half the country's land area is classified as permanent pasture, where seasonal changes in land use and negotiations among different clans is the norm. Land-based disputes are common, and often involve conflicting clans disputing grazing and water rights. These tensions become particularly acute in times of disaster-related crises, in particular drought. Even where there is more recognition of individual, private property, such as in many urban areas, there are frequently competing claims to ownership. Some of these claims involve Somalis returning from the diaspora trying to reclaim former property.
- iv. ***Gender discrimination.*** Under customary legal system, women occupy circumscribed roles in Somali society and are generally excluded from clan meetings and decision-making generally, on resource use and are excluded from owning or accessing productive resources such as land.
- v. ***Informal settlers and IDPs.*** While collective occupancy and user rights to land have always been fluid and contested, IDPs have further complicated land tenure issues. Having moved from their

traditional territories due to conflict, economic shocks or natural disasters, most IDPs have settled in urban areas where they confront insecure tenure and are vulnerable to further displacement, protection challenges and evictions. For those residing outside of formal settlements, IDPs may be regarded as urban squatters with no rights to the land they occupy. While ESS5 stipulates that any group or individual displaced has the right to security of tenure, IDPs are not generally regarded as having the right to resettlement compensation or support in Somaliland.

41. Ideally, the school infrastructure should be constructed on public land without any encumbrances. Contestation in urban areas over land tenure, irregular formal land tenure systems, informal settlers and IDPs and Government's lack of legitimacy over land all combine to make the acquisition of land for project activities complex. Furthermore, due to weak enforcement of the law, large disparities have occurred between customary tenure systems and statutory law, engendering illicit appropriation on the part of those most powerful and exacerbating clan divisions. As a consequence of the prolonged absence of a clear central government authority and the subsequent erosion of legal systems, land and property have been subject to illegal occupation and land grabbing; which remains the main source of violent conflict.¹¹

42. Thus, the approach of this project will be mediated-state approach to community-led land contributions through collective or individual voluntary land donations while overtly avoiding areas where land is known to be contested. In order to enable voluntary land contributions, local communities need to be supportive of the project and see it as a shared priority. Extensive consultations will have to be carried out to ensure that all residents and users of land, as well as elders and leaders and various government representatives, agree on the use of land for the project without undue influence or coercion and that the donation agreement is documented and properly signed. The Social Accountability Committees (SACs) will play a critical role during this process to promote transparency and ensure there is no coercion and ensure representation of women, minority groups and other stakeholders who may otherwise be excluded in consultations.

2.4. Analysis of the legal gap between WB ESS and Somali Law

43. Table 1 presents a gap analysis of ESS5 as it relates to the national laws and the World Bank provisions. It also makes recommendations for the project team as it designs and plans to implement the education project.

Table 1: Gap analysis of ESS5 and national land laws

Legal Gap Analysis			
Objective	National Laws and Requirements	Gaps	Recommended Actions
<p>The Objectives of ESS5 are:</p> <p>-To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.</p>	<p>The Somaliland constitution - Article 31 states that <i>“every person has the right to own private property, provided that it is acquired lawfully.”</i></p> <p><i>Private property acquired lawfully shall not be expropriated except for reasons of public interest and provided that proper compensation is paid.</i></p>	<p>-There is a lack of detailed legislation governing land use and ownership in the country.</p> <p>There are no laws / regulation on eminent domain</p> <p>-Evictions are reported to be commonplace in Somaliland.</p> <p>- Affected persons may be classified as persons: (i) Who have formal legal rights to land or assets ; ii) Who do not have formal legal rights to land or assets but have a claim to land or</p>	<p>Where land is donated by private owners, a land donation agreement process should be implemented (see Annex 1).</p> <p>This RPF will guide the development of site-specific /RPs once the project site locations are known. The RPF follows</p>

¹¹<https://www.google.com/www.fao.org/Fgender-landrights-database/country-profiles/countries-list/land-tenure-and-related-institutions>

Legal Gap Analysis			
Objective	National Laws and Requirements	Gaps	Recommended Actions
<p>-To avoid forced eviction.</p> <p>-To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by providing timely compensation for loss of assets at replacement cost.</p>	<p><i>And</i></p> <p><i>The law shall determine matters that are within the public interest, which may bring about the expropriation of private property</i></p> <p><i>And</i></p> <p><i>The Agricultural Land Ownership Law/Article speaks to ownership for the public interest, establishing that any cultivated land may be confiscated – reasons for which are listed in Article 12 - and the confiscation shall be compensated</i></p>	<p>assets that is recognized or recognizable under national law; or</p> <p>(iii) Who have no recognizable legal right or claim to the land or assets they occupy or use.</p>	<p>ESS5 guidelines.</p>
<p>Compensation</p>	<p>The Somaliland constitution states that <i>Private property acquired lawfully shall not be expropriated except for reasons of public interest and provided that proper compensation is paid.</i></p> <p>Eligible PAPs have a right to be compensated with the same value of the affected property. It is however, unclear how this value is set or determined by the responsible government agencies.</p>	<p>ESS5 further defines types of losses to be compensated to include physical and economic displacements that cover land, residential or commercial structures, and lost income caused by temporary or permanent economic displacement.</p> <p>While under Article 31 of the Constitution people have a right to be compensated, it is not clear how the amount for compensation is determined.</p> <p>ESS5 requires full replacement costs for all assets but the Somali law does not determine compensation schedule and cut-off date.</p> <p>ESS5 determines that improvements of the living situations of displaced vulnerable people should be undertaken, which is not provided for under Somali Law.</p> <p>Government methods may not ensure full replacement value but the Bank requires full replacement cost for all lost assets.</p> <p>Law courts barely function, especially for those with no formal land titles, IDPs, refugees, those unable to read or write, etc.</p>	<p>World Bank’s ESS5 guidelines, RPF and RPs to guide decisions on compensation.</p>
<p>Compensation</p>	<p>Issues on compensation</p>	<p>The ESS5 recommends cut-off date to</p>	<p>World Bank’s ESS5</p>

Legal Gap Analysis			
Objective	National Laws and Requirements	Gaps	Recommended Actions
Cut-Off	payment schedule and cut-off date are not addressed in Somali laws.	be established at the time of census and asset survey and that compensation is agreed upon with PAPs and provided prior to taking over of assets or relocation.	guidelines, RPF and RAPs to guide decisions on compensation.
GRM	<p><i>Article 28 of the Constitution states that “Every person shall have the right to institute proceedings in a competent court in accordance with the law”.</i></p> <p><i>And</i></p> <p><i>Regarding the settlement of land disputes, in particular, Article 28 of the 2001 Urban Land Law had initially established a quasi-judicial committee chaired by a District Judge which deals with disputes about urban land, appeals to decisions of the committee lay with the Regional Court</i></p> <p>In general, Somali laws mention the right of the PAPs to file their grievances with law courts, however, there is no clear redress mechanism in place to rule on such matters.</p>	World Bank requires project-level GRM to cover resettlement and related compensation matters, construction and operations phase grievances.	<p>The project will implement a GRM that will address all matters related with the planning and implementation including resettlement related complaints.</p> <p>-The project team will also be guided by the SEP which has a detailed GRM process and an inclusion plan.</p>
Consultation	The National Framework doesn't provide clear information on consultation prior or during land expropriation.	<p>Somaliland consultation mechanisms appear to prioritize government agencies, and may not adequately involve PAPs.</p> <p>There is a risk of there being no meaningful consultations with PAPs since consultation mechanisms seem to make a preference to governmental bodies rather than community stakeholders.</p>	<p>World Bank's ESS5 guidelines, RPF and RAPs to guide decisions on consultations.</p> <p>The project team will also be guided by the SEP which has a detailed GRM process and an inclusion plan.</p>
Access to Information	The National Framework doesn't provide clear information on right to access information prior or during land expropriation	The key challenge is ensuring that those located in remote rural areas and the disadvantaged groups (e.g. IDPs, , pastoralists, nomads and persons with disabilities, women from female headed households, etc.) receive information using structures and channels that are accessible to them.	<p>World Bank's ESS5 guidelines, RPF and RAPs/RPs to guide decisions on access to information.</p> <p>The project team will also be guided by the SEP which has a detailed GRM process and an</p>

Legal Gap Analysis			
Objective	National Laws and Requirements	Gaps	Recommended Actions
			inclusion plan.
Valuation Method	<p>According to the Constitution/Article 31 “Private property acquired lawfully shall not be expropriated except for reasons of public interest and provided that proper compensation is paid”</p> <p>And Agricultural Land Law/Article 8 speaks to ownership for the public interest, establishing that any cultivated land may be confiscated – reasons for which are listed in Article 12 - and the confiscation shall be compensated.</p> <p>However, Legislation has no reference on how the amount and type of compensation are to be determined.</p>	Bank requires full replacement cost for all lost assets.	World Bank’s ESS5 guidelines and RPF/RAPs to be applied.
Vulnerable groups	Such groups (including, pastoralists, persons with disabilities, IDPs) are not specifically addressed in laws of Somaliland	The requirements of World Bank ESS5 is to improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.	<p>World Bank’s ESS5 guidelines and RPF/RAPs to be guide the activities on identifying, engaging and consulting vulnerable groups.</p> <p>The project team will also be guided by the SEP which has a detailed GRM process and an inclusion plan.</p>

44. In case of conflict between the national laws of Somaliland and the World Bank ESSs, the latter will apply, as the most stringent Framework should be adopted.

3. PROJECT IMPLEMENTATION

3.1. Construction Component of the Project

45. The project plans to support the construction of 13-14 4-classroom primary schools (26 in total) located in remote areas of the Somaliland. Districts with a large number of children out of school will be selected and within those districts, communities that have large numbers of primary-aged girls and boys that do not have a school (public or nonstate) within a 30-minute walk will be prioritized for school construction. Given the lack of land titling in rural areas of Somaliland, construction is likely to be on unregistered community land or de facto private land. Even if registered public land is available it may not be registered as such and may have multiple private and community claims. Thus, private land or voluntary land donations or agreements will be needed in addition to compensation for physical or economic displacement or movement of structures.

- i. The District assessment survey report will help exclude areas that have contested land. This survey will assess land tenure, environmental factors and community support for the new schools and will determine the size of the school to be built (number of classrooms). During survey administration, community-based organizations (CBOs) will be consulted for advice on school location and demand for schooling. Following the survey, E&S screening will be carried out (as outlined in the ESMF), which will verify any land titles and what agreements are required, as well as the need for RP (only for displacement, destruction of structures or livelihood impacts) and map out all residents and users of the land and which traditional leaders and government officials have jurisdiction over the land for their concurrence. The VDC, or the CEC whichever is present at the time will help map out the different groups including disadvantaged groups.
- ii. Community consultations with all residents and users of the land including disadvantaged groups will be carried out facilitated by the Project's social specialists assisted by the CECs. Meetings will be minuted and land agreements signed and RP/LPs prepared. The process is summarized in the summary safeguards report and submitted to the Bank for review and clearance;
- iii. The implementation of the RP/LPs including compensation will be carried out overseen by the social specialists and the CECs.
- iv. Monitoring and evaluation of social impacts and mitigation measures as a result of the school construction, including of land. Lesson learning will feed into to process for other sites.

46. **School site selection.** In the selected districts (namely Oodwayne and Xuddun), surveys will be undertaken to identify school sites to benefit from the project. The following criteria will be applied for selection of new school sites.

- i. Site selection will be need based - selection will consider areas with the highest population of primary aged children (% of school-aged population = population of school aged children (5 – 13 years)/total population). Within these areas, those with the largest number of OOSC children will be prioritized.
- ii. District authorities must predefine location of the school.
- iii. The served community should have a school feeding or other nutrition/cash transfer program.
- iv. The site selection process will consider environmental and social impacts of the school site. Physical and economic displacement and community and/or services that could be affected shall be identified. The site must not be contested land or have multiple claims. Copies of any ownership documents should be secured Residents and users of the land, as well as other stakeholders, must be consulted (evidence of community minutes and list of participants should be documented) and agree in writing on its use for the school.

- v. Climate zones of the school site must be defined;
- vi. Key environmental and social factors of the school site will be considered.
- vii. School sites should be located in secure and accessible areas.
- viii. District authorities will need to develop a plan for the schools that demonstrate the ability to enrol children from disadvantaged backgrounds and lack basic resources, including teaching resources and trained teachers (e.g. IDPs, rural children, disabled children etc.).
- ix. Any prospective school will have to form a CEC if they have not already, commit to maintaining at least 50% girls' enrolment in schools.
- x. Site selection should take into account local administration that can demonstrate the ability to support funded activities even after the completion of the site construction. Priority should be given to the local administrations that can produce the supportive documents.
- xi. The district authorities should demonstrate operational sustainability plan of the school site.
- xii. School sites selected for construction must be registered with the Ministry of Education and Science and all relevant ministries and authorities.
- xiii. District authorities should produce supporting documentation that shows the registered schools under their authority are implementing the National Curriculum.
- xiv. District authorities should involve and consult with the school communities in all interventions.
- xv. In addition, school site selection will include equity and inclusivity considerations, particularly for disadvantaged groups, such that not all the investments are in mainstream majority clan areas.

47. New schools with a proportional allocation of gender-separated washrooms and water delivery points for each school will be constructed. Construction specifications for the new schools (including classrooms) will conform to the state school prototypes, aligned with agreed standards (safety, disability inclusive, resilient, and climate-smart), and incorporate a modular approach as appropriate to suit local needs so as to ensure optimal coverage and minimal distances for children to travel. The MoES, with the support of its construction supervision contractor, will establish guidelines for phasing in the construction and opening of the schools over the 4-year period. All new schools will be provided with furniture for students, teachers, and administrators, as well as a core set of equipment for teaching and learning, such as white boards or instructional technology for the larger schools.

48. Communities will be mobilized through Village Development Committees (VDC) or other structures in places where there is not yet a CEC. The CEC will be responsible for (i) siting, construction and management of the new schools (ii) responsible for day-to-day supervision of the school, including of decision-making on school management related issues and monitoring teacher attendance in line with government's policy on CECs; (iii) enrolling students including meeting minimum targets for girls enrolment and following up on steps to reduce drop-outs and promoting inclusion of disadvantaged groups; (iv) identifying potential teachers from their communities, with preference for female teachers; (v) consulting residents and users of land (including disadvantaged groups) and relevant representatives and custodians of land on the location of schools; (vii) arranging sites for schools and maintenance of school facilities; and (viii) submitting periodic reports, including via a mobile app when possible, to District Education Officers on student, teacher, and school matters.

49. In addition, due to clannism and elite capture and potential exclusion of disadvantaged individuals and groups during the life span of the project, there shall be SACs, which shall not be part of the management of the project and shall ensure accountability and transparency in the running and management of the project at the district, community or school level. The committee members, like all other institutions, shall reflect the diversity of the community including the disadvantaged groups and will have

their own code of conduct (CoC) and ethics and shall not be involved in the management of the construction or schools.

3.2. Resettlement Procedures

50. It is notable that after identifying the land for school construction, and initial scoping during the district assessments, the MoES will perform due diligence to assess the land ownership which will determine the necessary process to secure the land for the project. The mediated-state approach to community-led land contributions process will be outlined in a guideline that will be submitted and cleared by the Bank. The construction of the schools will only be initiated after the land agreements and RPs have been reviewed and cleared by the Bank for each site and the site has been formally handed over to the MoES for public use.

51. When there is land acquisition, physical resettlement, the requirements are to develop a Resettlement Plan (RP) proportionate to the risks and impacts associated with the project. When only economic displacement takes place, the instrument to develop is called a Livelihood Plan (LP).

52. As part of the socio-economic assessment, the community infrastructures and/or services that could be affected shall be identified.

3.3. Principles and Procedures

53. This RPF is aimed at ensuring that appropriate agreements on land use are made with all residents and users of the area, leaders and government officials and mitigation measures are put in place and implemented to prevent any adverse resettlement impacts caused by the project. The key operational principles include:

- Avoid and minimize the impacts on the physical displacement of people and economic impacts on their livelihoods to the extent possible;
- Compensate for all losses incurred and displaced incomes and livelihoods;
- Ensure resettlement assistance or rehabilitation to address impacts on people and their livelihoods;
- The policy applies equally to everyone that is displaced and/or impacted by project activities, disregarding the severity of the impact or the socio- economic background of the PAP, and whether or not the person has a right to a legal claim on the land;
- The policy also applies where already displaced persons have to be relocated or lose their shelter;
- All stakeholders, and specifically PAPs, shall be consulted during the planning of the RPs, as per the SEP;
- Displacement and restriction to access shall not occur before all necessary resettlement measures are in place or before compensation has been undertaken;
- Mitigation measures include compensation, assistance required for relocation, and provision of settlement sites with adequate basic facilities;
- Eligible PAPs should be assisted to restore their incomes and livelihoods to pre-settlement levels;
- Disadvantaged groups shall receive further support in addition to compensation and resettlement support; and
- Compensation will be calculated at replacement value without deduction of depreciation and salvage value. Any compensation for land acquisition or resettlement impacts shall be borne by the FRS.

4. PROCESS FOR PREPARING AND APPROVING RESETTLEMENT/ LIVELIHOOD PLANS

4.1. Screening

54. Once school sites have been assessed, an environment and social screening process, as described in the ESMF is conducted for site-specific project activities. It will confirm and assess the potential impacts in regard to physical or economic displacement. If the screening shows physical or economic displacement, a site-specific RP or a livelihood Plan (LP) will be prepared respectively and implemented. For all sites, the land agreement process will be followed, and the summary safeguards report completed (example in Annex 4).

55. If people will be physically displaced, then an RP proportionate to the risk and impact associated with the project will be prepared. When only economic displacement takes place, then a Livelihood Plan should be developed.

56. Should forced displacement (or land acquisition or land use restrictions) occur in project-supported schools in the quest for construction of new schools, or in any other project-financed infrastructure before WBG Board approval of the Project, and after official start date of the project's civil works, relevant ESS5 requirements will be applied retroactively. If such requirements cannot be satisfied retroactively, the Bank will not support such schools, or any other infrastructure development carried out.

4.2. Resettlement Assessment and Census

57. The district assessment will consider the environmental and social impacts and will not be carried out on areas with significant potential impact or areas of contested land or with multiple claims. Following the site identifications an environmental and social screening will be carried out to confirm that the project will not have significant environmental or social impacts; understand the nature of physical and economic displacement and also, identify potential community infrastructure and services likely to be affected by the project. It will also assess the nature of disadvantaged groups in the project area, power dynamics, land ownership norms and issues. This assessment should identify the potential and concrete impacts of resettlement activities on the PAPs, specifically on disadvantaged groups. The assessment should take historical dimensions of population movements into account, which often still contribute to the numerous land disputes and tensions over land use. Inadequate consideration of these underlying tensions can result in open conflict through resettlement activities. Furthermore, different informal and formal entities involved in land allocation, management and conflict resolution will be assessed in order to identify all entities that need to be included in the land agreements.

58. Especially critical for the project is to assess the differing land concepts of crop farmers versus pastoralists, or agro-pastoralists. For example, while some land under the law will be considered municipal, pastoralists may have a claim for its continuous or seasonal use. In addition, the assessment should list assets/infrastructure impacted, investigate loss of income/livelihood resulting from project interventions, and assess economic/physical displacement/relocation. Also, critical will be to ensure that where pastoralists with nomadic lifestyle exist, they are included and catered for specifically. The assessment will address the claims of communities who, for valid reasons, are not present in the project area during the time of the census, such as seasonal resource users or pastoralists with nomadic lifestyle.

59. All these issues will need to be considered in the resettlement assessment, that will lead to the design of site-specific RPs and LPs.

60. Project Component 2 on school construction will focus on disadvantaged communities which might have complex layered land ownership due to the historical factors and lack of or inadequacy of land regulations. Once it is determined that people will be displaced physically or economically, the actions

outlined below will be taken by the PIU. It is notable that the PIU may hire a consulting firm to facilitate the census, asset valuation and livelihood restoration aspects of the project.

4.3. Census of Project Affected Persons.

61. A census of PAPs will be conducted to determine their numbers and record their socio-economic profiles. Information to be captured will include: (i) personal details of PAPs including family members; and (ii) current monthly income generated from activities before the census (iii) the vulnerable groups that will require additional assistance. This information will allow for a detailed development of the activity-specific RP and will support accurate budgeting for the activities in order to take all compensation measures into account. It will further create the basis for all monitoring activities on resettlement.

62. The census will be announced prior to commencement using local communication channels, including community leadership, local radio, and as detailed in the SEP. A hard cut-off date will be determined and announced by the PIU in consultation with local authorities, including informal authorities. Persons that will encroach in the sites after the cut-off date will not be considered.

63. Table 2 presents the key resettlement census questions and key data to be collected in the census for affected PAPs. See the Household Survey Interview in annex 5.

Table 2: Key census questions

Resettlement Assessment	
Date:	
Location:	District:
Planned Activity:	
Area affected: coordinates	
Key questions to be elaborated on through participatory research tools	
Current status of the land: community/private/public?	
Is there a title/allotment letter (Please attach photograph or copy)?	
What land disputes exist in this area? Could they affect this site?	
What are the different claims on land ownership and use?	
Are there historical population movements that still contribute to disputes over land?	
Define the residents and users of this land (including nomadic pastoralists) and how and when they can be consulted to seek their agreement for the use of land for the school?	
Which institutions and authorities in this area help solve land ownership and usage claims?	
Have any evictions or removal of structures/assets taken place to clear land for this activity?	
Any structures or assets that will need to be removed for this construction?	
Who do they belong to and how will they be compensated/replaced?	
Any services or ceremonies that will be affected by the school construction?	
Names of individuals that will be economically or physically displaced? (complete household questionnaire) and how:	

4.4. Displacement Prior to Project Approval

64. As evictions of IDPs could be common in Somaliland, as indicated in the socio-economic baseline sections of the ESMF, the project management needs to ensure that respective local authorities, as well as communities, are aware that no forced displacements will be effected to pave way for project

implementation prior to the development and implementation of a RP/ LPs. If such evictions for the purpose of implementing a project activity have taken place prior to the preparation of the RP LPs, ESS5 requirements will be implemented retroactively.

65. During the screening and the assessment phase, the local authorities and local communities need to confirm that no such eviction has taken place. These findings will be subject to review by the PIU and the World Bank. Information on the illegality of such evictions will be disseminated prior and during the activity to allow for potential affected parties to file respective complaints. The information dissemination will be instituted following the approaches outlined in the SEP.

66. Where forced evictions to pave way for project investments have occurred, an assessment will be included in a social audit, in which: (i) the adequacy of the mitigation measures that were undertaken are assessed against the requirements of ESS5; (ii) possible gaps in the requirements of ESS5 are identified where applicable; (iii) a corrective action plan is developed and implemented to mitigate and offset any harm done and close gaps; and (iv) any grievances related to the displacement or any other outstanding issue are identified.

67. While the PIU will implement the assessment (through an independent consultant or company as necessary), the Government will need to budget for all mitigation measures identified in the RP/LPs and in the social audit conducted under the assessment including compensation costs, which shall not be part of the project funds. The commencement of activities in this case will require approval of the audit findings and the identified corrective actions from the PIU and the World Bank.

68. Where the provisions of ESS5 requirements cannot be met, the sub-project will be screened out and cannot be implemented.

4.5. Preparation and Implementation of RPs

69. The preparation of site-specific RAPs will be undertaken by the PIU/PMT under the leadership of the social safeguards specialist. External assistance may be considered for the preparation, depending on the complexity of the resettlement impacts. The RP/ LPs will be prepared once the site locations have been identified and screened, and after the resettlement assessment and census have been conducted – but before any commencement of activities on the ground. The schedule for the preparation and implementation of the site-specific RP will be based on the principles of this RPF, and must be agreed on by the PIU, the relevant government authorities and affected PAPs. This schedule must ensure that no individual or affected household is displaced due to the project activities before compensation is paid and resettlement sites with adequate facilities are prepared and provided. The site-specific RP/ LPs should have the following contents:

- i. Description of project and its potential impacts;
- ii. Key objectives of the RP/LPs;
- iii. Results of assessments, including census/survey and social audit where necessary;
- iv. Applicable legal framework;
- v. Applicable institutional framework;
- vi. Eligibility of PAPs;
- vii. Quantification of project related impacts and their mitigation;
- viii. Income/livelihood restoration where impacted;
- ix. Valuation of and compensation for losses;
- x. Stakeholder and community participation;
- xi. Implementation schedule;

- xii. Costs and budgets;
- xiii. Grievance redress mechanisms;
- xiv. Monitoring and Evaluation; and
- xv. Additional planning requirements (e.g. where physical resettlement is undertaken this would include transitional assistance, site selection, site preparation, relocation, housing, infrastructure, social services, environmental protection and management, consultation on relocation, integration with host populations).

70. The measures to be undertaken under the /RP/ LPs will be budgeted and implemented by the MoES, which is responsible for the project. The PIU will monitor and supervise the implementation of the RPs/ LPs.

71. RPs/ LPs will further outline the land acquisition process. For this project, only voluntary donations are anticipated since there is no clarity on whether there are public lands in Somaliland and specifically in the project sites. The RPs/ LPs will follow the voluntary land donation guidelines in Annex 1.

4.6. Review and Approval of RAPs

72. RPs/ LPs will be presented to the PIU and to the World Bank for approval. They will subsequently be publicly disclosed, as per the SEP. Furthermore, the respective State Land Authorities will coordinate with MoES in matters around land acquisition and registration of transactions.

5. DISPLACEMENT IMPACTS AND CATEGORIES OF DISPLACED PERSONS

73. This RPF will be updated with estimated displacement impacts upon the presence of sufficient clarity and information on the subprojects.

5.1. Eligibility Criteria

74. Under ESS5, PAPs are classified as persons:

- i. Who have formal legal rights to land or assets;
- ii. Who do not have formal legal rights to land or assets, but have a claim to land or assets that are recognized or recognizable under national law; or
- iii. Who have no recognizable legal right or claim to the land or assets they occupy or use (this includes IDPs, refugees or returnees living by themselves or as a group or with host families; or other socially or economically disadvantaged groups, such as pastoralists with nomadic lifestyle).

5.2. Disadvantaged Groups

75. ESS5 emphasizes resettlement impacts on disadvantaged populations. Physical and economic displacement should be especially avoided in locations and areas occupied by people considered disadvantaged. Disadvantaged groups often have different land needs in comparison to other groups, or any resettlement could pose adverse impacts on them. Groups or individuals who could be most affected by physical or economic displacement under the project include:

- Farming communities;
- IDPs and host communities;
- Women and girls;
- Female headed households;
- Older persons and persons with disabilities and those with chronic diseases;
- Pastoralist groups, especially those practicing nomadic lifestyles; and
- Socially and economically excluded groups (e.g. minority groups, castes)).
- Orphans.

76. Intersectionality plays a significant role in making some individuals even more vulnerable, e.g., an IDP who has a disability. The degree of vulnerability of some groups or individuals can also depend on the respective locality. For instance, while a particular sub-clan may be disadvantaged in one area, its members may be part of the majority in another geographic location. Some groups may also be particularly vulnerable to specific land-related impacts (such as farmers), while others are more receptive to economic displacement (e.g. pastoralists).

77. It is therefore important that the nature of vulnerability is assessed specifically for each site. RAPs will need to be based on rigorous socio-economic and vulnerability assessments, which help determine the vulnerable groups and PAPs of a specific area. Site-specific RAPs need to be based on the following considerations in the identification of PAPs:

- Socio-economic situation of different population groups, in particular those defined as disadvantaged;
- All PAPs, but specifically groups identified as disadvantaged, have to be informed of the activities and resettlement necessities, and have to be consulted in an appropriate manner (refer to the SEP). They have to be able to participate in the decision-making process concerning the project activities and resulting physical or economic displacement;

- The input of PAPs, disadvantaged groups in particular, should lead to resettlement and compensation – where unavoidable – that actually improves their socio-economic status; and
- All PAPs, disadvantaged groups in particular, should receive sufficient information about the Project GRM (see section on GRM in the ESMF and SEP), and an assurance given about the ability to receive redress through the GRM process.

78. All disadvantaged groups, identified here and specific other groups identified in the respective assessments, should be entitled to additional assistance for finding replacement land, housing, places of business and for moving (temporarily or permanently); additional assistance for new land to be cleared or structures to be built; additional livelihood restoration support; and psychosocial counseling to adjust to physical or economic displacement.

6. ASSET VALUATION AND COMPENSATION

79. The Project will provide timely compensation to all PAPs for loss of assets at replacement costs. ESS5 defines ‘replacement cost’ as a method of valuation yielding compensation sufficient to replace assets, plus pay for relevant transaction costs associated with asset replacement. It is notable that Somaliland does not have provisions for determining compensation rates. Therefore, the ESS5 provisions will be used for compensation. For property valuation, the set values will be representative of the market rates at that particular time.

80. Replacement cost is the market value established through independent and competent real estate valuation, plus transaction costs. However, since it is to be expected that functioning markets do not exist in some of the project locations, replacement costs will be determined through calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs.

81. Where physical displacement results in a loss of shelter, replacement costs must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety, including the same quality and safety standards or better.

82. Where specialized asset valuations are necessary, a valuation expert will be contracted by the PIU at the beginning of the project, to allow for the development of standardized procedures throughout the project. The World Bank will approve of such standardized procedures.

83. Market valuations must be adopted for all tree-based crops. Fruit trees, for example, will be compensated on a combined replacement/market value. Fruit trees used for commercial purposes will be compensated at market value based on historical production records. The present age and productive life of the tree will be considered in the calculation. In cases in which households are physically resettled, they will be reimbursed for the labor invested in the trees that have to be left behind. Timber trees are reimbursed through a cash compensation for full replacement value of the tree including for the one-time sale of timber.

84. Replacement cost for agricultural land is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (a) preparing the land to levels similar to those of the affected land; and (b) any registration and transfer taxes.

85. For loss of income, rates will be based on daily profit averages for a particular type of business derived from random sampling in the project areas. Loss of income compensation will depend on the number of days that access will be restricted or denied. Particular attention will be paid to the needs of vulnerable PAPs such as, as explained above.

6.1. Entitlement Matrix

86. Table 3 presents a matrix to be updated as physical and economic displacement issues related to the project become clearer and as project locations are known.¹² Most importantly, the site-specific Resettlement Assessments are likely to show a variety of ‘entitled persons or groups’, especially in the rural areas where concepts of ‘owners’ or ‘tenants’ or ‘dwellers’ are not necessarily as clean cut. Some of the entitled persons or groups and the respective entitlements will therefore need to be developed in regards to specific findings in the site-specific assessments. However, it is essential that the PIU and the World Bank approve of those groups and entitlements, and that they are added to the list below as they are identified and approved. This will help standardize entitlements across the project for similar types of cases.

87. RPs/ LPs developed for specific project activities will also be based on socio-economic surveys and other research and insights, which will feed into the updating and refining of this matrix.

¹² The matrix is adjusted from the Somalia Urban Resilience Project Phase II (SURP II).

Table 3: Entitlement matrix

Asset	Type of Impact	Entitled Person or Group	Entitlement
Commercial Land	No Displacement: Land use partially affected, limited temporary loss	Owner	-Compensation in cash at full replacement value ¹³ -Where land use is partially affected or with temporary losses, replacement value will be determined for 'loss of use of land' and for temporary losses
		Tenant (including IDP)	-Assistance with identification of new rental location if temporary or permanent move necessary -Rent and deposit refund along with relocation assistance
	Displacement: Premise used severely affected, remaining land not fit for use	Owner	-Land for land replacement with land of equal size and market potential / compensation in cash at full replacement value. -Assistance in finding new location
		Tenant (including IDP)	-Cash compensation equivalent to three months of net income based on estimates from comparable businesses -Assistance in finding new rental/lease location -Relocation assistance including one-month rental assistance and moving costs to re-establish business -Livelihood restoration assistance if required
Residential Land	No Displacement: Land used for residence partially affected, and/or limited temporary loss, and the remaining land remains viable for use	Owner	-Compensation in cash at full replacement value for affected land -Where land use is partially affected or with temporary losses, replacement value will be determined for 'loss of use of land' and for temporary losses
		Tenant	-Assistance with finding new rental / lease location if temporary or permanent move necessary -Rent and deposit refund along with relocation assistance to cover moving costs
	Displacement: Premise used for residence severely impacted, remaining area insufficient for use or smaller than minimally accepted	Owner	-Land for land replacement with land of equivalent size and market potential or compensation for full replacement value in cash – according to PAP's choice
		Tenant	-Rent for two months and deposit refund along with relocation assistance and moving costs - Assistance with finding new rental location
Agricultural or pasture land	Full use	Persons whose agricultural or pasture land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project	-Pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. -The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time.
	Seasonal use	Persons whose agricultural or pasture land (or other productive land) is in part, or in total, affected (permanently or	-Pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. -The value of the labor invested in preparing agricultural land will be compensated at the average wage in the

¹³ Where market prices are used to estimate the 'replacement value', market prices are 'current market prices'

Asset	Type of Impact	Entitled Person or Group	Entitlement	
		temporarily) by the Project	community for the same period of time.	
Buildings and Structures	No Displacement: Structure partially affected, but the remaining premise remains viable for continued use	Owner	-Like for replacement or cash compensation for affected structure per PAP's choice -Restitution work or cash assistance to cover cost of restoration of the structure – according to PAP's choice	
		Tenant	-Cash compensation for affected assets (any viable improvement to the property) and disturbance compensation equivalent to one-month rent	
	Displacement: Entire structure affected/ structure partially affected but the remaining structure is not suitable for use	Owner	-Cash compensation at full replacement cost for the entire structure and other fixed assets without depreciation, or construction of alternative structure – acceptable to the PAP -Right to salvage material without deduction from compensation -Relocation assistance to cover moving costs	
		Tenant	-Cash compensation for any verifiable improvement to the property, rent and deposit refund -Relocation assistance to cover moving costs -Right to salvage material without deduction from compensation	
		Street Vendor	-Cash compensation equivalent to one month of net income based on estimates from comparable businesses -Right to salvage material without deduction from compensation -Relocation assistance to cover moving costs -Where there is ownership of asset/infrastructure, compensation is provided, in addition to compensation or loss of income/livelihood covered	
		Informal dweller (including IDP)	-Provide arrangements to allow dwellers to obtain adequate housing with security of tenure -Where dwellers own structure, compensation for the loss of assets other than land, such as dwelling and other improvements to the land, at replacement cost -Based on consultation with affected persons, relocation assistance in lieu of compensation for land sufficient for them to restore their standard of living at an adequate alternative site	
	Trees – timber	Cut/uprooted (loss of timber)	All PAPs	-Cash compensation for full replacement value of the tree including for the one-time sale of timber,
	Fruit trees	Cut/uprooted (loss of fruit)	All PAPs	-Cash compensation for full replacement market value of the produce of one tree for two years, assistance in establishing replacement trees. Present age and productive life the tree needs to be factored in
Standing Crops	Crops affected by land acquisition or temporary acquisition or easement	All PAPs	-Cash compensation equivalent to average of last three years of market value of mature and harvested crops	
Business	Loss of access	All PAPs	-Cash compensation to 50% of net monthly income based on estimates from comparable businesses for length of time access is lost. Or up to three-months income (if loss is permanent) -Assistance to help find alternative temporary or	

Asset	Type of Impact	Entitled Person or Group	Entitlement
			permanent locations to establish business -Right to salvage material without deduction from compensation -Livelihood restoration assistance if required (assistance with job placement skills training).
Community Building	Temporary loss of access	All PAPs	-Cash compensation to cover public transportation cost to the nearest same facility in the town/city for the period of loss
		Owner/Community	-Structure replacement or cash compensation at full replacement costs for the entire structure and other fixed assets without depreciation, or alternative structure which is acceptable to the PAP -Right to salvage material without deduction from compensation -Relocation assistance to cover moving costs -Assistance with finding new location
	Displacement	Tenant	-Cash compensation at full replacement cost for any verifiable improvement of the property -Rent and deposit refund -Relocation assistance to cover moving costs -Assistance with finding new location

7. IMPLEMENTATION PROCESS

88. An implementation schedule will be prepared and included in the RPs/ LPs to ensure the right sequence between the commencement of the activity and the resettlement or compensation process. This schedule will show each activity – from the initial baseline and preparation to the actual relocation and commencement of civil works, as well as economic and social activities after relocation. The schedule will contain a date defining when benefits for eligible PAPs will be provided; and it will contain a monitoring and supervision schedule for the MoES to follow. In addition, it will set target dates for the achievement of benefits to resettled PAPs and hosts, as well as for the provision of other benefits including livelihood restoration. No civil works will be allowed to commence on sites where RPs LPs implementation has not been undertaken and completed.

89. The RPs/ LPs will further include an itemized budget for its implementation, including all funds for compensation for affected assets and resettlement costs. Costs for stakeholder engagements, as per the SEP and ESMF have to be included in the budget. All other construction and safeguards-related costs (including project GRM and inclusion plan) should be budgeted separately on the PIU budgets.

90. The RPs/LPs budgets should contain costs related to the following items:

- i. Asset acquisition (land, structure, crops and economic trees, infrastructure);
- ii. Land acquisition and preparation (land, structures, crops and other items, community infrastructure);
- iii. Relocation (transfer of possessions, installation costs);
- iv. Economic rehabilitation/livelihood restoration (training, capital investment, technical assistance);
- v. Stakeholder Engagement;
- vi. Monitoring and supervision;
- vii. Contingencies; and
- viii. Assisting the vulnerable individuals/persons.

8. MECHANISMS FOR CONSULTATION AND MEDIATED LAND AGREEMENTS

91. The approach of this project will be to avoid compulsory land acquisition through a reliance on mediated-State approach to community-led land contributions while overtly avoiding areas where land is known to be contested. In order to manage voluntary land contributions, local communities need to be supportive of the project and see it as a shared priority.

92. The Project will ensure inclusivity of all targeted PAPs at all levels. PAPs will be consulted through a variety of means, as spelled out in the SEP, as necessitated by the resettlement assessment approach. Furthermore, all information about the activity that triggers the preparation of a RP, resettlement and compensation will be publicly disclosed, following the modalities of disclosure laid out in the SEP. This is to ensure that all persons, and vulnerable groups specifically, have the opportunity to participate in the decision-making process and to raise their concerns where applicable.

93. Most crucial is that during the implementation phase of the RP, all PAPs will have access to all relevant information, including their rights to resettlement, compensation, payment and RP activity schedules, identity of leading authorities and implementers, etc. They must be given the opportunity to provide their inputs and feedback on the planned activities. Furthermore, they must receive all information with regard to the Project GRM, and the GRM must be available to all PAPs to file potential complaints. PAPs will be presented with the concrete amount of cash compensation or land offered for compensation for their consideration and endorsement before the actual payment can be effected.

8.1. Consultations Held to Date

94. A stakeholder consultation on the instruments including the RPF was held on the 12th of October 2023. The participants, represented different groups including the Governments, civil society organizations (CSOs), development partners and the World Bank.

95. Annex 6 presents a participants list and a summary of the key issues raised and how they have been incorporated in the instruments.

96. Both types of consultations were general in nature, and it was not possible to consult on specific resettlement questions. Further, there is still lack of clarity on whether the project activities will require involuntary resettlement and the extent of such a need. As soon as site locations, implementing partners and specific activities have been decided on, targeted community consultations on resettlement will be conducted in all affected areas.

8.2. Stakeholder Mapping and Analysis

97. Stakeholder engagement is the interaction with, and influence of project stakeholders to the overall benefit of the project and its advocates. Project stakeholders are defined as individuals, groups or other entities who are interested in the Project at different levels. Engagements with the project affected communities will be conducted upon project effectiveness and will be sustained throughout project implementation and closure. For effective engagement, project stakeholders are categorized into three main groups, as described below.

- a. **Affected Parties:** persons, groups and other entities within the Project Area of Influence (PAI) that are impacted or likely to be impacted directly or indirectly, positively or adversely, by the project. Such stakeholders are directly influenced (actually or potentially) by the project and/or have been identified as most susceptible to change associated with the project, and

who need to be closely engaged in identifying impacts and their significance, as well as in decision-making on mitigation and management measures. This category of stakeholders may include community members living within the project planned areas of intervention, government officials, business entities and individual entrepreneurs in the project area that can benefit from employment/business opportunities, community-based organizations (CBOs), local non-governmental organizations (NGOs) that represent local interest groups, among others. For this project, the direct beneficiaries are the school going children, the school-teachers and administrators, communities that will be directly benefit from education support, the MoES staff and other government staff that will be involved in service provision.

- b. **Other Interested Parties (OIP):** constitute individuals/groups/entities whose interests may be affected by the project and who have the potential to influence project outcomes. OIP may not experience direct impacts from the Project, but they may consider or perceive their interests as being affected by the project and/or who could affect the project and the process of its implementation in some way. Such stakeholders include civil society organizations (CSOs) and NGOs who may become project partners. Others include business owners and providers of services, goods and materials within the project area who may be considered for the role of project's suppliers; mass media and associated interest groups, including local, regional and national print and broadcasting media, digital/web-based entities, and their associations, among others. The partners whose interests may be affected include CSOs and partners engaged in the education sector in the country, development partners supporting the education sector, business companies and entities that may be involved in the provision of services and the media and interest groups.
- c. **Disadvantaged Groups:** persons who may be disproportionately impacted or further disadvantaged by the project as compared with any other groups due to their vulnerability and that may require special efforts to ensure their equal representation in the project consultation and decision-making processes. The vulnerable groups identified for this project include the pastoralists, learners with disabilities, IDPs, etc.

98. In view of this RPF, affected parties will likely be in the 2 districts that were selected for involvement in the project. These districts are mostly those on the margins of development and there may be complexities on land ownership.

8.3. Directly or Indirectly Project-affected Parties

99. Effective consultations and other stakeholder engagements with the project affected communities will be conducted by the PIU throughout the Project's life cycle. Resettlement specific consultations will be conducted with key stakeholders as shown in Table 5 prior to the development of RPs.

Table 4: Consultations with key stakeholders on the RPs

Stakeholder	Description
Directly affected parties	
Small farmer and agro-pastoralist households	They are likely to be resident in the area, and will benefit from the school construction, although their land or crops may be affected. They will need to be effectively consulted to mitigate E&S risks and enhance project benefits.
Nomadic pastoralists	These households may either be residents and users of land and may or may not benefit from the new construction depending on whether they are entirely nomadic, or whether women and children are left behind while animals are moved.
IDPs, in particular, those who are persons with	Although the majority of recent IDPs are in urban areas, some waves of IDPs have settled in rural areas over many decades but are often still regarded as

Stakeholder	Description
disabilities, from ethnic/other minorities, women, and IDPs that have faced multiple displacements	IDPs.
Host communities	Often tension is reported between IDPs and their host communities due to different clan make up and history.
Disadvantaged groups	Disadvantaged groups have been identified including minority groups, IDPs, nomadic pastoralists, persons with disabilities, female headed households and orphans or children from single headed households, low caste groups (Gaboye, Midgan, Tumul, Yibir) that may not be actively engaged in the project activities and may not benefit equally from the interventions
Persons with disabilities	Persons with disabilities are particularly disadvantaged in Somaliland. There is lack of data on disability in Somaliland, but it is presumed that it is higher than the global average (15%), given the protracted conflict situation, ¹⁴ and that persons with disabilities are more likely to be excluded from participation and benefitting from public services.
Other interested parties	
Community leaders	With formal administration systems only developing and non-existent in some areas, community leaders including clan and religious leaders play a vital role in community entry and the attainment and social license to operate.
National level Ministries	-MoES will house the PIU; -Ministry of Planning and National Development (MoPND) will be part of the PSC; will provide coordination support across line Ministries; will be responsible for M&E, and will lead prioritization of activities; -Different ministries will benefit from institutional capacity building activities.
National governments and line Ministries	-MoES will house the PIU
Local District-Level Administrations	-District Administrators are usually the authorities that handle day-to-day needs and grievances; community development, community consultations
Local and national CSOs and NGOs operating in the education, livelihood sectors	With most having invaluable experience in the successful delivery of a wide range of humanitarian services, their networks, delivery systems and knowledge of intricate community dynamics will need to be tapped for use by the project.

8.4. Stakeholder Engagement Principles

100. Stakeholder analysis generates information on the perceptions, interests, needs, and influence of actors on the project. Identifying the appropriate consultation methodology for each stakeholder throughout the project lifecycle is necessary. In order to meet best practice approaches, the project will apply the following principles for stakeholder engagement.

- i. *Openness and life-cycle approach*: public consultations for the project will continue during the whole project lifecycle from preparation through implementation. Stakeholder engagement will be free of manipulation, interference, coercion, and intimidation.
- ii. *Informed participation and feedback*: information will be provided and widely distributed among all stakeholders in an appropriate format; conducted based on timely, relevant, understandable and accessible information related to the project; opportunities provided to raise concerns and ensure that stakeholder feedback is taken into consideration during decision making.

¹⁴ DFID, Disability in Somalia, K4D, 2018, accessed at: https://assets.publishing.service.gov.uk/media/5a744dbded915d0e8bf188ec/Disability_in_Somalia.pdf

- iii. *Inclusivity and sensitivity*: stakeholder identification will be undertaken to support better communication and building effective relationships. The participation process for the project will be inclusive. All stakeholders will be encouraged to be involved in the consultation processes. Equal access to information will be provided to all stakeholders. Sensitivity to stakeholders' needs is the key principle underlying the selection of engagement methods. Special attention will be given to vulnerable groups, particularly learners and those with disabilities, and the cultural sensitivity of diverse groups in the project areas.

8.5. Stakeholder Engagement Program

101. Stakeholder engagement is an inclusive process that must be conducted throughout the project life cycle. Table 5 presents the key stakeholder engagement activities during the project preparation stage through to implementation and closure.

Table 5: Consultation matrix for stakeholders

Consultation Stages	Consultation Participants		Consultation Method	Expected Outcome
	Project Authority	Beneficiaries including disadvantaged and vulnerable individuals and groups		
Verification of existing and location/sites for projects	PIU, project consultants (social safeguards specialist) and other stakeholders	Groups, CBOs, community leaders/elders	<ul style="list-style-type: none"> • Public announcements • Face-to-face meetings (adhering to government guidelines on COVID-19) • Virtual meetings using Webex/Skype/zoom 	First-hand assessment of the local people's perceptions of potential project benefits and risks
Screening of the proposed projects	PIU consultants (social safeguards specialist) and other stakeholders	<ul style="list-style-type: none"> • Affected groups (IDPs, pastoralist / nomadic communities) • CBOs • Community leaders/elders • Key informants 	<ul style="list-style-type: none"> • Public announcements • Face-to-face meetings (adhering to government guidelines on COVID-19) • Virtual meetings using Webex/Skype/zoom 	Identification of concerns on project impacts, feedback from would-be affected persons
In-depth study of risks and benefits taking into consideration, inter alia, the conditions that led to community	PIU, project consultants (social safeguards specialist), NGOs /CBOs, Other knowledgeable persons	<ul style="list-style-type: none"> • Would-be affected individuals and groups • Locally-based CBOs/NGOs • Community leaders/elders • Key informants 	<ul style="list-style-type: none"> • Formal/informal interviews • Focus group discussions • Discussion on specific impacts, alternatives, and mitigation; etc. 	More concrete views of project impacts and feedback on possible alternative mitigation and development measures

Consultation Stages	Consultation Participants		Consultation Method	Expected Outcome
	Project Authority	Beneficiaries including disadvantaged and vulnerable individuals and groups		
consensus				
Social Assessment (SA)	PIU (social safeguards specialist) -Consultants	Adversely affected individuals, households and groups	<ul style="list-style-type: none"> Structured survey Questionnaires covering quantitative and Qualitative information 	Inputs for disadvantaged groups and identification of issues that could be incorporated into the design and implementation of the project
Implementation	PIU (social safeguards specialist) -Consultants -Locally based NGOs/CBOs	<ul style="list-style-type: none"> Individuals and groups of disadvantaged and vulnerable groups, Community leaders/elders and other stakeholders 	<ul style="list-style-type: none"> Implementation Monitoring committees (formal or informal) 	Quick resolution of issues, effective implementation of the Inclusion Plan
Monitoring and Evaluation	- PIU (social safeguards specialist) -Consultants -NGOs & CBOs	Individuals and groups of the disadvantaged and vulnerable	Formal participation in review and monitoring	Identification and resolution of Implementation issues, effectiveness of Inclusion Plan

8.6. Project Information Disclosure

102. Information will be packaged and shared with the key stakeholders using different methods. The PIU will be responsible for ensuring that the information gets to the stakeholders in a timely manner. Feedback from stakeholders will be taken into view and improvements will be made to ensure robust and consistent information flow. Table 6 presents a summary of the information disclosure for the project. The SEP is a living document that may be modified and changed following input and suggestions from project stakeholders.

Table 6: Disclosure of project information at different stages of the project cycle

Information to be disclosed	Method used	Target stakeholders	Responsibilities
Before appraisal			
Disclosure of project documents (ESMF, PAD, RPF, SEP, ESCP)	<ul style="list-style-type: none"> Websites - MoES and WBG Brief summaries of the main features of the project SEP 	All key stakeholders	PIU
After appraisal			
Publicity on project approval and roll-out plans	<ul style="list-style-type: none"> Audio-visual messages on project information (radio, TV in different local stations) Newspaper 	All key project stakeholders	<ul style="list-style-type: none"> MoES Communication expert Safeguards

Information to be disclosed	Method used	Target stakeholders	Responsibilities
	<ul style="list-style-type: none"> stories/supplements Printed materials on project information Social Media (Twitter, Facebook, Instagram, WhatsApp) Emails Press releases Speeches Websites (GoSL, WBG) 		officers
Disclosure of the project documents ESMP, RPF, Updated SEP, LMP, GBV Prevention and Response Action Plan, among others	<ul style="list-style-type: none"> Websites - MoES and WBG Brief summaries of the main features of the project SEP Audio-visual messages on the project (radio, TV in different stations) Newspaper stories/supplement Social Media (twitter, Facebook, Instagram WhatsApp) Emails Press releases Speeches 	<ul style="list-style-type: none"> MoES and all partners involved in the project Open access to all interested parties Distribution of printed flyers to schools and other institutions 	<ul style="list-style-type: none"> PIU WBG Team Implementing partners
During implementation			
Roll-out of direct support to schools and learners	<ul style="list-style-type: none"> Key informant interviews with key stakeholders Community discussions (through public meetings and call-in radio sessions/activations) Newsletters Newspaper stories/supplement Social Media (twitter, Facebook, Instagram WhatsApp) Emails) Press releases Speeches Mobile phone block messages 	<ul style="list-style-type: none"> Learners School administrators Community Engagement Committees (CECs) Communities Implementing partners Social Accountability Committee 	<ul style="list-style-type: none"> MoES Communication expert Safeguards officers
Highlights on project activities, achievements and lessons learned	<ul style="list-style-type: none"> TV/Radio spots/activations and announcements Print materials (newsletters and flyers) Town hall meetings Newspaper stories/supplement Social Media (twitter, Facebook, Instagram WhatsApp) Emails 	<ul style="list-style-type: none"> -Project beneficiaries (learners, teachers, CECs) -Implementing partners -Other interested parties 	-Safeguards Officers

Information to be disclosed	Method used	Target stakeholders	Responsibilities
	<ul style="list-style-type: none"> • Press releases • Speeches • Mobile phone block message 		
Update on project process	<ul style="list-style-type: none"> • Print materials (newsletter, flyers, etc.) • Project progress reports • Town hall meetings 	All stakeholders	<ul style="list-style-type: none"> • Safeguards officers • PIU • MoES leadership
Complaints/Compliments about the project implementation	Logs and reports from the national GRM focal person, Social Accountability Committee members State GRM focal persons (GRM complaints points in schools, district education offices, etc.)	<ul style="list-style-type: none"> • Receivers of information and services • Information or Data managers 	PIU and Safeguards Officers
	Surveys and direct observations of the project beneficiaries	<ul style="list-style-type: none"> • Different stakeholders • Vulnerable populations 	<ul style="list-style-type: none"> • MoES • Communication Officer • M&E Officer
Monitoring and reporting			
Feedback of effectiveness of different modalities of engagement	<ul style="list-style-type: none"> • Semi-structured interviews • Online surveys • Satisfaction surveys 	Project primary beneficiaries	<ul style="list-style-type: none"> • Safeguards Officers • M&E Officer
Quarterly	Progress report including summaries of complaints and resolution	<ul style="list-style-type: none"> • MoES offices at the Federal and State level offices • Implementing partners 	M&E officer

103. The MoES and the PIU will provide appropriate background and relevant technical information to stakeholders whose feedback is sought on various project issues with sufficient advance notice (7-10 business days) so that the stakeholders have enough time to prepare to provide meaningful feedback.

8.7. Engaging Disadvantaged Groups

104. The project will target 2 districts Somaliland based on inclusivity criteria: (i) districts with the lowest enrolment rates (GER below 10 percent); and (ii) districts that are accessible for civil works construction and supervision. The project will give special consideration to the most disadvantaged groups whose voices may not be considered in decision-making. The following disadvantaged groups have been identified by the project:

- i. Internally displaced people (IDPs) and returnees;
- ii. Those people that live in remote rural areas or areas characterized by violence that are bereft of social services and amenities;
- iii. Learners and community members with special needs including those living with disabilities; single mothers, low-income earners and orphans; and
- iv. Nomadic pastoralist communities.

105. There are particular barriers that prevent disadvantaged individuals and groups from participating in projects, which include lack of financial resources, inaccessibility of meeting venues, social stigma, lack of awareness and/or poor consultation. For instance, people living with disabilities are often not effectively engaged in consultations due to lack of access and social stigma that also affect other groups. In this regard, the project will deploy viable strategies to engage target communities and other stakeholders. Stakeholders will be informed about the project impacts and risks through participatory approaches. Communication awareness strategies will be developed for each district taking into account the local needs. In addition, efforts will be made to promote diversity in staffing (see LMP and ESMF) and social accountability committees will have diverse representation including disadvantaged groups.

106. The participation of disadvantaged groups in the selection, design and implementation of project activities will largely determine the extent to which the Inclusion Plan will be achieved. Where adverse impacts are likely, the PIU will undertake prior and informed consultations with the likely affected communities and those who work with and/or are knowledgeable of the local development issues and concerns. The primary objectives will be to:

- i. Understand the operational structures in the respective communities;
- ii. Seek their input/feedback to avoid or minimize the potential adverse impacts associated with the planned interventions;
- iii. Identify culturally appropriate impact mitigation measures;
- iv. Assess and adopt economic opportunities, which the MoES could promote to complement the measures required to mitigate the adverse impacts; and
- v. Identify gender inclusive mitigation measures.

107. The PIU will:

- i. Facilitate broad participation of disadvantaged individuals and groups with adequate gender and generational representation; community elders/leaders; and CBOs;
- ii. Provide the disadvantaged individuals and groups with all relevant information about project activities including on potential adverse impacts;
- iii. Organize and conduct the consultations in forms that ensure free expression of their views and preferences;
- iv. Document details of all consultation meetings, with disadvantaged groups on their perceptions of project activities and the associated impacts, especially the adverse ones;
- v. Share any input/feedback offered by the target populations; and
- vi. Provide an account of the conditions agreed with the people consulted.

108. Once the disadvantaged individuals and groups are identified in the project area, the provisions in the Inclusion Plan will ensure mitigation measures of any adverse impacts of the project are implemented in a timely manner. The project should ensure benefits to the disadvantaged by providing, in consultation with the people themselves, opportunities to get them involved in various income earning opportunities and activities.

9. GRIEVANCE REDRESS MECHANISM

109. Transparency and accountability will be core elements of the Education project. The goal of the GRM is to strengthen accountability to beneficiaries and to provide channels for project stakeholders to provide feedback and/or express grievances related to project supported activities. By increasing transparency and accountability, the GRM aims to reduce the risk of the project inadvertently affecting citizens/beneficiaries and serves as important feedback and learning mechanism that can help improve the project's positive impacts.

110. As per World Bank standards (ESS10 in particular), the GRM will be operated in addition to a Gender-Based Violence (GBV) and Sexual Exploitation and Abuse (SEA) and Child Protection Prevention and Response Plan, which includes reporting and referral guidelines (see GBV/SEA and Child Protection Prevention and Response Plan). It will also operate in addition to specific workers' GRMs, which are laid out in the Labor Management Procedures (LMP).

111. The GRM is designed to ensure that grievances and perceived injustices, including those related to resettlement are handled by the project, and that the project aids mitigating general conflict stresses by channelling grievances that occur between people, groups, communities, government actors, beneficiaries, project staff, NGOs, CSOs, contractors or primary suppliers. Aggrieved parties need to be able to refer to institutions, instruments, methods and processes by which a resolution to a grievance is sought and provided. The GRM therefore provides an effective avenue for expressing concerns, providing redress, and allowing for general feedback from community members.

112. The GRM aims to address project-related concerns in a timely and transparent manner and effectively. Information on the GRM will be readily available to all project-affected parties. The GRM is designed in a culturally appropriate way and is able to respond to all needs and concerns of project-affected parties. The availability of these GRM does not prevent recourse to judicial and administrative resolution mechanisms.

113. As the GRM addresses the perceived injustices that affect the stakeholders, the GRM will also have integrated social accountability committees that will ensure accountability and transparency for the work done by the people in authority including but not limited to CECs, and project officials. The social accountability committee will ensure all social and environmental mitigation measures incorporated in all instruments are applied without favour or prejudice. It therefore provides additional accountability layer of transparency and avoiding clan capture and dominance.

9.1. Functions of the GRM Team at the State Level

114. MoES will have the responsibility of overseeing the resolution of all issues related to the project activities in accordance with the laws of GoSL and the World Bank Environmental and Social Standards through a clearly defined GRM that outlines its process and is available and accessible to all stakeholders. The entry point for all grievances will be with the Social Safeguards Specialists at the national level who will receive grievances by phone, text or email or from a Social Accountability Committee member. The social safeguard specialist to publicize toll free mobile phone lines and email addresses for national level. The social safeguards specialists will acknowledge, log, forward, follow up grievance resolution and inform the complainant of the outcome. Additionally, the SAC members will have direct access to the chair of the grievance redress committee at the national level and report to the chair directly on any issues deemed necessary by the chair of the SAC.

115. The complainant has the right to remain anonymous, thus their name and contacts will not be logged and whistleblower protection for complaints raised in good faith will be ensured. The national level social specialist will carry out training of all staff at the MoES involved with the project,

and contractors on receiving complaints and referral and complaints handling and reporting and will oversee awareness raising on the GRM at national level.

116. A grievance redress committee (GRC) will be established at national level chaired by the project manager, and the relevant staff will be included as necessary depending on the complaint (procurement, finance, M&E GBV advisor and communications). The Social Safeguards Officer will minute the meetings and follow up the grievance resolution process. The GRC will meet monthly to review minor complaints, progress on complaints resolution, review the development and effectiveness of the grievance mechanism, and ensure that all staff and communities are aware of the system and the project. Immediate meetings will be held in case of significant complaints to be addressed at the MoES. Significant complaints will be outlined in the GM manual. For serious or severe complaints involving harm to people or the environment or those which may pose a risk to the project reputation, the national social specialist should be immediately informed, who will inform the World Bank within 48 hours as per the Environmental and Social Commitment Plan (ESCP) following reporting procedures of the Environmental and Social Incident Response Toolkit (ESIRT).

117. Due to limited capacity in the Government system, the States may enlist the support of CBOs working in the project areas to support the GRM activities or NGOs/an independent call center to receive and help process complaints concerning all types of resettlement issues on an as-needed basis.

118. At community level Social Accountability Committees with strong representation of disadvantaged groups will receive complaints directly from the community, contractors or school, especially those related to resettlement issues, and forward to the national level social specialist or where and when necessary forward to the chair of the grievance redress committee at the national level to support resolution and follow up. **Receive and register the complaint:** The beneficiaries will have multiple ways of channelling complaints on any aspect of the project (incl. on involuntary resettlement issues). This will be through radio, mobile phones, community meetings, email and websites. There will also be opportunities for in-person reports at the community level through the SACs or community leaders. Once the complaints have been received, the GRM focal point will log them into the Complaints Register.

119. **Acknowledge, assess and assign:** An acknowledgement of receipt will be sent to the complainant within 7 days of receipt of the complaint. The GRM focal point will assess the complaint and assign it to the relevant team or level of implementation (e.g., MoES at the regional/ district level). All cases will be treated with utmost confidentiality and great attention. Dedicated training on how to respond to and manage complaints related to involuntary resettlement will be required for all GRM operators and relevant project staff.

120. Records of all feedback and grievances reported, including those related to resettlement, will be established by the Project team. All feedback will be documented and categorized for reporting and/or follow-up if necessary. For all mechanisms, data will be captured in an excel spreadsheet. The information collected, where possible and for only for non-GBV related complaints, will include the name of the person reporting, district, State, cooperating partner where applicable, project activity, and the nature of the complaint or grievance.

121. **Propose a response:** The GRM focal point will propose the mechanism to be followed to resolve the grievance within 21 days and share findings with relevant stakeholders. Where an incident is reported, the IP will, in addition, follow the incident management protocol to resolve the issue. Verification and management of resettlement issues that are associated with GBV/SEA will follow specific, differentiated processes outlined in the GBV/SEAH Action Plan.

122. **Agreement of a response between complainant and the GRM team:** Where a negotiated grievance solution is required, the PIU will invite the aggrieved party (or a representative) and decide on a solution, which is acceptable to both parties and allows for the case to be closed – based

on the agreement of both parties. After deciding a case, PIU will provide an appeals mechanism to the aggrieved party. In these instances, the PIU will step in and provide an appeals mechanism. The appeal should be sent to the PIU directly (a phone number will be provided), where it will be reviewed by the GRM Team and will be decided on jointly with the PIU Coordinator. Where aggrieved parties are dissatisfied with the response of the PIU, they can report cases directly to the World Bank or use the available national grievance resolution mechanisms (see below).

123. **Implement the response:** The GRM focal point will follow up on the recommended response mechanisms and ensure the resolution of the complaints. In case the resolution is successful, the case will be closed out but in cases where the complainant is dissatisfied with the response, the GRM focal point will guide the individual or group to seek alternative grievance resolution mechanisms including mediation, arbitration and judicial processes.

124. **Review grievances:** The GRM team will conduct a review of the cases reported on a monthly basis and agree on the next steps on cases that have not been closed out. The GRM focal point will record the actions recommended by the GRM team and file a monthly report to the PIU. Figure 2 presents the process to be adopted by the project in managing grievances.

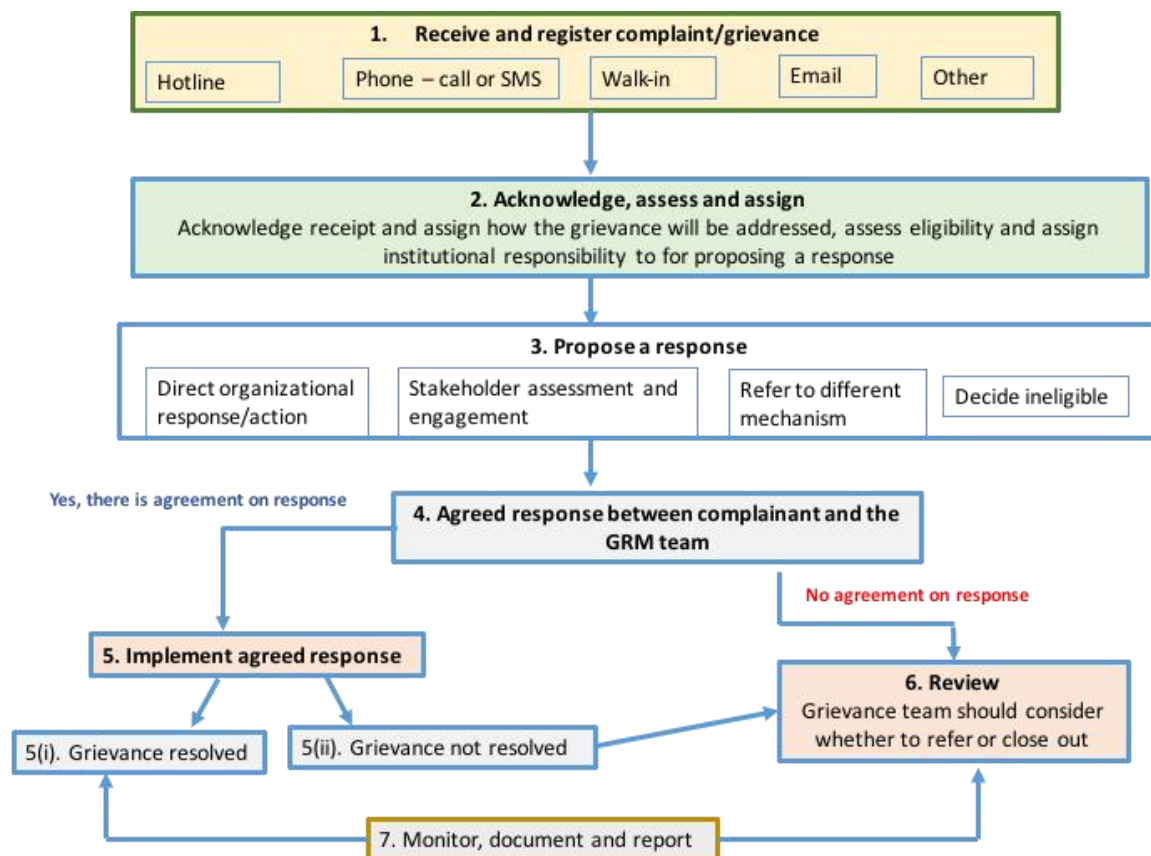


Figure 2: Grievance process applicable for the Project's RPF

9.2. Monitoring and Reporting of GRM

125. The PIU, specifically the Social Specialist, will be responsible for monitoring the access to and implementation of the GRM by all project teams. The Specialist will include the GRM in his/her

supervision and monitoring missions to the field and conduct spot checks on its implementation, or, where access is difficult recruit local teams to do so.

126. The social specialist will provide analytical synthesis reports on a quarterly basis, which will include the number, nature and status of grievances. These reports will form the basis of all regular reports from the PIU to the World Bank. The social specialist will work closely with the contractor and primary supplier to gather this information.

127. The Social specialist will further provide an excel sheet summary of the feedback and grievances reported, which will be linked to the Project’s Management Information System (MIS) and to the M&E Results Framework. They will further maintain a documented record of stakeholder engagements, including a description of the stakeholders consulted, a summary of the feedback/grievances received during community consultations. The PIU will extract lessons from the GRM and conduct an analysis on the overall grievances, and incorporate prevention and mitigation measures of issues in project planning and review meetings.

9.3. GRM Appeals and Escalation Mechanisms

128. Where agreement on grievance resolution has not been reached, the project team will offer the complainant appeal options and processes available in the country. The approaches will include an Independent Panel; internal or external offices or individuals with appreciable degree of independence, and third-party fact-finding, facilitation, and mediation missions as applicable. Depending on the grievance, the appeal may entail offering the aggrieved person the option to seek redress through statutory referral institutions operational in the country.

9.4. WBG’s Grievance Redress Service (GRS)

129. **World Bank Somalia Office:** Communities and individuals who believe that they are adversely affected by a World Bank supported project may submit complaints to existing project-level grievance redress mechanisms or the World Bank Somalis office at: somaliaalert@worldbank.org.

130. **World Bank Grievance Redress Service (GRS):** If no response has been received from the World Bank Somalia office the grievance can be raised with the World Bank Grievance Redress Service email: grievances@worldbank.org. The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB’s independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank’s attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank’s corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit: www.inspectionpanel.org.

10. INSTITUTIONAL ARRANGEMENTS

10.1. Management

131. The project will be implemented by the Ministry of Education and Science of The Government of Somaliland, as well as Education directorates in the targeted two districts. The MoES will also be responsible for coordination of all project activities and overall reporting on project progress and performance. Overall project leadership will be provided by the Project Steering Committee (PSC). The PSC will be headed by the national level Minister of Education and Science and include one representative from the ESC coordination body and one community representative, and one donor representative. The PSC will provide strategic direction and guidance on high-level risk management and decision making on project objectives, as well as on proceedings and developments of RPF. This inclusive body will be crucial for promoting dialogue, consensus-building and joint decision making on key aspects of the education system, and RPF in particular.

132. A Program Management Committee (PMC) headed by the Director General (DG), MOES; or his/her designate, as well as Heads of relevant MoES departments and the Project Implementation Unit (PIU) Coordinator will provide technical leadership for project/RPF implementation. Key responsibilities of the PMC include (a) establishing a platform for collaboration, management, troubleshooting and technical support for implementation of the project/RPF, (b) providing collaborative management of project activities, decision-making around co-design and co-management of activities including the annual work plan and budget; (c) co-monitoring project activities; (d) conducting quarterly progress reviews; (e) making joint decisions on issues pertaining to implementation, and (f) ensuring open communication and maximum accountability. The PMC will meet once a quarter, but it can be convened by the FRS DG as and when required.

133. Day-to-day implementation of the project will be undertaken by a dedicated PIU, which will be headed by a Project Coordinator and include experts to manage key functions including financial management, procurement specialist, separate environment and social specialists, GBV advisor. In addition to responsibility for implementation of components 1, 2, 3 and 4, the PIU will also be responsible for coordinating project activities with the implementing partners and the administrative authorities. It will arrange quarterly reviews of project implementation, consolidate reports from the field on component 2 activities and report overall project progress and performance.

134. The Program Coordinator at the national level will be ultimately responsible for social safeguards implementation including in RPF. The national Social Safeguards Officer will provide guidance, training and support to other staff who will be engaged in the field for the screening of sites for land titles and land conflicts, mapping of all residents and users of the land as well as leaders and government staff involved in land adjudication. The field staff will carry out the screening and mapping, and facilitate community meetings to ensure that all residents, users and leaders are in agreement with the use of the land and the siting of the schools.

135. The consultation process for community land agreements will be carried out and all meetings documented and summarized in the summary safeguards report (example in Annex 4). The documentation to be produced from these consultations will be submitted to the World Bank for clearance before it is applied. The signed documentation for each site will also be submitted to the World Bank for clearance before construction is started, including RPs/LPs and verification of compensation payments where structures are to be destroyed or people displacement or livelihoods affected and monitor payment of compensation.

136. New schools will be in areas where there are no existing schools in a 30-minute walking radius, thus they are expected to be constructed in rural areas of the selected 2 districts only. Communities will be involved in site identification for the new schools.

137. The CECs will help organize and facilitate meetings with different groups including disadvantaged groups. They will also capture and document any complaints for onward transmission to the project team.

138. The monitoring staff will monitor the potential social risk envisaged in the ESMF, SEP and the RPF and the subsequent plans derived from them have been mitigated as planned. The monitoring team will base on the indicators of the project acceptance and timely compensation of the affected persons.

139. The / RPs/LPs will be prepared by independent consultants. They will be reviewed and approved by the FRS social safeguards specialist of the MoES and cleared by the World Bank before implementation and construction. The following Table 7 summarizes responsibilities of RPF key actors.

Table 7: Responsibilities for implementing the RPs and getting land agreements

Institution	Responsibility
World Bank	Clearance of land agreement process, clearance of site-specific land agreements and RPs
National PIU	Developing the process of screening, land agreements and guidance for site specific land agreements and documentation. Review and approval of screening documentation, land agreements and RPs. Support and monitor land agreement processes and RP implementation; submission of documentation to the World Bank for clearance and ensuring comments are addressed. Developing reporting and monitoring tools and ensuring that they are properly used. Review reports from the staff in the field. Monitoring and reporting on land agreements and RPs to the World Bank as part of E&S reporting requirements.
Field staff	Implementation of screening process and assessment and documentation; facilitation of community land consultations and documentation of agreements, organisation and oversight of RPs and LP preparation and review and submission to FRS for approval; monitoring and supervision on the implementation of the RPs and LPs and support as necessary; reporting on the implementation of the RPs to the PIU.
Independent Verification Agents	Independent verification on the preparation and implementation of the land agreement documentation and RP and LPs.

11. MONITORING AND EVALUATION

140. Monitoring activities will ensure that all stakeholders are consulted on the use of land and there is supporting documentation as well as that there are no concerns or complaints on the use of land and PAPs are adequately compensated. The preparation and implementation of the RPs will follow the general monitoring structure of E&S risks and risk mitigation measures, as defined in this RPF. The Social Specialist in the PIU will be responsible for overseeing the design and general implementation of the RPs. However, the PIU M&E Specialist will be mainly responsible for the monitoring of the implementation to ensure that all PAPs are compensated.

141. Monitoring will also be carried out by the supervision consultant including implementation of the C-ESMP. GIS tagged monitoring tools e.g. GEMS/Kobo toolbox will also be used to take photos of the sites selected and construction process to verify C-ESMP compliance and record E&S impacts and mitigation measures.

142. Monitoring activities will be conducted against the milestones set in the RPs, including the following:

- i. PAPs were notified and adequate community consultations held;
- ii. Census of all PAPs and socio-economic survey were conducted;
- iii. RP was prepared, cleared and disclosed;
- iv. Compensation was carried out in accordance with/RPs/LPs;
- v. All grievances have been recorded and addressed in a timely manner; and
- vi. The effectiveness of the support provided for the vulnerable individuals and persons.

143. In addition, the Independent Verification Agent (IVA) that will be contracted by the PIU will also monitor the implementation of the RPs/LPs. This activity will be integrated into the IVA's general TOR. Once the IVA is deployed, a monitoring schedule for the RPs/LPs will be developed jointly with the PIU that assesses whether the goals and compensation plan of the RPs/LPs are met. The field teams, jointly with local government representatives will facilitate the coordination of information collection, such as surveys and supervise documentation in accordance with the procedures.

144. The following indicators will be used to measure the performance of the /RPs/LPs:

- i. Collection and storage of census data into a database for comparative analysis;
- ii. Number of PAPs physically or economically displaced by each activity;
- iii. Timing of compensation in relation to commencement of physical construction work;
- iv. Compensation paid to each PAP;
- v. Number of people raising grievances, reached solutions, and number of unsolved grievances; and
- vi. All relevant items in the entitlement matrix will be monitored.

145. During evaluations, representatives of the PAPs will participate in the project completion workshops to give their evaluation of the impacts of the project, and specifically the activities under the RP. They can suggest corrective measures to be implemented retroactively, or to build lessons learnt for other activities.

146. After completion of all compensation and resettlement activities, the PAPs will be consulted through a survey, which forms part of the project M&E activities.

147. The PIU will prepare monthly/quarterly summaries which will provide a mechanism for assessing both the number and the nature of complaints and requests for information, along with the project's ability to address those in a timely and effective manner. Information on public

engagement activities undertaken by the project during the year may be conveyed to the stakeholders in two possible ways:

- i. Publication of a standalone annual report on project's interaction with the stakeholders; and
- ii. A number of Key Performance Indicators (KPIs) will also be monitored by the project on a regular basis and reported on.

148. The project team will conduct surveys on World Bank supported components at mid-point and three-quarter point. The results from these surveys will be used to inform the World Bank on the necessary steps to take towards meeting the project goals.

12. SUMMARY OF MEDIATED-STATE APPROACH TO COMMUNITY-LED LAND CONTRIBUTIONS

149. Due to lack of land legislation and robust titling and registries, as well as multiple and overlapping claims on land in Somalia, a Mediated-State approach to Community-Led Land Contributions has been proposed in the recent ESF review. For the education project, the following process has been outlined for the new schools that will be constructed in underserved rural areas (with no school within a 30min radius in 14 districts across Somalia (including all FMS and Somaliland and Benadir):

1. District assessments and E&S screening – will screen land and contested land will be excluded from initial site selection.
2. Land acquisition and resettlement impact assessment will determine whether there is a land title and map out all residents and users of the land and which traditional leaders and government officials have jurisdiction over the land. It will recommend what private and community land agreements are necessary for each site as well as RP/LPs (only for economic and physical displacement).
3. Land Agreement Guide: The above information will inform the development of a land agreement guide which will outline the content and form of consultations and provide the forms for land agreements to be approved by the Bank including differences for each district.
4. Community consultations with all residents and users of the land including disadvantaged groups will be carried out. Meetings will be documented and land agreements signed by community representatives and government officials and RP/LPs prepared. The process is summarized in the summary safeguards report and submitted to the Bank for review and clearance.
5. Implementation of the A/RAP including compensation.
6. Monitoring and evaluation of social impacts and mitigation measures as a result of the school construction including resettlement impacts which will include lesson learning to inform future.

13. INDICATIVE BUDGET

150. The cost of the Social specialists at national level is including in component 4 budget and stakeholder consultations and the GRM in the SEP. However, the following additional costs are envisaged.

Table 8: Indicative budget for implementing the RPF

Stakeholder Engagement Activities	# Units	Unit Cost, USD	Total cost (USD)
Land assessment and agreement guideline – consultancy 30 days (for an individual)	30	600	18,000
Screening and community consultations for 20 sites (6 per year)	14	1,000	14,000
Travel expenses of staff to monitor community consultations	14	1,000	14,000
RP/LPs preparation estimate – 10 sites	14	1,000	14,000
Additional assistance to vulnerable or disadvantaged groups			20,000
Subtotal			80,000
Contingency (5%)			4,000
Total			84,000

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ANNEXES

Annex 1: Voluntary Land Donation Guidelines and consent forms

The Voluntary Land Donation Guidelines will be adjusted pending what kind of land requirements emerge. A limit of voluntary land donations will be included. As individual land ownership and respective land titling is not widely established, the Project will consider any household using lands prior to disclosed activity commencement as having legitimate land use rights and such rights can be donated freely to the project according to the above provisions, if noted land is considered necessary for subproject implementation. Thus, in the following paragraphs “owner” refers to the owner of land-use-rights.

Voluntary land donations should only be authorized for activities if they can clearly document (a) the potential donor or donors have been appropriately informed and consulted about the project and the options available to them, (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation, (c) the amount of land being donated is minor and will not reduce the donor’s remaining land area below that required to maintain the donor’s livelihood at current levels, (d) no household relocation is involved unless compensation is provided for relocation, (e) the donor is expected to benefit directly from the project, and (f) for community or collective land, donation can only occur with the consent of individuals using and occupying the land. Procedures must be put into place to ensure that the donation is indeed voluntary, that the donor is the legitimate owner of land-use-rights on such lands, and that the donor is fully informed of the purpose of the donation and of the implications of donating the property. If the land is donated on a conditional basis, the terms and conditions for the temporary use of the property must be clearly documented. Land acquisitions on a “willing buyer/willing seller” basis should also be properly documented in order to ensure that fair compensation has been paid and to avoid future conflicts over land due to lack of transparency.

Voluntary land donation is strictly defined in international practice as the ceding of a property by an owner who is: a) fully informed; and b) can exercise free will, i.e., can refuse to sell or to donate. “Fully informed” means that the owner has complete information regarding the proposed activity and its impacts, its land requirements and its alternate activity sites, as well as his or her rights to compensation. The owner has also been provided with sufficient time to consider his or her disposition of the property, and the owner has knowingly rejected the right to renege on his or her initial decision. “Free will” means that the owner can reject the possibility of giving up his or her land, because: a) there are viable alternatives available (such as rerouting of a water main if an owner refuses access to his or property), or b) where no viable alternatives are available, the donation will be to his or her benefit (such as a road rehabilitation project that will also benefit the owner of a small piece of land to be donated for the road works).

The following basic provisions must be complied with:

- Land to be donated must be identified by the community through a participatory approach (this approach should include all residents and users of the land including disadvantaged groups. Representatives including Chiefs will not be able to decide alone on land donations) and should be endorsed by local traditional leaders and relevant government entities.
- Impacts of proposed activities on donated land must be fully explained to the donor.
- The potential donor is aware that refusal is an option, and that right of refusal is specified in the donation document the donor will sign.

- The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities.
- The donor may request monetary or non-monetary benefits or incentives as a condition for donation.
- The proportion of land that may be donated cannot exceed the area required to maintain the donor's livelihood or that of his/her household.
- Donation of land cannot occur if it requires any household relocation, unless compensation is provided.
- For community or collective land, donation can only occur with the consent of individuals using or occupying the land; land donations by communal authorities is not sufficient.
- Verification must be obtained from each person donating land (either through proper documentation or through confirmation by at least two witnesses).
- The implementing agency establishes that the land to be donated is free of encumbrances or encroachment and registers the donated land in an official land registry.
- Any donated land that is not used for its agreed purpose is returned to the donor.

Each instance of voluntary land donation for an activity must be documented. This requires written notification indicating the location and amount of land that is sought and its intended use for the activity, and requires a formal statement of donation, establishing informed consent and signed by each owner or user involved. The documentation should be submitted to each site for the World Bank review and clearance before construction.

Land donations also will be subject to rigorous consultation strategies, as required under ESS 10, to ensure that people are fully informed and consulted on all project modalities and donate land in a fully informed way. Information dissemination and consultations will be conducted as defined in the SEP, and will ensure free, prior and informed consent (FPIC) from the affected groups.

The project must specify means by which land donors (and, potentially, persons whose use or occupancy was not recognized in the transfer of land) may raise grievances, and measures to ensure consideration of, and timely response to, grievances raised. Grievances may be referred to customary conflict mediation arrangements where they are not directly affiliated with traditional leaders who are a party to the donation process. Alternatively, grievances may be referred to grievance mechanisms established for project purposes. The grievance process imposes no cost upon those raising grievances, and participation in the grievance process does not preclude pursuit of legal remedies under the laws of Somaliland.

It is possible to distinguish between “pure” donations without any compensation or support given to the person affected, *vis-à-vis* “partial” donations which involve some monetary or non-monetary benefits or incentives provided to the affected person. Both can be broadly classified as “voluntary donations” in the sense that the transfer of assets is done without involving the payment of compensation at replacement value. The Project will apply the “partial” donation approach for vulnerable households, to avoid that even small donations lead to livelihood impacts and provide additional support to ensure no impact of the land donation. Voluntary land donation may be allowed even if no viable alternative exists, as long as the donation is to the benefit of the donor (such as a road rehabilitation project that will also benefit the owner of a small piece of land to be donated for the road works); always conditional to the application of the above noted provisions.

All family members (including spouses) must be aware of the donation, in order to minimize the risks of women users of the land to be donated being passed over in decision-making on land donation and the risks of cross-generational conflicts. Individuals using or occupying community or collective

lands must also be aware of the donation to minimize risks of settlers or migrants being passed over in decision-making on land donation (see five criteria above). The prior assessment of a sub-project shall also take into consideration temporary users of lands and/or eventual access issues for them, including to water sources and in such case ensure agreement on the activity with such groups (e.g. pastoralists). If there are occupants of the land, other than the seller, they qualify for involuntary displacement when the seller sells the land (see RPF).

Annex 2. Example voluntary land donation consent form for private land

This deed of voluntary donation is made on this day of..... 2021 between....., resident of(the Use Right Owner or short Owner and donor) and(the Recipient).

1. That the Donor holds the transferable right of the land/structure/other asset located at
2. That the Donor testifies that the land/structure is not subject to other claims.
3. The Donor testifies that the land is not more than 10% of his land holding.
4. That the Donor hereby donates and surrenders without any form of undue influence, pressure or coercion or consideration to the Recipient this asset for the purpose of construction and development offor the benefit of the villagers and the public at large
5. That the donor will not claim any compensation against the grant of this asset.
6. That the Recipient agrees to accept this donation grant of asset for the purposes mentioned.
7. That the Recipient shall construct and develop theand take all possible precautions to avoid damage to adjacent land/structure/other assets.
8. That both parties agree that the.....so constructed/developed shall be public premises.
9. That the process and the outcome of this transaction is in line with the SEHCP’s Voluntary Land Donation Guideline as annexed to this agreement and made aware of to the Donor
10. That the Donor is fully informed and aware about all project modalities and provides free, prior and informed consent (FPIC).
11. That the provisions of this Deed will come into force from the date of signing of this deed.

_____	_____
Signature of the Donor	Signature of the Recipient (PIU Coordinator)

Witnesses:

1. _____
2. _____

(Signature, name and address)
In the presence of the

Attorney/ Advocate/ Notary Public
Sign/ Stamp.

Annex 3: Example voluntary land donation consent form for unregistered community land

ITEM	DESCRIPTION
Sub-project name:	
Sub-project description:	
Project Location:	
GPS coordinates of land required:	
Community or private land:	

Please attach the community minutes and summary safeguards report explaining how the requirements for voluntary land donation for this sub-project have been met.

DEED of DONATION

Pursuant to the community meeting, held on the and, minutes of which are herein attached, and following the resolution (herein attached) by the community members and regular users and beneficiaries who were present and represented to donate the land (.....) hereinafter the Project Site, for purposes of school construction by the Ministry of Education and Science. We the duly nominated representatives of the community, users and beneficiaries at that meeting herein the “Community” and the Ministry of Education and Science herein the Ministry agree as follows:

1. That, (land description GPS Coordinates is hereby donated tofor the purposes of the education project and shall be the site of the proposed school.
2. That the land is not contested with any other community neither is it of a shared usage between communities seasonally or otherwise, and its free of any encumbrance, encroachment or claim.
3. That, no other activities personal or communal, business or otherwise shall be carried out or allowed to be carried out on the land other than the proposed school mentioned in 1 above.
4. That, the donated land is community land and no member of the community either present or in future shall lay claim of ownership.
5. That we have donated this land willingly and voluntarily and without any pressure, undue influence, coercion, or consideration.
6. That, the project shall commence without any interference from the community.
7. The community shall strive to peacefully resolve any conflicts with other communities concerning the project.
8. The community will strive to peacefully co-exist and resolve any conflict arising out of the project facility following due process provided by local laws.
9. The community understands the likely impacts of the proposed construction on the donated land.
10. That, this land is not more than 10% of the total land owned and this donation will not adversely affect the livelihoods of community .
11. If any structure will be moved or any access to land be limited as a result of the sub-project, support will be provided to the individual so their livelihoods are not adversely affected.

We the undersigned have been designated by the community of

(_____)

Confirm the above information to be true and that we have resolved to abide by ALL terms of this agreement. (Please attach minutes and the resolution of the community meeting including the signed attendance sheet and photos of the meeting).

S/No.	Name	Village/Location	ID/No./Phone number	Role	Date	Signature
1.						
2.						
3.						
4.						
5.						

Agreed/ Witnessed on this Day of in the Year..... by:

1. Area Elder

Name	ID/No./cell number	Date	Signature

2. Women’s group leader/representative

Name	ID/No./cell number	Date	Signature

3. District Administrator

Name	ID/No./cell number	Date	Signature

4. Mayor

Name	ID/No./cell number	Date	Signature

5. Department of land district representative

Name	ID/No./cell	Signature

6. SEHCDP FRS Project Manager

Name	ID/No./cell	Signature & R/Stamp

7. District representative of ministry of interior

Name	ID/No./cell	Signature & R/Stamp

8. District representative of ministry of local government

Name	ID/No./cell	Signature & R/Stamp

Annex 4: Safeguards summary report for School construction

Please annex ESIA/ESMP, voluntary land donation/agreement documentation, screening form, community meeting minutes

Proposed sub-project: _____ Village/district/state: _____

Overview of the school site location and key features within 200m of works (to understand impacts) _____

Population resident on or regularly using the land/sub-project or claimants of the land:

Village/ (facility users can be by people resident more than one location)	No of individuals resident or regularly using the project area for their livelihood	No. of direct users of the sub-project areas (individuals)	Number of people from that village/consulted on the sub-project (design, siting, social and environmental impacts)

1. Has there been any conflict over this land? If so please describe, what measures the project will take to ensure that it does not exacerbate conflict.

2. Consultations with the community on the site selection (to ensure broad agreement, ownership and risk identification and mitigation)

	Date	Village	Total number of people involved	No. of women	No. of youth	No. of disadvantaged group or IDP representatives (please specify group/s)	Main concerns raised and how they will be addressed	Challenges in consulting with people e.g. migration, conflicting event, insecurity
Initial discussions								
Safeguards screening meeting								
Other – meetings (specify)								

3. Environmental and social impacts and mitigation measures identified by the community (only put those not captured in the ESMP)

Social and environmental impacts of sub-project	Mitigation measures	Costing	Time frame	Responsible agency

4. Has a safeguards field visit been undertaken to the site? Y/N Date of visit: _____ Title of visiting officer: _____

5. Does the contract signed by the contractor explicitly binds the contractor to incorporate the C-ESMP in his operations?

6. Has the ESMP been incorporated into the contract for the works; and is a safeguards compliance report required before payment?

7. Type of land required for sub-investment and documentation:

a. Government land	Title deed/confirmation document attached?	YES/NO/EXPLANATION
b. Community land	Voluntary land donation form and community minutes attached?	YES/NO/EXPLANATION
c. Private land	Voluntary land donation form and conversion document attached?	YES/NO/EXPLANATION

8. Voluntary land donation:

a) How many people either live on or regularly use the land where the project will be implemented (including those who might use it as a drought fall back area) by location and how many and who agreed to the voluntary donation of this land for this public facility? _____

b) Explain how the requirements for voluntary land donation have been met (and attach minutes, VLD form and signed participants list):

Requirements for voluntary land donation	Explanation and evidence
1. The land required to meet technical project criteria must be identified in conjunction with the affected community?	
2. What are the likely impacts of proposed activities on donated land and how were these explained to the community?	
3. Area of land compared to area owned (no more than 10 percent of the area of any	

Requirements for voluntary land donation	Explanation and evidence
holding can be donated). %	
4. How will the users and occupiers of the land benefit from this sub-project?	
5. What are the conditions of benefiting from this sub-project – connection fees, service charges etc.	
6. How was the community made aware that refusal was an option and confirmed in writing that they are willing to proceed with the donation? (e.g. at the consultation and in the voluntary land donation document)	
7. What evidence is there that the act of donation was undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities (e.g. photos/videos of community consultation etc.)?	
8. Do all the users and occupants of this land understand that by donating this land it may be gazetted as public land	
9. How was it explained that they have a right to compensation for land and the available compensation options (in-kind compensation, land for land compensation or cash compensation, and the implications of cash compensation)?	
10. Were monetary or non-monetary benefits or incentives requested as a condition for the donation and were these provided?	
11. How do you know that the land being donated will not reduce the remaining land area to a level below that required to maintain the donor's livelihood at current levels and will not require the relocation of any household?	
12. Will any structures be moved or any access to land be limited as a result of the sub-project (describe structures and locations)?	
13. If so, how will they be compensated/facilitated and/or their livelihoods restored?	
14. How was consent provided by all individuals occupying or regularly using the land?	
15. Was there anyone who did not give agreement and why?	
16. How was it established that the land to be donated was free of encumbrances or encroachment and was it registered in an official land registry?	
17. All users and occupants of the land have genuinely understood (in local language with sufficient time) and agreed that all conditions for voluntary land donations have been met (refer to consultations above and attach minutes)	

9. GRM: Has the GRM process and contact information for focal points been disseminated to the community? If so, how and to whom (numbers and groups). If Not, when will this be done? _____
-
10. GBV/SEAH: Has awareness been carried out on GBV, service providers and confidential survivor centric GBV complaints mechanism? If so, how and to whom (numbers and groups). If not, when will this be done?
11. _ Has the SAC been established and oriented on their roles and responsibilities and awareness created in the community? _____
-
12. Describe the involvement and inclusion of women and disadvantaged groups or nomadic pastoralist representative in management? _____

Annex 5: Household Survey of people physically or economically displaced by the project

Land Asset and Physical Inventory Census Survey	
Interviewer:	
Supervisor:	
Name:	
Position of proposed school in coordinates:	
Day/Month/Year	
1. Head of Extended Family	
2. Number of core families in extended family	
3. How will individual/household be affected by the construction?	

Relationship to head of family (Head, Spouse, Child, grandchild, parent)	Sex	Place of Birth	Age	Marital Status (single, married, divorced, widowed)	Residence/ Tenure (permanent, absent, non-resident, visitor, other)	Education Level (no formal education, primary, secondary, religious school, college, university)	Income Earner (yes/no)	Economic Rating (primary, secondary, tertiary)	Monthly Income		Health status	Ethnic group/ clan
									Formal	Informal		

*Annex 6: Stakeholder consultation – participants list and minutes***Part I: Consultations on ESMF and RPF held on 9th February, 9am -12pm****A. Participants List**

No.	Name	Title & Institution
1.	Salad Abdulle	MoLSA – Director of Planning
2.	Mohamud Rageh	MOE- Director of Planning
3.	Abdifitah Abdi Mohamed	Education Sector Coordinator
4.	Vanessa Tilstone	Social specialist, World Bank
5.	Shweta Sandilya	UNICEF
6.	Haile Gashaw	UNICEF – WASH
7.	Huma Waheed	World Bank -TTL
8.	Khalif Hassan Dalmar	Director of Environment & Climate Change – OPM
9.	Jose M. Bedito	Chief of Social Policy, UNICEF Somalia.
10.	Mohamed Dhugad	Alight (formerly ARC) Area Rep
11.	Ahmed Yusuf	Director General of Environment, Office of the Prime Minister.
12.	Dahir Shire	Head of operations and Programs- DAN
13.	Fouzia Warsame	DCOP of USAID Bar Ama Baro
14.	Peter Quamo	UNICEF Education
15.	Musa.I Dugow	SOS Children's Village Somalia
16.	Mohamud Sheikh Abdi	INISKOY Program Manager Baidoa Base
17.	Abdihakim Abdullahi Jama	FENPS
18.	Joy Khangáti	CARE
19.	Mahad KAARSHE	WFP
20.	Farhia Mohamud	Somali Public Agenda
21.	Oscar Boije	UNICEF
22.	Ismail Abdi	MOE- TA Teacher Development
23.	Lugard Ogaro	Mercy Corps, Director of Programs
24.	Mohamed Dahir Moalim	Social Safeguard Specialist, RCRF, South West State
25.	Mohamed Moge Mohamed	Social Specialist, RCRF, Jubaland
26.	Mandeq Abukar	Concern Worldwide
27.	Abdinasir Abdullahi	DG. Ministry of Energy and Water Resources, Galmudug
28.	Hussein Hassan	RCRF Project Manager SWSS
29.	Christophe Hodder	UN Environmental Advisor
30.	Mohamed-Abdullahi	MARDO
31.	Mohamed Hared	Juba Foundation
32.	Dr. Abdiwali Ahmed	DG Galmudug MoH
33.	Yarow Mohamed Abdi	Juba Foundation
34.	Siyad Abdirahman	Rural education and agriculture development organization READO
35.	Christophe Hodder	IO/UNEP, Environment Advisor
36.	Naima Nor Abdi	FENPS
37.	All Aweys	Ayuub NGO
38.	Shair Luli	GBV consultant World Bank Somalia
39.	Paul Owora	World Vision Somalia
40.	Adam Mohamed	National Coordinator of EFASOM
41.	Mahdi Mohamud	MOE
42.	Abdishakur Isse Hashi	Social specialist RCRF Galmudug State
43.	Ahmed Hussein Iman	Project Coordinator, SOMALI NON-STATE ACTORS (SONSA)

44.	Mohamed Abulkadir Nur	MOE
45.	Abdirahman Zeila	Environment Specialist, World Bank
46.	Jaafar Muhammed	Social Specialist, World Bank
47.	Mohamed Mohamud	Directorate of Environment and Climate Change, Office of the PM
48.	Peggy Ayako Kwendo	World Bank
49.	Abdinur Ahmed Jama	MOE
50.	Amin Mukhar Ahmed	DG- Hirshabelle Ministry of Education
51.	Ahmed Nur	DG- Galmudug Ministry of Education
52.	Abdi Ibrahim	TIDES NGO – Executive Director, Garowe, Puntland
53.	Abdiaziz Nur Mohamed	MOE – TVET & Non-formal Director
54.	Mohamed Mohamud	(DECC-OPM)
55.	Mohamed	Civil Society Platform

B. Summary of key issues raised during consultation

	Issues Raised	Mitigation measures
1.	Min of Environment asked how this Environmental and social guideline will be in line with currently drafted Government guidelines which is ESIA regulations.	The project will be implemented in line with the EIA regulations as per the ESMF
2.	Are there specially trained investigators of SEA. If not, the Ministry should consider as some of the cases may need special attention.	This will be considered in the GBV Action Plan
4	The need for confidentiality in reporting GBV/SEAH issues and protection of victim identity and avoiding stigma	There will be multiple reporting lines including toll lines, messaging and focal persons trained in these issues. And ensure confidentiality in the process.
5	There is a teacher recruitment processes in the Teacher Policy. The onus is on FMS and MOE to implement the policy proposals.	To be referred to in the LMP
6	The society knowledge gap on issues of GBV/SEAH	Awareness of the society on the GBV issues.
7	Land ownership and acquisition	To sensitize the community about the project to have community buy inn and to have land agreement drawn from other project experience like the one used in other projects (Byole), to use government land where possible. And use existing schools in urban centers where land is expensive.
8	Security for the teachers and students on issues of GBV	Developing a comprehensive approach and sensitize the community on the issue.
	Ministry of labour mentioned that there is a new labour law ready for submission to the cabinet for approval, and there a number of HR policies that might need to be updated including issues of child labour and OHS. Suggestion that there should be SOPs that should be followed strictly by all stakeholders. Secondly a simple community/stakeholder feedback mechanism to be developed to allow all project staffs and stakeholders to provide feedbacks/complains to the management.	These gaps will be considered in the LMP Annual stakeholder consultation meetings will be held at FRS and FRS level.
	Land disputes are a significant risk for school construction. There is need for thorough investigation. It is important that the land should be Government land to avoid collusion and land being taken away from the public. The participants also mentioned the importance of land donation or acquisition being documented in a proper way, and hardly will that cause an issue especially in rural areas if the community is well informed and issues explained to them. The process differs from one region to the other, like in Puntland the interior ministry declares what is to be public properties and the mayors are also involved. The donation	These issues have been considered in the RPF

	Issues Raised	Mitigation measures
	document must be notarized and witnessed by several parties. The participants also mentioned that it is useful to draw from past and current experiences including the Biyole project in matters of land acquisition. The community engagement is important and also all the neighboring parties should be involved, which would reduce or eliminate cases of land contestation. It was mentioned if there is a clear process guiding resettlement.	
	Concern over accessibility for students with physical impairment and if the project intends to support students with special needs, particularly when doing construction.	The schools will be accessible to those with physical disabilities and will follow the guidelines approved by the ministry on the construction standards that include all public utilities to be accessible.
	Concerns that the school ownership would be taken over by private entities	Schools will be owned by the MOE and only in cases where land acquisition or donation is not possible like the Banadir region and the GER is low, the government might engage the private schools to accept poor students.

Part II: CONSULTATION MEETING ON E&S INSTRUMENTS (incl. RPF) on 12th October 2022, 10am -12pm

A. List of Participants

#	Name of Participants	Organization	Title
1	Hussein Abdi Awil	Ministry of Education and Science	Director of Planning and Policy
2	Said Mohamed Jama	Ministry of Education and Science	Consultant- GPE Focal Person
3	Abdilqadir Essa	Ministry of Education and Science	Consultant -Decentralization
4	Abdiraheem Ismail Mohamed	YOVENCO (LNGO)	MEAL Officer
5	Khadra Ibrahim Abdalla	SL Women Development – (KARAAMO)	Chairperson
6	Abdirahman H Egeh	Ministry of Education & Science	Consultant
7	Kayse Hussein Nour	Save the Children (INGO)	Acting Education Program Manager
8	Ahmed Omar Quule	Somaliland National College of Education	Director of SLNEC
9	Nimco Farah	Ministry of Education & Science	Director of Gender Department
10	Ibrahim Ali Macaleesh	Care International	Education Coordinator
11	Ahmed Ismail Abdi	Ministry of Education and Science	Director of Non-formal Education
12	Guleed Osman Abdikarim	TALO-WADAAG	Education Manager
13	Mohamed Omar Abdi	ALIGHT (INGO)	Education Coordinator
14	Ahmed Abdillahi	AET (INGO)	Country Director
15	Abdillahi Hassan	Havoyoco (LNGO)	Chairperson
16	Abdirahman Hussein	Save the Children	Education Coordinator
17	Liibaan M Jibriil	Ministry of Education & Science	Director of Human Resources
18	Sucaad Mohamed Abdi	Ministry of Education & Science	Director of Formal Education

B. Overall Summary Feedback and Proposed Mitigation Measures

#	Issues identified	Potential Impacts/Risks	Proposed measures
1	Land disputes & conflict	Project delays: If there are disputes over the land where a school is to be built, the project could be delayed or even cancelled.	a) Carryout a proper assessment / conduct thorough land due diligence prior to construction to identify and resolve any potential land ownership

#	Issues identified	Potential Impacts/Risks	Proposed measures
		<p>Increased costs: Resolving land disputes can be expensive, which could increase the cost of the project.</p> <p>Social unrest: If land disputes are not handled carefully, they could lead to social unrest and violence.</p>	<p>or access issues.</p> <p>b) Engage with affected communities early and often to ensure that their concerns are addressed.</p>
2	Transparency in selection of schools /districts supported	<p>Corruption: If the selection process is not transparent, there is a risk of corruption and favoritism.</p> <p>Inequity: If schools are selected without clear criteria, it could lead to inequity in accessing to education.</p> <p>Inefficiency: If schools are not selected based on their needs, it could lead to inefficient use of resources.</p>	<p>a) Develop and implement clear and transparent criteria for the selection of schools/districts to be supported by the project.</p> <p>b) Make this information publicly available and provide opportunities for stakeholders to provide feedback.</p>
3	Sustainability of the project	<p>Financial sustainability: If the project is not financially sustainable, it may not be able to continue operating after the World Bank funding ends.</p> <p>Institutional sustainability: The project needs to be embedded in the government's systems and supported by the local community in order to be sustainable in the long term.</p>	<p>a) Ensure that the project is designed to be sustainable over the long term. This includes considering factors such as teacher training, curriculum development, and maintenance of school facilities.</p>
4	Labour conditions and project management	<p>Exploitation of workers: Workers may be exploited if they are paid unfair wages or forced to work long hours in unsafe conditions.</p> <p>Corruption: Mismanagement of the project could lead to corruption and embezzlement of funds.</p> <p>Delays and cost overruns: Mismanagement could also lead to delays and cost overruns.</p>	<p>a) Ensure that all workers involved in the project are treated fairly and paid a decent wage. Comply with all applicable labour laws and regulations.</p>
5	Gender Based Violence (GBV) issues	<p>Physical and sexual violence: Girls and women may be at risk of physical and sexual violence in and around schools.</p> <p>Bullying and harassment: Girls may also be at risk of bullying and harassment from their classmates and teachers.</p> <p>Early marriage and pregnancy: Gender-based violence can lead to girls being forced into early marriage and pregnancy, which can disrupt their education and have other negative consequences for their lives.</p>	<p>a) Develop and implement a GBV/SEAH prevention and response plan. This plan should include measures to raise awareness of GBV/SEAH, provide support to survivors, and hold perpetrators accountable.</p>
6	Recruitment and retention of female teachers	<p>Discrimination: Female teachers may face discrimination in hiring and promotion.</p> <p>Lack of support: Female teachers may lack the support they need to succeed, such as access to childcare and transportation.</p> <p>Safety concerns: Female teachers may be concerned about their safety in and around.</p>	<p>a) Offer competitive salaries and benefits to female teachers. Provide opportunities for professional development and advancement.</p> <p>b) Create a supportive work.</p>

#	Issues identified	Potential Impacts/Risks	Proposed measures
7	Inclusion of low income/poor children	<p>Fees and other costs: Low-income families may not be able to afford the fees and other costs associated with attending school.</p> <p>Distance to school: Schools may be too far away for some children to reach, especially in rural areas.</p> <p>Lack of support at home: Low-income and disadvantaged children may lack the support they need at home to succeed in school.</p>	<p>a) Target support to schools in low-income and marginalized communities; provide financial assistance to students from low-income families.</p> <p>b) Introduction of affordable offline educational tablets for those children who have no schools in their vicinity and particularly for nomads.</p>
8	Equity and equality	<p>Discrimination: Students may be discriminated against on the basis of their gender, ethnicity, disability, or other factors.</p> <p>Unequal access to resources: Schools in disadvantaged areas may have fewer resources than schools in more affluent areas.</p> <p>Low-quality education: Students in disadvantaged areas may receive a lower quality education than students in more affluent areas.</p>	<p>a) Ensure that all children have equal access to quality education, regardless of their gender, socioeconomic status, or other factors.</p> <p>b) Collect data to monitor progress towards this goal and identify any areas where additional support is needed.</p>
9	Grievance Redress Mechanism	<p>Unresolved grievances: If there is no reliable grievance redress mechanism, students, teachers, and other stakeholders may have no way to resolve their concerns.</p> <p>Loss of trust: A lack of reliable grievance redress mechanism can lead to a loss of trust in the project and the World Bank.</p> <p>Increased risk of conflict: Unresolved grievances can increase the risk of conflict and violence.</p>	<p>a) Establish a grievance redress mechanism that is accessible, effective, and accountable. This mechanism should allow stakeholders to raise concerns about the project and seek redress for any grievances.</p>