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Title:
The Resettlement Experience of Ghana Analyzed Via Case Studies of the Akosombo and Kpong Dams

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Table of Contents

List of Acronyms

BPA	Bui Power Authority
CWSA	Community Water and Sanitation Agency
DDP	Dams and Development Project
EIA	Environmental Impact Assessment
ESIA	Environmental and Social Impact Assessment
FPIC	Free Prior Informed Consent
GOG	Government of Ghana
GDD	Ghana Dams Dialogue
GHP	Ghana Home Page
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit
IEG	Independent Evaluation Group
IWMI	International Water Management Institute
LVB	Land Valuation Board
MP	Member of Parliament
MW	Megawatt
NCC	National Coordinating Committee
NGOs	Non Governmental Organizations
PAPs	Project Affected Persons
UNEP	United Nations Environment Programme
USD	United State Dollars
VRA	Volta River Authority
WCD	World Commission on Dams

Summary

Ghana's history of dam construction for irrigation and hydropower, dates back to the early 60's with many dams being constructed for irrigation purposes. However it was only with the construction of the Akosombo Dam on the Volta River that the problems around resettlement emerged. The dam required resettlement of 80,000 persons but even today 40 years after the construction there has not been complete resolution of the issues.

The need to re-discuss compensation issues in Ghana has re-surfaced quite vociferously because of the construction of the Bui dam for power generation on the Black Volta River. This project which is being jointly financed by the Government of Ghana, the Chinese government and the Export-Import Bank of China (Exim Bank) will displace about 2,000 persons. Compared to the Akosombo these numbers are negligible, but it does not appear as if systems and processes are in place to apply the lessons learned from the Akosombo experience and avoid a debacle.

Forms of participation of affected groups in decisions involving their future, vary from simple information sharing, to more complex participation in final national decisions about what should or should not be done. Even in its simplest form of providing a forum for expression, participation allows people to express their concerns and therefore feel they are being listened to, even when decisions made do not necessarily take into account these concerns. The paper analyses the resettlement issues arising out of the Akosombo and Kpong resettlements in Ghana, and suggests recommendations for improving the resettlement process in Ghana, with special attention to the ongoing Bui resettlement. These include,

1. Timing of resettlement processes: making sure census of the affected people takes place early on in the process, and that sites are identified well in advance
2. Participation of affected persons: in various aspects concerning their lives including choice of resettlement sites
3. Adequate compensation using both monetary and non-monetary parameters/benefits and taking into account local conditions and cultural requirements: an example is accounting for extended family conditions when deciding on size of houses attributed
4. Clear rules on compensation that are made known to the beneficiaries.
5. Providing clear tenure security via title deeds and documentation of transactions.
6. Explicitly supporting contact between affected and host communities, prior to resettlement for exchange of information, awareness creation and sensitization.
7. Special provisions be made for training of literate persons from the groups as facilitators to explain tenure and other issues.

Benefits sharing mechanisms and the need for obtaining Free Prior Informed Consent (FPIC) of affected groups, has never been discussed in a Ghanaian context and possible means for operationalising this will also be addressed in this paper.

1.0 Introduction

Whilst ecological impacts are an important issue around the construction of new dams, the social and health impacts particularly resettlement questions around dams are the immediate impacts that affected people are faced with even prior to dam completion.

Resettlement issues are extremely sensitive. Resettlement deals directly with people, who lose lands and livelihoods, and furthermore are subject to the stress and trauma of moving out of ancestral lands (this is true even for non-tribal/indigenous groups), of having to face change, get accustomed to new locations, sometimes even climatic variations (as happens when groups move out either voluntarily or involuntarily to places distant from the original locations), in short get accustomed to new ways of life. It seems like a simple straightforward response – people have to be moved, so provide them with an alternative location and enough money to start life up again. This does not take into consideration that sometimes people can't even continue with their original livelihoods for which they have been trained, and require rehabilitation.

The interesting finding when one scans dam development throughout the years, and across countries and cultures, is that even this first step is often badly handled by governments. We speak of governments, as in most countries, the dam proponent is a government agency. In developed countries with higher levels of privatization of utilities this is less so, but even in these countries it is often governments that have to handle issues of resettlement and compensation.

Commonly recurring themes are the

1. lack of preparation,
2. lack of participation of the affected persons, and
3. inadequacy of compensation, the insufficiency of related procedures and lack of transparency

The first is a consequence of poor planning processes within countries and the lack of organizational skills within systems. The second and third reflect the shortfall in related legislation and the need for introducing Free Prior Informed Consent (FPIC) of affected groups and benefit sharing mechanisms.

In this paper we will use Ghana as a case study to

- show the strengths and weaknesses in handling resettlement issues using the Akosombo/Kpong hydropower dams, on the White Volta, as the example; and
- whether lessons have been learned to improve the handling of issues around the ongoing Bui hydropower dam on the Black Volta.

The fact that more dams are planned on the tributaries of the Volta River in Ghana makes this a critical issue that needs to be analyzed and addressed rapidly.
Some current approaches to clear the hurdles induced by resettlement are discussed and recommendations provided of relevant to Ghana, that have been culled from the vast body of literature on resettlement issues.

1.1 Methodology

The preparation of this paper involved a review of relevant literature from a wide range of resources, which included two issue papers commissioned by the Ghana Dams Forum, an ongoing multi-stakeholder dialogue process. The first paper reviewed the types and forms of compensation available in Ghana and the compensation and resettlement measures undertaken for Akosombo dam and Kpong dam affected communities. The second paper examined how communities have been involved in dam development in Ghana and provides guidelines for enhancing community participation.

For a better understanding of the terms used in this paper, their definitions are presented in Box 1.

2.0 Dams and development in Ghana

[1]Ghana is a country located on the Gulf of Guinea, with land frontiers with Cote D'Ivoire, Burkina Faso and Togo. Ghana has a total land area of about 240,000 km^2 and an estimated population of about 21 million people. The land area of Ghana is dominated by the Volta Basin, which occupies about two-thirds of the total land area. The major river systems in Ghana include the tributaries of the Volta river; the Black Volta, the Oti and the White Volta rivers which take their sources from the neighbouring countries of Burkina Faso, Cote d'Ivoire and Togo/Benin respectively; the Afram river, the Pra river, the Tano river, the Ankobra river and the Densu river.

The water resources of these river systems have been exploited for economic growth, through the construction of dams for hydropower, irrigation and water supply. In all, there are 17 water bodies which can be classified as large dams in Ghana. These are made up of two multipurpose (power) supply dams, nine irrigation dams and six water supply dams. The total volume of all these dams is about 165.5 km^3, of which 165 km^3 is held by the Volta Lake (Gordon, 2006). The two multipurpose dams had power generation as the main purpose. These two, the Akosombo and Kpong dams, have the largest storage volumes, and the water bodies created by them are 8840 and 12 square km respectively. They displaced the most number of persons viz. 78,000 and 5697 people respectively. The Akosombo re-settlers represented 1% of the national population at the time! The two dams together account for 1180 MW.

Known as the Gold Coast until 1957 when Ghana obtained independence, Ghana's limited economy was sustained solely by the country's cocoa production (Zakhary, 1997). As a newly independent country, Ghana became motivated to expand the economy through industrial development. The hydropower potential of the Volta River was seen as the motor for development (GHP, 2007). In 1961, the Volta River Authority (VRA) was established by Ghana's Parliament through the passage of the Volta River Development Act. Volta River Authority was charged with the responsibility of generating and transmitting power from the dam and generating station at Akosombo for industrial and domestic uses in the country. The VRA was also expected to ensure the development of the lake as a route for the transportation of goods and passengers, and the planning of the Akosombo Township and the lakeside area. It was through this mechanism that the VRA became the primary agency involved in resettling persons affected by the Akosombo dam.

The Authority's first hydroelectric station was the Akosombo Generation station commissioned in 1966. Kpong hydroelectric project completed in 1982, represents the third stage in the development of the Volta River, commonly known as the Volta River Project (Birmingham et al., 1966, Hart, 1980, Kalitsi, 1999, Tsikata, 2006 etc for a history of the project). The Kpong power plant is operated in tandem with the Akosombo plant as a run-of- the-river plant with daily regulation.

[1] Source of Map: http://wwp.greenwichmeantime.com/time-zone/africa/ghana/map.htm

The Bui Project is the third hydropower plant to be developed in the country to increase power supply to meet the growing consumer demand. Because of fallout from past experiences with dam development and criticism of the project, it was redesigned as a dam and irrigation project and a city complex. The project which will generate 400 MW when finished, and will displace 2000 persons. The Bui Power Authority Act (2007) Act 740 (BPA Act) was therefore passed in July 2007 to set up the authority, to oversee the implementation of the project.

In order to place the Akosombo, Kpong and Bui dam projects in perspective Table 1 shows a comparison (in terms of power generation and persons displaced), with some recent, and some ongoing much discussed dams across the world.

Table 1: Comparison of recent and ongoing dams

Dam	**Power generated MW (year commissioned)**	**Area flooded Square Km**	**No. of Persons displaced [2]**
Akosombo (White Volta, Ghana)	912 MW (1966)	8500	78 000
Bui (Black Volta Ghana)	400 MW (under construction)	440	2000
Ilisu (Tigris, Turkey)	1200 MW (under construction)	313	55-65 000
Kpong (White Volta, Ghana)	160 MW (1982)	N/A Operated in tandem with Akosombo	5697
Nam Theun II (nam Theun, PDR Laos)	1070 MW (under construction)	313	40-150 000
Sardar Sarovar (Narmada, India)	1450 MW (Partially commissioned)	370	>207 000
Three Gorges	22500 MW (2011)	1045	1.2 million

2.1 Experiences of resettlement and compensation in Ghana – the process

The overriding legislation that was in force during the resettlement and compensation process around the Akosombo, was the Volta River Development Act 46, which empowered Volta River Authority to acquire lands for various activities in the discharge of its functions. The Act also prescribes compensation and resettlement as mitigation or restoration measures for people affected by Akosombo and Kpong projects. Other key legal provisions which are used in relation to acquisition and compensation in Ghana for dam development include: the State Lands Act (1962) Act 125; Administration of Lands Act (1962) Act 123; the Public Conveyance Act 1965 (Act 302) and the Mineral and Mining Act 2006 (Act 703), recently supplemented by the Bui Power Authority Act (2007) Act 740 (BPA Act). The BPA Act has powers similar to the VRA Act, but with independent jurisdiction over the Black Volta. Prior to these two dams, the experience with resettlement in Ghana was gained from two smaller resettlement schemes in the country viz: the Damango resettlement as a result of overpopulation and the Tema village resettlement as a result of a government proposal to build a harbour. [3]

[2] For the number of persons displaced, in some of the cases, conflicting numbers are offered by different documents. These numbers have been cross-verified.

[3] The Frafra and Tema Resettlemts schemes are described in greater details in Chambers, 1979 pg 105-8)

The guiding principle on which the general policy for resettlement of the government of Ghana (GOG) is based is that that nobody should be made worse off by the implementation of government projects. Thus the main objectives of compensation are to:

- Replace asset losses.
- Restore and enhance the livelihood of affected people through land allotment for sustainable agriculture and facilities and opportunities for fishing and other forms of economic activities.
- Ensure affected people's primary services such as schooling and health care facilities are available.
- Ensure minimum disruption in their social organization and assist them to develop viable social relations.
- Ensure affected people share adequately in benefits from projects.

The key question here is "how do these laudable sentiments get translated into action and is there room for improvement?" For the Akosombo and Kpong projects serious efforts were made to achieve the first three objectives namely, restoration of lost assets, enhancements of livelihood as well as the provision of primary services. The same level of focus was not given to the last two objectives namely, minimum disruption in social organization and adequate sharing in project benefits (Kalitsi, 2008).

Organisation of the process and policy framework for compensation (strategy)

Though the actual organization for the Akosombo resettlement process began in 1961 with the full time assignment of an Administrative and an Agricultural Officer, 9 months into dam construction, nothing had been achieved on resettlement. Three factors were recognized as being the cause of the problem: the VRA's lack of confidence in launching out single-handed on a resettlement programme without support from other agencies; limited financial resources; and pressure of time. A working party was therefore established to coordinate the planning and execution of the resettlement scheme. It comprised representatives from Ministries of Agriculture; Works; Health and Education, Lands; Survey; Social Welfare and Community Development; Town and Country Planning, in addition to the University of Science and Technology; Volta River Authority; and Soil and Land Use Survey Division of the Ghana Academy of Sciences (Chambers 1970, 35-39).

Kalitsi in his submission to the World Commission on Dams indicated that the resettlement process applied three core policy approaches:

- compensation in cash or in kind, compensation being based on valuation of housing, farms and other properties by the lands department
- settlement in large communities; and
- housing on the basis of core houses with completion through self-help programs (WCD, 2002).

Over 90% chose to be resettled i.e. receive compensation in kind by joining a centrally planned resettlement program.

The second policy approach was to group the 740 scattered affected communities into a smaller number of larger and more compact communities equipped with infrastructure and land for farming. A typical settlement was sized for about 1300 people. Consultations with both communities to be affected and potential hosts were conducted before assigning sites[4]. The selection of the 52 town-sites was neither easy nor straightforward. Villagers were encouraged to group into larger settlements and make their own choice

[4] Though this was the case, settlers complain of the lack of involvement. Why this might be so is not clear from literature. The authors believe that this was partly due to affected people being uninformed about the objectives of these meetings.

of new settlement. This led to groupings along ethnic lines. Fears expressed by the affected people ranged from, inadequacy of information, insecurity of tenure, fears of chiefs losing jurisdiction, loss of identity, and other similar social and cultural problems, and attempts were made to factor these into the final selection of the sites.

The third policy plank was to construct core houses for completion with self-help labour. Lack of data on individual valuation details made it impossible to match housing types to compensation entitlements, and compelled adoption of standardized uniform housing types. Uniform housing designs were developed for all the communities to be resettled and direct labour used to complete a "core" portion of the houses comprising two rooms and one veranda. The rest of the house was left to be developed by the resettled communities on self-help basis (WCD, 2002). However because of the relatively tight schedule and the large building logistics involved, this approach was not entirely feasible so the VRA had to build new villages entirely for the resettlement communities.

Setbacks and key lessons learned

The Akosombo Hydropower Project affected 78,000 people in 756 villages in the flooded area. They were resettled in 52 newly created settlements along the newly formed lake. In the 52 resettlement villages, 13,000 houses were constructed, 6 wells and 34 mechanical and 23 hand pumps were installed. Also, about 500 miles of roads were built, and approximately 100,000 ha of farmland established.

In reviewing the resettlement process of Akosombo, the following salient points are noteworthy.

- Because of the poor communication network, and the wide scatter of smaller villages and hamlets, little was known of the people living in the basin, and some were so hidden that they had never paid tax or been counted in census. As a result, the Volta compensation and resettlement operations had to begin by looking for the people and finding out more about them.
- Land was considered to have a very little value and as such it was left to individual claimants to establish their rights. This valuation arrangement delayed delivery of critical information on compensation entitlement of affected people and became a source of complaint about inadequacy of coverage and pricing of properties.
- On the other hand, government accepted in principle, a liability for paying a disturbance element (Chambers, 1970) for the loss of numerous fetishes in the flooded area, in whose potency the locals had widespread belief. The guidelines for compensation are very comprehensive (for more details please see Kalitsi, 2008)
- The original agricultural resettlement program for the PAPs of Akosombo provided for modern mechanized farming on 430,000 acres, on a co-operative basis. In spite of pilot testing, these plans failed due to the difficulties encountered in implementing the program, like inability to achieve clearing targets, delays in assembly of agricultural equipment and in delivery of farming inputs like seeds, fertilizers and insecticides. Another factor was the lack of familiarity with new farming practices, and the absence of motivated extension workers with resources, technical skills and logistics to support the farmer. The program had to change its approach to individual allocation (1.21 ha), for subsistence farming using traditional methods, plus an allowance of double that per family, pooled together for developing commercial farms (see below for outcomes), at each settlement. It was this more simplified farming approach which was basically adopted for the Kpong resettlement program.

The Akosombo resettlement issues have been extensively studied, but as part of the ongoing dialogue process around dam development in Ghana (Ghana Dams Dialogue information source[5]) a study was

[5] http://www.iwmi.cgiar.org/Africa/West/projects/Ghana%20Dams%20&%20D.htm

commissioned to look into these, 40 years after the resettlement. The observations listed below were made by the authors after recent discussions with community leaders and traditional chiefs:

- Most of the core houses in several Akosombo project settlements have been completed and a number of them expanded. Several of the settlers expressed satisfaction with the location and layout of their towns. The 3 acre plots allocated to each householder appear to have been put to good use by most settlers even though the acreage of such subsistence plots cleared was very limited.
- However there were also complaints on the inadequacy of the size and quality of core houses, and the farm plot sizes. Expectations of settlers were that government would continue to maintain their housing, and subsidize facilities including electricity and water, for the sacrifice they had made for the project.
- Non payment of compensation was a recurrent theme which was central to many of the consequences that settlers were faced with, as for example, takeover of land by the hosts, and preventing access to allocated land.
- The land earmarked for commercial development (estimated on average at about 6 acres per householder) was not being cultivated. The commercial land has not been cleared and no machinery exists for their utilization. Non settlers have encroached on some of the lands and in some cases erstwhile land owners have seized the lands from the settlers and disposed of them to others. In most cases it is because land owners have indeed not been paid compensation for the land.
- Other issues raised were the non-issue of an inheritable allotment certificate covering resettlement houses and farm plots, the continuing lack of employment avenues for youth in the area, and the lack of working capital and access to credit to support settlers. The ineffectiveness of District Assemblies and Unit Committees in management of settler township services was also highlighted.

The settlers also accused government of not responding to their continued representations on compensation. In order to substantiate these concerns, the study undertook consultations with officers of LVB and Lands Commission. The findings were:

- That claims for compensation are still being registered with LVB for properties affected by the Akosombo Project completed 1966 and Kpong Project completed 1982. They agreed that compensation in respect of properties affected by the Akosombo project have not been paid even though acquisition procedures for the area of the Volta Lake were completed in 1974, and for the 52 resettlement sites between 1968 and 1975, and claims were submitted long ago for most of the properties.
- That the current estimate of the liability due on the Volta Lake and associated resettlement areas is expected to be of the order of about GH¢750 million based on demands on VRA record and representations made during interviews with affected persons but that legally the VRA no longer has financing responsibility for the residual compensation. The Minister for Lands should be responsible for procuring resources to discharge this obligation.
- That compensation due in respect of the Kpong project is yet to be paid even though Kpong project lands were acquired in 1980. This obligation is VRA's responsibility to finance.

To expedite these outstanding issues, typically the outcome of underestimations on the land value, the paper suggests that private consultants be contracted by VRA to assist claimants prepare needed documentation to support their compensation claims due on both Akosombo and Kpong hydro projects.

VRA Resettlement Trust fund.

The VRA Resettlement Trust Fund set up with the objective to monitor the conditions of the settlements and serves as a buffer to ward off pressures on government, VRA and MPs from the settlers, was established in July 1996, 30 years after the commissioning of the dam. It has the following composition of trustees: a Chairman appointed by the Minister of Energy, ten Members of Parliament in whose constituencies the 52

settlement towns are located, two (2) representatives from VRA, three (3) from the Ministry of Energy and one (1) additional Trustee appointed in consultation between the Ministry and the Trustees.

For the settlers it also provides a convenient forum for their concerns to be channeled to the appropriate bodies for solution. The Funds effectiveness will be enhanced even further if the Trustees add on an active and persistent advocacy role on behalf of the settlers.

The main source of financing for activities of the Trust Fund has been an annual grant of $500,000 from VRA. This amounts to the meager amount of 6 USD annually per head of settler and one wonders what kind of activities this sum is able to finance! Fortunately, in addition the Trust has been able to access resources through the Ministry of Energy for extension of electricity to all the settlements. It collaborates with other agencies such as the Community Water and Sanitation Agency (CWSA) and some NGOs to provide water for some of the settlements. But financing limitation remains a major constraint in pursuing the Trust's objectives. So currently, the Trust has developed proposals to mobilize additional financial resources to support its activities. The major problem facing the Trust Fund is how to integrate the settlers in to mainstream society of the local communities, in the face of hostilities against the settlers because of non-payment by VRA and Government of compensation due to the land owners.

Kpong resettlement: what went right and wrong?
Based on the resettlement experience of the Akosombo Development, the Kpong Resettlement Scheme covering a population of 5697 persons was planned early and designed to suit more the original lifestyles of the communities resettled.

As housing had been one of the key points of dissatisfaction in Akosombo, for the Kpong resettlement, in addition to house plots, this time the VRA, provided replacement housing which successfully combined traditional architecture with modern amenities. Care was taken to preserve the thriving women's pottery industry. Better village infrastructure and the introduction of electricity helped reduce labor-intensive tasks traditionally done by women. In spite of all this, some villages now have poorer access to markets and firewood--both women's responsibilities. In the resettled villages however, as with the Akosombo resettlement, relations started out well but deteriorated following land disputes and failure to provide compensation for lands acquired for the re-settlers.

Non maintenance and breakdown of infrastructure was the second key point of dissatisfaction expressed with Akosombo. With the Kpong project, the Volta River Authority (VRA) made considerable efforts to involve the village chiefs in setting up arrangements for running and maintaining village services. The chiefs' lack of interest then led VRA to try to set up independent resettlement management committees, charged with this responsibility. But the chiefs opposed these committees, which they felt challenged their leadership. Though the standard of village infrastructure was better than before resettlement, the decline in family incomes meant that households were much less able to pay for maintenance.

In the Kpong case, resettled households' agricultural output was much lower after the project than before, due both to the reduction in the size of their farms--and thus the continuous cropping on lands which formerly had been left fallow for extended periods--and the lack of any agricultural supporting services.

One continuing weakness was the poor planning. Where socioeconomic/baseline surveys were carried out, they frequently lacked conceptual clarity. In the area surrounding the Kpong rapids in Ghana, lack of early attention to planning the project's agricultural component, including cultivation practices and the amounts of land required, was the main reason why resettled families received only about one third as much farmland as

they had cultivated before resettlement. Services to support their production activities were left to a post-project phase that never materialized.

2.2 Clearing the hurdles of resettlement

Can better participation help?
In spite of real attempts made to better accommodate traditional lifestyles and livelihoods in the case of the Kpong resettlement, a curious finding was that many fishermen resettled themselves back by the riverside. Why was this? Were they not consulted? Would better communication have helped identify their needs so as to accommodate them? Experience with Akosombo indicated that Information-education-Communication programs were ineffective. The consent of the displaced was not sought as to where they would want to be resettled and which group of people the host communities would want to co-exist with. The overall situation is that the dam-affected communities had very little to do with the development of the project (Ofori, 2008).

Stakeholder participation is key to improving decision-making and governance in the planning and management of dams and their alternatives (WCD, 2000). According to UNEP, "…….. stakeholder participation is a process or series of actions, impacts and outcomes and not one single activity" (UNEP, 2007).

While they may be impressive on paper, the resettlement guidelines drafted by international funding agencies have been problematic with regard to their consistent application (de Wet, 2000). A rapid review of issues around ongoing resettlement processes with dams (see Box 2) shows that in spite of the vast body of knowledge available on how to do things better, and the prolific guidelines from every funding agency and large energy utility, on procedures to follow to minimize consequences of resettlement, things are still going wrong. So what can be done better to clear this impasse?

A combined application of three possible approaches is suggested as a possible solution to the problem. These are Free Prior Informed Consent (FPIC), Benefits Sharing, and Multi-stakeholder Dialogues.

FPIC
Generally, FPIC as we understand today is, the consent of a party to an activity that is given after receiving full disclosure regarding the reasons for the activity, the specific procedures the activity would entail, the potential risks involved, and the full implications that can realistically be foreseen. Prior informed consent implies the right to stop the activity from proceeding, and for it to be halted if it is already underway (Athialy, 2003) [6]. In dam related discussions, it is commonly applied in relation to indigenous peoples, but the concept is equally valid for project affected groups, whether they are classified as indigenous people or not within a country's ethnic classification.

The principles of public acceptance and prior informed consent require that the public has a strong influence on decisions related to the review of frameworks and options assessment; and that the people affected by a project contribute and agree to decisions about it. Figure 1 show different levels of public participation in decision-making, and what obtaining prior informed consent, entails.

The preceding sections show that in the Ghanaian context, Prior Informed Consent of the public and particularly the affected groups is not actively sought. With the Bui project which underwent a complete EIA,

[6] Cited in Goldzimer, Aaron Marc. *Prior Informed Consent of Project affected Indigenous Peoples: An analysis of case studies.*

public hearings were conducted, but the affected people still admit to insufficient knowledge about the project, implying that as Ofori (2008) pointed out, not even the lowest levels of participation had been effective.
Resettlement usually deprives people of rights. People cannot be better off in a new situation which involves all the potential socio-economic risks that resettlement does, unless they have been directly involved in the negotiation of the terms of their own resettlement, and unless their voice has carried weight in those negotiations (de Wet, 2000). To achieve this, displaced persons must be able to assert their constitutional and basic human rights, with the state and implementing agencies held to the recognition of those rights, and ensure that the criteria and guidelines laid down for relocation and for the longer-term development goals related to resettlement, are followed, and that relevant bodies are held accountable for this. Therefore, fully valid and binding legal contracts need to be signed between the various groups of affected people and the governmental and implementation agencies involved. Such contracts should stipulate details concerning the move, compensation, right to legal recourse, and mechanisms for obtaining redress. Furthermore, independent monitoring mechanisms are needed as the state has a conflicting role to play being both the implementer and the upholder of justice.

Benefits Sharing
Dams affect the livelihood of communities in the immediate vicinity of the works and associated impoundment zones. These communities should logically be the first ones to benefit from such projects. However, this generally is not the case, particularly for large dam projects which tend to be designed for the benefit of wider regional or national constituencies (Milewski et al, 1999)[7].

Benefit sharing mechanisms can be either non-monetary or monetary (Figure 2). The non-monetary type is generally included in compensation policies and comprises, for instance, access to irrigated land, employment generated by the project or improved access to markets and services. Monetary benefit sharing is based on the premise that dam projects may generate a significant economic rent that can be shared with project-affected populations. Different types of monetary benefit sharing mechanisms have been developed and applied to dam projects in developed and developing countries, notably: a) revenue sharing; b) developments funds; c) equity sharing; d) taxes paid to regional or local authorities; and e) preferential electricity rates or water-related fees (Egre, 2007).

In some cases benefit sharing mechanisms may be clearly set out in a country's legislation. In other cases where this is not so, certain hydropower project proponents routinely negotiate partnership agreements with concerned communities on the basis of a wide variety of mechanisms (equity or revenue sharing and other business agreements). Hydro-Québec in Canada, the Provincial power utility is a case in point, which proposes partnership agreements to local communities for all new hydropower projects (Milewski et al, 1999).

In Ghana, whereas the compensation policy is enshrined in various legislations, monetary benefits sharing has not been explicitly addressed either by the national legislation, by the VRA or by the new Bui Power Authority. The dissatisfaction settlers face appears to stem from the sentiment that they sacrificed themselves for the greater good but the government does not recognize this. In that sense their stance that the government/VRA is responsible for their well being and have to continue to provide for them, is justifiable. The fact that this creates a long term dependency on the government can only be avoided if benefit sharing

[7] http://www.dams.org/docs/kbase/contrib/soc196.pdf

mechanisms are introduced and affected groups understand their responsibilities in these business partnerships.

Dialogues

The UNEP Dams and Development project described the aim of the dialogue as being to produce recommendations on policies and procedures that will improve the existing framework of decision-making related to dams and their alternatives. The multi-stakeholder dialogue can help in arriving at decisions that are more acceptable to the public, ensure greater sustainability of the outcomes and minimize technical, environmental, social, and financial risks. In Ghana, a multi-stakeholder dialogue, fashioned along the lines of the global dams dialogue and comprising representation from similar stakeholder groups was initiated in January 2007 after a National Consultative Meeting was held to formalize the process. It was in response to the clearly sensed need after Akosombo; for institutional structures and processes to holistically discuss and assess the need for dams, the different options possible to respond to energy water supply and irrigation needs and to address upstream and downstream negative impacts. The fact that the new Bui dam construction is in the pipeline, makes it all the more urgent to set such a process in motion, especially in a developing country context where stakeholder information and participation through media is not as easy as elsewhere. Ghana's recently published National Water policy supports stakeholder involvement in water resources development.

The process has a secretariat, National Coordinating Committee and a sixty-member Forum. The Forum comprises representatives of Government Ministries, Decentralized Government Departments, Research Institutions, Opinion Leaders of Dam-affected Communities, Traditional Leaders, the Private Sectors and other stakeholders to discuss priority issues relating to dam construction and development in Ghana.

The Forum activities are coordinated by the National Coordinating Committee (NCC) comprising 15 members viz: Volta River Authority, Volta Basin Development Foundation, Ministry of Energy, Ministry of Water Resources, Works and Housing, Conservation International, Water Resources Commission, Water Research Institute Association of Ghana Industries, Representative from the Proposed Bui Hydropower Area, Representative from the Lower Volta Basin, Volta Basin Research Project Ghana Journalists Association, International Water Management Institute, Manya Krobo District Assembly, and the National Association of the 52 VRA Resettlement Townships. The secretariat is jointly held by the Volta Basin Development Foundation in close collaboration with the International Water Management Institute (IWMI), who also plays the role of facilitator and advisor to the process. The main financial support to the process has come from the GTZ and the UNEP-DDP. The First Ghana Dams Forum was held in September 2007. Given the imminent construction of the Bui Dam and the need for further open dialogue, a second Forum was held in February 2008.

The process outcomes can be read in the project final report http://www.iwmi.cgiar.org/Africa/West/projects/Ghana%20Dams%20&%20D.htm#Outputs). Essentially it has provided the much needed platform for transparent and open discussions on issues. Particularly for the affected people, this forum provides an opportunity to discuss issues in the presence of other stakeholders, something that was not possible with the VRA which is the official communication channel to the government. Through commissioned studies the forum has informed stakeholders on the state of play in respect of dam development in Ghana, and has provided clear information to the media. The forum has also sought to inform itself on the current status on different aspects related to the Bui dam construction, and mitigation of impacts. The Forum is paying particular attention to the resettlement issues and compensation to avoid past problems. The 2nd Forum issued a communiqué addressing the way forward and the measures that the government of Ghana could put into place to improve on dam decisions. A further phase of funding

for the Ghana dams dialogue is underway, with the objectives of knowledge generation and sharing particularly with communities affected by the Bui project, building their capacities, and improving on the dialogue as a mechanism for participation and influencing decisions.

2.3 Lessons for Bui

The Project which is designed as a hydropower project combined with an irrigation project and a city complex involves the damming of the Bui gorge on the Black Volta which will displace about 2,000 inhabitants. To date community participation has taken the form of public fora that have been held in various would be affected communities. Communities were not encouraged to participate at the initiation, design and planning phases of the project, which was considered as too technical. The communities however will be involved in the construction phase through the provision of labor. Independently, as a follow on activity to the 2nd Forum of the Ghana Dams Dialogue, a workshop on "The Impact of Climate Change on the Bui Hydropower Project" was held to present findings to the forum, of a study commissioned expressly for this purpose.

With the commencement of construction activities at the project site, evacuation of people in three communities is already complete. For this exercise, 50 households, comprising 180 people, were resettled. As part of the resettlement package, each household was allocated a two-bedroom housing unit with a bathroom and a kitchen attached to it. In addition, a central toilet block, borehole, community centre and nursery school have been provided. Each household was also given 2 acres (0.81 ha) of land for farming and GH 100 Cedis, being the first 20% of inconvenience allowance (Daily Graphic, 15th July, 2008).

The following actions are suggested based on prior experiences.

- One of the most important lessons from Akosombo and Kpong which should have guided implementation of the Bui project. is the necessity for a long pre-planning of resettlement activities before the main project implementation takes off. Once again the same errors have been made with insufficient lag time.
- A better needs assessment with more direct involvement of the householders, to overcome the limitations of the core-house concept.
- Soliciting ideas from the communities on how to service them better and identifying the needed facilities with their assistance and with sufficient thought to setting up systems for maintenance involving the communities.
- A VRA Resettlement Trust Fund was set up 30 years after the Akosombo resettlement experience. A similar fund for the Bui project should be set up as early as possible to help support settlement activities with The Bui Development Authority assuming responsibility for settlements for at least ten (10) years, which allows time for settlers to adjust to their new economic and social environment.
- It might be opportunistic to explore the possibilities of setting up benefit sharing mechanisms in lieu of conventional trust funds, which would give a stake in the project to the affected people. They would also then be willing to contribute more effectively to catchment management activities and maintaining the settlement infrastructures.
- Land acquisition is a critical issue leading to delays in disbursement of compensation. The numbers of re-settlers being small facilitates this task and there is a good database of assets (though this can be improved by a more comprehensive livelihoods study, see below). Recommendations for better procedures in acquisition and compensation are listed in Kalitsi (2008) based on the previous experiences.
- Recommendations for handling the allocation of land for farming and servicing the needs of the resettled farmers are outlined in Kalitsi (2008). Title deeds for housing and farming plots coupled with cash compensation for the value of lost land and crops should be a basic right.

- A special committee to deal with exceptional issues like additional land allocation, and other special requirements should be established.
- Monitoring of the process via an independent body so that grievances can be handled, with clear procedures.
- Practical institutional arrangements for planning and implementing resettlement are detailed by Kalitsi (2008), based on the experience of VRA. The immediate presence of a professional with the unique responsibility of involving communities in extensive discussions was strongly recommended.
- The resettled communities are given first preference to relocate to Bui city when it is completed.

A review of the EIA commissioned by the GDD (Raschid-Sally et al, 2008) highlighted the lack of a comprehensive livelihoods study which would be the basis for developing an action plan for rehabilitation. Once again the resettlement action plan which details out some of the measures does not address the specificities of livelihoods provision for the affected groups. It is assumed that the provision of land for agriculture with some accompanying measures will resolve the problem. However experiences from the Akosombo and more recent feedback from the settlers themselves show quite the contrary (Kalitsi, 2008).

3.0 Conclusions

In improving the resettlement process in Ghana, one can be inspired by the conclusions reached in many documents that have comprehensively analyzed such processes around the world. Those of particular relevance to Ghana are summarized here.

The Akosombo scheme has highlighted far reaching human problems and challenges. In particular, retaining a stable social structure poses a dilemma in the face of affected people seeing in resettlement an opportunity for progress and development defined in terms of western style innovation. Yet project planning and implementation is normally preoccupied with compensation and relocation to the detriment of planning productive activities and services to support them.

It is not a straightforward task for Governments to respond to these aspirations, unless they are well planned with accompanying measures to meet the operation and maintenance costs entailed by these innovations. Services in the resettled villages are usually superior to similar rural towns but local authorities do not collect enough revenues to meet he costs of upkeep.

Resettlement is inherently disruptive, and institutionalizing responses does not cater to the different needs of individuals. Often the national interest is overemphasized as against the local interest, and once the former is obtained the latter tends to be overlooked. So development planners must keep proper perspectives and consider also future unforeseen impacts. An understanding of local conditions and good data is essential for this (Tamakloe, 1994). Good data on living standards linked to livelihoods of communities in particular are missing even though social baselines are established. As a result, in the great majority of projects it is impossible to determine whether living standards have been restored post project. This is a serious omission. It also deprives management of the information needed to take remedial measures. In the case of Bui it is not too late to do so.

Generally, displacement as a result of acquisition is legally sanctioned, while there is usually no legal framework that governs the process of displacement itself: the land acquisition law protects the sanctity of what causes displacement (i.e., the dam) but not the displaced. In Ghana, the VRA Act recognizes compensation, but there is an absence of legal safeguards to ensure accountability on the part of the State. Assurances from the state that the Akosombo resettlers have received their just entitlements cannot be verified without clear legislation that forces both the state and the re-settlers to follow procedures. This problem has plagued the Akosombo resettlement and it is hoped that the Bui people will not face the same.

Furthermore, in developing country contexts where procedures are non-existent, and confusion about roles mandates and responsibilities exist, the presence of a high level coordinating body of representatives from government sector organizations researchers/scientists, local people and dam authority is necessary for better control of problems during implementation.

Underestimating the costs of resettlement is a common problem. The underlying reasons are, underestimation of the scope of resettlement activities, lack of detailed plans, and unrealistic low assumptions on prices particularly relating to land acquisition and social amenities (IEG, 2001). There is evidence to show that organizations with legislative sanction provided with adequate funds and human resources have done well in implementing well-defined and clearly operationalized resettlement and rehabilitation programs

The second major problem is timing. Invariably there is inadequate time to resettle the people, and construction is underway before resettlement begins. Establishing productive activities within the time frame

of the project also becomes impossible, even when these are part of the ESIA action plans. One solution would be to move the resettlement process upstream in the project cycle. Resettlement could start immediately after project initiation and be completed a minimum of two years before project closing to help ensure that incomes are fully restored by project completion.

Generally, participation of the affected people has been superficial or treated as unimportant by those responsible for the project. Real participation implies the capacity to influence or even modify decisions. In the absence of this, even low level participation like receiving complete and authentic information on the dam project, the nature and extent of displacement and other negative impacts, and resettlement and rehabilitation provisions, should be made available. Using trained community leaders for this purpose should be considered.

The concept of programming resettlement in development program mode is gaining ground though practice is limited. Good practices in this respect are those that (i) focus on means of livelihood rather than on assets; (ii) assume an inclusive relationship between people and assets; and (iii) admit of a negotiated definition of just compensation. The record indicates that in those cases in which compensation packages were negotiated with project affected persons (PAPs) and other stakeholders, the process has resulted in better outcomes for the resettlement process as a whole. Even when, for whatever reason, the negotiated form of compensation proves not to be the most appropriate or effective option, PAPs tend to feel more satisfied, as a result of the negotiation process (Bartolomo et al, 2000)

Successful re-settlement with development is a fundamental commitment and responsibility of the state and the process must result in the creation of new rights that will render people direct beneficiaries of the development project. Re-settlement need not necessarily result in impoverishment. It would not be accurate however to conclude without this final counsel <<even in countries with best policy, institutional capacity and political commitment to do proper resettlement, there is an inverse relationship between scale of displacement and extent of achieving successful resettlement outcomes>>>.

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Box 1: Conceptual definitions

Resettlement

Resettlement is the physical relocation of people (voluntarily or involuntarily), whose homes, land or common property resources are affected by a development such as dams (Tsikata, 2006). Involuntary resettlement has been a companion of major development projects or programs throughout history, and has been permanently written into the evolution of industrial as well as developing countries (World bank, 1995).

Compensation

Compensation refers to the amounts, in money or other form that will be paid or given as a quid pro quo for the properties being acquired, to make good the loss suffered by the owners who will be deprived of their future enjoyment (Chambers, (ed.), 1970, pg 59). Compensation measures includes alternative resources (land, property or money) provided to displace people and others adversely affected by a project as mitigation for losses suffered (Tsikata, 2006). Compensation generally is intended to make up for the loss suffered or disturbance occasioned.

Adversely affected people/ Dam-affected communities

These are collectives who suffer negative effects of the project. In the case of the dams, this includes peoples whose economic, social and cultural lives are negatively affected by construction works, impoundment, alteration of river flows, any ecological consequence (Tsikata, 2006).

Participation

Participation connotes the act of being involved in something. Habraken (1998) has given two meanings of participation. According to him, participation could mean assigning decisive roles to people who share in decision-making. The other meaning of participation is the situation where the opinions of other people are considered during decision-making but who do not get the chance to be active participants. Hamdi (1995) also defines community participation as "…….the process which professionals, families, community groups, government officials, and others get together to work something out, preferably in a formal or informal partnership" (www.mcgill.ca/files/mchg/chapter2.pdf).

Community

The term community is understood as a group of people with common needs or sharing common interests and living within a geographically defined area. Thus, the term community has both social and geographical dimensions. These two elements are important in defining a group of people that constitute a community.

Community participation

Community participation therefore means some form of involvement of people, with similar needs and goals, in decisions affecting their lives. But true and meaningful community participation goes beyond seeking opinions of people. It emphasizes assigning decisive and specific roles to people, thus making them active participants in the entire project development process. In the context of dam development therefore, the first connotation of participation by Habraken (1998) is much stronger and more meaningful as it emphasizes performance of specific tasks by participants who also take part in decision-making.

Box 2: Typical problems with ongoing resettlement projects

Ilisu Hydropower project, Turkey:

In late August, the project monitors published their second status update. They found that there was still "little or no follow up" regarding the urgent measures which they had proposed to prevent impoverishment and environmental destruction by the project. The population in the reservoir area had still not been informed or consulted. Financial compensation for houses and land was below the cost of their replacement. The identification of new lands for the displaced people continued to be "totally neglected". A program to restore the income of the affected people "does not exist and its preparation had not started yet". And the government institutions which the legal agreement with the foreign funders listed as partners in the resettlement program had not even been informed that they were supposed to participate in the project.

In conclusion, the experts found that the "the lack of preparation in the resettlement component entails serious risk of impoverishment, destitution, and social disorganization for the massive population inhabiting the reservoir".
http://www.rivernet.org/turquie/ilisu.htm#The

Sardar Sarovar project, India:

Those who have been resettled face a multitude of hardships and many have returned to their original villages. The stress and impoverishment caused by resettlement has increased death rates among the oustees, especially of children. The problems, which have been extensively noted by the official resettlement monitoring agencies and the World Bank's Independent Review include:

- lack of grazing lands, firewood, drinking water, and cremation facilities;
- poor quality, flood-prone cropland, land which is not irrigable and plots which are less than the two hectares promised (the supposed two hectare minimum has in practice turned into a two hectare maximum);
- disputes over ownership of resettlement plots and conflicts with host communities;
- villages, hamlets and even families split up among many different resettlement sites.

The Government of Gujarat has acquired under 14,000 hectares of land for the PAPs who have been resettled in the state, spread over approximately 400 different resettlement sites. There are no plans available describing where land will be found for the remaining 13,000 oustees expected to move to the state. The acquisition of such large areas of land combined with land speculation due to SSP has greatly increased land prices in the command area, inflating the cost to the government of acquiring land, and encouraging the government to buy land of increasingly inferior quality. Government of Maharashtra has only after great difficulty and controversy persuaded the MoEF to release 4,300 hectares of forest land for resettlement in Maharashtra. This is only just over half the land needed for oustees in the state. Government of Madya Pradesh admits that it is unable to acquire any agricultural land for resettlement.
http://www.proxsa.org/economy/ecology/overv.html#Location

Three Gorges Dam, China:

The Three Gorges Dam is the world's most notorious dam. The massive project sets records for number of people displaced (at least 1.3 million), number of cities and towns flooded (13 cities, 140 towns, 1,350 villages), and length of reservoir (more than 600 kilometers). The resettlement process has been frequently plagued by protests since 1997. Most of the resettled people wish to return to their original homes and some have done so on their own. The elderly of Chongming Island have opted to return and 20-30 percent from Fengjie have returned. New jobs are unavailable in the resettled areas. Attacks by the locals have been reported.

In Yunyang, one of the poorer counties affected, groups of displaced began organizing themselves quite early to fight for adequate compensation. Organized attacks on government officials have been reported and riot police called in. Central to the disputes is the land ownership question in China where all land belongs to the state, and no individual can own it. In rural China peasants only sign limited field tenure agreements with the state which usually last no longer than 15 years, and more recently for 30 years. The second major reason is the level of compensation. Under China's resettlement rules, peasants are being offered compensation based on a calculation of six to ten times the annual average production value in the previous three years. This assessment is bound to be very low given that these are very poor areas, where peasants and the state have not invested very much for many years because the land was destined to be submerged.
http://www.internationalrivers.org/files/3gcolor.pdf

Figure 1: Ladder of participation and prior informed consent

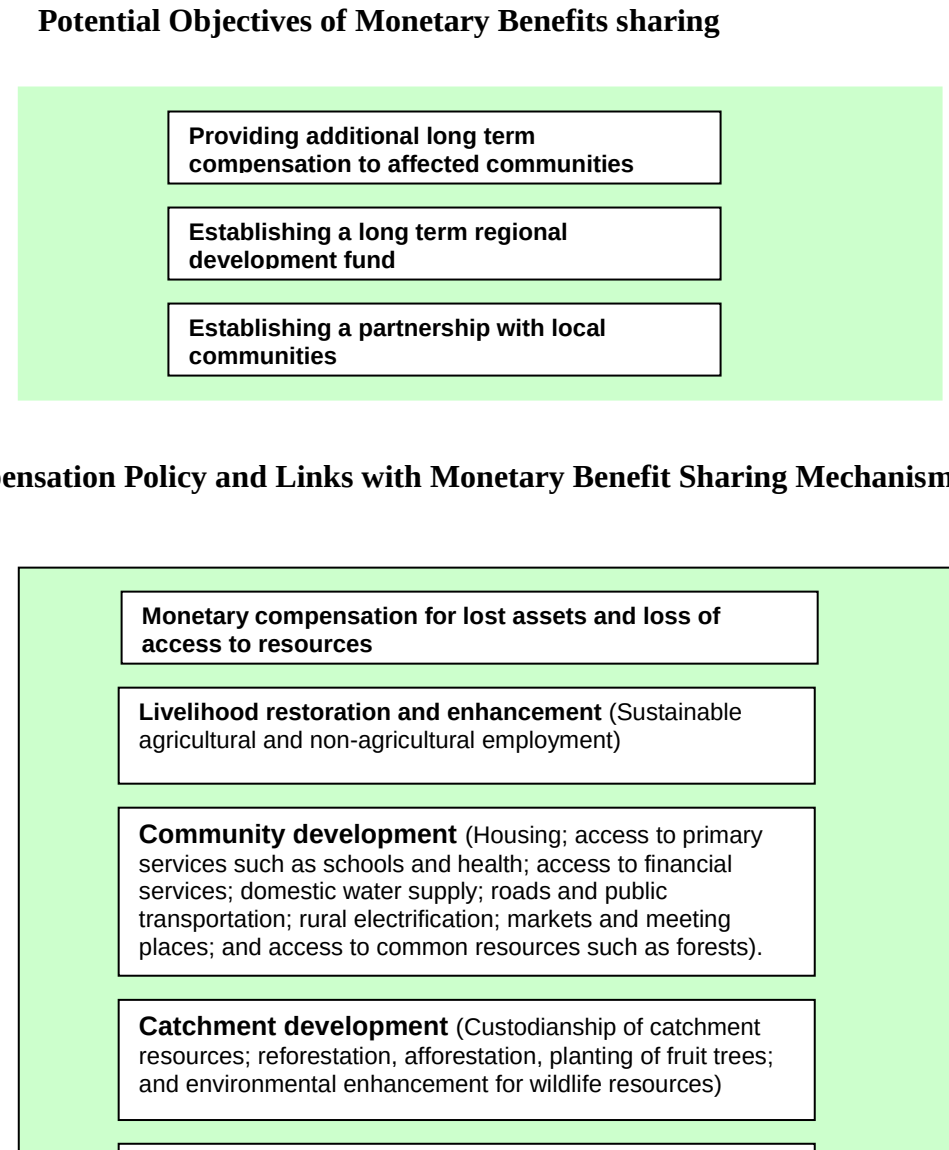
Levels of participation	Techniques
HIGH	Joint decision-making
	Conciliation/mediation
Forming/agreeing to decisions	
	Assisted negotiation
	Collaborative problem-solving
Having an influence on decisions	
	Facilitation/interactive workshops
	Task forces/advisory groups
Being heard before decisions	
	Conferences
	Public hearings
Knowing about decisions	
	Public information
LOW	

The prior informed consent of affected communities - those on whom the project risks have been imposed and who must bear the outcome - implies that consent has been obtained with respect to:

- the undertaking of pre-feasibility and feasibility studies;
- the conclusions reached by the studies undertaken;
- any resettlement plan and compensation that may be necessary for the project to proceed;
- any development plans associated with the project;
- means of benefit sharing;
- allocation of liabilities;
- means of redress;
- oversight mechanisms.

Source: Le Moigne, Guy et al (eds) A guide to the formulation of water resources strategy, Washington, D.C : World Bank, c1994, World Bank technical paper,ISSN0253-7494 ; no. 263

Figure 2: Benefit Sharing



Source: Egre (2007) http://www.unep.org/dams/files/Compendium/Report_BS.pdf.