

MODULE I

SCOPING OF LAND- ACQUISITION IMPACTS

I. An Overview of Scoping

Scoping is a process undertaken, preferably, at an early stage of project planning to make a preliminary identification of key environmental and social (E&S) impacts and risks associated with project development and implementation.

Similarly, the resettlement-scoping exercise identifies the key social impacts and risks associated with land acquisition and physical and/or economic displacement. This scoping process enables impacts and risks to be identified early and avoided or minimized. It also provides the basis for establishing a land-acquisition and compensation strategy and informs the detailed resettlement-planning process.

Early resettlement scoping avoids expenditure of effort and resources on gathering unnecessary data, and at the same time it promotes rapport with affected communities and the diversity of people within them, which is a prerequisite for further genuine stakeholder engagement.

Finally, it focuses attention on and prioritizes key land-acquisition and livelihood-restoration planning and implementation activities to be undertaken.

Resettlement scoping provides project proponents, resettlement planners, responsible government authorities, and affected communities with an early initial understanding of the likely impacts of land acquisition and the extent of stakeholder engagement, baseline data collection, planning, and resources that will be required to implement and monitor appropriate resettlement and/or livelihood-restoration mitigation measures. Resettlement scoping provides inputs for the environmental and social impact assessment (ESIA) scoping process.

II. Resettlement Scoping

II.A. Key Objectives of Resettlement Scoping

A thorough scoping assessment process will largely determine the focus, quality, and utility of resettlement and livelihood-restoration planning, implementation, and successful initiation of the project.

The key objectives of resettlement scoping are to accomplish the following:

- Clearly define the extent of the project footprint, area of influence, and land requirements, at each stage of the project.
- Initiate the stakeholder engagement process with preliminary stakeholder mapping.

- Get a first sense of communities and people living in the proposed project footprint and area of influence, their livelihoods (e.g., based on land, common property and/or natural resources, wages or enterprise), including knowledge of the diversity of people.
- Identify, screen, and prioritize at an early stage the range, types, magnitude, and complexity of likely environmental, social, and economic issues, impacts, and risks resulting from land acquisition and physical and/or economic displacement.
- Identify currently available relevant information and data and gaps to be addressed.
- Assess land-acquisition alternatives and work with project designers, engineers, and the affected community early on to avoid or minimize physical and economic displacement.
- Develop a land-acquisition strategy and work plan to prepare detailed resettlement and/or livelihood restoration plans (LRPs), including the design of consultation with affected communities and households, local authorities, and other directly affected stakeholders.
- Tailor baseline data collection, surveys, and assessments to enable an efficient resettlement-planning and implementation process.
- Develop a preliminary approximate cost estimate of likely compensation measures for resettlement and livelihood restoration.

The outcomes of scoping provide a basis for developing a strategic approach to the detailed land-acquisition and resettlement-planning process. Scoping results in the following:

- Development of policies and definition of methodologies
- Establishment of guidance for avoidance and minimization of displacement impacts
- Definition of resources and inputs for the effort required
- Planning for phasing of stakeholder engagement (SE), baseline data collection, land-acquisition planning, and implementation to dovetail with overall requirements for project implementation

II.B. The Risks of Poor Scoping

During the prefeasibility phase of a project, there is a range of issues to address in a constrained time frame, and resettlement scoping is often overlooked. This commonly results in an underestimation or very inaccurate assessment of potential impacts, risks, and costs related to resettlement (see box 1.1 and box 1.2). Box 1.1 lists some of the resettlement aspects that are frequently overlooked or misrepresented with inadequate scoping.

Box 1.2 provides an example of how easy it is to miss a potential livelihood activity when scoping is undertaken during only one season.

Box 1.1. What Is Often Missed with Inadequate Scoping

- An accurate assessment of the number of affected persons and/or households
- Information and analysis of the diverse gender dynamics in the communities and an understanding of the effects of resettlement on women and other vulnerable groups
- An assessment of the institutional capacity of relevant government departments to facilitate the land-acquisition and resettlement process
- An understanding of the availability of resettlement sites and replacement land, including time and effort required to obtain approval and construction permits
- Options for livelihood restoration
- Time required for stakeholder engagement
- Extent of legal processes and time needed to finalize land transactions
- Team composition and skills required for resettlement planning and implementation
- Estimate of time required to plan, prepare, and obtain agreement on the Resettlement Action Plan (RAP) and, further, to fully implement the RAP
- Accurate budgeting of the cost of resettlement planning and implementation
- An understanding of the economic or physical displacement caused by the project that is outside the project's direct footprint

Box 1.2. Scoping Lesson: Unforeseen Seasonal Livelihood Activity

The initial scoping and preliminary E&S impact assessment of a gold mine in west Africa were undertaken in the middle of the six-month dry season. There was no surface water in the area at the time, and the nearest perennial river was 70 kilometers from the project. Stakeholder focus groups and household livelihood and food security questionnaires failed to identify the significance of fish consumption among the local population.

The researchers subsequently returned to the project site in the middle of the wet season to find that the previously dry tributaries of the river at the project site were flowing intermittently and contained significant fish populations (which had migrated upstream) that were being harvested by local fisherpeople. The fishing season was short, but it provided important food supplies for local households.

The lesson learned was that initial scoping assessments must not only focus on local socioeconomic circumstances at the time of the survey but should probe livelihood activities that take place throughout the year, especially when there are marked seasonal differences that may be unforeseen at the time of a given survey.

III. Key Steps in Scoping Impacts

III.A. Establishing Land-Acquisition and Involuntary Resettlement Policy and Objectives

It is important early on, and prior to scoping exercises, to define and reach agreement internally on the standards to which the land acquisition and subsequent involuntary resettlement will be undertaken. If the project does not yet have a formal land-acquisition and involuntary resettlement policy, a document should be developed that outlines the key policies and approaches to which the project will adhere. Typically, the policies are defined by the project sponsor or by the lender(s). Once they are developed, the following should be undertaken:

- Prepare a draft for discussion and feedback and seek a commitment from management to meet Performance Standard (PS) 5 compliance requirements.
- Meet with project management, planners, designers, engineers, and E&S specialists to discuss key land-acquisition and resettlement policy aspects and objectives, including time frames.
- Finalize and obtain approval and sign off.
- Obtain agreement from project management on specific scoping objectives (refer to section [II.A. Key Objectives of Resettlement Scoping](#) of this module).

It is especially important to have project management involvement and oversight in development of policies that address challenges arising from project land acquisition.

III.B. Establishing a Resettlement-Scoping Team

It is important for the project proponents to appoint at the scoping stage resettlement experts who have solid experience in (i) stakeholder engagement; (ii) legal aspects of land acquisition, resettlement planning, and implementation; (iii) livelihood restoration; (iv) gender and gender-based violence (GBV); (v) local land-use and tenure systems (statutory and customary, as applicable); (vi) relevant project experience; and (vii) familiarity with international standards.

Strong resettlement-scoping teams commonly consist of one or more senior experienced international specialist(s) and/or local specialist(s) with a sound knowledge of the project area, the people, and their language. This combination of expertise helps to warrant that all key issues are addressed and encourages local capacity building and participation. The scoping team may need to be supplemented by additional specialists in different fields of expertise (e.g., legal), depending on the complexity of the land acquisition and resettlement.

Successful scoping must take place in coordination with the relevant engineers and project designers who can provide technical information about project construction requirements, and so forth.

III.C. Understanding the Role of the Government

In many jurisdictions, it is the government's responsibility to plan and implement land acquisition and resettlement, even for private-sector projects. Even where land acquisition and resettlement are implemented by a private project sponsor, the government will almost always play an important role for a number of reasons:

- Land acquisition and resettlement are sensitive activities that governments are attentive to, particularly with regard to setting precedents.
- Planning of resettlement involves spatial planning decisions that fall within the remit of government at national, regional, and/or local levels.
- Local authorities will want to play a role in SE around the land-acquisition and resettlement issues.
- Compulsory land-acquisition procedures, if triggered, will involve the government.

A key activity at the scoping stage is to understand the role that the government must play (activities that are mandated by legislation, for example, disclosure of project information such as ESIA findings with affected persons), is willing to play (particularly where SE is concerned), and can play (institutional arrangements and capacity to implement activities that fall under its responsibility). For example, it is important to understand the following at the scoping stage:

- What role the government will play in establishing and enforcing the cutoff date for eligibility for compensation (see [Module 2. V. Task 2: Cutoff Date and Optional Precensus Survey](#) for details on the cutoff date)
- How the project private sponsor and the government can collaborate during the expropriation process
- Whether there is a potential risk of delays in issuing required approvals, and whether additional time is required to build government capacity
- Whether the government requires any specific formats for the asset surveys, and what validation steps (expropriation commission or similar) are required to validate asset surveys
- What role government has played in determining land-use activities and zoning within the project area, and whether this is being enforced by local planning and environmental protection agencies

III.D. Coordinating with the Environmental and Social Impact Assessment Team

Where possible, it is recommended to coordinate and align the ESIA team activities with respect to SE, data collection, impact, and risk assessment. Of course, project ESIA's address larger areas and wider issues than just land acquisition and resettlement and commonly do not contain the level of detail required for planning resettlement of affected communities. The ESIA and resettlement teams have different tasks, require different skill sets, and generally should be separate, but coordination is critical to ensure efficient use of resources and avoid duplication of surveys and consultations, which can result in survey fatigue among stakeholders.

III.E. Engaging with Stakeholders

At the outset, the scoping team should establish a basic SE road map in the form of a simplified or outline Stakeholder Engagement Plan (SEP) to guide interaction concerning land acquisition during the scoping stage. This SEP will build on any existing SEP for the overall project and be based on an initial stakeholder mapping of all potential stakeholders in the area of influence. As the scoping process continues, the mapping will be refined based on data gathered, understanding of risks and impacts, and feedback from stakeholders. The SEP is a living document and should be updated regularly or as required, such as to address specific engagement activities to be undertaken in the RAP preparation process. Subsequently, the SEP will need to be updated to guide interaction in the course of the detailed data collection, resettlement and livelihood-restoration planning, and implementation phases (refer to [Module 3. X. Content of a Stakeholder Engagement Plan](#)). One of the most important issues that the initial SE road map and the SEP should consider is the establishment of a community committee that can adequately represent diversity within the community, actively engage in the SE process, and serve as an interface with the scoping team (and later with the planning team).

III.F. Collecting Data

If respective schedules of ESIA and resettlement scoping allow, the scoping team should review information obtained and documented by the E&S team (e.g., scoping and preliminary ESIA's, detailed ESIA's, and environmental and social management plans [ESMPs]) that is pertinent to land acquisition and resettlement. These should include available maps, aerial photos, and satellite imagery: any imaging presenting, for example, project layout; topographical conditions; present land use, settlement patterns, seasonal activities,

transportation routes, and infrastructure; geology; soils and land capability; natural vegetation; and water resources. This information must be taken into account in assessing the level of detail in project planning, information gaps, and the need for surveys to inform the land-acquisition and resettlement-planning process. If the ESIA team has not yet completed baseline data collection, it will be important to coordinate the assessment of information gaps and the planning of necessary surveys to maximize use of resources, assess the appropriate scale and level of detail of baseline studies, and avoid overlaps (refer to [Module 4. III.A. Coordination with Environmental and Social Impact Assessment and Alignment with Other IFC Performance Standards](#)).

[Appendix A. Scoping-Stage Checklist](#) lists key scoping considerations and provides a detailed checklist of questions to address in the scoping and assessment of land-acquisition impacts. The extent to which these questions are relevant will depend on the nature and complexity of the proposed land acquisition and displacement of communities. For projects with few land-acquisition impacts, the list of issues to scope is likely to be limited, but for projects with major land-acquisition impacts, there are likely to be a large number of issues to scope and investigate in more detail during subsequent planning and baseline data collection.

III.G. Assessing Impacts and Risks

The resettlement-scoping team will need to review potential project E&S impacts and risks identified and assessed by the project E&S team to determine those relevant to the land-acquisition and resettlement process.⁴ Coordination and harmonization will be required to identify and plan appropriate mitigation measures, including avoidance and minimization of resettlement-related impacts, where feasible. Potential impacts and risks associated with land acquisition will not necessarily be the same for the proposed project and the potentially affected community (refer to table 1.3). Resettlement planning will necessarily focus on mitigating and compensating for the impacts of land acquisition on affected households and communities, while the project (e.g., operations/construction) will tend to focus on the risks associated with the land-acquisition process and possible impacts on the project such as delays to construction schedules.

⁴ An emerging important risk related to resettlement is gender discrimination and GBV. The scoping team should ensure this risk has been considered.

III.H. Identifying the Proposed Project Footprint and Area of Influence

An important difference between project ESIA studies and land-acquisition and resettlement planning is that the latter requires a relatively precise definition of the proposed project footprint, since this will determine the extent of physical and/or economic displacement, affected assets, and compensation payable. Understanding the area of influence of the project will help define impacts that extend beyond the project footprint from associated facilities, cumulative impacts, or indirect project impacts. The greatest chance to avoid or minimize displacement occurs during site selection and the early stages of project planning.

The resettlement-scoping team will need to meet with the project management team, planners, designers, and engineers to obtain a reasonably definitive project footprint, including all ancillary and associated facilities (refer to [Appendix A. Scoping-Stage Checklist](#)). In practice, the proposed project footprint will often change during project planning and implementation, and include changes made to address resettlement issues. Such changes must be carefully considered, and plans made to avoid, if possible, or minimize impacts of land acquisition and resettlement.

The proposed project footprint should be disclosed only after it is considered reasonably final, otherwise this could result in land speculation, unrealized



expectations of compensation if some communities or households are no longer affected after the footprint changes, and potential disputes, conflict, and project disruption. If the potential project footprint must be disclosed before it is reasonably final, it is important to clearly communicate to the affected community the potential for footprint changes during planning or implementation.

A joint resettlement and project-planning, design, engineering, environmental, and social team should be established at a very early stage, preferably during site or route selection, to optimize the project footprint and to avoid or, if not possible, to minimize displacement. The need for staging of land acquisition is critically important and should also be considered by this joint team. Opportunities to make footprint changes diminish as planning advances and becomes finalized. Information obtained from the scoping exercise will be critical to help optimize and finalize the project footprint.

Project-engineering teams often prefer to finalize site boundaries and buffer zones as late as possible to allow flexibility in planning. However, this can present difficulties for land-acquisition and resettlement teams, which need certainty to define who will be affected. The different teams will need to achieve a realistic and practical compromise in finalizing the project footprint. Boundaries of the project footprint should be finalized to establish eligibility for compensation and determine a cutoff date, and to plan and commission any detailed land-right surveys and asset inventories. Identifying a realistic project footprint is thus a critically important component of the land-acquisition process.

The project footprint and area of influence are not the same. Impacts can affect individuals, households, and communities outside of the project footprint; these need to be considered during the scoping exercise and can require resettlement. Impacts can range from those on potential host communities accepting displaced persons and the livelihoods of neighboring communities (such as livelihoods of downstream water users), to restricted access to roads or paths, and to risks from blasting and toxic emissions.

III.I. Conducting a Scoping Desk Review

The scoping process typically starts with a desk review that addresses the scoping questions contained in [Appendix A. Scoping-Stage Checklist](#).

Review all relevant documentation, such as those resources shown in table 1.1, to obtain information pertinent to land acquisition and resettlement. This initial desk review will provide the information needed by teams as they begin to define potential resettlement impacts, risks, and costs.

The scoping desk review of information contained in existing studies and reports outlined above should address, as appropriate, the key aspects and scoping activities as given in table 1.2.



Table I.I. Preliminary Scoping Desk Review of Existing Studies and Reports

EXISTING STUDIES AND REPORTS	RELEVANT LAND-ACQUISITION AND RESETTLEMENT INFORMATION
Project prefeasibility and feasibility studies	<p>Nature of proposed project and potential land-acquisition impacts</p> <p>Alternate options for infrastructure layout and land use</p> <p>Possible extent of project footprint and area of influence^a</p> <p>Preliminary estimate of physical and economic displacement (with gender-disaggregated information)</p> <p>Timing and scheduling estimates</p>
Legal and regulatory documents	Applicable legislation, guidelines, and regulations concerning land acquisition and resettlement
Land-acquisition and resettlement plans	Resettlement and entitlement strategies contained in resettlement frameworks or plans developed for other neighboring projects or projects elsewhere in the country
Baseline data	<p>Maps, aerial photographs, and satellite imagery of affected communities</p> <p>Sex-disaggregated demographic characteristics: local population groups, census, socioeconomic circumstances, and local livelihoods and occupations</p> <p>Local administrative and community organizational structures, including organizations that represent women and vulnerable or disadvantaged groups</p> <p>Local infrastructure and community assets</p> <p>Land-use types (settlement, agricultural land, forest, etc.), including soils and land capability, and suitable sites for resettlement</p> <p>Land tenure, including traditional and formal tenure, third-party arrangements such as tenancy or sharecropping, gender aspects of land tenure, and seasonal or nomadic use of land</p> <p>Existing national or local compensation methodology and rates for land, crops, built structures, and so forth</p> <p>Local cultural heritage (archaeological, historical, and sacred sites, graves, etc.)</p>

^a The terms *project footprint* and *area of influence* are used throughout this handbook. The project footprint is the area directly affected by the project components. The area of influence includes the project components and activities as well as impacts from unplanned but predictable developments caused by the project that may occur later or at a different location, or indirect project impacts on biodiversity or on ecosystem services on which affected communities' livelihoods are dependent. For a fuller description, see the [Glossary](#).

(Table continued on next page)

Table I.1. (Continued)

EXISTING STUDIES AND REPORTS	RELEVANT LAND-ACQUISITION AND RESETTLEMENT INFORMATION
ESIAs and ESMPs	<p>Land acquisition and proposed project land use: social and environmental impacts, magnitude of potential physical and/or economic displacement</p> <p>Proposed measures to avoid displacement</p> <p>Risk assessment, including proposed measures to address risk of GBV</p> <p>Proposed management plans to address impacts of land acquisition</p>
Detailed project plans, designs, construction, and implementation schedules	<p>Definitive project location and footprint (maps and plans)</p> <p>Project infrastructure layout</p> <p>Project organizational structure and management responsible for land acquisition and compensation</p> <p>Timing and scheduling of land-acquisition requirements</p>
Local and regional development plans and other related reports	<p>Larger area context: for example, administrative structure, demography, existing and proposed settlements and development projects, spatial plans, and zoning</p> <p>Existing and proposed infrastructure, facilities, and services: for example, roads, railways, water and energy supplies, schools, hospitals, and health clinics</p>
Satellite imagery	<p>Preliminary identification of land-use types and impacts (see also Module 4. XII. Tools Needed for Data Acquisition: Remote Sensing, Aerial Photography, and Unmanned Aerial Vehicles)</p>

Table 1.2. Scoping Desk Review of Key Aspects of Land Acquisition

ASPECT	ACTIVITY
Legal issues	<p>Review existing land-acquisition and compensation legislation and regulations and any gaps between them and international standards.</p> <p>Identify any disputes over legal title and ownership of land and resources.</p>
Benchmarking	<p>Review standards of land acquisition and compensation contained in publicly available RAPs, completion audits, or independent resettlement monitoring reports of other in-country resettlement programs.</p> <p>Review lessons learned from past resettlement activities in-country, including land conflicts, GBV, and the broader context in which the resettlement occurred.</p>
Stakeholder engagement	<p>Review records of any SE undertaken to date (including any engagement of affected communities by government agencies), categories of stakeholders consulted, key issues raised concerning land-acquisition and livelihood impacts and risks, possible solutions discussed, and any project commitments made to mitigate impacts. On the basis of this information, prepare a brief scoping road map to SE to guide interaction during a scoping field visit (refer to section III.E. Engaging with Stakeholders of this module).</p>
Mapping	<p>Outline the proposed project footprint and area of influence on available published topographical maps, cadastral plans, land-rights maps, orthophoto maps, air photos, or satellite imagery as appropriate. (Google Earth satellite imagery may be adequate for a preliminary assessment, depending on image resolution.) For communities whose livelihoods are land based, this will help identify land-use types and productive potential, presence of natural and/or critical habitat, proximity of protected areas, and so forth. Identify the need for any additional land-tenure or remote-sensing data acquisition.</p>
Preliminary identification of land-acquisition impacts	<p>Identify affected land-use types, infrastructure, settlements, dwellings, community and business buildings, and other structures if the available documentation, maps, photos, and satellite imagery have sufficient detail and adequate information.</p>
Preliminary identification of affected communities and social profile	<p>Review available documentation listed in table 1.1 to identify affected communities, their socioeconomic profile, average household size, and so forth.</p>
Preliminary estimate of magnitude of displacement	<p>Tabulate a preliminary estimate of the magnitude of displacement if the available baseline data are sufficient and adequate. The following is an example:</p>

(Table continued on next page)

Table 1.2. (Continued)

ASPECT	ACTIVITY	
Preliminary estimate of magnitude of displacement <i>(Continued)</i>	<i>Settlements</i>	Number of towns, villages, hamlets, seasonal accommodation (herders, fisherpeople, tourists), and squatter settlements
	<i>Household infrastructure</i>	Number of household structures (houses and outbuildings such as sheds, poultry houses, livestock pens, granaries)
	<i>Population and households</i>	Total number of people and/or households affected by land acquisition Note: If the average household size is known, the estimated total affected population could be calculated by multiplying this by the number of identified affected residential dwellings. This calculation can be relatively easy and accurate where single family units can be identified from aerial photos or satellite imagery, but it is more difficult to estimate in cases of extended family compounds or apartment blocks in urban areas.
	<i>Government- and community-owned infrastructure</i>	Administrative buildings, schools, hospitals and clinics, meeting halls, roads, powerlines, canals, and graveyards
	<i>Extent of economic displacement</i>	Types of livelihood activities that may be temporarily or permanently lost due to project impacts and number of individuals (men and women) and households affected
	<i>Businesses or enterprises</i>	Shops, markets, restaurants, accommodation facilities, and manufacturing enterprises
	<i>Land-use categories</i>	Extent of affected dryland cropping, irrigation, grazing, forestry, orchards, and so forth
Preliminary brief outline estimate of potential costs of land acquisition and physical and economic displacement	Prepare a brief outline of the potential cost estimate of compensation for physical and economic displacement if adequate information is available on local land and property values, building values, annual crop and perennial tree and plant compensation rates, possible livelihood-restoration mitigation measures, and so forth. This may be expressed in general estimates per household or per hectare of land type category.	
Preliminary assessment of information gaps	Prepare an outline list of gaps in information that must be gathered to undertake scoping and planning. Highlight types of missing information that could be gathered during the scoping field visit.	

III.J. Scoping Field Visit and Review

Once the resettlement-scoping desk review is completed, it is important for the resettlement-scoping team to undertake a field visit. If the ESIA is underway and this field visit is done as part of the ESIA scoping process, ensure that there is coordination between the resettlement-scoping team and the ESIA team to adequately scope the potential impacts and risks of land acquisition and displacement. Fieldwork is essential for the scoping team to see firsthand the potential impacts of project land acquisition and to meet project field staff, local authorities, and a cross-section of affected communities and households.

Engagement at this stage must be handled with care, as the scoping team may be the first project representatives to disclose news about the proposed project and possible land acquisition and displacement of households. The scoping team should consider the following:

- Understand and follow established local protocols in visiting and meeting with government authorities, traditional tribal authorities, and potentially affected communities.
- Explain the objectives of the scoping exercise, namely, to identify any potential project impacts on the community.
- Commit to providing feedback on completion of the scoping exercise—advice from local government and traditional authority representatives, the ESIA team, and/or civil society representatives on how to provide feedback can be useful.
- Carefully word messages to communities, particularly where there is uncertainty concerning the extent of likely impacts of the project and land-acquisition requirements.
- Be truthful about who the teams are and the purpose for the consultation.
- Take care not to raise community expectations regarding the proposed project.
- Do not disclose specific information on the potential project footprint until project plans are well developed. (Disclose the proposed project footprint at the stage of detailed baseline surveys and household asset inventories, and before the cutoff date for compensation.)

The scoping field visit and review should include the following activities, as appropriate:

III.J.i. Stakeholder engagement

- Use the scoping road map to SE prepared during the scoping desk review (refer to section [III.E. Engaging with Stakeholders](#) of this module) to guide interaction with a selected range of stakeholders during the scoping field visit.

These stakeholders should include a cross-section of affected community members and households, land-owning households, transient or migrant communities, local and traditional leaders, local government and regional authorities, project field staff, community-based organizations (CBOs) and nongovernmental organizations (NGOs), and various interest groups, women and youth groups, vulnerable groups, business and entrepreneurial groups, and so on.

- Refer to the scoping questions in [Appendix A. Scoping-Stage Checklist](#) to guide interaction with stakeholders and other informants during the field visit. These questions will also help ascertain whether all information required for land-acquisition impact and risk assessment and resettlement planning is either available or has been identified as a gap to be addressed during subsequent baseline surveys (refer to [Module 4. Baseline Data Collection](#)).
- There are various methods of interaction with stakeholders that can be used to undertake a rapid scoping assessment of key land-acquisition impacts and risks. Refer to [Module 3. Stakeholder Engagement](#) for more detail.

III.J.i.a. Engagement with government authorities

- It is important for the scoping team to meet with government authorities (national, regional, local, and departmental) responsible for land acquisition, infrastructure, and services in the proposed project-affected area. Understanding the role of government officials and establishing relationships of trust from the outset will help facilitate the land-acquisition process, particularly in the case of government-led land acquisition.
- Key issues and actions to outline, discuss, and at least achieve preliminary agreement on concerning the way forward include the following:
 - The overall land-acquisition process and the policies and standards to which it will be implemented
 - Strategies and plans for stakeholder engagement, including securing the support of relevant government organizations, agencies, and officials, and appropriate means to address key stakeholders' questions concerning land acquisition and management of grievances
 - Roles and responsibilities of government and the project (cutoff date, expropriation process, etc.)
 - Capacity of government agencies to register land transactions and issue permits for resettlement sites, housing, and community infrastructure in a timely fashion
 - Commitment of government to promote gender equality and address GBV
 - Any need for additional resources or inputs such as cadastral surveys

- Mechanisms that could ensure joint government-project coordination (e.g., joint steering committee and/or working group with regular meetings)
- A memorandum of understanding (MoU) with government officials can clarify from the outset the agreements and commitments of government and the project leaders to planning and implementing the land-acquisition process, resettlement, and livelihood restoration and can be key to a smooth process:
 - The MoU should address agreement on (i) standards (e.g., national legislation and regulations, IFC PS requirements, and international best practice); (ii) roles and responsibilities; (iii) stakeholder engagement; (iv) steps to be followed and time frames; (v) the types of surveys and assessments to be performed; and (vi) expertise needed (surveyors, valuers, legal specialists, etc.), including licensed professionals if required by law.
 - If government officials are reluctant to agree to comply with IFC PSs, consider what measures could be taken to achieve an agreement, such as in-depth discussion with senior government decision-makers, awareness building, and training workshops.
 - If there are gaps between the requirements of government legislation and regulations and IFC PSs, the project will prepare a Supplemental Resettlement Plan that, together with the documents prepared by the responsible government agency, will address the relevant requirements of this PS5. To make this happen, work with relevant government officials to consider possible solutions (such as timing, flexibility, or different approaches to achieve mutually acceptable outcomes) and record agreements.
- See [Appendix A. Scoping-Stage Checklist](#) for additional scoping questions to pose to government officials.

III.J.i.b. Engagement with local community and traditional leaders

- It is important to meet with local community and traditional leaders, especially where land is communally held by traditional tribal authorities in the proposed project-affected area. Building trust with local community and traditional leaders from the outset of the land-acquisition process will help facilitate access to affected communities and establish an understanding of land tenure arrangements and any conflicts over land rights or boundaries between traditional authority areas.
- Key issues to discuss include the role of local community and traditional leaders (compile a list of these leaders, including leaders of women's and youth groups and associations), protocols for engaging with the affected community, cultural practices that need to be observed, and the location of important cultural and sacred sites. Gain a preliminary understanding of any

underlying community issues that could either serve or hinder opportunities for engagement during the land-acquisition process (such as conflict between government representatives and local community or traditional leaders).

III.J.i.c. Engagement with civil society and advocacy groups

- The scoping team should meet with local civil society groups during the initial field visit to hear their perspectives and concerns. There is commonly a reluctance by project management to approve meetings between scoping teams and advocacy groups, especially if there has been opposition to the proposed project and if there is potential for a negative influence on affected households. Experience shows that listening to the concerns of advocacy groups up front can benefit the community as well as the project. Civil society and advocacy groups also often have access to information about community issues that remain largely hidden and that affect vulnerable groups (e.g., discrimination, GBV). Failure to build constructive relationships can lead to misunderstandings and tensions, making it difficult, time consuming, and costly to find solutions and achieve acceptance of the project and its land-acquisition requirements. Refer to [Module 3. Stakeholder Engagement](#) for more detail.

III.J.ii. Social license to operate

- Use the scoping field visit to make a preliminary assessment of the proposed project's social license to operate (withholding of local support, acceptance, approval, or positive support for the project). While this is not limited to resettlement aspects, it is critical for the resettlement-scoping team to assess affected communities' degree of acceptance and concern over land-acquisition impacts and mitigation measures.
- Identify what measures could be taken to earn and gain a social license to operate if there is opposition to the proposed project and what could be one to strengthen and maintain the social license to operate if there is already positive support for the project. Refer to [Module 3. Stakeholder Engagement](#) for more detail.

III.J.iii. Project footprint, area of influence, and affected land-use types

- Visit and gain an understanding of the extent and boundaries of the potential project footprint, the extent of the project area of influence, local socioeconomic circumstances, and types of affected land use, including mixed uses, such as cropland used for grazing livestock after harvests and during fallow periods, and systems of land tenure. Identify areas of critical importance to land users. In urban settings, look at employment opportunities

and livelihood patterns inside and outside the footprint. Consider ways to reduce the extent of the proposed project footprint and/or impacts on local communities and households.

III.J.iv. Livelihood activities

- Observe and identify the livelihood activities of potentially affected communities: for example, agriculture, animal husbandry, business enterprises (including shops), markets and informal petty trade, manufacturing enterprises, and other types of enterprise and employment, including mixed activities such as informal businesses being used for sleeping accommodations at night. Determine the extent to which they are likely to be affected by proposed project land acquisition, and the extent to which any change might impact men and women differently.
- Note any links, dependencies, or supply chains associated with key livelihood activities, such as women drying and marketing fish from artisanal fishers, women panning gold from ore mined by artisanal miners, mechanization contractors plowing land or harvesting crops for farmers, seasonal workers on local farms, and the use of ecosystem services and natural resources such as charcoal production and harvesting of medicinal plants, wood, and other vegetation materials for crafts.



- Identify impacts to livelihood activities outside of the project footprint, such as from restrictions to access (including nomadic migration routes or offshore fisherpeople) or from restrictions to water flow to downstream water users.

III.J.v. Interaction with other development initiatives

- Meet with representatives from other development initiatives, particularly projects in social housing, agriculture, assistance to vulnerable groups, gender and GBV initiatives, economic development, tourism, and generally any initiatives relevant to resettlement and livelihood restoration.
- Learn from their experience of successes and failures and seek consistency (and integration where possible) with existing initiatives.

III.J.vi. Infrastructure and assets

- Identify potentially affected community infrastructure and assets in community offices; educational, health, and recreational facilities; roads; telecommunication; energy; water and sanitation systems; and infrastructure for fire protection systems.
- Identify potentially affected household dwellings and type (e.g., separate or semidetached housing, extended family compounds, apartments, and informal and squatter shacks), huts, barns, storage and animal sheds, granaries, fences, walls, wells, boreholes, and irrigation systems.
- Make a preliminary count of affected houses and structures if the proposed project footprint is relatively small and accessible.

III.J.vii. Cultural heritage

- Observe and identify potentially affected cultural heritage, such as archaeological, historical, religious, and sacred sites, including graves and cemeteries.

III.J.viii. Alternative project sites or route options

- Observe and make a preliminary assessment of potential options to avoid or minimize land-acquisition displacement impacts by re-siting project facilities and infrastructure.

III.J.ix. Other projects

- Identify other private- or public-sector projects (industrial plants, mines, roads, etc.) that may have or will place pressure on community landholdings or natural resources.

III.J.x. Preliminary estimates of displacement magnitude and costs of land acquisition

- Prepare preliminary gender-disaggregated estimates of the probable magnitude of physical and economic displacement and costs of land acquisition, asset compensation, and livelihood restoration based on the desk review and field visit.
- Note gaps in information and uncertainties regarding estimates that must be addressed during the baseline data collection stage.

III.J.xi. Scoping assessment of impacts and risks

- Conduct an assessment of potential key issues, impacts, and risks of land acquisition and resettlement with respect to the proposed project and the affected community. Some examples of common key issues, impacts, and risks are shown in table 1.3. For further examples, refer to the scoping questions contained in [Appendix A. Scoping-Stage Checklist](#).
- Make a preliminary assessment of the significance of these key potential land-acquisition impacts and risks and the likelihood of their occurrence (refer to the example in table 1.4). Rank the risks accordingly and compile a register of risks. Identify potential mitigation options and appropriate actions to eliminate or reduce each risk.
- Use this register of risks and preliminary assessment of potential mitigation measures to guide the preparation of more comprehensive risk-mitigation actions in the course of detailed resettlement planning.

Table 1.4 is an example of how the identified impacts and risks can be documented and tabulated, along with the corresponding risk of occurrence and magnitude of risk. The completed table will become the basis for resettlement planning.



Table 1.3. Scoping: Potential Impacts and Risks Associated with Land Acquisition and Resettlement Affecting Project or Community

ISSUE	IMPACTS AND RISKS
Poorly defined national laws, regulations, and procedures for land acquisition or expropriation	Lack of clarity concerning the land-acquisition process Lack of enforcement or compliance by local government Potential for misunderstandings and delays
Changing laws and regulations on land acquisition and resettlement	Uncertainty, “changing goal posts,” with delays in planning and implementation
Requirement for environmental impact assessment, not ESIA (focus on environmental issues with limited attention to social issues)	Selection of project and resettlement sites based on minimizing environmental impacts and risks and not social impacts and risks
Gaps between IFC PS5 and national government requirements for compensation for physical and/or economic displacement	Time needed to discuss and agree on measures to close gaps Additional resources and costs to close gaps Lack of interest by government authorities to address PS5 requirements for compensation because this may set a precedent for future compensation Low compensation rates (not at replacement value) Lack of provision in government requirements for compensation for renters or illegal informal settlers Barriers to addressing gender- and GBV-related risks associated with compensation measures
Quality and reliability of land-ownership registers	Time needed to verify and update information and resolve issues
Limited capacity and resources of government agencies to process land transactions, issue permits, expedite expropriation, and conduct judicial procedures	Project delays The need for additional resources to assist government agencies
Uncertainty over costs of land acquisition and resettlement due to footprint changes	Delays to completion and implementation of the RAP/ LRP Difficulties in finalizing the RAP budget
Land speculation	Time needed to resolve issues Increased costs of land acquisition

(Table continued on next page)

Table 1.3. (Continued)

ISSUE	IMPACTS AND RISKS
<p>Unrealistic expectations of compensation rates and benefits among affected communities</p> <p>Misunderstandings and conflict over the land-acquisition process</p>	<p>Time needed to address the issue</p> <p>Loss of trust and social license to operate</p> <p>Project reputational risks</p>
<p>Past land acquisition and resettlement: previous forced evictions by police, military, or security forces; poor human rights performance; and past conflict, among others</p> <p>Poor previous experience with land acquisition or resettlement</p>	<p>Time to gain trust and social license to operate and resolve past issues</p>
<p>Poor law and order or security environment</p> <p>Presence of guerrilla or insurgency groups and/or ongoing conflict</p> <p>Presence of criminal organizations that will exploit the land-acquisition process</p> <p>Unwarranted compensation claims and corrupt practices</p>	<p>Increased need for project security measures</p> <p>Undermining of the RAP and implementation process</p> <p>Increased costs and resources required to address the issue</p> <p>Project delays</p> <p>GBV, especially sexual exploitation and sexual violence against women and adolescent girls</p>
<p>Presence of refugees and internally displaced persons</p>	<p>Potential limited resettlement options</p> <p>Conflict with local host community</p>
<p>Opposition to the project by advocacy and civil society groups; political interference</p>	<p>Time and resources to engage with opposition groups</p> <p>Disruption of the RAP planning and implementation process</p>
<p>Conflicts over land rights, overlapping or disputed land claims</p>	<p>Project schedule delays, potential for conflict</p>
<p>Unforeseen delays and/or underestimation of time required to finalize the RAP, achieve agreements with affected households, and undertake implementation</p>	<p>Project schedule delays</p> <p>Increased costs</p> <p>Loss of social license to operate</p>

(Table continued on next page)

Table 1.3. (Continued)

ISSUE	IMPACTS AND RISKS
Project land acquisition and implementation	<p>Disruption of household and community activities</p> <p>Loss of land and natural resources</p> <p>Decreased local food production (food security)</p> <p>Loss of livelihoods</p> <p>Enterprises' and businesses' potential loss of business, trade, and clients (temporary or permanent)</p> <p>Increased impacts on women and vulnerable groups</p>
Intensification of land use due to decrease in available cropland following project land acquisition	<p>Change from low-input, low-output, low-risk subsistence agriculture to high-input, high-output, high-risk market-based agriculture, and social risks attached to such change</p> <p>Local households potentially not readily able to adapt to the change</p>
Influx of newcomers seeking job and entrepreneurial opportunities associated with the project	<p>Uncontrolled settlement, unsanitary conditions, potential for disease</p> <p>Competition for and possible unsustainable use of common property and natural resources</p> <p>Increased demand for use of community infrastructure, facilities, and services</p> <p>Changes in community leadership and power relationships</p> <p>Increased incidents of GBV, especially sexual exploitation and abuse</p>
<p>"Elite capture"^a of land-acquisition benefits</p> <p>Criminal organizations exploiting the land-acquisition process.</p> <p>Predatory lending to affected households eligible for compensation before finalization of payments</p>	<p>Local households' loss of access to compensation benefits</p> <p>Exploitation and marginalization of local households, women, and vulnerable groups (ethnic, indigenous, minority, and other groups), with an increase in vulnerability</p> <p>Indebtedness of local households to predatory lenders</p> <p>Inflationary local land costs</p>

^a Risk that powerful or influential members of the community will engage in land speculation or corrupt practices or disenfranchise other community members entitled to compensation.

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Table 1.3. (Continued)

ISSUE	IMPACTS AND RISKS
Payment of royalties, stipends, and cash compensation for land acquisition	Dependence on compensation payments, with loss of resilience Misuse of compensation money
Future project expansion; progressive land take as often occurs in mining projects	Re-resettlement of previously displaced households Cumulative impacts, including increased pressure on land
Unforeseen delays and/or underestimation of time required to finalize the RAP, achieve land-acquisition agreements with affected households, and undertake implementation	Dissatisfaction over delays among affected households Lives on hold for project-affected persons Loss of opportunities; increased costs

Table 1.4. Example of a Register of Key Potential Impacts and Risks and Potential Mitigation Measures

ISSUE	IMPACTS AND RISKS	LIKELIHOOD OF OCCURRENCE (CERTAIN, LIKELY, POSSIBLE, UNLIKELY)	MAGNITUDE OF ASSOCIATED IMPACT OR RISK (MAJOR, MEDIUM, MINOR)	POTENTIAL MITIGATION OPTION AND ACTIONS
Limited capacity and resources of government agencies to process land transactions, issue permits, expedite expropriation, and conduct judicial dispute-resolution procedures, etc.	Dissatisfaction over delays in finalizing compensation agreements ^a among affected households; potential for protests and project disruption Project delays	Likely	Major	Additional resources to assist government agencies: assign project staff or provide funding for lawyers or land-transaction specialists to assist government agencies Provide office space and equipment (computers, desks, chairs) to accommodate additional personnel

^a See Appendix F. Example of a Compensation Agreement.

III.K. Information Gaps

Subsequent to the resettlement-scoping desk review and field visit, undertake the following:

- Summarize available information and compile a list of information gaps to address during the more detailed baseline data collection stage (refer to [Module 4. Baseline Data Collection](#)).
- Make a preliminary assessment of the significance of each gap in information, then rank the gaps in order of importance and when the information will be required.
- Note whether there are any timing issues or constraints on obtaining the required information (e.g., seasonal studies, meetings with itinerant migrants, access to sensitive information—especially from vulnerable groups—and absentee landowners).
- Identify types of consultation (and with whom), research, and surveys that will be required.
- List any local, national, and international organizations or individuals that were identified in the course of scoping who could address these information gaps (e.g., government departments, academic institutions, NGOs, CBOs, women’s organizations, researchers, consultants, and specialists). Also list their fields of knowledge and expertise.
- Make a note of any government procedures or requirements for undertaking surveys and collecting baseline data (e.g., disclosure of information, consultation, and use of licensed professionals).

III.L. Work Plan for Land Acquisition and Resettlement Planning

The scoping assessment should result in a preliminary project footprint sufficiently well defined to commence planning the land-acquisition and resettlement process.

The outcome of the scoping desk review, field visit, and assessment of information gaps is the preparation of a scoping report and work plan based on a preliminary project footprint and definition of area of influence to undertake necessary SE, baseline data collection, land-acquisition, resettlement, and livelihood-restoration planning. See [Appendix I. Template for Terms of Reference: Scoping Process for a RAP/LRP](#) for terms of reference for the scoping consultant and the preparation of a RAP, which also includes a proposed table of contents for the scoping report.

III.M. Time Frame

Depending on the magnitude of impacts and readiness of the project, scoping of resettlement and land-acquisition impacts typically takes between two weeks and two months.

To ensure coordination between the ESIA and the resettlement-planning process, scoping should take place jointly with the ESIA scoping process, or ahead of the detailed ESIA studies being procured (particularly before the ESIA baseline studies are procured).



IV. Do's and Don'ts

The scoping assessment and work plan for land acquisition, resettlement, and livelihood-restoration planning will provide a framework for discussion with project management to achieve agreement on a strategic approach, steps, resources, and mobilization of the planning process (table 1.5).

Table 1.5. The Do's and Don'ts of Scoping Impacts and Risk Assessment

DO'S	DON'TS
<p>Use experienced resettlement specialists to carry out the scoping and risk-assessment exercise.</p> <p>Establish clear scoping objectives with project management, including level of detail required for the scoping stage.</p> <p>Clearly define what information needs to be gathered and how it will be used in land-acquisition planning and implementation.</p> <p>Ensure that all key groups, including vulnerable and marginalized groups within the affected community, are identified. Ensure that data gathering is gender inclusive and gender sensitive.</p> <p>Use qualitative research methods, including <i>participatory rural appraisal</i> techniques that are relatively quick for scoping, and combine these with available quantitative information.</p>	<p>Skip or undertake the scoping step superficially.</p> <p>Gather unnecessary social, land-use, and other baseline information, or information that could place community members (especially women and vulnerable groups) at risk.</p> <p>Disclose the extent of the potential project footprint until it has been well considered and planned.</p> <p>Create expectations that might encourage speculative activities during early scoping SE.</p>
<p>Ensure that scoping includes seasonal changes in livelihood activities, including seasonal migration of herders, fisherpeople, and artisanal miners.</p> <p>Identify possible alternatives that will avoid or minimize land-acquisition and adverse impacts.</p> <p>Identify key social and land-acquisition issues and prioritize them for further investigation at the early design stage.</p> <p>Look for local, regional, and national benchmarks and use lessons learned from similar land-acquisition and resettlement programs.</p> <p>Report outcomes of the scoping exercise to project management and key stakeholders, including government, affected persons, lenders, and civil society.</p> <p>Integrate the findings of the resettlement-scoping exercise with the overall ESIA and environmental and social management system.</p>	<p>Forget to engage with project planners, designers, and engineers early on to share scoping information and examine alternatives to avoid or minimize physical and/or economic displacement.</p> <p>Forget to engage with a diverse range of community members, including women and vulnerable groups.</p> <p>Produce scoping reports late or after more detailed studies have been commissioned or are underway.</p>