

## **Annex A: Exclusion List for Mini grid Site Selection**

This Mini grid Site Selection Exclusion List defines the types of situations in which mini grid construction shall not be undertaken. If any of these issues arises after the site has been identified or is somehow overlooked initially, the construction shall stop immediately, pending either site change or until the issue has been resolved.

The company does not support mini grid construction on sites that of any of the following:

1. Sites that do not comply with relevant environmental and social national or state regulations of Nigeria<sup>1</sup>
2. Sites located in legally protected areas (e.g. national parks, conservation areas, forests)<sup>2</sup>
3. Sites located in internationally recognized areas<sup>3</sup>
4. Sites located in critical natural habitats<sup>4</sup>
5. Sites where mini grid construction and operation will cause significant degradation of natural habitats (e.g. mangroves)<sup>5</sup>
6. Sites in flood-prone zones
7. Sites located on land from which government agencies or builders have removed / involuntarily resettled local communities, including squatters or encroachers, without proper compensation<sup>6</sup>
8. Sites located on land associated with illegal forced evictions of previous owners or occupants<sup>7</sup>
9. Sites in locations and / or developed in a manner that involves significant adverse impacts on physical cultural property<sup>8</sup>

### **Footnotes**

1. Relevant environmental and social include those that prohibit development of mini grids and associated infrastructure in certain designated locations.

2. Legally protected areas are those that meet the IUCN definition: “A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.” This includes areas proposed by governments for such designation.

3. These are defined as UNESCO Natural World Heritage Sites, UNESCO Man and the Biosphere Reserves, Key Biodiversity Areas, and wetlands designated under the Convention on Wetlands of International Importance (the Ramsar Convention).

4. Critical habitat is a subset of both natural and modified habitat that deserves particular attention. Critical habitat includes areas with high biodiversity value that meet the criteria of the World Conservation Union (IUCN) classification, including habitats of significant importance for required for critically endangered or endangered species as defined by the IUCN Red List of Threatened Species; habitats of significant importance for endemic or restricted-range species; habitats supporting globally significant concentrations of migratory species and /or congregatory species; areas with unique assemblages of species or which are associated with key evolutionary processes. Primary Forests or forests of High Conservation Value shall be considered Critical Habitats.

5. Natural habitats are land and water areas where (i) the ecosystems' bio-logical communities are formed largely by native plant and animal species, and (ii) human activity has not essentially modified the area's primary ecological functions. All natural habitats have important biological, social, economic, and existence value. Important natural habitats may occur in tropical humid, dry, and cloud forests; temperate and boreal forests; mediterranean-type shrub lands; natural arid and semi-arid lands; mangrove swamps, coastal marshes, and other wetlands; estuaries; sea grass beds; coral reefs; freshwater lakes and rivers; alpine and sub alpine environments, including herb fields, grasslands, and paramos; and tropical and temperate grasslands.

Biodiversity outside of natural habitats (such as within agricultural landscapes) is not covered under this policy. It is good practice to take such biodiversity into consideration in project design and implementation.

6. Resettlement activities should follow the process through which adverse social and economic impacts are minimized through (i) providing compensation for loss of assets at replacement cost defined as the market value of the assets plus transaction costs and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected. These criteria will only apply to such resettlement / displacement that took place specifically in anticipation or preparation for the construction of mini grids.

7. Permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection. Prohibition on forced evictions does not, however, apply to evictions carried out by force in accordance with national law and is conducted in a manner consistent with basic principles of due process, including provision of adequate advance notice, meaningful opportunities to lodge grievances and appeals, and avoidance of the use of unnecessary, disproportionate or excessive force. These criteria will only apply to such resettlement / displacement that took place specifically in anticipation or preparation for the construction of mini grids.

8. Also known as 'cultural heritage', 'cultural patrimony', 'cultural assets' or 'cultural property'. Physical cultural resources are defined as movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other culture I significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Their cultural interest may be at the local, provincial or national level, or within the international community.

**Annex B: Sample Checklist for Initial Environmental and Social Screening**

**The purpose of this checklist** is to identify potential environment and social issues related to project development, construction and operation.

**(A) Project Background**

1.	Name of Proposed Project	
2.	Location	
3.	Project objectives	
4.	Brief description of the project	
5.	Capacity or size of the project	
6.	Number of Solar Panels	
7.	Capacity per solar panel	
8.	Powerhouse area, m <sup>2</sup>	
9.	Distribution length, m	

**(B) Project selection criteria**

Sl. No	Screening Question	Yes	No	Comments (In the case select "yes", provide detailed information)
1.	Are there any activities on the REA <b>Exclusion Criteria for Mini-Gird and Power Generation Sites?</b>			
2.	Is there indication of: a. Significant adverse impacts on ecologically sensitive areas <sup>25</sup> b. Involuntary resettlement or economic displacement c. Significant adverse impacts on cultural heritage			
3.	If yes, can these impacts be eliminated or reduced to acceptable levels through adequate application of mitigation measures?			

**(C) Environmental and Social Screening**

Sl. No	Screening Questions	Yes	No	Comments (In the case select "yes", provide detailed information)
<b>Project's siting</b>				
1.	Define project's boundaries and area of influence			

<sup>25</sup>Significant adverse impacts on ecologically sensitive areas will be determined using international best practice and tools, as well as based on the outcomes of relevant studies within the ESIA.

Sl. No	Screening Questions	Yes	No	Comments (In the case select "yes", provide detailed information)
2.	Is the project site adjacent to or within any of the following sensitive receptors?			
	i. Natural habitats and/ or legally protected areas (wetlands, forests, estuary, buffer zones, nature reserves); if yes, is there possibility of a critical habitat present <sup>26</sup> ?			
	ii. Cultural heritage site			
	iii. Fragmentation of habitat of flora and fauna (Avifauna and mammalian fauna)?			
	iv. Is the proposed site located on agricultural land?			
	v. Is the proposed site located on area used by vulnerable groups			
	vi. Unique or aesthetically valuable land			
	vii. Is the proposed site located nearby airport			
	viii. Is the proposed site located in migratory route of birds			
	<b>Potential Environmental Impacts</b>			
1.	Impacts on natural resources that constitute livelihoods of community (e.g. grazing or hunting grounds)?			
2.	Disfiguration of landscape?			
3.	Is there potential for landslide and soil erosion impacts?			
4.	Increase in waste generation?			
5.	Waste water from camping sites to be directly discharged to the surface water resources or not?			
6.	Construction waste directly discharged to the surface water?			
7.	Other potential biodiversity impacts			

<sup>26</sup> Critical habitat is defined based on global good practice as a subset of both natural and modified habitat that deserves particular attention. Critical habitat includes areas with high biodiversity value that meet the criteria of the World Conservation Union (IUCN) classification, including habitats of significant importance for required for critically endangered or endangered species as defined by the IUCN Red List of Threatened Species; habitats of significant importance for endemic or restricted-range species; habitats supporting globally significant concentrations of migratory species and /or congregatory species; areas with unique assemblages of species or which are associated with key evolutionary processes. Primary Forests or forests of High Conservation Value shall be considered Critical Habitats. This includes HCV forests. HCV areas do not directly correspond with definitions for modified, natural, and critical habitat. The HCV Resource Network, an internationally recognized group, provides information and support on the evolving usage of HCV to ensure a consistent approach. <https://www.hcvnetwork.org/>.

Sl. No	Screening Questions	Yes	No	Comments (In the case select "yes", provide detailed information)
	(specify)?			
8.	Loss or destruction of unique or aesthetically valuable land			
9.	Disturbance of large areas due to material quarrying			
10.	Disposal of large quantities of construction spoils			
<b>Potential Community and Occupational Health and Safety Impacts</b>				
1.	Will the construction works disturb other commercial/community/residential activities?			
2.	Will the project create major noise/vibration?			
3.	Closest residence to the solar panel			
4.	Will it create dust problem around the sites?			
5.	Will project's construction cause disturbance to the transportation in the project's site?			
6.	Will batteries be removed/disposed (lead-acid or nickel-cadmium batteries) from battery-powered or battery-backup items?			
7.	Will there be social conflict in case of workers hired from other region?			
<b>Potential Social Impacts</b>				
8.	Permanent land acquisition			
9.	Temporary land acquisition			
10.	Type of land Private land Public land Government land Leasehold land			
11.	Type of land procurement Voluntary land donation (VLD) <sup>27</sup> Involuntary acquisition			

<sup>27</sup> 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.

<b>Sl. No</b>	<b>Screening Questions</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b> (In the case select "yes", provide detailed information)
	Negotiation			
12.	Loss of productive land			
13.	Impacts on livelihoods/ economic displacement?			
14.	Is there any household need to be relocated?			
15.	Is the resettlement site environmentally and/or culturally sensitive?			
16.	Project's construction will cause any damage to the existing local roads system?			
17.	Will soil excavation during project's construction cause soil erosion?			
18.	Will project need to open new access roads?			
19.	Will project cause encroachment on historical/cultural/religious areas?			
20.	Acquisition of private land leading to loss of shelter and livelihood			
21.	Involuntary land taking resulting in loss of income, livelihood, sources of livelihood, loss of access to common property resources and/or private residential and/or property resources			
22.	Adverse impact to women including economic and safety concerns			
23.	Possible conflicts with and/or disruption to local communities			
24.	Significant issues raised by the stakeholders during consultation			
25.	Uncontrolled human migration into the area, made possibly by the subproject activities			
26.	Disproportionate impacts on the poor, children and other vulnerable groups			
27.	Community health and safety risks due to the transport, storage, and use and/or disposal of materials likely to create physical, chemical and biological hazards			
28.	Risks to community safety due to both accidental and natural hazards during project construction and operation			

## **Annex C: Sample Environmental and Social Impact Assessment (ESIA)**

### **Executive Summary**

This section shall describe the project activities, critical environmental and social issues, significant findings and recommended actions.

#### **1. Introduction**

- i. Background of the project
- ii. Scope and objectives of the ESIA study
- iii. Study methodology in details
- iv. Limitations of the study
- v. Composition of study team

#### **2. Policy, Legal and Administrative Framework**

- i. National and local requirements and relevant legislation
- ii. REA's requirements and guidelines
- iii. Investors requirements and guidelines (if applicable)

#### **3. Description of the project**

- i. Background and Rational of the Project
- ii. Project Site and Location
  - Description of the location of the proposed project with maps
  - Project area of influence
  - Nearby communities, environmentally sensitive areas, and heritage sites (For solar mini grid buffer zone should be 1 km)
- iv. Technical Aspects
  - Description of the project components, permanent and temporary facilities
  - Project equipment and civil works
  - Project ownership
  - Summary of project structures and operating regime
  - Construction activities
  - Operation and maintenance
  - Manpower requirements (including local and migrant workforce)
  - Construction machinery, materials and other supplies (including estimated numbers/quantities)
  - Land filling activities (if any)
  - Power supply arrangements
  - Waste generation and disposal (including estimated quantities)

#### **4. Baseline Environmental Conditions**

##### **4.1 Physical Environment**

- i. Topography
- ii. Geological Condition
- iii. Meteorological Condition (Rainfall, Temperature, Humidity, Wind speed)
- iv. Air Quality
- v. Noise Quality
- vi. Surface and Ground water quality
  - Surface:(testing of: pH, TDS, DO, COD, BOD)
  - Ground:(testing of: pH, Arsenic, TDS, alkalinity, Cl, Fe)
- vii. Project location from flood level
- viii. Soil Quality
- ix. Water resources

- x. Agroecological zones within project area of influence
- xi. Seismicity
- xii. Climate change and natural disasters
- xiii. Land use

#### **4.2 Biological Environment**

- i. Bio-ecological environment
- ii. Flora and Fauna
- iii. Protected areas
- iv. Terrestrial Ecosystem, Protected areas and red book species
- v. Vulnerability to Climate Change and Natural hazard
  - Explain in detail about how the project will be affected by the climate change impact
  - Explain how the project is vulnerable to various natural calamities including flood, earthquake, drought, cyclone and so on

### **5. Social Impact Assessment**

#### **5.1 Baseline Socio-economic Conditions**

- i. Distribution of population in the project area in terms of religion, age, sex, ethnicity, income, household size, occupational patterns and their relevance with the project, poverty
- ii. Project land
- iii. Land use and ownership (including traditional use and ownership)
- iv. Cropping and/or grazing patterns
- v. Vulnerability of the Affected Peoples (APs)
- vi. Employment
- vii. Livelihood
- viii. Physical and cultural resources (school, health post/ hospital, college, temple, monasteries etc.) in the project area
- ix. Communication facility
- x. Local amenities

#### **5.2 Potential Social Impacts<sup>28</sup>**

- i. Overview of stakeholder and institutional analyses and a description of the data and information gathered
- ii. Description of potential adverse impacts on communities
- iii. Description of the legal and institutional context pertaining to vulnerable groups in the country
- iv. Description of potential benefits for communities, especially vulnerable groups
- v. Recommendations for project design and implementation, including recommendations to ensure that project benefits are culturally appropriate and sustainable, and recommendation for appropriate mitigation measures for any adverse impacts.
- vi. Recommendation for capacity building and institutional strengthening of local communities

### **6. Analysis of Project Alternatives**

- i. Reason to choose the technology
- ii. Without project alternative
- iii. Site Alternative

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<sup>28</sup> May include annexes on specific issues, such as: outline of the social assessment process, relevant maps, minutes of meetings and consultation with affected communities and other key stakeholders, etc.



- iv. Distribution line routes
- v. Other temporary and permanent facilities

## **7. Stakeholder engagement including Grievance Redress Mechanism**

Stakeholder engagement process shall be conducted with the community and other stakeholders, and especially take into account modalities where vulnerable groups may be involved. The consultation shall include prior disclosure of information in a manner accessible and understandable to communities, key informant interviews, focus group discussion (male& female, youth) and public consultation. The consultation shall be documented with required facts, figures and evidence including participant list with contact details, photographs. Information shall be disclosed as per the requirement of National Regulations and relevant requirements of REA. This section shall describe the grievance redress mechanism.

## **8. Anticipated Environmental and Social Impacts and Mitigation Measures**

- i. General
- ii. Area of Influence (AoI)
- iii. Pre-construction Phase
  - Land taking/Land use / land filling
  - Flood Hazards
- iv. Construction Phase, Operational Phase and Decommissioning Phase
  - Visual Amenity
  - Birds and Bats Mortality
  - Air Quality
  - Noise
  - Soil
  - Water Resources
  - Terrestrial Ecology
  - Waste Generation
  - Occupational Health and Safety
  - Community Health and Safety
  - Vulnerable Community
  - Employment Opportunities
  - Traffic Management
  - Archaeology and Cultural Resources
  - Cumulative and induced impacts
- v. Summary of Anticipated Impacts

## **9. Environmental and Social Management Plan (ESMP)**

This section deals with the set of mitigation management measures to be taken to avoid, reduce, mitigate or compensate for adverse environmental, occupational and social impacts with the institutional arrangement, monitoring schedule, parameters to be monitored and soon including tentative monitoring budget. It would include the following aspects:

- Types of impacts and their mitigations
- Mitigation measures
- Environmental Code of Practices (to be attached to bidding documents and/ or contracts)
- Monitoring Plan
- Communication and documentation
- Cost of ESMP
- Integration with Project (contract clauses, others)
- Grievance resolution process
- Plan for stakeholder/ community engagement during pre-construction, construction,

and operation phases; the plan should include community mobilization approach from both social and commercial perspectives.

**10. Resettlement Action Plan (RAP) and Livelihood Restoration Plan (LRP) (if applicable)**

This section deals with potential project activities involving land acquisition and/or restrictions on land use resulting in involuntary resettlement or economic displacement. A detailed RAP and/or LRP will be required in case of any displacement.

**11. Environmental and Social Benefits**

This section will summarize how the project will provide benefits in environmental sector and social life, directly and/or indirectly.

**12. Conclusion**

This section shall provide the conclusion drawn from the assessment and provides recommendation.

**Annex D: ESMP Table of Contents**  
**ESMP Template**

<p><b>Title Page</b>  <b>Table of Contents</b>  <b>List of Tables</b>  <b>List of Figures</b>  <b>List of Plates</b>  <b>List of Acronyms and Abbreviations</b>  <b>ESMP Preparers</b>  <b>Executive Summary</b></p>	<p><b>Chapter One: Introduction</b>  <b>Overview of the IPP Project</b>  <b>ESMP Objectives</b>  <b>Scope of the ESMP</b>  <b>ESMP Study Approach</b>  <b>Legal and Institutional Framework</b>  <b>Institutional Arrangements for</b>  <b>Environmental and Social Management</b>  <b>Structure of the ESMP</b></p>
<p><b>Chapter Two: Project Justification</b>  <b>Need for the Project</b>  <b>Project Benefits</b>  <b>Justification for Site Selection</b>  <b>Envisaged Sustainability of the</b>  <b>Project</b>  <b>Alternatives Considered within the</b>  <b>Context of the Project</b></p>	<p><b>Chapter three: Project Description</b>  Introduction  Project Location  Health and Safety  Emergency Preparedness  Waste Management  Project Schedule</p>
<p><b>Chapter four: Description of the</b>  <b>Environmental and socio-economic</b>  <b>conditions</b>  <b>Introduction</b>  <b>Baseline Data Acquisition</b>  <b>Description of Bio-Physical</b>  <b>Environment</b>  <b>Socio-economic and Health</b>  <b>conditions</b>  <b>Stakeholder Engagement</b></p>	<p><b>Chapter Five: Associated and Potential</b>  <b>Environmental and Social Impacts</b>  Introduction  Impact Assessment Overview  Determination of Impact Significance  Impact Discussions  Risk and Hazard Assessment  Summary</p>
<p><b>Chapter Six: Impact Mitigation</b>  <b>Measures</b>  <b>Introduction</b>  <b>Mitigation Measures Approach</b>  <b>Mitigation Measures for the</b>  <b>Identified Project Risks and</b>  <b>Enhancement Measures for</b>  <b>Identified Positive Impacts</b></p>	<p><b>Chapter Seven: Environmental and</b>  <b>Social Management Plan</b>  Introduction  Roles, Responsibilities and  Accountabilities for ESMP  implementation  Environmental Monitoring Programme  Implementation Schedule and  Reporting  ESMP Costing</p>
<p><b>Chapter Eight: Grievance Redress</b></p>	<p><b>Chapter Nine: Public Consultation and</b></p>

**Mechanism**

information disclosure

**Chapter Ten: Conclusion**

References

Appendices

## ANNEX E: Sample of Outline of a Resettlement Action Plan (RAP)

1. *Description of the project*: General description of the project and identification of the project area.
2. *Potential impacts*: Identification of
  - (a) the project component or activities that give rise to resettlement;
  - (b) the zone of impact of such component or activities;
  - (c) the alternatives considered to avoid or minimize resettlement; and
  - (d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.
3. *Objectives and studies undertaken*: The main objectives of the resettlement program and a summary of studies undertaken in support of resettlement planning / implementation, e.g., census surveys, socio-economic studies, meetings, site selection studies etc.
4. *Regulatory framework*: Relevant laws of the country, policies and procedures, performance standards.
5. *Institutional framework*: Political structure, NGOs.
6. *Stakeholder engagement*: Summary of public consultation and disclosure associated with resettlement planning, including engagement with affected households, local and/or national authorities, relevant CBOs and NGOs and other identified stakeholders, including host communities.
7. *Socioeconomic characteristics*: The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people.
8. *Eligibility*: Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
9. *Valuation of and compensation for losses*: The methodology used in valuing losses to determine their replacement cost<sup>29</sup>; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
10. *Magnitude of displacement*: Summary of the numbers of persons, households, structures, public buildings, businesses, croplands, churches, etc., to be affected.
11. *Entitlement framework*: Showing all categories of affected persons and what options they were/are being offered, preferably summarized in tabular form.
12. *Livelihood restoration measures*: The various measures to be used to improve or restore livelihoods of displaced people.
13. *Resettlement sites*: Including site selection, site preparation, and relocation, alternative relocation sites considered and explanation of those selected, impacts on host communities.
14. *Housing, infrastructure, and social services*: Detailed plans to provide or to finance housing, infrastructure, and social services to resettlers and comparable services to host population.
15. *Grievance procedures*: A description of the project's grievance mechanism, including an affordable and accessible third-party settlement procedure for resettlement related disputes.
16. *Organizational responsibilities*: The organizational framework for implementing

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<sup>29</sup> Replacement cost defined as the market value of the assets plus transaction costs.

resettlement.

17. *Implementation schedule and budget*: A detailed implementation schedule and budget.

*Monitoring, evaluation and reporting*: A description of plans for resettlement monitoring and evaluation.

## **Annex F: Sample of an Outline of a Livelihood Restoration Plan (LRP)**

1. *Description of the project:* A brief description of the project components for which land acquisition and resettlement are required.
2. *Legal and Institutional Framework:* A description of the legal context within which the displacement operation will take place, including an analysis of local legislation, international standards requirements, the gaps between the two and how the project should fill such gaps.
3. *Socio-Economic Environment & Baseline Survey Findings of the affected area:* A socio-economic baseline of the affected communities, drawing from the census, the asset inventory and the socio-economic survey. An assessment of the various relocation sites considered and the justifications for the final site/s selected.
4. *Identification of Project Impacts:* An outline of the project's economic displacement impacts and how the project's design plans are being influenced by the important need to avoid / minimize such resettlement impacts;
5. *Eligibility:* A definition of the criteria to be used to determine eligibility for compensation and other resettlement assistance.
6. *Entitlement:* A tentative entitlements matrix, a summary of which will be disclosed to the affected communities.
7. *Valuation and Compensation:* Methodology in evaluating level economic displacement and a description of the compensation package options and the livelihood restoration options that affected people will be asked to choose between.
8. *Livelihood Restoration and Enhancement:* The various measures to be used to restore, and improve whenever is feasible, the livelihoods of economically displaced people.
9. *Vulnerable Assessment and Assistance:* A description of dedicated assistance to vulnerable groups, such as women, elderly population etc.
10. *Stakeholder Engagement:* A description of the consultation and engagement strategy that is, and will be, used in the design and implementation of the livelihood restoration activities. A summary of the local views thus far expressed in the consultation and engagement process, and how these views have been taken into account in LRP development.
11. *Institutional Arrangements:* An analysis of the project's existing institutional framework, including the identification of responsible agencies, an assessment of institutional capacity and proposed capacity enhancement measures to be carried out to enable the institutional framework to implement the resettlement operation effectively.
12. *Grievance Mechanism:* A description of the project's grievance mechanism and its relevance to livelihood restoration.
13. *Monitoring and Evaluation:* A description of plans for livelihood monitoring and evaluation.
14. *Implementation Schedule and Compensation Budget:* A detailed implementation schedule and budget.

## **Annex G: Sample Stakeholder Engagement Plan**

A good Stakeholder Engagement Plan should:

- Describe regulatory, lender, company, and/or other requirements for consultation and disclosure.
- Identify and prioritize key stakeholder groups, focusing on Affected Communities.
- Provide a strategy and timetable for sharing information and consulting with each of these groups.
- Describe resources and responsibilities for implementing stakeholder engagement activities.
- Describe how stakeholder engagement activities will be incorporated into a company's management system.

The scope and level of detail of the plan should be scaled to fit the needs of the project.

### **1. Introduction**

Briefly describe the project, including design elements and potential social and environmental issues. Where possible, include maps of the project site and surrounding area.

### **2. Regulations and Requirements**

Summarize any legal, regulatory, lender, or company requirements pertaining to stakeholder engagement applicable to the project operations. This may involve public consultation and disclosure requirements related to the social and environmental assessment process.

### **3. Summary of any Previous Stakeholder Engagement Activities**

If the company has undertaken any activities to date, including information disclosure and/or consultation, provide the following details:

- Type of information disclosed, in what forms, and how it was disseminated
- The locations and dates of any meetings undertaken to date
- Individuals, groups, and/or organizations that have been consulted
- Key issues discussed and key concerns raised
- Company response to issues raised, including any commitments or follow-up actions
- Process undertaken for documenting these activities and reporting back to stakeholders

### **4. Project Stakeholders**

List the key stakeholder groups who will be informed and consulted about the project. These should include persons or groups who:

- are directly and/or indirectly affected by the project
- have "interests" in the project that determine them as stakeholders
- have the potential to influence project outcomes or company operations

### **5. Stakeholder Engagement Program**

- Summarize the purpose and goals of the program
- Briefly describe what information will be disclosed, in what formats, and the types of methods that will be used to communicate this information to each of group
- Briefly describe the methods that will be used to consult with each of group
- Describe how the views of women and other relevant sub-groups will be taken into account during the process
- Describe any other engagement activities that will be undertaken



## **6. Timetable**

Provide a schedule outlining dates and locations when various stakeholder engagement activities, including consultation, disclosure, and partnerships will take place and the date by which such activities will be incorporated into the company's management system.

## **7. Resources and Responsibilities**

Who within the company will be responsible for carrying out these activities? What budget has been allocated toward these activities? Indicate what staff and resources will be devoted to managing and implementing the Stakeholder Engagement Program. Integration of the community liaison function with other core business functions is also important, as is management involvement and oversight.

## **8. Grievance Mechanism**

Describe the process by which people affected by the project can bring their grievances to the company for consideration and redress. Who will receive public grievances, how and by whom will they be resolved, and how will the response be communicated back to the complainant?

## **9. Monitoring and Reporting**

Describe any plans to involve project stakeholders (including affected communities) or third-party monitors in the monitoring of project impacts and mitigation programs. Describe how and when the results of stakeholder engagement activities will be reported back to affected stakeholders as well as broader stakeholder groups?

## **10. Management Functions**

How will stakeholder engagement activities be integrated into the company's environmental and social management system and with other core business functions?

- Who will have management oversight for the program?
- What are the plans for hiring, training, and deploying staff to undertake stakeholder engagement work?
- What will be the reporting lines between community liaison staff and senior management?
- How will the company's stakeholder engagement strategy be communicated internally?
- What management tools will be used to document, track, and manage the process?
- For projects or company operations involving contractors, how will the interaction between contractors and local stakeholders be managed to ensure good relations?

## Annex H: Sample Grievance Redress Mechanism

The institution will set up a project-specific Grievance Redress Mechanism (GRM) for people to report concerns or complaints, if they feel unfairly treated or are affected by any of the subprojects.

The mechanism will amongst other things: (a) provide information about project implementation; (b) provide a forum for resolving grievances and disputes at the lowest level; (c) resolve disputes relatively quickly before they escalate to an unmanageable level; (d) facilitate effective communication between the project and affected persons; (e) win the trust and confidence of project beneficiaries and stakeholders and create productive relationships between the parties. The mechanism is envisaged to be at multiple levels and will address such complaints, including logging, tracking, and resolving grievances promptly during and after the implementation of the Project.

The institution will have dedicated person or unit to be responsible for setting up and maintaining the GRM that allows general public in the project area and affected communities or individuals to file complaints and to receive responses in a timely manner. The system will also record and consolidate complaints and their follow-up. This system will be designed for handling complaints perceived to be generated by the project or its personnel. It may also include disagreements about compensation and other related matters.

The GRM will be communicated to all stakeholders in the course of its community engagement activities, and will make public available a record documenting the responses to all grievances received. The GRM will remain available throughout the project cycle. It is expected to address concerns promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all project affected parties, at no cost and without retribution. It also allows for anonymous complaints to be raised and addressed.

The GRM should include the following elements. More details see Table below.

- Different ways in which users can submit their grievances, which may include submission in person, by phone, text message, mail, email or via a website;
- A lot where grievances are registered in writing and maintained as a database;
- Publicly advertised procedures, setting out the length of time users can expect to wait for acknowledgement, response, and resolution of their grievances;
- Transparency about the grievance procedure, governing structure and decision makers; and
- An appeals process (including the national judiciary) to which unsatisfied grievances may be referred when resolution of grievance has not been achieved.

### Grievance Management Process

Process	Description	Time Frame	Other Information
Identification of grievance	Face to face; phone; letter; mail; e-mail; website; recorded during public/community interaction; others  The responsible party to receive the grievances will be REA and the subproject implementers	1 Day	Email address; hotline number

	<p>The grievance can also be passed through other parties, such as the chief office because the public are more conversant with this office.</p> <p>The grievance receiver would then pass the complaint to REA contact person</p>		
Grievance assessed and logged	<p>Significance assessed and grievance recorded or logged (i.e. in a log book)</p> <p>It will be prudent to have a grievance record book where the grievances are recorded for follow up</p>	3-6 Days	<p>Significance criteria:  Level 1 –one off event;  Level 2 – complaint is widespread or repeated;  Level 3- any complaint (one off or repeated) that indicates breach of law/ policy or this ESMF provisions</p>
Grievance is acknowledged	Acknowledgement of grievance through appropriate medium	3 Days	
Development of response	<p>Grievance assigned to appropriate party for resolution</p> <p>Response development with input from management/ relevant stakeholders</p>	4-8 Days	
Response signed off	Redress action approved at appropriate	8-15 Days	
Implementation /communication of response	Redress action implemented and update of progress on resolution communicated to complainant	5-9 Days	

If complainants are not satisfied with the grievance process, even after arbitration, the affected persons will still have the right to present their complaint through the court system.

**Annex J: Sample Regular E&S Report to REA**

Name & Address of Mini grid Developer (the Company)			
Completed by (staff name, E&S manager/ coordinator):			
Contact Person Phone #:		Email:	
Position in Company:		Date:	
Reporting Covering From:		To:	

**1. Portfolio & Pipeline Operations:** Please provide details on each mini grid that is in any phase: planning, construction, operation, or decommission (add rows if needed)

Mini grid Location & Phase	E&S Category (I or II)	Category justification	E&S Instruments Prepared	Key E&S Risks	Compliance with Laws & Regulations (list clearances obtained and dates)	Sites fall under E&S Exclusion criteria for mini grid and power generation sites (Y/N?) <i>If yes, provide details</i>

**3. Land Acquisition Details**

Mini grid Location	Is involuntary resettlement or economic displacement needed? (Y/N)	Has RAP/ LRP been prepared? (Y/N)	Has community donated land to the project? (Y/N)	Type of ownership (individual/ family or community) and amount of land donated (m2)	Has additional land been purchased? (Y/N)	Has additional land been leased? (Y/N)

### 3. Progress on ESMS Implementation

Compliance	Yes/No	If yes, please provide details
Has the developer encounter any difficulties and/or constraints related to the implementation of the ESMS?		
Has there been any incident or accident related to resettlement (physical and/or economic)?		
Has the company got warning and/or fines?		
Has there been any complains from affected person and communities? If yes, describe nature of complains and proposed or agreed resolution?		
Has the budget/resources to implement the proposed E&S change(s) been committed?		
Has the company conducted E&S monitoring for projects? Please describe process and outcomes.		
Have there been any updates to the company's E&S Policy?		
Is there any E&S personnel (staff or consultant) change?		
Is there any E&S staff training?		
Is there an internal process to report on E&S issues to senior management?		
Is there any new public communication and/or stakeholder engagement on E&S issues? <i>Describe specific activities during reporting period</i>		
Other E&S issues/concerns		

Signature \_\_\_\_\_

Date \_\_\_\_\_

## **Annex K: Voluntary Land Donation Guidelines**

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.

VLD should only be authorized if they (a) have affected people as direct beneficiaries; (b) clearly document Informed Consent; (c) clearly document Power of Choice (option of refusal or to sell at prevailing market rate); and (d) meet the VLD guidelines of the project. The guidelines have been put into place to ensure that donations are indeed voluntary, that the donor is the legitimate owner of such lands, and that the donor is fully informed of the purpose of the donation and of the implications of donating the property.<sup>30</sup> If the land is donated on a conditional basis, the terms and conditions for the temporary use of the property must be clearly documented.

The following principles should be complied with when VLD is carried out:

### **Core principles:**

- The land required to meet technical project criteria must be identified by the affected community through a participatory approach and not by the developer, line agencies or project authorities (nonetheless, technical authorities can help ensure that the land is appropriate for project purposes and that the project will produce no health or environmental safety hazards); mini-grids can be sited in any location within a community so long the location meets the technical criteria for the investment
- The proportion of land that may be donated cannot exceed 15 m<sup>2</sup> per kW of the proposed generation capacity plus an additional 7.5m<sup>2</sup> per kW for future generation capacity expansion
- Land donation for a single mini-grid or power generation system shall not exceed 10% of the land donor’s holdings in cases where land ownership is individual or family
- Land required above 1,500 m<sup>2</sup>, whether for initial construction or future generation capacity expansion, can be either leased using leasehold agreement (using ground rent scale set by each state in Nigeria) or bought on willing-buyer-willing-seller basis at current local market price in the community
- Donated land can only be used for power plant construction and future expansion and be fenced off accordingly

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<sup>30</sup> 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.

- Shall the donated land not be used for power plant construction within three years, the unused land shall be returned to the donor.

**Additional requirements:**

- 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 the developer, the public or traditional authorities
- The donor may request monetary or non-monetary benefits or incentives as a condition for donation
- Donation of land cannot occur if it requires any household relocation
- For community or collective land, donation can only occur with the consent of individuals using or occupying the land
- Verification must be obtained from each person/ family donating land (either through proper documentation or through confirmation by at least two witnesses)
- The implementing agency or mini grid developers establish that the land to be donated is free of encumbrances or encroachment and registers the donated land in an official land registry
- Any portion of donated land that is not used for its agreed purpose is returned to the donor
- The land in question must be free of squatters, encroachers, or other claims or encumbrances
- Land thus donated is free from any dispute on ownership, squatters, encroachers, or other claims or any other encumbrances.

**Procedure:**

**Step 1: Determining and Documenting the Appropriateness of VLD for the Subproject**

In considering the relevance of VLD for the specific subproject, mini-grid developer will document:

- How much land the subproject would require on both a permanent and temporary basis
- What the land would be used for
- What alternatives to donation exist (e.g. right of use, right of way, lease or purchase)
- The proposed terms of any donation of land
- Any other details that are relevant to why donation of land may be appropriate.

**Step 2: Official Notification to Landowners regarding the Option for VLD**

If it is determined that VLD could be relevant for a subproject, the local authority (e.g. village head) will provide landowners with official written notification of the proposed construction of electricity infrastructure within their area and the associated opportunity for voluntary donation of land.

### **Step 3: Briefing to Interested Landowners of the Process of VLD**

If the landowner indicates to the village head or similar authority that he or she is interested in VLD, they should brief the landowner/village about the process of VLD and explain the VLD form that would be required to be completed and signed by the landowner/villager and his/her spouse, as relevant. Prior to briefing the interested landowner, the village head should confirm that:

- The interested landholder/villager would not lose more than 10% of his/her total productive assets
- No physical relocation of the interested landowner/villager and/or his/her family would be necessary.

### **Step 4: Due Diligence Verification Process to Confirm Land Ownership and Use**

If the interested landowner and his/her spouse confirm that they would like to proceed with VLD, the next step is to verify the ownership and use of the land proposed to be donated. The verification process should review available information and documentation regarding: Mini grid developer should:

- The owner or owners of the land
- The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities on the land)
- Any competing claims of ownership or use
- Structures and assets on the land
- Trees or crops on the land
- Any encumbrances on the land.

It is important to: (i) identify the right that is being transferred (an ownership right, a use right, a right of way, etc.); and (ii) check whether the donor actually has the right s/he claims to have. In many circumstances where careful due diligence has not been carried out, significant conflict has arisen at a later stage when another party claims that they have the same or a competing right. In some circumstances – but not all – the transferee will have documentary evidence of such right. Where no such evidence exists, the due diligence can establish rights by speaking with local community officials and neighbors.

### **Step 5: Public Consultations and Disclosure**

The decision to voluntarily donate land must be taken on the basis of a full understanding of the specific subproject and the consequences of agreeing to donate land. Accordingly, the parties that will be affected by the donation (the owners and users of the land, and the neighbors to the land as appropriate) must be provided with accurate and accessible information regarding what the land will be used for, for how long, and the impact the donation may have on them and their families. Prior written notification indicating the location and amount of land that is sought must be provided and its intended use must be disclosed.

Where the intention is to deprive the parties affected by the donation of the land permanently, or for a significant length of time, this must be made clear. It should be noted that in many communities the concept of alienation of land is uncommon and difficult to understand, and care needs to be taken to ensure that the implications of this are fully understood. It is also important to decide who else, within direct and extended families, should be consulted about the proposed donation of land in advance of it taking place; for example, older children.



Further to this, there should be a clear agreement as to which party/ies will pay the costs associated with the donated land. This could include measurement costs, documentation and notarial fees, transfer taxes, registration fees. It should also include the costs of re-measuring/re-titling the transferee's remaining land and any new documentation relating to it.

### **Step 6: Establishing Informed Consent**

Mini grid developer, in coordination with the village administration, would verify the informed consent or power of choice by landholders who had selected to donate land. In particular, the following would be verified and documented in the voluntary land donation form:

- That the donor has a right to refuse to donate of an option to sell at prevailing market rate
- What the land is going to be used for, by whom and for how long
- That the landowner donating the land would be deprived of the ownership or right to use the land, and what this really means
- That the landowner has a right to refuse to donate the land
- Whether there are alternatives to using the land
- The process that would need to be followed to donate the land (e.g., execute documents, get spousal consents, pay taxes)
- The effect of the donation on the land donor's family, and what they can do if they (or their family or heirs) decide they want the land back.

The right to refuse must be a legitimate right, unconditional, and the potential transferee must be capable of exercising it in the local community and political context. For this reason, it is important to be sure that the decision to donate is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities. For collective or communal land, donation must be based upon the informed consent of all individuals using or occupying the land.

### **Step 7: Preparation of Clear and Appropriate Documentation**

While it is important to have evidence of an intention and agreement to donate land, it is equally important to ensure, where required and appropriate, that the land is legally transferred. While the process relating to the legal transfer of the land is frequently complicated and time consuming, it must be addressed. *[In specific circumstances, for example where the land is being transferred to the community, it may not be necessary to legally transfer the land. However, experience indicates that lack of formal transfer can create significant uncertainty in the future, which impacts on the sustainability of the infrastructure and services, and can have a negative effect on community relations.]*

Mini grid developer should:

- Identify the appropriate documentation, including the agreement to make the land transfer and any legal documentation that may be required
- Ensure that the agreement: - Refers to the consultation has taken place; - Sets out the terms of the transfer; - Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure; - Attaches an accurate map of the land being transferred (boundaries, coordinates); - Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documents the residual land rights
- Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children of legal age

- Ensure that the transfer and title is registered or recorded; and
- Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded.

It is also important to maintain a record of the process that has been followed. Such documents could include the following:

- The notification indicating the location and amount of land that was sought and its intended use for the project, with a record of when and where this was made public
- Records of the consultations that were held and what was discussed
- A copy of the due diligence that was conducted
- Copies of each of the formal statements of donation, establishing informed consent as described above, and signed by each owner or user involved
- Copies of all documents, registrations or records evidencing the legal transfer of the land
- A map, showing each parcel of land
- Appropriate documentation for reverting the land to the donor upon decommissioning from the site.

#### **Step 8: Grievance redress arrangements**

The project specifies the means by which 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. The grievance process includes participation of reviewers not directly affiliated with the village administration. 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 the country.

**VOLUNTARY LAND DONATION (OR LAND LEASE) FORM**

This form or an equivalent document is to be used to record the consent of land owners who offer private land for a community good activity. The essentials of voluntary donation are that the donors have been freely consulted prior to the donation, were not pressured or coerced, that the donation will not affect a significant proportion (more than 10%) of their productive assets, and that they have the right to refuse and to lodge a complaint if they have a grievance about the process.

**Consent Form for Voluntary Donation**

I/We: \_\_\_\_\_ male household head \_\_\_\_\_ female household head, and/or person(s) exercising customary rights over land described as (legal description, GPS coordinates if available) in  
Village \_\_\_\_\_  
Island \_\_\_\_\_  
Province \_\_\_\_\_

Hereby declare that I/we/the group are the owners/users of the land required for (description):

\_\_\_\_\_ I/we are voluntarily donating the use of land and or/ land-based assets (land area, type of assets /trees/crops etc) \_\_\_\_\_

\_\_\_\_\_ for the purpose of: (specify activity) \_\_\_\_\_

\_\_\_\_\_ We agree to this purpose from (date) \_\_\_\_\_ for as long as the purpose is served *or* until (specify end date, typically the life expectancy of the facility) \_\_\_\_\_

I/we make this donation of My/Our own free will. I/We are waiving My/Our right to compensation of any kind for the specified duration of the activity.

I/We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that I/we have the right to refuse, and to seek redress for any grievance concerning this transaction.

**Signed:**

Male household head \_\_\_\_\_ /Female household head \_\_\_\_\_

Chief or Local Custom Authority \_\_\_\_\_