

Report No. 41227

The Inspection Panel 

**Report and Recommendation
Request for Inspection**

**GHANA: Second Urban Environment
Sanitation Project (UESP II)
(IDA Credit No. 3889-GH)**

October 24, 2007

Report and Recommendation
on
Request for Inspection

GHANA: Second Urban Environmental Sanitation Project
(IDA Credit No. 3889-GH)

1. On August 16, 2007, the Inspection Panel (“the Panel”) received a Request for Inspection (“the Request”) dated August 16, 2007, related to the Ghana: Second Urban Environmental Sanitation Project (UESP II) financed by an International Development Association (IDA) (Credit No. 3889-GH) (“the Project”). The Request was submitted by the Centre on Housing Rights and Evictions (COHRE) on behalf of the Agyemankata Community, which lives in an area known as Kwabenya in Ga District, Ghana.
2. The Panel registered the Request on August 22, 2007¹ and notified the Executive Directors, the President of IDA and the Requesters that it had registered the Request. The Panel received Bank Management’s Response to the Request on September 21, 2007 (“the Management Response”).
3. As provided in Paragraph 19 of the 1993 Resolution establishing the Inspection Panel (“the 1993 Resolution”),² the purpose of this report is to determine the eligibility of the Request and make a recommendation to the Executive Directors as to whether the matters alleged in the Request should be investigated.

A. The Project

4. **Project Objectives:** The objectives of the Project are to improve urban living conditions in Accra, Kumasi, Sekondi-Takoradi, Tamale, and Tema in regard to environmental health, sanitation, drainage, vehicular access, and solid waste management in a sustainable fashion, with special emphasis on the poor.³
5. **Project Components:** The Project consists of five components, which are the same as those of the first Urban Environmental Sanitation Project. Specifically, the objectives of the Project are to be achieved by: (i) reducing the susceptibility of low-lying areas to flooding by building adequate storm drainage systems; (ii) increasing access for low and middle-income residents to adequate sanitation; (iii) sustainable solid waste management; (iv) community infrastructure upgrading in low-income communities; and (v) institutional strengthening.

¹ The Inspection Panel, Operating Procedures (August 1994) (“the Operating Procedures”), at p. 17.

² International Development Association (IDA) Resolution 93-6, dated September 22, 1993.

³ See Development Credit Agreement (DCA) at p. 17.

6. **Implementation:** Partnership Agreements are proposed with the Nordic Development Fund (NDF) and Agence Française de Développement (AfD) for the funding of two components of the Project. Overall responsibility of the implementation of the Project is with the Ministry of Local Government and Rural Development (MLDRG). All components of the Project, except for the institutional strengthening, will be carried out by project teams formed in each of the aforementioned Metropolitan/Municipal Assemblies (MA).

B. Financing

7. The Project is financed by an IDA Credit of 41.6 million Special Drawing Rights (SDR) (US\$64.39 million equivalent). At the time the Request was received, about 3.37 million SDR (US\$5.06 million equivalent) had been disbursed, approximately 8% of the Credit.

C. The Request

8. The Requesters contend that their community will be detrimentally affected by the sanitary landfill that is being funded by the World Bank Project. They claim that the negative impact of the landfill on those living near it and the possible pollution of their water supply will result in an involuntary displacement of much of the community and leave many of the remainder of the community living in conditions detrimental to their health. The Request further states that the landfill has raised several potentially contentious environmental and social issues.
9. The Requesters claim that the proposed Kwabenya landfill project is based on a 1990 United Nations Development Program (UNDP) strategic plan for the Greater Accra Metropolitan Area, whereby a landfill site should be located 1 kilometer away from residential areas. The Requesters acknowledge that while the proposed site met the criteria at that time, the current project falls short of the requirement due to the changed residential conditions in the area. The Agyemankata Community, states the Request, live within the 1km limit of the proposed landfill.
10. The Request also claims that the Agyemankata Community was not meaningfully consulted during the Project design phase. The Request lists eight examples that illustrate the lack of meaningful consultation. Among these examples, they claim that the information provided to them by the responsible government authority, the Accra Metropolitan Assembly (AMA), was in the local newspapers and via radio announcements, often after the decision had already been made. They assert that the means of communications used was “*insufficient*” thereby disallowing them the chance to provide input. They also claim that they only gained knowledge of the Bank’s involvement in the Project through a newspaper article.
11. The Requesters claim that once they became aware of the Bank’s involvement, they wrote to the Bank requesting that it withdraw it’s support for the landfill subcomponent. The Bank responded by inviting the Agyemankata Community to see

the Environmental and Social Assessment (ESA) and the Resettlement Policy Framework (RPF), which had already been prepared. The Requesters claim that this is the first time they were made aware of these documents and were never consulted.

12. Furthermore, the Requesters claim that they did not participate in the preparation of the Resettlement Action Plan (RAP), and that they have yet to see this plan. The Requesters acknowledge that the AMA did notify the Community by two radio announcements and a newspaper article that they would need to lodge their property documents to the Land Valuation Board. They assert that the reminder of the deadline for submission of documents, the failure of which would result in a forfeiture of compensation claims, was made via a newspaper article. The Requesters also claim that several letters were sent to the AMA, but no response as yet has been received. All communications have been either by radio or newspaper.
13. Additionally, the Requesters claim that they have, on several occasions, expressed their concerns to Bank officials in Accra, but feel that their concerns have not been dealt with satisfactorily.
14. In the Notice of Registration, the Panel noted that the above claims may, *inter alia*, constitute non-compliance by the Bank with various provisions of the following Operational Policies and Procedures:

OP/BP 4.01	Environmental Assessment
OP/BP 4.12	Involuntary Resettlement
OMS 2.20	Project Appraisal

D. Management Response

15. On September 21, 2007, Management submitted its Response to the Request for Inspection.⁴ The Response includes 9 annexes and 2 maps.
16. The Response provides background information on the Project, addresses the “*three key issues contained in the Request*”⁵ and provides a response to the Request including the action plan that the Government of Ghana has agreed to regarding the Kwabenya subcomponent.
17. The Response states that poor sanitation, which is the result of inadequate water supply, sanitary facilities, drainage and solid waste management, is the key urban environmental issue that Ghana has been facing over the last 20 years. It further states that the Government has taken steps to examine the situation and set goals for better environmental management. Additionally, a 2003-2005 Ghana Poverty Reduction

⁴ Bank Management Response to Request for Inspection Panel review of the Ghana—Second Urban Environmental Sanitation Project (IDA Credit No. 3889-GH), September 21, 2007 (hereinafter “the Response” or “Management Response”).

⁵ Management Response, ¶ 4.

Strategy, indicated that “*environmental sanitation and capacity to deal with solid and liquid waste have shown little sign of improvement.*”⁶

18. The Project is a repeater project of the first phase Urban Environmental Sanitation Project (UESP), which was satisfactorily closed on December 31, 2003, and was supported by a Regional Review Panel of experts, an additional step to the Bank’s normal procedures. Management therefore asserts that the Project was processed in line with the Bank’s guidelines and requirements, including the Bank’s environmental and social safeguard policies.
19. Management states that the Project has been rated as “*unsatisfactory for more than a year mainly due to the very slow disbursement level of the credit and the lack of progress in the solid waste management component, with the Kwabenya sanitary landfill subcomponent being the most delayed.*”⁷ The Response goes on to say that the Bank has been in constant dialogue with the Government to get the Project back to satisfactory status.
20. The Response states that the Bank had, on several occasions, discussed the problems in the implementation of the project with the Government, indicating that it would likely cancel the financing for the Kwabenya sanitary landfill if evidence of further satisfactory progress on the drafting of a RAP is not available when the Bank visits the site in December 2007. It further states that the Bank indicated that it would restructure the Project with the possibility of either cancelling or reallocating some of the funding to other successfully implemented components.
21. Management lists four special issues in a separate section of the Response. The first relates to the historical background leading to the takeover of the financing of the Kwabenya Sanitary Landfill Project by IDA from DfID. It indicates that an Environmental Impact Study (EIS) was commissioned in 1999 for the proposed landfill site and construction of a roadway to the site was commenced, both with financial assistance from DfID. It further states that there were “*virtually no resettlement needs*” at that time. However due to the construction of the roadway, people began to move closer to the site, and construction of the landfill was delayed due to land right claims from the inhabitants of the land. DfID withdrew its financial support due to the delays in the project and also due to shifts in development policy at the time. This led the Government to request the Bank to finance the Kwabenya sanitary landfill, which the Bank agreed to, but with conditions.⁸
22. The second special issue relates to environmental assessment. Management considers that the Government and the Bank have fully complied with OP 4.01. The Government used the DfID funded EIS as the basis for preparing the ESA—a requirement under OP 4.01—for the UESP II. The ESA contained an updated EMP and the RPF, which Management states was “*deemed satisfactory*” at appraisal. An

⁶ Management Response, ¶ 8.

⁷ Management Response, ¶ 13.

⁸ Management Response, ¶¶ 16–19.

update of the EMP and RPF were also proposed to be in accordance with the final design of the proposed landfill. Management further states that a “*significant amount of analysis had been undertaken related to environmental impact,*” the results of which were publicly disclosed.⁹

23. Management addresses the claim by the Requesters that the ISDS states that “*those living near the land fill will be negatively affected*” and that “*surface and groundwater pollution could extend 5 to 10 km downstream*” by stating that while the ISDS highlights some potentially negative environmental aspects, the statement quoted by the Requesters is a “*general statement that describes the environmental conditions that would prevail if appropriate mitigation measures were not taken in designing and operating the landfill facilities... .*”¹⁰
24. Management lists the RPF as its third special issue. The Response states that the RPF, which sets out the guiding principles and objectives governing resettlement issues, as well as eligibility criteria for compensation, was reviewed at appraisal and was found to be in line with the Bank’s resettlement policy. Management states that it is satisfied that the RPF satisfactorily meets the requirements of OP 4.12. Management further states that the Government and the Bank are aware that further information is needed in order to meet the requirements of the Bank’s policies on presenting an adequate RAP. It states that “*existing information on the social safeguards situation at the Kwabenya landfill site is ‘in part taken from [the DfID financed] Environmental Impact Study. It was deemed, however, that this information, and the consultation process with the affected population, are insufficient to present an adequate RAP for Kwabenya, which remains to be done, with adequate exploration of alternatives.’ [footnote omitted] Hence, it was clear that the Government would need to conduct further site-specific consultations for the RAP for the Kwabenya sanitary landfill.*”¹¹ Therefore Management states that Bank has not proceeded with the Kwabenya subcomponent, because a RAP for the subcomponent has yet to be prepared, in compliance with the provisions of OP 4.12.
25. The final special issue that Management discusses is the communication with affected communities. Management states that the consultations carried out during the drafting of the RPF are satisfactory. Management states that these consultations were carried out during field visits to the Kwabenya sanitary landfill site.¹² The Response further states that as part of the preparation of the RPF for the Kwabenya sanitary landfill, further consultations will have to take place.
26. Management states that after the dissemination of the RPF and the publication in the press of the agreement between the Bank and the Government, the Bank received a letter from the Agyemankata Kwabenya Community (AKC) requesting that it not to proceed with funding the landfill, as well as visits from the AKC on four separate

⁹ Management Response, ¶ 22.

¹⁰ Management Response, Annex 1 at p. 17.

¹¹ Management Response, ¶ 25.

¹² Management Response, ¶ 22.

occasions, all preceded by protests. The Response states that the Bank “*responded to the letters [sic]*”¹³ and *thoroughly explained during the meetings the obligation to implement a full RAP before commencing civil works on the site.*”¹⁴

27. The Response also states that the Government had undertaken, on several occasions to, “*reach out to and consult the local communities about the Project, including the AKC.*”¹⁵ The Government established a Technical Advisory Committee (“the Committee”) to address the concerns of property owners. The Committee issued press releases inviting the general public to submit their concerns on the landfill project, and held “*brainstorming sessions*” with land agencies, social groups, traditional authorities, other Kwabenya residents, and Government and project officials. The Response states that the AKC declined to attend these sessions. The Response further states that when the Bank and Government officials attempted to deliver letters to the community, “*they were detained for several hours, confronted with death threats should they ever return, and the letters were returned unopened.*”¹⁶
28. Management states that due to the complex social situation and the difficulties in seeking meaningful consultations with the affected parties, the Government issued an Executive Instrument, which provided six months for any affected person or person to submit a claim for compensation. The Government notified the Bank that it had “*no intention of requiring the forfeiture of compensation*”¹⁷ and will abide by the Bank’s policies on preparing the RAP.
29. Management states that they are aware of the Government’s urgent need to construct a sanitary landfill. The Bank has consulted with the Government and have come up with the following commitments:
- a. Preparing an acceptable RAP not later than March 31, 2008;
 - b. Not to resettle any people prior to the approval of the RAP by the Bank;
 - c. Take all necessary measures to avoid new occupation of the land already acquired by the Government;
 - d. Develop a public awareness campaign;
 - e. Organize bi-monthly progress review meetings in the preparation status of the RAP until December 2007 and monthly meetings thereafter; and discuss progress reports on the preparation of the RAP; and
 - f. Update the Environmental Management Plan, specifically for the Kwabenya sanitary landfill.¹⁸

¹³ Note: in the Response, Management states that they received “*a letter*” but responded to “*the letters*”.

¹⁴ Management Response, ¶ 27.

¹⁵ Management Response, ¶ 28.

¹⁶ Management Response, ¶ 28.

¹⁷ Management Response, ¶ 30.

¹⁸ Management Response, ¶ 32. Note : Management received a letter from the Government of Ghana in this regard, which it provided to the Panel. The letter, dated September 13, 2007 and attached as Annex 9 to the Management Response, indicates the Government’s commitment to progress. The letter states, *inter alia*:

“*Until the RAP is completed:*

(i) *the Government will ensure that no new development takes place on the acquisition site...*”

and

E. Eligibility

30. The Panel must determine whether the Request satisfies the eligibility criteria for an Inspection, as set forth in the 1993 Resolution establishing the Panel and the 1999 Clarifications,¹⁹ and recommend whether the matter alleged in the Request should be investigated.
31. The Panel has reviewed the Request and Management's Response. The Panel Chairperson Werner Kiene, together with the Panel's Executive Secretary Peter Lallas, visited Ghana from October 09–12, 2007. During their visit, the Panel Team met with numerous members of the affected community living in and around the site proposed for the sanitary landfill, as well as representatives of the Centre on Housing Rights and Evictions (COHRE). The Panel also met with Government officials and with local authorities in Accra, with representatives of the Project coordination unit, and with Bank staff including the Country Director and Country Program Manager and others engaged on aspects of the Project. The Panel Team visited the proposed site of the Project and surrounding areas.
32. The Panel wishes to express its appreciation to the Requesters and members of the locally affected community for showing areas of concern to the Panel. The Panel also wishes to thank officials of the Ministry of Finance and Economic Planning, the Ministry of Local Government and Rural Development, the National Land Authority and the Valuation Board, the Greater Accra Municipal Authorities and the Mayor of Accra. The Panel also wishes to thank the World Bank Country Office in Accra for providing relevant information and assisting with logistical arrangements.
33. During the visit, the Panel confirmed that the Requesters are legitimate parties under the Resolution to submit a Request for Inspection to the Inspection Panel. The COHRE office in Accra is acting on behalf of the Agyemankata Community located in and around the proposed landfill site. The Panel team met with the representative of COHRE and numerous people from the local community who voiced and reiterated their concerns about the Project and proposed landfill site. The Requesters, and the people they represent, have common interests and concerns related to the Project and reside in the Borrower's territory, as required by Paragraph 9(a).
34. The Panel notes that facts stated in the Request "*assert[s] in substance that a serious violation by the Bank of its operational policies and procedures has or is likely to have a material adverse effect upon the requesters*" as required by Paragraph 9(b).
35. The Panel has reviewed the claims and the Management Response carefully in relation to this criterion. The Panel also gathered relevant information during its eligibility visit to Ghana, particularly through its visit to the Project area and its

"We have completed negotiations to recruit a consultant to update detailed design studies and actions for the preparation of environment assessment are in progress."

¹⁹ Conclusions of the Board's Second Review of the Inspection Panel ("the 1999 Clarifications"), April 1999.

meetings with Requesters and the local community, who reiterated and elaborated upon the claims of non-compliance by the Bank with its own operational policies and procedures.

36. In particular, Requesters and members of the affected community reiterated their view that their interests and rights under the Bank's policies and procedures, including the Policy on Involuntary Resettlement, have not been adequately taken into account. They contend that they have yet to see a RAP, and have not been allowed or enabled to participate in the development and completion of such a Plan, as required by Bank policy, even though this is critical to their rights and interests. They also contend that alternatives to the proposed site, which could obviate the need to displace them from their homes, have not been adequately considered.
37. The Panel was informed that local community members wrote to the World Bank some months before Credit approval (April 2004), requesting the Bank not to support the landfill component, and that the Bank responded by inviting the community to see the already prepared ESA and RPF. The Requesters and members of the community contend that the preparation of the RPF was done in consultation with the chiefs and people of Kwabenya, who are 2 kilometers away from the landfill site and did not represent their interests. They contend that the immediate community near the landfill site who are to be compensated or resettled were not adequately consulted or sensitized in the preparation of the RPF.
38. The Panel was informed that the RPF states as follows: "*After the compensation and resettlement have been carried out an Executive Instrument should then be passed to confirm the acquisition.*" However, during its visit to the community, the Panel was told that, instead, the authorities came to their communities accompanied by "*armed policemen and national security*" during January 2007, mostly when people were away, and marked their houses to be vacated. The Panel heard claims that this action occurred before the publication of the Executive Instrument regarding acquisition, which occurred on January 29, 2007, and without meeting the requirements of Bank policy on resettlement. It is also contended that in July 2007, the people were told to deposit their documents for compensation or forfeit their right to compensation. The Requesters and affected people believe that these actions contravene World Bank Policy on Involuntary Resettlement.
39. The Requesters and affected people also reiterated their concerns that inadequate consideration has been given to the dangers and risks to them of the proposed landfill. They consider that there is a lack of administrative and technical capacity of local authorities to ensure that it will be operated safely for the people and the local environment. They contend that the analysis of alternative sites and potential impacts used by the Project is outdated, because it is based on documents prepared years earlier, and conditions on the ground (including occupancy) had changed substantially during those years. They also contend that there has been inadequate attention to the possibility of recycling as a means to avoid the need for the landfill within the community.

40. The Requesters and affected people took the Panel Team to an area that they say is a stream (surface water) that runs through the proposed site for the landfill and, with the rains, connects to a river and source of drinking water. The Panel notes that the Management Response states that *“for the particular case of Kwabenya, there are no surface streams in its surrounding area; and thus the focus will be mainly on issues related to protecting groundwater and properly managing landfill gas.”*²⁰
41. The Requesters and affected people reiterated their request to the Inspection Panel to examine these matters, and their belief that non-compliance with Bank policies has worsened their situation and put them at risk of serious harm if the landfill is developed and displacement occurs. In light of the above, many members of the affected community expressed that their community is not an appropriate site for the landfill, and that there are other alternative sites that should be considered that will generate less social and environmental harms.
42. The Panel notes, by comparison, views and documentation presented by Management in its response that due diligence required under the Bank’s social and environmental policies were adequately carried out and appropriately reflected in the Project appraisal document. Management highlights that the existence of a RAP, acceptable to the Bank, is a condition of the DCA, prior to commencing work on the subcomponent and prior to displacement of any affected persons.
43. Management also noted the importance attached to the development of the sanitary landfill by the government, in order to ensure that there remains capacity to meet the critical needs of refuse disposal in the city of Accra. Management reiterated its intent to carry out the actions and steps identified in the Management Response to address issues relating, especially, to resettlement, and has provided an update to the Panel on actions that have been taken in this regard since the issuance of the Management Response.
44. During its visit, the Panel also learned that consultation between the community and Project officials is now very difficult and contentious, and the Panel heard of various events that have occurred in the past relating to the Project and visits to the area. Members of the community indicated to the Panel that they have lost trust in the process, and do not believe that consultations will provide a basis to protect their rights and address their concerns. They believe that this unfortunate situation stems at least in part from failures by the Bank to meet its basic policies and procedures. Some with a responsibility to carry out and/or supervise consultations and Project activities expressed significant concerns about difficulties in being able to do so in the current environment, and alternative explanations for this situation.
45. The Panel notes the conflicting assertions between the Requesters and Management on whether the Project directly or indirectly has or is likely to cause harm to

²⁰ Management Response, Annex 1 at p. 18.

Requesters and the affected community, and whether there is a violation by the Bank of its operational policies and procedures.

46. The Panel confirmed that the Request *“does assert that the subject matter has been brought to Management’s attention and that, in the Requester’s view, Management has failed to respond adequately demonstrating that it has followed or is taking steps to follow the Bank’s policies and procedures.”* During its visit, the Panel Team was presented with documentation, including among other documents a letter from the community to the World Bank dated January 16, 2004, and copies of minutes of a meeting between members of the community and World Bank officials at the World Bank Ghana Office in February 27, 2004, during which, community members voiced their concerns. The Requesters contend that the Bank has not adequately addressed their concerns.
47. The Panel notes that the subject matter of the Request is not related to procurement, as required by Paragraph 9(d).
48. The Credit financing the Project was approved by the IDA Board of Executive Directors in April 2004. The expected Closing Date of the Project is March 31, 2010. As of August 16, 2007, \$5.06 million or about 8% of the IDA Credit has been disbursed. The Request satisfies the requirement in paragraph 9(e) that the related loans has not been closed or substantially disbursed.
49. Furthermore, that Panel has not previously made a recommendation on the subject matter of the Request, thereby satisfying paragraph 9(f).

F. Additional Observations

50. As described above, the Panel considers that the Request meets the eligibility criteria set forth in the Resolution establishing the Inspection Panel and the 1999 Clarifications. The Panel notes, moreover, that significant concerns and differences of view exist as to whether the Bank has complied or not with core provisions of its operational policies and procedures, including those on Involuntary Resettlement and Environmental Assessment.
51. The Panel further notes, however, that there are additional circumstances relevant to its determination in the present matter.
52. In particular, the Management Response indicates Management’s awareness that key issues raised in the Request still need to be addressed, including those relating to resettlement, compensation, and environmental aspects of the Project. In this light, Management states that it has agreed with the Government that a series of steps will be carried out to address key issues raised by the Request. One of the key agreed actions is the completion, within a specified time frame, of an acceptable RAP, accompanied by a commitment not to resettle any affected people prior to approval of the RAP by the Bank.

53. In its Response, Management also states that it will monitor implementation of these actions to ensure that they materialize. Management states that as part of the December 2007 Mid-Term Review (MTR), the Bank and the Government “*will make an in-depth assessment of compliance with the agreed action plan by the Government . . .*” which will pay particular attention to progress made in preparing an acceptable RAP. At the end of its Response, Management reiterates that “. . . *lack of progress in preparing an acceptable RAP according to the agreed action plan and in full compliance with the relevant Bank policies will preclude its financing. This decision will be made at the time of the MTR.*”
54. The Panel notes that the commitments set forth in the Management Response are intended to address some of the critical issues and concerns raised by the Request. The Panel further notes the statements of Management that lack of the indicated progress in achieving full compliance will preclude financing by the Bank of the sanitary landfill at Kwabenya. As indicated above, Management recently provided to the Panel an update on efforts to implement these actions.
55. The Panel appreciates these proposed actions and commitments. The Panel also appreciates and notes that the current situation on the ground with respect to these matters is, in some respects, contentious and subject to a variety of different pressures and forces. The Panel also notes that the proposed actions may not address certain issues raised by Requesters, including concerns about the Bank’s compliance with its own environmental policies and procedures.
56. In this context, given that the eligibility criteria are met, the Panel believes that an investigation is warranted. The Panel further notes that the investigation would take into account progress in the implementation of the actions proposed by the Bank to address issues of compliance and potential harm.

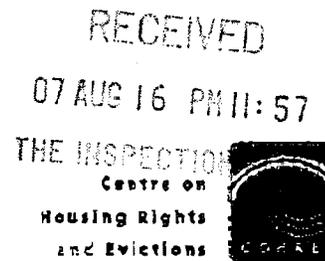
G. Conclusions

57. The Request meets the eligibility criteria set forth in the Resolution that established the Inspection Panel and the 1999 Clarifications. The Request and the Management Response contain conflicting assertions and interpretations about the issues, the facts, and compliance with Bank policies and procedures relating to critical issues involving resettlement and compensation, environmental assessment and mitigation, consultations, and harm or potential harm, among other elements.
58. In light of the foregoing, the Panel recommends an investigation of the matters raised by the Request for Inspection.

ANNEX 1

REQUEST FOR INSPECTION

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U.S.A.



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16 August 2007

Re: Request for Inspection by World Bank Inspection Panel

Executive Secretary
The Inspection Panel
1818 H Street, NW
Washington, DC 20433

World Bank Inspection Panel,

1. The Centre on Housing Rights and Evictions (COHRE) represents the Agyemankata Community who live in the area known as of Kwabenya in Ga District, Ghana. COHRE's addresses are above. Please send any correspondence to both addresses.
2. The Agyemankata Community is detrimentally effected by the sanitary landfill proposed in the context of the World Bank funded Second Urban Environment Sanitations Project (UESP-2) (Project). Indeed, the World Bank's Integrated Safeguards Data Sheet states "those living near the landfill will be negatively affected" and that "surface and ground water pollution could extend 5 to 10km downstream." Specifically, if implemented, this component of the Project will result in the involuntary displacement of much of the community and leave the remainder of the community living in conditions that pose graves risks to their health.
3. Specifically, many of the households near the proposal Kwabenya Landfill (Landfill) site have been told that they will be displaced if and when the Project is implemented.



Additionally, those who are outside of the area of displacement will live within proximity of the landfill and its related operations which would pose grave risks to their health. Indeed, the Landfill has raised several potentially contentious environmental and social issues.

4. The Agyemankata Community was not meaningfully consulted during the planning of the Landfill. The following examples illustrate the lack of meaningful consultation as required by

- 4.1 The Accra Metropolitan Assembly (AMA), a government agency involved in the Landfill, often announces decisions after they have been made via publication in local newspapers such as the *Ghanaian Times* and the *Daily Graphic* or through radio announcements. This means of communication is insufficient as it may not reach the Community nor does it allow a process for meaningful input from the Community.
- 4.2 The Agyemankata Community learned about the World Bank's role in the Landfill only from a newspaper article in the *Daily Graphic* (dated 10 December 2003, page, 23, para. 15) in which it was stated that "S.O. Darko, former Mayor of Accra, said World Bank was to finance the Kwabenya landfill."
- 4.3 In response to this article, the Agyemankata Community wrote to the World Bank on 16 January 2004 requesting that the Bank not support the Landfill component of the Project.
- 4.4 In response, the World Bank on 30 January 2004 invited the Agyemankata Community to see the already prepared Environmental and Social Assessments and the Resettlement Policy Framework. This is the first time the Agyemankata Community was made aware of these documents and, again, was only allowed to see them after their completion. The Community is quite frustrated given this lack of transparency and lack of consultation.



- 4.5 The Agyemankata Community has yet to see any Involuntary Resettlement Action Plan on Kwabenya Landfill yet alone be able to meaningfully participate in such a plan's creation.
- 4.6 The AMA communicated to the Agyemankata Community via radio announcements on 19 and 20 July 2007 and in the 18 July 2007 edition of the *Ghanaian Times* that its residents needed to deposit all documents on their respective properties at the Land Valuation Board.
- 4.5 A further notice by the AMA to the Agyemankata Community to bring all relevant documents to the AMA by 30 July 2007 or forfeit their compensation was communicated to the Agyemankata Community only in the 18 July 2007 edition of the *Ghanaian Times*.
- 4.5 The Agyemankata Community has sent several letters to the AMA over the course of several years. The AMA, however, has never replied nor acknowledged receipt of those letters and continues to issue messages to the Agyemankata Community through newspapers or radio announcements.
5. The above-mentioned facts demonstrate that the World Bank has not abided by its Operational Policy on Involuntary Resettlement (OP 4.12) or its Bank Procedures on Involuntary Resettlement (BP 4.12). Specifically:
- 5.1 The Operational Policy 4.12 Policy Objective requiring that "displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs." (OP 4.12, para. 2(b).)
- 5.2 The Operational Policy 4.12 Required Measure that "(a) the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are (i) informed about their options and right pertaining to resettlement, (ii) consulted on, offered choices among, and provided with



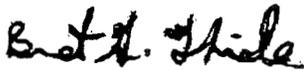
technically and economically feasible resettlement alternatives.” (OP 4.12, para. 6(a).)

- 5.3 The threat by the AMA of 30 July 2007 that the residents risk forfeiting their compensation is a threat by the AMA to violate Operational Policy 4.12 Required Measure that “(a) the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are ... (iii) provide prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.” (OP 4.12, para. 6(a).)
- 5.4 Bank Procedure 4.12, paragraph 5 (b) requiring the resettlement plan or resettlement policy framework’s “adequacy with respect to OP 4.12, including the involvement of affected groups and the extent to which the views of such groups are being considered.” (BP 4.12, para. 5(b).)
- 5.5 The threat by the AMA of 30 July 2007 that the residents risk forfeiting their compensation demonstrates either the inadequacy of or a threat to violate any resettlement plan’s or resettlement policy framework’s “criteria for eligibility of displaced persons for compensation” as required by BP 4.12, para. 5 (c). (BP 4.12, para. 5(c).)
- 5.6 The actions of the AMA demonstrate a lack of commitment to implementing any resettlement instrument that meets with OP 4.12 and BP 4.12. Consequently the Project is in violation of Bank Procedure 4.12 (Appraisal), para. 10, requiring assessment of “(a) the borrower’s commitment to and capacity for implementing the resettlement instrument; (b) the feasibility of the proposed measures for improvement or restoration of livelihoods and standards of living; (c) availability of adequate counterpart funds for resettlement activities; and (d) significant risks, including risk of impoverishment, from inadequate implement of the resettlement instrument.” (BP 4.12, para. 10.)



6. The above may not be an exhaustive list of all World Bank Operational Policies and Bank Procedures being violated by the Kwabanya Landfill project. Consequently, COHRE and the Agyemankata Community reserve the right to amend this Request for Inspection.
7. Finally, it should be noted that that Kwabanya Landfill project is based on an early 1990s UNDP strategic plan for the then Greater Accra Metropolitan Area. This strategic plan stated that landfill sites should be 1 km away from residential areas. While the Kwabanya site fit that criterion at the time this plan was drafted, the current Project fails to meet this plan due to changed residential patterns in the area. Indeed, the Agyemankata Community now reside within 1 km of the proposed Landfill
8. As outlined above, the Agyemankata Community has spoken with World Bank officials in Accra on several occasions and their concerns have yet to be dealt with in a satisfactory manner. Again, those responsible for the Landfill continue to not meaningfully consult with the Community.
9. We request the Inspection Panel recommend to the World Bank's Executive Directors that an investigation of these matters be carried out.
10. COHRE and the Agyemankata Community reserve the right to provide further information on this matter.

Sincerely,



Bret Thiele
Attorney at Law
Coordinator – ESC Rights Litigation Programme
COHRE



ANNEX 2

MANAGEMENT RESPONSE

**BANK MANAGEMENT RESPONSE TO
REQUEST FOR INSPECTION PANEL REVIEW OF THE
GHANA – SECOND URBAN ENVIRONMENTAL SANITATION PROJECT
(IDA Credit No. 3889-GH)**

Management has reviewed the Request for Inspection of the Ghana – Second Urban Environmental Sanitation Project (UESP-II) (IDA Credit No. 3889-GH), received by the Inspection Panel on August 16, 2007 and registered on August 22, 2007 (RQ07/06). Management has prepared the following response.

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Maps

Map 1	GHA 35710 – Proposed Kwabenya Sanitary Landfill Site
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ABBREVIATIONS AND ACRONYMS

AKC	Agyemankata Kwabenya Community
AMA	Accra Metropolitan Assembly
AWP	Accra Waste Project
BP	Bank Procedure
COHRE	Centre on Housing Rights and Evictions
DCA	Development Credit Agreement
DfID	Department for International Development (United Kingdom)
EIS	Environmental Impact Study
EMP	Environmental Management Plan
ESA	Environmental and Social Assessment
FY	Fiscal Year
GDA	Ga District Assembly
IDA	International Development Association
IPN	Inspection Panel
ISDS	Integrated Safeguards Data Sheet
MA	Metropolitan or Municipal Assembly
MLGRD	Ministry of Local Government and Rural Development
MTR	Mid-Term Review
O&M	Operation and Maintenance
OMS	Operational Manual Statement
OP	Operational Policy
PAD	Project Appraisal Document
PBF	Performance Based Fund
QEA	Quality at Entry Assessment
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
TAC	Technical Advisory Committee
UESP	Urban Environmental Sanitation Project
UESP-II	Second Urban Environmental Sanitation Project
UNDP	United Nations Development Programme
WMD	Waste Management Department

CURRENCY EQUIVALENTS

(Exchange Rate Effective September 10, 2007)

Currency Unit = Ghana Cedis (GHS)

1 USD = 0.937016 GHS / 1 GHS = 1.06722 USD

FISCAL YEAR

January – December

I. INTRODUCTION

1. On August 22, 2007, the Inspection Panel registered a Request for Inspection, IPN Request RQ07/06 (hereafter referred to as "the Request"), concerning the Ghana: Second Urban Environmental Sanitation Project (UESP-II), financed by the International Development Association (IDA Credit No. 3889-GH).

2. After careful review of the Request, it is Management's position that the technical work during preparation and appraisal as well as the due diligence required under the Bank's environmental and social policies were adequately carried out and appropriately reflected in the Project Appraisal Document (PAD). Management also wishes to point out that no Bank financed bid tendering or construction activities have taken place in the Kwabenya sanitary landfill. This absence of bidding or tendering is consistent with the conditions established in the Development Credit Agreement (DCA – Section 3.03 (c)). Those conditions require the existence of a Resettlement Action Plan (RAP) acceptable to the Bank, prior to commencing work and prior to displacement of any affected persons. Management also wishes to emphasize that in addition to the consultations carried out during the preparation of the Resettlement Policy Framework (RPF), the preparation of the project-specific RAP will involve additional consultations with the affected communities and its implementation should ensure that appropriate mitigation activities are in place to address impacts on communities as a result of the construction of the sanitary landfill in Kwabenya.

3. The Management Response also provides evidence that the Bank has met on several occasions with, and responded to correspondence from, the Requesters. Also, in compliance with Bank policies and procedures, the Bank has disclosed to the public the Environmental and Social Assessment and the RPF in a timely manner.

4. *Structure of the Text.* The Management Response has been divided into five sections as follows: Section I provides a brief introduction, Section II summarizes the Request, and Section III includes project background information. Section IV is organized around the three key issues contained in the Request and also provides background about the origin of the Kwabenya sanitary landfill subcomponent and the reason for Bank involvement. In Section V, Management provides a brief concluding response to the Request and the action plan that has been agreed with the Government of Ghana (the Government) regarding this subcomponent. The main text is accompanied by nine Annexes. Annex 1 presents the Requesters' claims, together with Management's responses, in table format. Annexes 2 through 9 provide supporting materials to Management's conclusions, including minutes of the public consultations during preparation of the RPF, a chronology of correspondence about the Project, incoming and outgoing correspondence about the Project, minutes of a meeting between the Bank and the Requesters (Agyemankata Kwabenya Community) in February 2004, the Executive Instrument issued by the Government of Ghana regarding acquisition of lands and a letter signed by the Minister of Local Government, Rural Development and Environment confirming the Borrower's commitment to the project and to Bank safeguards. These Annexes are referenced throughout the Management Response.

II. THE REQUEST

5. The Request for Inspection was submitted by the Centre on Housing Rights and Evictions (COHRE), an international nongovernmental organization, on behalf of the Agyemankata Kwabenya Community (AKC) that lives in the area known as Kwabenya in Ga District, Ghana (hereafter referred to as the "Requesters"). No further materials were received by Management in support of the Request.

6. The Request contains claims that the Panel has indicated may constitute violations by the Bank of various provisions of its policies and procedures, including the following:

OP/BP 4.01, Environmental Assessment, January 1999, Revised August 2004.

OP/BP 4.12, Involuntary Resettlement, December 2001, Revised April 2004.

OMS 2.20, Project Appraisal, January 1984, Revised August 2004.

III. PROJECT BACKGROUND

7. Over the last two decades, the key urban environmental issue in Ghana has remained poor sanitation, resulting from inadequate water supply, sanitary facilities, drainage, and solid waste management. In 1999, the Government approved its *Environmental Sanitation Policy*, which analyzed the causes of the prevailing poor sanitation conditions, established basic principles and objectives for better environmental management, and specified the institutional responsibilities in the pursuit of these objectives. The *Local Government Service Act*, passed in June 2003, provided the legal and administrative basis for decentralizing government services to better address such issues as urban sanitation.¹

8. Implementation of the first phase of the Urban Environmental Sanitation Project (UESP) between 1996 and 2003 marked a significant step in attempts to deal with environmental sanitation issues, particularly with regard to storm drainage, solid waste collection and disposal, and sanitation. However, the 2003-2005 Ghana Poverty Reduction Strategy recognized that environmental sanitation and capacity to deal with solid and liquid wastes have shown little sign of improvement. Flooding, erosion and siltation of drains remain major problems, and the urban poor suffer disproportionately from such problems.

9. **The Project.** The Project is a repeater of the UESP, which closed satisfactorily on December 31, 2003. In accordance with Bank procedures for repeater projects,² a Regional Review Panel was constituted and concluded that the project qualified to be prepared as a repeater. An

¹ The central government provides subsidies to the Metropolitan/Municipal Assemblies (MAs) for solid waste collection, and assists the MAs in establishing better institutional arrangements for the management of the urban environment. In principle, the responsibility for all urban infrastructure has been transferred to the Assemblies under a decentralized system.

² The policy note, *Building on Success: More Efficient Processing of Repeater Projects* (SecM2003-0034), was submitted to the Board of Executive Directors on January 22, 2003 and discussed on Feb 11, 2003.

IDA Credit of SDR 41.6 million (US\$ 62.0 million equivalent) for UESP-II was approved by the Board of Executive Directors in April 2004.

10. **Project Objectives.** The project development objective is to improve urban living conditions in regard to environmental health, sanitation, drainage, vehicular access, and solid waste management in a sustainable fashion, with special emphasis on the poor. The project is located in several sites in Ghana, including Accra, Tema, Sekondi-Takoradi, Kumasi and Tamale. The intermediate objectives for the project components are as follows:

- Reduce the frequency, severity, and duration of flooding in low-lying areas;
- Increase the accessibility for low and middle-income residents and school children to adequate latrines;
- Increase the amount of refuse collected and disposed of in an environmentally sustainable manner;
- Increase vehicular access and reduce flooding, erosion and dust in low-income communities; and
- Enable central and local government agencies to more effectively fulfill their mandate regarding the project objectives, especially the Waste Management Departments (WMDs).

11. **Project Components.** The Project has several components:

- **Component 1: Storm drainage (US\$16.5 million IDA).** This involves the lining of primary and secondary drains, construction of small bridges, and erosion control. The main target group of this component is the urban population of five towns who live and/or work in low-lying areas that are subject to flooding. Many of these neighborhoods are characterized by a high population density and low income. The expected outcome is a reduced frequency, severity, and duration of flooding in the low-lying areas.
- **Component 2: Sanitation (US\$7.8 million IDA).** This includes the following sub-components: (a) construction of household latrines and establishment of a domestic latrine delivery program; (b) rehabilitation and construction of public latrines in public places; (c) rehabilitation and construction of school latrines combined with hygiene education and the provision of water supply where needed; (d) rehabilitation or construction of sewage treatment facilities; and (e) improved sewerage management in Tema. The main target group is the population living in low-income neighborhoods without household latrines, users of public places (such as markets and transport terminals), and school children in schools without a safe means of excreta disposal. The expected outcome is an increased coverage with conveniently located and hygienic latrines.
- **Component 3: Solid Waste Management (US\$25.7 million IDA).** This includes the following sub-components: (a) construction of new sanitary landfills for Accra and Tema and completion of the one in Sekondi-Takoradi; (b) equipment for sanitary landfills; (c) closure and rehabilitation of existing refuse dumps; (d) operation of sanitary landfills, pre-

ceded by the improved operation of some; (e) private solid waste collection; and (f) supply of household bins, skips,³ and skip pads. The main target group is the urban population of the five project towns that will benefit from one or the other measures. The population residing or working near the present refuse dumps will benefit from better environmental conditions. The expected outcome is an increase in the amount and regularity of refuse collected and disposed of in a technically, institutionally, financially, and environmentally sustainable manner.

- *Component 4: Community Infrastructure Upgrading (US\$8.5 million IDA).* Infrastructure upgrading in low-income communities will consist mainly of access roads, roadside drains, street lighting, water supply, and sanitation. The main target group is the population living and/or working in select low-income communities. The expected outcome is better access to high-density neighborhoods that have been difficult or impossible to access with a motor vehicle; less flooding, erosion and dust; better neighborhood safety at night; fewer pipe breakages; more registered water consumers; and improved sanitation.
- *Component 5: Institutional Strengthening (US\$9.6 million, financed by the Nordic Development Fund).* This includes the following subcomponents: (a) technical assistance and training; (b) capacity building in the Ministry of Local Government and Rural Development (MLGRD) and other central agencies; (c) capacity building in the Metropolitan Assemblies (MAs); (d) malaria vector control and HIV/AIDS prevention; (e) project-wide monitoring; (f) reconditioning of waste management equipment; (g) house numbering; and (h) a communications strategy. The main target group is the administration (Assembly staff) of the five project towns and particularly the WMDs and the Environmental Health Departments. The expected outcome is a greater ability of the Assemblies of the project towns, especially the WMDs, to more effectively and efficiently fulfill their responsibilities in regard to environmental sanitation in the long term, with their own resources.

12. The Project also includes a Project Management component (US\$1.1 million IDA), the refunding of an advance Project Preparation Facility (US\$0.6 million), and physical and price contingencies, which constitute the Performance-Based Fund (PBF) (US\$11.1 million). The PBF⁴ is being used to make allocations to the MAs for additional activities within the project objectives based on their achievement of the MA Performance Criteria contained in the Project Implementation Manual and specified in the DCA.

13. **Project Status.** The Project has been rated unsatisfactory for more than a year mainly due to the very slow disbursement level of the credit and the lack of progress in the solid waste management component, with the Kwabenya sanitary landfill subcomponent being the most delayed. There has been progress, however, in implementation of the sanitation and upgrading components. These two components are on track to be completed by the Project closing date (June 30, 2010). While design of major drainage works has been completed, inability of the municipalities to establish their drainage maintenance funds is affecting the awarding of drainage contracts. The

³ A skip is a dumpster.

⁴ The PBF was initially made up of physical and price contingencies, amounting to 13.7% of the total project cost.

Bank has been active and has maintained a continuous dialogue with the Government to restore the project to a satisfactory status during FY08. For this to happen, it was agreed to postpone the mid-term review (MTR) mission from June 2007 to December 2007 to allow the Government additional time to make substantial progress in implementing the Project and to prepare a satisfactory RAP for the Kwabenya sanitary landfill.

14. The Bank has discussed the issues affecting project implementation with the Government on several occasions and has clearly indicated in both its November 2006 and May 2007 supervision mission reports that it will likely cancel the financing of the Kwabenya sanitary landfill if evidence of further progress on the RAP was not available by the December 2007 MTR mission; the Bank also indicated that it would restructure the Project, including the possibility of canceling or reallocating some of the funds to other priority, successfully implemented subcomponents (see paragraph 33 with Government commitments).

15. The UESP-II was the first repeater project prepared in the Africa Region. This decision was supported by a Regional Review Panel composed of senior technical staff and managers – an extra review step in addition to normal Bank processing requirements. Processing of the project was in line with Bank guidelines and complied with required due diligence, including environmental and social safeguards. The Integrated Safeguards Data Sheet (ISDS) was published at the Bank Infoshop and in Ghana; the RPF and the Environmental and Social Assessment (ESA) were also disclosed “in country” and at the Bank InfoShop before appraisal. Capacity assessments were conducted and the scope of activities for each municipality was designed according to existing capacity. In addition, the PBF was established to help municipalities improve their performance and the institutional strengthening component of the Project was designed to reinforce the capacity of the municipalities. A Quality at Entry Assessment (QEA) of the Project was carried out during FY04-05 as part of the 7th QEA exercise. Although the panel rated the QEA of the Project as unsatisfactory because of lack of attention to sustainability issues, weak identification and treatment of risks and lack of readiness, the panel nevertheless considered the use of the RPF to be appropriate and in line with policy requirements to address the difficult issue of siting the Kwabenya sanitary landfill.

IV. SPECIAL ISSUES

FINANCING OF THE KWABENYA SANITARY LANDFILL – WHEN IDA TOOK OVER FROM DFID

16. Accra’s need for a sanitary landfill was identified in the Strategic Plan for the Greater Accra Metropolitan Area report (December 1992), funded by the United Nations Development Program (UNDP)/HABITAT. With further growth of the city restricted by the sea in the south, and the eastern and western ends of the city already built-up by Tema and Kasoa townships, any new landfill site could only be located in the north, which was also being rapidly built up. A subsequent study by Plan Consult in 1993 identified the Kwabenya Valley as the most appropriate location for a future sanitary landfill for Accra. Feasibility studies and preliminary sanitary landfill design were carried out in 1997 with funding from the United Kingdom Department for International Development (DfID) under the Accra Waste Project (AWP). An Environmental Impact Study (EIS) was carried out in 1999, and to enable completion of site investigations and designs,

construction of a 2 km access road began in a first phase of works in late 2000, again with financial assistance from DfID. In early 2001, the same contractor returned to the site to construct storm water culverts, catch water drains and monitoring boreholes.

17. At the time the preliminary design was made, there were virtually no resettlement needs because there was no access to the site, and no visible encroachment of dwellings or infrastructure. However, as a result of the construction of the access road and the delay in the design work, people moved closer to the land selected for the sanitary landfill site. Land rights claims surfaced during construction, delaying the start of the landfill works. DfID eventually withdrew its support of the project due to those delays and because of the shift of its development policy from funding discrete projects to providing budget support, in accordance with the priorities set out in the Ghana Poverty Reduction Strategy.

18. DfID's withdrawal notwithstanding, the need to solve the problem of solid waste disposal in the Greater Accra Metropolitan Area remained urgent. The local government authorities had reached a tentative agreement with the chiefs for the acquisition of land and, at around the same time, IDA was preparing a repeater of its UESP, which had financed sanitary landfills. In that context, the Government requested, and the Bank agreed to finance, the construction of the Kwabenya sanitary landfill from the proposed UESP-II, under certain conditions. Those conditions included: (i) reviewing the three design options that were originally identified, including the adequacy of the design in addressing seismic activity in the Accra area; and (ii) most importantly, preparing a RAP with the requisite stakeholder consultation, once selection of the final landfill site was finalized. These requirements were included in the PAD, agreed during negotiations and set as conditions in Section 3.03 (c) of the DCA, which called for receipt of a RAP acceptable to the Bank prior to commencing any works in Kwabenya or other sanitary landfills and prior to any displacement of any affected persons.

ENVIRONMENTAL ASSESSMENT

19. Management considers that the Government and the Bank have fully complied with OP 4.01. In 1999, DfID financed an EIS, which included a comprehensive review of design, impacts and mitigation. The EIS was used as basis for the 2003 ESA prepared by the Government for the UESP-II, as required under OP 4.01. The ESA also included an updating of the Environmental Management Plan (EMP) and the RPF. The ESA was reviewed at appraisal and deemed satisfactory. Further, during supervision, it has been agreed to recruit consultants to update the EMP and prepare the RAP in accordance with the final design of the Kwabenya sanitary landfill.

20. The environmental issues related to the Kwabenya sanitary landfill include both general construction issues and issues that are site-specific. The former include choice of liner, mitigating infiltration of polluted water into groundwater, management of leachate to prevent leaks into surface water, management of landfill gas, management of access/transport, and steps to be taken when the landfill is closed. Site specific issues include revision of the design in accordance with final layout and review of the design parameters to make sure that they comply with current standards.

21. The EMP prepared as part of the 2003 ESA provided an overview of all environmental issues and how they would be managed, including impacts and risks, mitigation provisions, man-

agement actions, monitoring requirements, training requirements and the responsible institutions. The EMP was considered "...as a dynamic plan report and will be updated and further elaborated based on ongoing process of preparation, construction and operation."⁵

22. A significant amount of analysis has been undertaken related to environmental impact, and the results have been publicly disclosed. As with all infrastructure development, monitoring of environmental impacts before, during and after construction is required, and this has also been taken into consideration for the Kwabenya sanitary landfill component to date.

RESETTLEMENT POLICY FRAMEWORK

23. The RPF was prepared in December 2003 as part of the ESA, with the objective of establishing guiding principles and objectives governing resettlement preparation and implementation. It includes eligibility criteria for various categories of displaced and affected persons, methods for valuing affected assets and organizational arrangements to be applied to RAPs. The RPF was reviewed at appraisal and found to be a satisfactory resettlement instrument in accordance with the Bank's resettlement policy. The criteria defined in the RPF for determining eligibility of affected persons for compensation and other resettlement assistance was developed on the basis of field visits and consultations carried out at the Kwabenya sanitary landfill site and also on information from an Environmental Impact Study prepared in 2000 for DfID. The RPF states: "*The existing information on the social safeguards situation at the Kwabenya landfill site are described in this report to provide the basis for the preparation of a RAP for Kwabenya and to serve as an illustration of the application of the RPF.*" A significant effort was devoted to the Kwabenya sanitary landfill site during the preparation of the RPF, which defines resettlement principles and describes the process of preparing and implementing RAPs acceptable to the Bank.

24. The RPF further states that:

"The construction was started in 2000 with financial assistance by DfID. Following the preparation of detailed designs and an environmental impact assessment and resettlement plan, Phase I of the Kwabenya landfill was constructed, consisting of an access road and a covered conduit for storm water drainage. In spite of prior consultations with various stakeholders, claims of land rights resurfaced during construction, and some nearby residents put up strong resistance, delaying the start of Phase II of the construction, and DfID ultimately withdrew its support. The local government authorities have recently reached a tentative agreement with the Chiefs for the acquisition of land. The three design options that were identified by the original designers will be reviewed in light of the risk of seismic activity at this site."⁶ [...]

"Displaced and compensated persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs."⁷

It is Management's view that the RPF was satisfactory and in full compliance with OP 4.12.

⁵ See page 27 of the ESA.

⁶ See page 19 of the RPF.

⁷ See page 26 of the RPF.

25. The Government and the Bank were aware that more information was needed to meet the requirements of the Bank's policies and procedures. This was confirmed in the RPF, which notes that existing information on the social safeguards situation at the Kwabenya landfill site is "in part taken from the [DfID's financed] Environmental Impact Study. It was deemed, however, that this information, and the consultation process with the affected population, are insufficient to present an adequate RAP for Kwabenya, which remains to be done, with adequate exploration of alternatives."⁸ Hence, it was clear that the Government would need to conduct further site-specific consultations for the RAP for the Kwabenya sanitary landfill.

26. Furthermore, the DCA in Section 3.03 (c) states: "...for the sanitary landfill at Kwabenya, the sanitary landfill in Tema, rehabilitation of refuse dumps at Mallam, Oblogo, Kpone, and Essipon, and community infrastructure upgrading in all Project Cities, prepare and furnish to the Association, a detailed resettlement action plan acceptable to the Association documenting the implementation arrangements for resettlement arising from such works, including compensation, relocation and rehabilitation of Affected Persons."⁹ Accordingly, in compliance with OP 4.12, the Bank has not proceeded with the Kwabenya subcomponent of the project because the RAP has not yet been prepared and this component of the Project will not proceed without the RAP.

COMMUNICATION WITH AFFECTED COMMUNITIES

27. As indicated above, consultations carried out during the preparation of the RPF were considered sufficient. Further consultations will take place as part of the preparation of the RAP. In addition, following the publication in the press in late 2003 of the Bank's agreement to finance the Kwabenya sanitary landfill and the public dissemination of the RPF in early 2004, the Bank received a letter from the AKC requesting that the Bank not finance the landfill. The AKC also visited the World Bank Office in Accra on four occasions since January 2004, preceded by protests outside the Bank office. The Bank has responded to the letters and thoroughly explained during the meetings the obligation to implement a full RAP before commencing civil works at the site. The Bank also explained the importance it placed on the prevention or mitigation of any negative impacts on the community and the Bank's willingness to support community upgrading projects in the Project area.

28. The Government has indicated to the Bank that it undertook numerous efforts to reach out to and consult the local communities about the Project, including the AKC. A Technical Advisory Committee (TAC) was established by the Minister of Local Government and Rural Development in June 2004 to address concerns of property owners. In July 2004, the TAC issued a press release inviting the general public to submit concerns regarding the sanitary landfill project. The TAC then held a three-day brainstorming session with land agencies, social groups, traditional authorities, other Kwabenya residents, Government and project officials. The AKC declined to participate in these discussions. The Government further indicated to the Bank that when officials from the MLGRD and Accra Metropolitan Assembly (AMA) delivered letters to members of the Community in June 2004 inviting them to a meeting, they were detained for several hours, confronted with death threats should they ever return, and the letters were returned unopened. Since

⁸ See page 5 of the RPF.

⁹ See Article 3, Section 3.03, Point (c) of the DCA.

that incident, Government delegations, project staff, surveyors and valuation staff have visited the site under the protection of armed security personnel. As some of the attached letters show (Annexes 3 and 4), AKC communications frequently include the following: *"We Agyemankata community the immediate residents living on Kwabenya landfill site will never honor any invitation or discussions on a dump (landfill) at Agyemankata Kwabenya. We have the right to protect our environment. Anybody who enters here does so at his/her own risk."* This reflects the complex social situation the Government is dealing with and the difficulties in undertaking field visits.

29. The TAC reviewed the records of the several meetings and fora that had been held since 1999 and especially between 2001-2002, to inform the public about the proposed Project and solicit views and concerns. Key meetings and consultations are summarized in Annex 2. Following its review, the TAC recommended that:

- As much as possible, the boundary of land required for sanitary landfill should be revised to exclude lands presently occupied. All such lands would therefore lie outside the land to be used for landfill operations, as well as the buffer zone required for minimizing negative impacts.
- The survey department should be requested to undertake survey and mapping of unencumbered land.
- A consulting firm should be appointed to review available designs to suit the revised boundary and identify any new structures that may have been constructed.
- All the steps required for acquisition and compensation payment should be completed in the shortest possible time. An oversight committee should be appointed to ensure sustainability of effort.
- The AKC should be included in the community infrastructure upgrading component of UESP II to facilitate the provision of basic infrastructure facilities to the community.
- Serious efforts must be made to put in place efficient and effective management of the proposed sanitary landfill. With proper Operation and Maintenance (O&M) of the sanitary landfill, most of the concerns expressed by some sections of the public would be addressed. If possible, management of the landfill should be privatized and funded by central government to assure effective O&M.
- Education and sensitization campaigns should be promoted and sustained in all communities.

30. All of the above recommendations of the TAC have been followed or are under consideration, except for the last, because of the continued opposition to the siting of the sanitary landfill in Kwabenya. Due to the difficulties in advancing the consultations required for valuation of the affected assets and preparation of other studies related to the Kwabenya sanitary landfill, an Executive Instrument was issued by the Government on January 26, 2007 (see Annex 8) allowing a period of six months for persons claiming a right or having an interest in the land to submit particulars of the claim and request compensation. As the six-month period was coming to a

close, AMA issued a notice in mid-July 2007 reminding citizens to submit their claims by July 30, 2007 and noting the possibility of forfeiture of compensation if the claim was not submitted by the deadline. The Government has subsequently communicated to the Bank that it has no intention of requiring the forfeiture of compensation and has reiterated its commitment to abide by Bank Operational Policies in preparing the RAP.

V. MANAGEMENT'S RESPONSE

31. The Requesters' claims, accompanied by Management's detailed responses, are provided in Annex 1.

32. Management takes seriously the Requesters' concerns that the Bank was not in compliance with its policies and procedures. However, following an extensive review of the facts and available information, it is Management's position that the Bank is in compliance with OP/BP 4.01, Environmental Assessment; OP/BP 4.12, Involuntary Resettlement; and OMS 2.20, Project Appraisal. Management notes again that no Bank financed bid tendering or construction activities have taken place in the Kwabenya sanitary landfill, in accordance with the conditions indicated to the Board of Executive Directors in the PAD and as established in Section 3.03 (c) of the DCA, which requires the existence of a RAP acceptable to the Bank, prior to commencing civil works for the landfill and prior to any displacement of any affected persons. Management is also aware of Government's urgent need to construct a sanitary landfill to dispose properly of solid waste and proceed to close down existing open dumps. Following recent consultations with the Government, the Bank has confirmed the authorities' commitment to:

- Prepare an acceptable RAP not later than March 31, 2008;
- Not resettle any affected people prior to the approval of the RAP by the Bank;
- Take all the necessary measures to avoid new occupation of the lands already acquired by the Government;
- Develop a public communication campaign;
- Organize bi-monthly progress review meetings on the preparation status of the RAP until December 2007 and monthly meetings thereafter; and discuss progress reports on the preparation of the RAP; and
- Update the Environmental Management Plan, specifically for the Kwabenya sanitary landfill.

33. The Bank has reinforced the project supervision team with a seasoned social safeguards expert and will have another social scientist based in Accra. These two, together with the senior environmental specialist in the project team, will follow up closely the preparation of the RAP and the EMP and will provide the Government with technical support.

34. The Bank will support the implementation of a communication campaign to explain its role as the Project financier and the role and responsibilities of Borrower and the members of the community, especially in regard to safeguards policies. As part of the December 2007 MTR, the Bank and the Borrower will make an in-depth assessment of compliance with the agreed action plan by the Government. Based upon the results of this evaluation, which will pay particular attention to progress made in preparing an acceptable RAP for the Kwabenya sanitary landfill, and the progress made on the other components, a decision will be made in regard to the extent of project restructuring.

35. **Management Position.** It is Management's view that the Bank has applied consistently its environmental and safeguard policies and carried out the technical work for the project in a satisfactory manner with the requisite due diligence. Consequently, it is Management's view that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.

36. Management believes that construction of a sanitary landfill at Kwabenya is important to address the safe disposal of growing quantities of solid waste generated in the Greater Accra Metropolitan Area; this need has become more acute with the closure of an open dump site in Mallan and the planned closure of the dump in Oblogo. Management understands that failure to address the need for appropriate disposal of waste produced daily in the area will have detrimental impacts on the health of the population and on the prevailing environmental conditions. Management also recognizes that construction and operation of sanitary landfills, if not conducted according to the appropriate technical standards and without due consideration to environmental and social safeguards, can have detrimental impacts on affected population and, thus understands the concerns of the communities initiating the Inspection Panel request. Management is determined to continue to work with the Government and the communities to ensure that the Government implements the agreed action plan adopted in September 2007 and that affected communities will not be negatively impacted should the Bank agree to finance the construction of the sanitary landfill under the conditions originally established under the Project.

37. Management considers the decision of the Government to implement the action plan as a welcome development and the Bank will monitor the implementation of this action plan to ensure it materializes (see Annex 9). Management would like to reiterate that while it is committed to support the financing of the sanitary landfill, lack of progress in preparing an acceptable RAP according to the agreed action plan and in full compliance with the relevant Bank policies will preclude its financing. This decision will be made at the time of the MTR.

ANNEX 1

CLAIMS AND RESPONSES

No.	Claim/Issue	OP/BP	Response
Environmental Impact Assessment			
1.	<p>The Agyemankata Community is detrimentally affected by the sanitary landfill proposed in the context of the World Bank funded Second Urban Environmental Sanitation Project (UESP-II)</p> <p>Indeed the World Bank's Integrated Safeguards Data Sheet states, "those living near the landfill will be negatively affected" and that "surface and groundwater pollution could extend 5 to 10 km downstream."</p>	OP/BP 4.01	<p>Management considers that the technical work for preparation and appraisal as well as the due diligence required under the Bank's environmental and social policies were adequately carried out and appropriately reflected in the Project Appraisal Document (PAD). In accordance with the conditions established by the Development Credit Agreement (DCA), no Bank financed bid tendering or construction activities have taken place to date in the Kwabenya sanitary landfill. Section 3.03 (c) of the DCA requires the existence of a Resettlement Action Plan (RAP) acceptable to the Bank, prior to commencing work and prior to any displacement of any affected persons. As required by Bank policy, preparation of the RAP will involve detailed consultations with the affected communities and implementation of the RAP should ensure that appropriate mitigation activities are in place to address impacts on communities as a result of the construction of the sanitary landfill.</p> <p>The need for an engineered landfill site for Accra was confirmed in 1992 and the Kwabenya site identified in 1993. Feasibility studies and the landfill design were carried out in 1997 with funding from the UK Department for International Development (DfID). An environmental and social analysis was carried out in 1999 and a first phase of construction works began in 2000 with financial assistance from DfID. This phase of works included the construction of access roads and a covered conduit for storm water drainage. In spite of prior consultations with various stakeholders, claims of land rights surfaced during construction, delaying the start of the landfill works. DfID eventually withdrew its support of the Project.</p> <p>Given the urgency of resolving solid waste disposal in the Greater Metropolitan Area of Accra and the fact that the local government authorities had reached a tentative agreement with the local Chiefs for the acquisition of land, the Government requested and the Bank agreed to finance the construction of the landfill from the UESP-II. As part of the requirements for Bank involvement, the Government prepared an Environmental and Social Assessment (ESA) and a Resettlement Policy Framework (RPF) covering the entire project, including the Kwabenya landfill subcomponent. The ESA and RPF were completed in November 2003 and involved twenty five consultations with community representatives (Annex 2). Both processes and documents served to identify potential environmental and social impacts of the landfill and the measures that would be taken under the project to minimize those potentially negative impacts to the community.</p> <p>The Integrated Safeguard Data Sheet (ISDS) for the project highlights some of the potentially negative environmental impacts of the landfill. The section of the ISDS quoted by the Requesters is a general statement that describes the environmental conditions that would prevail if appropriate mitigation measures were <i>not</i> taken in designing and operating the landfill facilities in all five of the towns where landfills were to be built. The preliminary design of the Kwabenya landfill, carried out in 1997 under DfID financing, includes the incorporation of an impermeable base, leachate collection and treatment as well as monitoring boreholes downstream, so as to identify and sub-</p>

No.	Claim/Issue	OP/BP	Response
			<p>sequently mitigate potential risks of groundwater pollution. As noted below, final design work needs to be completed and reviewed and approved by the Bank. Operational procedures, to be defined in the operational manual (which will be prepared as part of the final landfill design), and the specification of cover materials for the landfill cells will further ensure that surface water is not contaminated. In addition, it is important to note that for the particular case of Kwabenya, there are no surface streams in its surrounding area; thus, the focus will be mainly on issues related to protecting groundwater and properly managing landfill gas.</p> <p>The final landfill design, which will need to comply with applicable Ghanaian legislation, policies and guidelines, as indicated in the ISDS, will be reviewed by an expert on sanitary landfills to assure that it meets the above criteria and that the design takes into account international best practice. The review will also look into the operational and financial sustainability of the Kwabenya sanitary landfill throughout its useful life. More importantly, ensuring the proper operation of the landfill will be a key element for the facility not to impact the environment adversely during its useful life. This is an area that will be given focused attention during project supervision. The institutional strengthening component of the project aims at addressing capacity building and the ability of the municipality to mobilize additional financial resources for ensuring satisfactory management of the facility after the Bank project is complete.</p>
2.	<p>Specifically, if implemented, this component of the Project will result in the involuntary displacement of much of the community and leave the remainder of the community living in conditions that pose grave risks to their health. Indeed, the Landfill has raised several potentially contentious environmental and social issues.</p>	<p>OP/BP 4.01 4.12</p>	<p>Management agrees with the Requesters that the construction of the Kwabenya sanitary landfill will involve involuntary resettlement. As indicated in the PAD, the ISDS and the RPF, OP 4.12 is triggered. The RPF included a preliminary assessment of displacement needs, and provided recommendations for the preparation of the RAP. The RPF indicated that an unspecified number of people and 113 properties and structures may be removed, with an estimated cost at the time of US\$4.2 million, including compensation, relocation and transfer of displaced persons, income restoration and administrative costs. This information will be reviewed and updated as part of the preparation of the RAP for the Kwabenya sanitary landfill. Management also notes that the Bank agreed during supervision to the Government's request to include the Kwabenya township in the Community Infrastructure Upgrading component of the project, with the objective of improving access to infrastructure services for the population living in this township, as part of Government efforts to address community concerns.</p> <p>As noted above in Item 1, Management acknowledges the Requesters' concerns about the potentially negative health, environmental, and social impacts of the Project, which will be addressed and mitigated through design and implementation actions. The design work will also incorporate measures for control of potential negative impacts and to minimize risks to the communities living near the site during the construction and operation phases, which will be reflected in the Environmental Management Plan (EMP) to be reviewed and approved by the Bank.</p>
3.	<p>The Agyemankata Community was not meaningfully consulted during the planning of the Landfill. The following examples illustrate the lack of meaningful consultation as required by The Accra Metropolitan Assembly (AMA), a government agency involved in the</p>	<p>4.01 4.12</p>	<p>Based on documentation available, Management considers the level of communication to be appropriate with regard to the preparation of the RPF. Management wishes to clarify that while the Bank was not involved in the initial planning of the sanitary landfill site, once the Bank agreed to finance the Kwabenya sanitary landfill subcomponent, the consultations carried out as part of the preparation of the project RPF were considered appropriate and in compliance with Bank pol-</p>

No.	Claim/Issue	OP/BP	Response
	<p>Landfill, often announces decisions after they have been made via publication in local newspapers such as the <i>Ghanaian Times</i> and the <i>Daily Graphic</i> or through radio announcements.</p> <p>This means of communication is insufficient as it may not reach the Community nor does it allow a process for meaningful input from the Community. The Agyemankata Community has sent several letters to the AMA over the course of several years. The AMA, however, has never replied nor acknowledged receipt of those letters and continues to issue messages to the Agyemankata Community through newspapers or radio announcements.</p>		<p>icy. As documented in the RPF, representatives of the Agyemankata Kwabenya Community (AKC) participated in focus groups and group discussions in 2001-2002. These activities were organized by the Centre for the Development of People (CEDEP), an independent nongovernmental organization working with Environ Engineering and Management Consult, the consultants responsible for helping the Government to develop the ESA and RPF. The consultants conducted in September 2003 a preliminary assessment of the properties within the buffer zone that could be affected by the proposed project, which required interaction with some of the project-affected people at the site. (See Annex 2 on public consultation during project preparation.) The consultations showed that there was broad support for the project from local residents, the local Members of Parliament and the Assemblyman for the Kwabenya communities. Minutes of these consultations indicate that most local people supported the siting of the facility once they heard and understood the difference between the existing dump sites and the operation of a sanitary landfill and how the possible negative environmental and social impacts that could be associated with the construction and operation of the sanitary landfill would be mitigated. During these consultations it was also explained that, as stated in the RPF, further consultations, data collection, and analysis would be undertaken for the preparation of the RAP.</p> <p>The Government has informed the Bank that it undertook numerous efforts to reach out to and consult the local communities about the Project, including the AKC. A Technical Advisory Committee (TAC) was established by the Minister of Local Government and Rural Development in June 2004 to address concerns of property owners. In July 2004, the TAC issued a press release inviting the general public to submit concerns regarding the sanitary landfill project. The TAC then held a three-day brainstorming session with land agencies, social groups, traditional authorities, other Kwabenya residents, Government representatives and project officials. The AKC declined to participate in these discussions. The Government further informed the Bank that when officials from the Ministry and AMA delivered letters to members of the Community in June 2004, inviting them to a meeting, they were detained for several hours and confronted with death threats should they ever return. Subsequent letters were returned unopened. Since that incident, Government delegations, project staff, surveyors and valuation staff have visited the site under the protection of armed security personnel. As some of the attached letters show (Annex 4), the AKC communications typically include the following: <i>"We Agyemankata community the immediate residents living on Kwabenya landfill site will never honor any invitation or discussions on a dump (landfill) at Agyemankata Kwabenya. We have the right to protect our environment. Anybody who enters here does so at his/her own risk."</i> This reflects the complex social and political situation the Government is dealing with and the difficulties in undertaking field visits.</p> <p>Although Management understands that the Government may have selected alternative ways of communication due to the refusal of the Community to receive written notifications, on their own these communications via newspapers and radio will not be sufficient to meet Bank policy requirements for the preparation of an acceptable RAP.</p> <p>On March 1, 2007, the Bank's Communication Specialist in Accra and a Senior Municipal Engineer met with local representatives from the Centre on Housing Rights and Evictions (COHRE), which submitted the Request on behalf of the AKC and had written to the Bank (Annex</p>

No.	Claim/Issue	OP/BP	Response
			<p>7). COHRE is an international nongovernmental organization that campaigns for the protection of housing rights and the prevention of forced evictions. COHRE attended the meeting with a local journalist who has written extensively on the Project in the national newspapers. The Bank explained its involvement in the Project to date, and its obligation to receive and approve a complete RAP before civil works could commence at the site. The Bank team also explained the importance the Bank placed on the prevention or mitigation of any negative impacts on the community, as well as the Bank's willingness to support community upgrading work in the area, and to consider supporting part of the displacement and resettlement costs under the IDA Credit. The meeting was very constructive, and COHRE offered to contact the AKC and serve as mediators between the community and the Government.</p>
Involuntary Resettlement			
4.	<p>The Agyemankata Community learned about the World Bank's role in the Landfill only from a newspaper article in the <i>Daily Graphic</i> (dated 10 December 2003, page 23, para 15) in which it was stated that "S.O. Darko, former Mayor of Accra, said World Bank was to finance the Kwabenya landfill." In response to this article, the Agyemankata Community wrote to the World Bank on 16 January 2004 requesting that the Bank not support the Landfill component of the Project.</p> <p>In response, the World Bank on 30 January 2004 invited the Agyemankata Community to see the already prepared Environmental and Social Assessments and the Resettlement Policy Framework. This is the first time the Agyemankata Community was made aware of these documents and, again, was only allowed to see them after their completion. The Community is quite frustrated given this lack of transparency and lack of consultation.</p> <p>[This violates] the Operational Policy 4.12 Required Measure that "(a) the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives." (OP 4.12, para. 6(a).) [Also see] Bank Procedure 4.12, paragraph 5(b) requiring the resettlement plan or resettlement policy framework's "adequacy with respect to OP 4.12, including the involvement of affected groups and</p>	4.12	<p>As indicated under item 3 above, several discussions were held and focus groups met during 2001-2002, as part of the preparation of the RPF, which included members of the AKC, among them the school-teacher who acted as AKC spokesperson. Therefore, it is Management's view that the community was properly consulted and informed about the proposed Project prior to the quoted article of December 10, 2003. Also, in accordance with Bank policies, the RPF was publicly disclosed following review and acceptance by the Bank prior to appraisal. The RPF was disclosed in the Bank's Infoshop on January 16, 2004 and "in-country" on January 19, 2004. The Bank also received a large delegation of 35 members of the AKC on February 27, 2004, which shared its concerns and thanked the Bank for its courtesy and clarifications (Annex 6).</p> <p>As indicated on page 4 of the project-wide RPF, RAPs were to be done at a later date for the Kwabenya sanitary landfill and the other solid waste subcomponents, as well as for the storm drainage and community infrastructure upgrading components, based on the guidance set forth in the RPF. It further noted that, "<i>The existing information on the social safeguards situation at the Kwabenya landfill site are described in this report [RPF] to provide the basis for the preparation of a RAP for Kwabenya and to serve as an illustration of the application of the RPF. This information is in part taken from the Environmental Impact Study that was printed in 2000 (2000 EIS) through funding from another donor and in part collected as part of this assignment. It was deemed however that this information, and the consultation process with the affected population, is insufficient to present an adequate RAP for Kwabenya, which remains to be done (emphasis added), with adequate exploration of alternatives.</i>" Therefore, it is Management's view that the requirements of OP 4.12 were met; the RPF (page 25) includes the Bank policy requirements, in particular the requirement that displaced and compensated persons should be meaningfully consulted and should have opportunities to participate in planning and implementing approved resettlement programs. As previously noted, an acceptable RAP will need to be submitted and found satisfactory before the Bank agrees to finance the sanitary landfill works, in accordance with Section 3.03 (c) of the DCA.</p>

No.	Claim/Issue	OP/BP	Response
	the extent to which the views of such groups are being considered." (BP 4.12, para. 5(b).)		
5.	[T]he World Bank has not abided by its Operational Policy on Involuntary Resettlement (OP 4.12) or its Bank Procedures on Involuntary Resettlement (BP 4.12). Specifically: The Agyemankata Community has yet to see any Involuntary Resettlement Action Plan on Kwabenya Landfill yet alone be able to meaningfully participate in such a plan's creation. [This violates] the Operational Policy 4.12 Policy Objective requiring that "displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs." (OP 4.12, para. 2(b).)		As indicated in Item 4 above, Management notes that the RAP for the Kwabenya sanitary landfill has yet to be prepared and submitted to the Bank for its review and acceptance, and that the preparation of the RAP will require additional consultations with affected groups. Therefore, it is Management's view that the requirements of OP 4.12 have been met and the affected community will have the opportunity to participate in the preparation of the RAP and its implementation as the policy requires. The Government confirms its agreement to comply with Bank policies in accordance with the terms of the Project's DCA (Annex 9).
6.	<p>The AMA communicated to the Agyemankata Community via radio announcements on 19 and 20 July 2007 and in the 18 July 2007 edition of the <i>Ghanaian Times</i> that its residents needed to deposit all documents on their respective properties at the Land Valuation Board. A further notice by the AMA Agyemankata Community to bring all relevant documents to the AMA by 30 July 2007 or forfeit their compensation was communicated to the Agyemankata Community only in the 18 July 2007 edition of the <i>Ghanaian Times</i>. The threat by the AMA of 30 July 2007 that the residents risk forfeiting their compensation is a threat by the AMA to violate Operational Policy 4.12 Required Measure that "(g) the resettlement plan or resettlement policy framework included measures to ensure that the displaced persons are... (iii) provide prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project." (OP 4.12, para. 6(a).)</p> <p>The threat by the AMA of 30 July 2007 that the residents risk forfeiting their compensation demonstrates either the inadequacy of or a threat to violate any resettlement plan's or resettlement policy framework's "criteria for eligibility of displaced persons for compensation" as required by BP 4.12, para. 5 (c).)</p>	4.12	<p>Management understands that the communications indicated by the Requesters took place. However, Management has been informed by the Government that while no compensation has yet been made, the stated deadline for forfeiture will not be imposed. Forfeiture of compensation is not in accordance with OP 4.12 and hence such actions would not be acceptable to the Bank. The Government has confirmed via letter to the Bank dated September 13, 2007 (Annex 9) its commitment to an action plan that <i>inter alia</i> includes the following actions to:</p> <ul style="list-style-type: none"> • Prepare an acceptable RAP not later than March 31, 2008; • Not resettle any affected people prior to the approval of the RAP by the Bank; • Take all the necessary measures to avoid new occupation of the lands already acquired by the Government; • Develop of a public communication campaign; • Organize bi-monthly progress review meetings on the preparation status of the RAP until December 2007 and monthly meetings thereafter, and discuss progress reports on the preparation of the RAP; and • Prepare the Environmental Management Plan.
7.	As outlined above, the Agyemankata	4.12	Management acknowledges that the AKC has communicated its con-

No.	Claim/Issue	OP/BP	Response
	<p>Community has spoken with World Bank officials in Accra on several occasions and their concerns have yet to be dealt with in a satisfactory manner. Again, those responsible for the Landfill continue to not meaningfully consult with the Community.</p>		<p>cerns, both in writing and in meetings and protests (between January 2004 and January 2007) (See Annex 4). Management considers that it has addressed the community's concerns (Annex 5) and it has assured the community of its strong commitment to adhere to safeguards, particularly on resettlement, which will include additional and sufficient consultations during the preparation of the RAP. The AKC also has been advised on how to address grievances to the local institutions and committees handling the Project and has been assured that any negative impacts from the siting of the facility within their community will be mitigated appropriately.</p> <p>The Government has agreed to an action plan that includes a full communication subcomponent to address the concerns of the community, in addition to the requirement of full consultation with the affected communities during the preparation of the RAP. Management notes that some of the demonstrators appeared to have been misinformed about the safeguards measures under the Project. For example, despite several presentations, the community was still under the impression that the Kwabenya sanitary landfill would be similar in design and in operation to some of the existing open dumps of Accra.</p>
Project Appraisal			
8.	<p>The actions of the AMA demonstrate a lack of commitment to implementing any resettlement instrument that meets with OP 4.12 and BP 4.12. Consequently the Project is in violation of Bank Procedure 4.12 (Appraisal), para. 10, requiring assessment of "(a) the borrower's commitment to and capacity for implementing the resettlement instrument; (b) the feasibility of the proposed measures for improvement or restoration of livelihoods and standards of living; (c) availability of adequate counterpart funds for resettlement activities; and (d) significant risks, including risk of impoverishment, from inadequate implement of the resettlement instrument." (BP 4.12, para. 10.)</p>	4.12	<p>Management takes seriously this allegation by the Requesters and considers that the Government is fully committed to achieving the Project objectives, in line with the Bank' operational policies, per the DCA.</p> <p>The Borrower's capacity, which was strengthened during implementation of UESP, was assessed during appraisal. Although implementation arrangements similar to those under UESP were maintained, an institutional strengthening component was included in the repeater project to support the objective of further decentralizing project implementation to the Metropolitan Assemblies (MAs).</p> <p>As explained above, the RAP has not been prepared yet and, it is Management's view that the RPF correctly set out principles and procedures to be used in assessing and analyzing the social impacts and valuing entitlement eligibilities as part of the preparation of the RAP. The RPF also includes proposed mitigation measures, such as restoration of income and livelihood. Management will ensure that the Project meets applicable Bank policies for those persons displaced and resettled as a result of the Project before it commits funding for this activity.</p>
Other Issues			
9.	<p>The above may not be an exhaustive list of all World Bank Operational Policies and Bank Procedures being violated by the Kwabenya Landfill project. Consequently, COHRE and the Agyemankata Community reserve the right to amend this Request for inspection.</p>		<p>Management is fully committed to respond to the concerns raised in the Requesters' letter and to any future questions on the Bank's compliance with its operational policies. As indicated in Items 4, 7, and 8 above, Management also will ensure that the Project meets the highest standards of due diligence, including with respect to implementation of the Bank's operational policies and consultation with project-affected people. Management intends to work with the Government and with the affected communities to find a suitable solution to the urgent problem of solid waste disposal in Accra that is in full compliance with Bank policies on environmental assessment and involuntary resettlement. Management will ensure that the Action Plan in paragraph 33 of the Management Response is fully implemented.</p>
10.	<p>Finally, it should be noted that the Kwabenya Landfill project is based</p>		<p>This statement, or parts of it, is not present in the report of the Strategic Plan for the Greater Accra Metropolitan Area report (December</p>

No.	Claim/Issue	OP/BP	Response
	<p>on an early 1990s UNDP strategic plan for the then Greater Accra Metropolitan Area. This strategic plan stated that landfill sites should be 1 km away from residential areas. While the Kwabenya site fit that criterion at the time this plan was drafted, the current Project fails to meet this plan due to changed residential patterns in the area. Indeed, the Agyemankata Community now reside within 1 km of the proposed Landfill.</p>		<p>1992), funded by the UNDP/HABITAT. Kwabenya is not mentioned in the five-volume comprehensive report, nor did the report state the distance between a landfill site and communities. As indicated in Item 1 above, the final project design will be reviewed by an expert to ensure that it meets the criteria established by the Ghana Environmental Protection Agency.</p>

ANNEX 2

MINUTES OF PUBLIC CONSULTATIONS (2001-2003) AND SUMMARY TABLE

I. HIGHLIGHTS OF MEETING BETWEEN AMA AND LAND OWNERS OF KWABENYA LANDFILL SITE HELD ON TUESDAY, 9TH SEPTEMBER 2003 AT THE METRO CHIEF EXECUTIVE'S OFFICE

PRESENT

1. Hon Solomon Ofei-Darko	Metro Chief Executive
2. Mr I T Adjovu	Metro Co-ordinating Director
3. Mr K. K. Bosompem	Metro Director of Finance
4. Major T N K Awuah	Metro Works Department
5. Miss Efuah Anyaful	Metro Planning Unit
6. Mr K D Osei	Town & Country Planning Depart.
7. Mr Parker Allotey	P R O, AMA
8. Mr B M Laryea	Ag. Head, WMD
9. Anderson N. Blay	Waste Management Department
10. Nii Tetteh Ankamah II	Head of Nii Okaijah Gbeke Family
11. Seth Okaijah Lamptey	Nii Okaijah Gbeke Family
12. Asafoatse Dinsey II	Nii Okaijah Gbeke Family

1.0 INTRODUCTION: In furtherance to the efforts to develop the Kwabenya Landfill, the land owners (Nii Tetteh Ankamah II and elders) were invited for discussions on the remaining sticky points on compensation and other related matters.

1.1 BRIEF BY METRO CHIEF EXECUTIVE: Welcoming the Chief and his elders to the meeting, he said, it was unfortunate that the project had delayed unduly due to funding difficulties. Fortunately, he said, the World Bank has now agreed to fund the project.

In view of that, time was ripe to enter into negotiations with them (Land owners) on the payment of the agreed commitment fee (knocking fee) of two hundred and fifty million Cedis (₵250,000,000).

This was to enable the AMA to enter on the land and conduct survey works for preparation of the compensation and other engineering works. This will enable the AMA to fulfill the demand by the World Bank.

1.2. RESPONSE FROM CHIEF (LAND OWNERS): In his reaction, the Chief, lamented greatly on the delay of the project and the frustration he and his subjects have gone through. They would therefore expect the AMA to fulfill its promise and pay the commitment fee immediately.

2.0. AGREEMENTS: after much deliberation, the following agreements were reached;

One hundred and fifty million Cedis (₵150,000,000) out of the two hundred and fifty million Cedis (₵250,000,000) would be paid by Thursday, 18th September 2003. The remaining One hundred million Cedis (₵100,000,000) would be paid in the next month.

A Memorandum of Understanding (MOU) would be prepared and signed by the Land Owners by Thursday, 18th September 2003 to enable AMA enter the land for work to start.

The Land Owners, Nii Okaijah Gbeke Family should write to Messrs Amoako and Smith and warn them from obstructing AMA in its work. A copy of the letter should be sent AMA.

A letter to be written to the Ga District Assembly (GDA) to take action on all encroachers on the land.

3.0 CLOSING: In conclusion, the Metro Chief Executive thanked the Chief and elders for a fruitful deliberation.

II. A MEETING WITH LOTTE ON THE 19/11/2001

The main purpose of the meeting with Lotte of Scott Wilson was for her to take us (CEDEP) team through some technicalities on the Landfill project. The team was taken through as they pertain in other parts of the world. We also looked at the problems of leachate, gas methane, vermin, dust etc and how these possible Hazards could be abated or solved when they occur. At the meeting, we also discussed the concerns of the stone winners.

A meeting with the Honorable Assemblyman for Kwabenya Electoral Area. The CEDEP team met the Honorable Assemblyman of Kwabenya electoral area in the person of Mr Prosper Aryee. He was bereaved at the time we met so the meeting with was very short and brief.

The CEDEP team briefed the Assembly of our assigned mission in the Landfill project and how we would dearly need his assistance as far as the mobilization and participation of the entire Community in the on going project was concerned. He thanked us for accepting to help in selling the Landfill concept to the people of his community and promised his unflinching support to the project and agreed to assist in the mobilization of the people in times of need.

III. VISIT TO THE GA DISTRICT ASSEMBLY on 27th November 2001

A team of four (4) comprising Mrs Linda Asafo, Frank Chinebuah, Bernard V Lartey and Elvis Addae travelled to Amasaman the district capital of the GDA. The main objective of the visit was to introduce CEDEP as the NGO that had been selected to undertake the Community Education/Sensitization of the Kwabenya Landfill project to the DCE and other GDA officials involved in the Landfill project.

The team could not meet the DCE as he was in a meeting. The team, however, met officials of the planning department who expressed their unhappiness about how the assembly had been sidelined by AMA.

The officials reiterated that Kwabenya falls under GDA, but has been excluded from all deliberations/discussions on the Landfill project. These complaints the team noted with great concern, since the team believed that such reactions were going to have negative repercussions on the Kwabenya project. In one of our meetings with the government teams we suggested that the Government team should as a matter of urgency include the GDA team in the discussion so as to enhance the smooth running or supervision of the project.

IV. MEETING WITH THE GA DISTRICT ASSEMBLY on 28th November 2001

The CEDEP team made up of Ben Vikpeh-Lartey and Elvis S Addae arrived at Amasaman, the District Capital of the GDA. The team quickly checked on Mr Thompson who is a planner at the GDA. The CEDEP team had already met Mr. Thompson a day earlier (thus, 27th November 2001) with AMA team led by Mrs Linda Osafo, and Mr Frank Chinebuah from the WMD. The purpose of the visit was to introduce the CEDEP staff to the DCE of GDA who is also the landlord of Kwabenya by law. The team briefed the DCE about CEDEP's Mission.

Mr Attoh (DCE) welcomed us and pledged his support to the project.

V. MEETING WITH THE CO-ORDINATING COMMITTEE ON 29/11/2001 AT THE RCC, ACCRA

On the 29th November, 2001, there was a meeting organized by the government Co-ordinating Committee at RCC – Accra. The CEDEP team was introduced to the government team for the first time, CEDEP made a presentation on the strategies and methodology for the execution of the assignment. Members at the meeting gave constructive suggestions, which were taken on board and CEDEP was tasked to develop and present to the Government Co-ordinating Committee a set of new method and strategic objectives since, the focus of our main purpose had changed. During the meeting members also held discussions on very pressing issues such as Inter – sectoral collaborations amongst Departments, Social, Economic and Political aspects of the project, compulsory acquisitions, payment of compensations as well as resettlement packages for the victims.

VI. A VISIT TO KWABENYA on 5TH DECEMBER, 2001

Harboring the feeling that they had been sidelined and not been treated fairly, the Agyeman-Kata residents had adopted a hostile attitude towards anyone who is related to the project. This is worsened if they notice an Accra Metro van or personnel. For this reason, CEDEP thought of going to the community alone, i.e. Without the involvement of Mrs Linda Osafo and Mr Frank Chinebuah of AMEHI and the Accra Waste Management respectively. The following is a write-up on the first visit to the community that CEDEP made unaccompanied.

TARGET

The main target of the visit was Mr Amo Smith, the proprietor of Nana Saah Memorial Primary School within the buffer zone of the project. He welcomed us and demanded our identity. We were then taken round the ridge for us to see how close the project was to human habitation.

To do this, he took us to some homes of some residents who according to him had lost their spouses. These widows and widowers according to him had stayed on the ridge for over twenty years. "Now you said they should go away, where they go? He asked.

He pointed to pieces of land and on-going developments whose owners stayed in America and Europe. He took us to the top of the mountain where we could have a clear view of the beautiful landscape.

We finally got seated in the house of Mr Amoakoh, Mr Amo Smith spoke about the social, economic, health and cultural implications of the project. He spoke of the assistance his school is offering to children who stayed far away as well as the softer terms he offers to pupils from poor home.

He said, "if the school is moved away from there to another distant place, how would these children attend school?" This, he said, amounted to discrimination against those children.

The people, according to him, had stayed and farmed on the land for so many years now. Moving them from this place is an indirect way of ceasing them from living. These already aged people would just be quickened to their graves.

He was angry with the fact that they were not consulted in anyway and that none of their letters had been responded to. He said, that this confirms the stands of some political leaders who think that there are no human beings living in the area.

VII. MEETING WITH A YOUTH GROUP (CARDS PLAYING STARS) IN KWABENYA TOWN on 8TH JANUARY 2002

Mr Ben V Lartey and Mr Elvis S Addae both of CEDEP arrived at Kwabenya town to arrange for a focus group discussion with the chiefs, elders and opinion leaders but none of them was met. We however met seven young men who were members of the youth

group that plays cards. Among the groups was the junior brother of the Honorable Assemblyman for Kwabenya electoral area and who is also a close relative of the landlord of the Kwabenya Lands including the landfill project site. These guys had a lot of information to share with us, especially, the relative of the Landlord. Initially, they were against the project but after they had listened to our interventions on Landfill sites they rescinded their decision and gave their support for the project. After everything, we realized that the youth groups had been misinformed by the Amo-Smith and Amoako groups and that they also had very little information about Landfill projects in general. The youths also raised the issue of the chiefs and opinion leaders not being transparent, thus the community members had been kept in the dark as far as the whole project was concerned. The youth raised pertinent issues such as the government providing some amenities to compensate the township such amenities like: the provision of portable water, schools, access roads, clinic, compensation and relocation of the affected persons. In our response to their request from government, we made them aware that the government was prepared to provide the community with all that they were requesting for if they will accept the project. The youth said nobody had told them or organized any community form to inform them of such laudable intentions from the government. We later charged them to also go around and educate other youth groups and the community on the landfill project.

VIII. MEETING WITH THE ASSEMBLYMAN OF THE KWABENYA AREA on 8th January 2002

The assemblyman of the area Mr Prosper Aryee, later joined the meeting , which was deduced from the interaction with him that the Kwabenya community is in favor of the project. He however showed us a resolution that had been written and signed by him, the two chiefs and about eight other opinion leaders. This contained the conditions that in the AMA had to fulfill before the next phase of the project could continue. These are the provision of the following: **portable water, a clinic, compensation/relocation, upgrading of the access road and the school.** He cited instances of deceit by the Atomic Energy Unit and the ACP Estate Developers, which promised the people of Kwabenya electricity and portable water respectively but failed to fulfill them. They were, he said, in no way going to allow themselves to be cheated once more. Based on some news articles he had heard, he was going to meet the DCE of the GDA at the shortest possible time.

He then assisted us in the identification of individuals, groups and organizations that we could contact for interactions and discussions. Some of these are eight (8) churches, two (2) chiefs, Playing Cards Club, a football club, Community Committee, Landlords Association, Residents Association, teachers and students union. He promised organizing a public forum on the 19th of January to inform the community about the outcome of the resolution.

INTRODUCTION:

To enable CEDEP accomplish the terms of reference assigned by AMA and for that matter the AWP, a familiarization visit was paid to the landfill site on TUESDAY, 13TH NOVEMBER 2001.

Team Members:

Mrs Linda Osafo	-	Co-ordinator, AMEHI
Mr Frank Chinebuah	-	AMA, Waste Management Departments
Mr Bernard Lartey	-	CEDEP, ACCRA
Mr Elvis Addae	-	CEDEP, ACCRA

Objectives:

The main objective of the visit was to enable CEDEP have a clearer understanding of the landfill project and also to identify the various stakeholders of the Kwabena community.

IX. MEETING WITH SCOTT WILSON

A supervisor of Scott Wilson, the supervising company, overseeing the works of Taylor Woodrow Construction (Taysec) gave a brief on one of the enabling works of the project. This was the drainage culvert required to carry the watercourse that sporadically flows down the valley beneath the landfill. He described the technical aspects of it and also the materials being used for the culverts. They hope to finish it by end of November 2001.

The other enabling works is an access road that had been constructed to the site. He spoke of the threats by the community and quickly adding that, things were normalizing and that work was going on steadily.

X. MEETING WITH STONE WINNING GROUPS

There are two main economic activities in the area. These are stone-winning and farming. The team learnt of the existence of four main stone-winning groups there. Two of these were identified and interacted with.

Group 1

With much assistance from one Mr Acquah, over 20 stone-winners were mobilized. About 6 staff of Taysec were also present at the meeting. This mixture of the workers of the Construction Company and the stone-winners showed the understanding this particular group had with the entire project. Time was allowed for questions from them.

Responses:

Issues on the negative effect of the projects – water, health etc. were addressed further explanation on the structure of the project was given.

Compensations: the AMEHI co-ordinator commented on it, she however could not say exactly what would be done/given to the affected people.

On Taysec, the team promised to carry those concerns to the management of the company.

A five-man committee was formed to link up CEDEP and the group. This became necessary in that there are going to be several regular meetings hence the need to interact with a smaller group.

Group 2

The leader of the second group, Mr Amoakoh had travelled however, his assistants were there to meet us. The reactions of the three men after we had made our mission known to them demonstrated their unhappiness of the project, in no uncertain terms they made it clear that they detest the project based on social and economic factors.

Due to the stand of the leaders, the team suspended the intended meeting with the larger group to avoid chaotic and possible harmful situations.

They equated the project to the social security scheme, which was described nicely but has now become a bitter pill that workers are swallowing.

Example of landfills in other countries, which had not be stopped or are causing harm to health of the residents, was cited. This information, according to them were gathered from the internet and also from literature sent to them by relations and friends outside Ghana.

They were also not happy about the awarding of the contract for the construction to a company from the country, which granted the loan to Ghana for the project.

Displacement and compensations: they spoke at length on their understanding of the negative effects the project would have on their economic activities (stone winning) and also of the education of their children.

There was also the expression of the fear that compensations (if any) to the affected persons might be very small.

Responses:

Reacting to the above concerns above, it was made known to them that landfills could be harmful depending on the type of waste being deposited. It was explained to them that the wastes of the developed (industrialized) countries are mainly toxic unlike that of Ghana

which are mainly domestic or food waste. This, it was said if properly managed, will pose no problem at all.

AWARD OF CONTRACT: Awarding a contract to a company from the same country from where a loan for the project was secured had been seen as not the best, however, it was said to be one of the 'strings' (conditions) attached to the loan. Subsequent stages of the project, according to the AMEHI coordinator, would be put to tender for open bidding...

SOCIO-ECONOMIC: Attempts were made to assure them of proper arrangement for resettlement and other compensation packages for those of who might be affected by the project.

The leader of the group informed us about a meeting of the Agyeman-Kata Residents Association on Saturday, 17th November 2001 at 10:00 AM. We promised to attend this meeting.

XI. GROUP DISCUSSION WITH THE KWABENYA YOUTH ASSOCIATION AT KWABENYA on 12th February 2002

PRESENT:

BENARD V LARTEY, ELVIS ADDAE (CEDEP)

PROSPER ARYEE (ASSEMBLYMAN, KWABENYA)

TIME: 8.55 am

PURPOSE OF DISCUSSION: To educate and sensitize the Kwabenya youth association on the Kwabenya landfill project.

The group was fairly a large one, numbering about 25 members. Our initial plans of organizing a focus group discussion (FGD) had to be changed to a general group discussion because of the large size of the group. After the usual exchange of pleasantries, the Honorable Assemblyman and his elders, thus executive members of the Kwabenya Youth Association, asked us of our mission. We started by informing them that we had had several Public Educational discussions with some other groups including their chiefs and elders etc. and that it was their turn today. The group informed us that they have heard about the on going Public Education on the landfill project and that they were happy we have met them today. We then asked the Assemblyman to briefly give account on progress reports so far received from the Government side concerning the community's demand for some basic amenities. He briefly, informed the meeting that so far the government has been responding positively to their request made. He mentioned specifically, Water, Clinic and Market which the government has agreed and has started to tackle at the same time. The Honorable Assemblyman said the rest of the amenities namely, Schools, roads, toilets etc. the Government has promised to tackle in phases. He went further to inform the meeting that he has had several meetings with Government officials from both AMA and GDA where CEDEP was present in some of the meetings to pressurize for these amenities, and

now the government has backed its promise with actions. He intimated that a community to inspect the pipelines etc. and said hopefully the water project may start in a few weeks time.

The Honorable Assemblyman, said he was again invited by the GDA chief executive to his office yesterday to discuss the site selected for the community Clinic aside these action points he has also been charged to look out/locate a 20 acre plot where those who have been affected by the landfill project could be resettled as well. After the Assemblyman's briefing the group members were happy that at long last the government has started yielding to their request for some basic amenities to the Kwabenya community. This brought CEDEP team into the scene where we took our time to educate all the group members thoroughly. We took them through the numerous stages of the landfill project using pictures to illustrate our education. After the intensive lecture/education, the floor was opened for questions. There were numerous questions that were disturbing peoples minds which we tried to provide answers to. Finally, by the close of the discussion, participants were convinced that they had been misinformed about the effects and hazards of landfill sites and that the information they had were not enough and that they have now understood the nitty gritty of what is a landfill and how a landfill does look like?

Emerging Issues:

Another major concern of the youth groups was the problem of unemployment in the area and that they have a lot of qualified artisans e.g. masons, carpenter, steel-benders etc. amongst the youth so their plea was for the government to give them a promise to employ some of their youths who have the requisite skills and are qualified to do the job when the second phase of the Landfill project starts.

Another concern expressed by the youth group was whether the Clinic to be built would meet international standard which could take care or handle any adverse situation whenever there is any outbreak of epidemic as a result of the landfill site. The last concern of the youths was whether the government would give the Kwabenya community and their surrounding villages concessionary charges/bills/rates when the clinic starts operating.

The discussion ended at 10.47 am.

**XII. MEETING WITH THE ASSEMBLYMAN FOR KWABENYA HON.
PROSPER ARYEE on 11th February 2002**

PRESENT:

BENARD V LARTEY, ELVIS ADDAE (CEDEP)

PROSPER ARYEE (ASSEMBLYMAN, KWABENYA)

TIME: 11.47 AM

PURPOSE OF DISCUSSION: To discuss arrangements so far made in connection with the impending focus group discussions (FGDs) and group discussions to be held in Kwabenya

The meeting was brief and focused. After serious discussions, the team agreed to meet tomorrow morning at 9.00 am (12/02/2002) at Kwabenya at the Assemblyman's house so as to move out to meet the church, leaders/secretaries and other youth leaders to arrange or fix the dates and times for the impending focus/group discussions.

The Honorable assembly man took the opportunity to brief the CEDEP team about progress so far made towards the provision of the basic amenities requested by the Kwabenya Chiefs, elders and opinion leaders.

Amenities:

The assemblyman informed the team that so far, some progress has been made in connection with the provision of the said amenities. He intimated that a team of experts from the Ghana Water Company Limited have visited the Kwabenya Township to have a first hand look at the situation. The team has made their estimates, recommendation and had written their reports. He said another team had also inspected the site earmarked for the community clinic as well as the community market and had submitted its reports to the authorities. The Assemblyman said he was in Amasaman this morning to meet with the GDA chief executive to discuss how best and fast the area could be surveyed and the layout plans drawn to meet the required standard. He said the DCE called in to his office the district's structural Engineer and charged him to get the surveyors to move to the site with him to undertake the surveying work. At the time of leaving Amasaman, the assemblyman and the engineers were still waiting for an official vehicle to convey them to Kwabenya to do the zoning and surveying of the earmarked plots for the projects.

**XIII. MEETING WITH THE KWABENYA FOOTBALLERS ASSOCIATION
AT KWABENYA on 14th February 2002**

PRESENT:

BENARD V LARTEY, ELVIS ADDAE (CEDEP)

MR CHINEBUAH (WASTE MANAGEMENT)

PROSPER ARYEE (ASSEMBLYMAN, KWABENYA)

TIME: 5.30 PM

PURPOSE OF DISCUSSION: To educate and sensitize the Kwabenya Footballer Association on the landfill project

The Public Education team made up of Bernard V Lartey, Elvis Addae all from CEDEP and Mr Chinebuah from the Waste Management Department of the AMA arrived at the Kwabenya Assemblyman's house at 4.39 pm

Since, the Honorable Assemblyman knew of our impending group discussion, he was already waiting for us. He led us unto the football field near the JSS School in the Kwabenya town. He asked for a few minutes to organize the footballers for the discussion to begin.

By 5.30 pm, there were about 32 footballers made up of all the three categories of age groups thus, the under 12, 17 and 21 years groups.

The Honorable Assemblyman, opened the floor by first introducing the Public Education team members to the footballers. After the introduction, he then gave a brief account of how the landfill project came about by looking at the trend of events from the past, present and the future.

He informed the youths that the idea of this landfill project was conceived as far back in the late eighties (80s) by the former government and that there have been enough studies carried on the landfill sites worldwide and that the type to be constructed at Kwabenya is about the best in whole of Africa, and its is engineering cantered. The Honorable Assemblyman reminded the youth groups not to forget the fact that the government has got the full powers given it by the constitution to acquire those lands compulsorily and that if it so happens, then it means the whole Kwabenya township and its surrounding villages are going to be the losers, since those amenities requested for by the Kwabenya chiefs, elders and opinion leaders would not be provided by the government, any more, because the inhabitants have proved recalcitrant. So in short, he impressed upon the youth groups to accept the project since the government has started providing those amenities requested for e.g. Water, market and Clinic for the start. At this juncture, the educational team members took turns to educate the youths on landfill site, the different types of landfill sites etc. after the sensitization, there were lots of questions from the floor which we tried to provide answers to.

Emerging issues:

Some major concerns that the group shared with us were: The health hazards associated with landfill sites, whether the youths in the Kwabenya community would be given some jobs to do at the landfill site; whether the government would allow the inhabitants of Kwabenya and surroundings, to attend clinic free of charge or not etc. Another pressing concern for the youthful footballers was the state in which their goal posts were in, they pleaded with the AMA to come to their aid by replacing the wooden posts with metal posts for them.

The educational team assured the footballers that their concerns would be forwarded to the authorities concerned to see how best they could help in assisting them with their concerns. Finally, the youth group leader thanked the educational team for taking the trouble to travel all the way from Accra to educate them on what is landfill and how a landfill site looked like? By closing time their number had risen to about 45 footballers. We provided two (2) crates of minerals to them to refresh themselves after a heated discussion.

The meeting closed at 6.47 pm.

XIV. INTERACTION WITH CHURCH OF CHRIST CONGREGATION

Date: 06/03/2002

Time: 7:30 – 8:30 pm

Attendance: 25 members

Present: Ben V Lartey, Elvis Addae, Richard Botchwey (CEDEP) and Mr Ofori (Kwabenya Youth Association)

The public education team met Mr Ofori who is an opinion leader as well as an executive member of the Kwabenya Youth Association. He joined our vehicle and asked us to drive to the premises of church of Christ. When the team got there we were received warmly since they had received our letter requesting for an interaction with them. After a brief introduction, we were given the floor to address the congregation. Mr Elvis Addae set the ball rolling at the project was through what is a refuse dump e.g. The Mallam type and the different types of Landfill sites, e.g. Landfill site for domestic waste and landfill, site meant for "Toxic Waste". Pictures of the different types of landfills and refuse dumps were used to illustrate as well as support our presentation.

Question time was allowed for the congregation.

Emerging issues:

During question time, church members asked questions that had been bothering their minds ever since the project began. Below are some of the issues that emerged: Health hazards associated with landfill sites, e.g. Flies, vermin, methane gases emitting from the site, diseases etc. Public nuisance to be created by the numerous trucks of refuse that

would be plying their roads, the long and medium term health hazards to be expected, job openings for the youth of Kwabenya and surrounding, land acquisition after the landfill site have been reclaimed, who becomes the owner of the land, government or the original land owners etc.

The team members one after the other tried their best to provide answers to the numerous questions asked by the congregation. In the end, members were very satisfied with the explanations and answers provided to their questions. Church members requested for our postal address and telephone numbers with the view of getting back to us in case they would need further clarifications on landfill sites. Team members were also satisfied with the general conduct of the interaction with the congregation.

The meeting ended at about 8.36 pm.

XV. INTERACTION WITH MEMBERS OF THE PENTECOST CHURCH, KWABENYA

DATE: 24-03-2002

TIME: 10.00 AM

ATTENDANCE: 58 MEMBERS

PRESENT: BEN V LARTEY, ELVIS ADDAE & RICHARD BOTCHWEY (CEDEP)

At exactly, 9.00 am the CEDEP Public Educational Team arrived at the school premises. The team leader approached the head pastor to inform him of our presence and readiness. At about 10.00 am the head pastor invited the team members into the church room, We were introduced to the congregation, thereafter we were given the floor to educate the congregation on the Kwabenya landfill project. We started the education by first defining what is a refuse dump? How does a refuse dump look like? We also introduced the congregation to landfill and how they look like, their composition, and how they are constructed and the necessary pre cautionary measures put in place as far as the designing of the Kwabenya Landfill site is concerned so as to forestall its explosion in the near future. We also looked at the benefits to be derived from the Kwabenya Landfill and the reasons why there is even the need for a sanitary landfill site for the capital and not a refuse dump. After the lecture by the team members, time was allowed for questions from the congregation.

Emerging Issues:

That they have been informed from reliable sources that there would be an explosion later on at the landfill site, that there are serious health hazards associated with landfill sites etc. The question of compensation for the affected residents also came up, Re-location or Resettlement of the affected residents, the question of who acquired the lands at Agyeman-Kata first also came up for discussion. Also the congregation wanted to know whether the Government will provide residents of Kwabenya and surrounding with some

basic amenities like portable water, schools, clinic, roads etc. Responding to the numerous questions asked by the congregation, the team members in turn provided answers as well as clarification to the questions bothering the minds of the church members . At the end of the interactions, most members seemed satisfied with the general conduct of the interaction. They agreed that the meeting was participatory and also members felt at ease and freely asked questions that bothered their minds. Honestly speaking, we can confidently conclude that most participants left the church room more satisfied than before.

The meeting ended at 12.00 noon.

XVI. INTERACTION WITH MEMBERS OF THE REDEMPTION CHURCH, KWABENYA

DATE: 24-03-2002

TIME: 12:30 PM

ATTENDANCE: 52 MEMBERS

PRESENT: BEN V LARTEY, ELVIS ADDAE AND RICHARD BOTCHWEY (CEDEP)

The meeting started at 12.30 pm, thus after their usual church service. Although, a few members who were very hungry could not wait for the interaction but we were lucky to have met at least three – quarters of the day's congregation who listened to us.

After the usual introductory ceremony, the team members went straight into the day's business of educating the congregation on the different types of refuse dumps, landfill sites, the characteristics associated with each of them, and the benefits etc. These lectures were supported with pictorial pictures on refuse dumps as well as Sanitary Landfill sites and the proposed Sanitary Landfill designed for the Kwabenya Valley. The team also educated the congregation on the reasons why there is the need for a sanitary engineered landfill sited at Kwabenya. During question time, the issues that came up were about the same old issues that cropped-up during our previous interactions with the other churches already visited. After providing answers to all the questions posed to us by the congregation, most of them seemed more satisfied because things had been made clearer to them now.

They also seemed to be informed now as far as landfills are concerned. Anyway, there were a few who still believe that there would be a disaster in the near future.

The meeting came to a close at 2:47 pm.

XVII. INTERACTION WITH FLAMES OF PENTECOST CHURCH CONGREGATION

DATE: 08-03-2002

TIME: 7:30 - 9.30 PM
ATTENDANCE: 29 MEMBERS
PRESENT: BEN V LARTEY, ELVIS ADDAE AND RICHARD BOTCHWEY (CEDEP)

The meeting started with a prayer from one of the church members, there after the pastor gave a brief account of our mission to the congregation. Then the Public Education Tema members were asked to introduce ourselves to the congregation as well. The team leader then took the floor by first giving detailed talk on Refuse Dumps and Landfill Sites. The difference between a Refuse Dump and landfill sites. We again took congregation through the different types of landfill sites thus, domestic waste landfill site and Toxic Waste Landfill Sites. Pictures of a typical refuse dump and the different types of landfills were also shown to the congregation. Presenters/Educators also laid bare to the church members, the numerous benefits as well as some few effects that may be gotten from landfill projects like the one to be sited at Agyeman-Kata, Kwabenya.

After the Team's presentation, time was allowed for questions and clarifications from the congregation. During question time, the following issues emerged: Health Hazards associated with landfill projects, underlying stream to be contaminated, Bole holes and hand dug wells also to be contaminated because of the dumping of the garbage, displaced people at the landfill sites, re-location of the affected people, job openings for the youth, the future of the stone winners, whether portable water and clinic would be provided as alternate by the government etc. After, listening to the issues enumerated by the congregation, the team members tried to provide answers and clarifications to the issues raised. By the close of the discussions the team realized that a greater percentage of the congregation were satisfied with the answers provided to their questions. A few of them continued shaking their heads, which signified disagreement to the answers that we provided. But generally speaking, most of them left the meeting grounds with their fears eroded.

The meeting ended at 9.30 pm.

XVIII. INTERACTION WITH MEMBERS OF THE ASSEMBLIES OF GOD CHURCH

DATE: 17-03-2002
TIME: 10:00 AM
ATTENDANCE: 47 MEMBERS
PRESENT: BEN V LARTEY, ELVIS ADDAE AND RICHARD BOTCHWEY (CEDEP), PROSPER ARYEE (ASSEMBLYMAN) FOR KWABENYA ELECTORAL AREA

The CEDEP Public Educational Campaign Team arrived at the church premises at 9.30 am. The team leader quickly got in touch with the Pastor in-charge of the church to arrange for the team's interaction with the congregation. The team was finally invited into the church room at 10.00 am. Prayers were offered by the Head Pastor after which he asked the team members to introduce ourselves and where we were coming from and finally our mission. After all the necessary pleasantries, we set the ball rolling by first asking the congregation whether they have heard of the new landfill site being built in the Kwabenya valley near Agyeman-Kata Community. Their response was positive. We then took the congregation through what is a refuse dump and how it looked like, as well as what is a landfill site and how landfill site looked like and the different types of landfill sites. The team members including the Honorable Assemblyman took turns to explain issues on landfill site to the congregation. The lectures were buttressed with picture illustrations of refuse dump sites as well as landfill sites for them to understand issues properly.

At the end of the lecture, question time was allowed and the following were some of the issues that kept coming from the congregation.

Emerging Issues:

Health hazards and the long term effects of continuous dumping of refuse at the site, the general nuisance to be created by the heavy duty trucks to the citizens of Kwabenya, job opportunities for the energetic youths (both males and females), they also asked that there should be an agreement between the Government, the chiefs and elders that if the government fails to adhere to the tenets of the original design of the project, the government be taken to court or prosecuted, whether the government will provide the community members with portable water since they believe strongly that their hand dug wells and bore-hole water will definitely be contaminated. There were also issues such as resettlement of the affected people, whether compensation packages have been prepared for the victims, others even wondered whether the government has money at all to handle such a complex situation? In responding to the numerous, questions, the team members tried their best to provide answers to these questions. Also, clarifications were provided by the team members to issues that the congregation did not understand or had been misinformed on.

At the end of the interaction period both parties were satisfied with the fruitful deliberations that took place. In the nutshell, the team members were satisfied that yet a bunch of community members have been schooled enough on the landfill project.

XIX. INTERACTION WITH THE CONGREGATION FROM THE DEEPER LIFE CHURCH, KWABENYA

DATE: 17-03-2002
TIME: 11:30 AM -12:49 PM
ATTENDANCE: 57 MEMBERS

PRESENT: BEN V LARTEY, ELVIS ADDAE AND RICHARD
BOTCHWEY (CEDEP), PROSPER ARYEE
(ASSEMBLYMAN) FOR KWABENYA ELECTORAL
AREA

The CEDEP campaign team was ushered into the Deeper Life Church building at exactly 11:30 am to begin our Public Education on the Kwabenya landfill project. After the usual pleasantries e.g. Greeting, introduction, team's mission etc. We went straight into the programme by giving a brief account what necessitated for the construction of a landfill site this time round, and idea muted by Government. After, giving the background, the team members in turns delved into what constitutes a refuse dump, and landfill site. The differences between the two(2) and finally the types of landfill sites. Photographs were used by the Public educational team members as illustrations to support the theoretical aspect of the education. After the presentations by the team members, including the Honorable Assemblyman for the Kwabenya Electoral Area. Some time was allowed for further clarifications and questions that were bothering the mind of congregation members

Emerging Issues:

When the floor was opened for questions and clarifications the following issues emerged: The faith of the stone winners in the valley where the project has been sited? Since time immemorial stone winning has been the sole bread wining or means of livelihood for most of the youths in the Kwabenya town and its surrounding villages. How long or how many years can the project be sited at Kwabenya? Health hazards associated with landfill sites, and any remedial measures taken by Government in case of an outbreak of epidemic in the short and long term. Also if there would be some job openings for the youth of the communities. The question of who to consider first in case of any job opportunities springing up at the project site.

There was also the question of Government building the Landfill site as per the original design so that other major components are not left out so as to make the project a complete and complex one. Some congregation members' major worry was who manages the project and who supervises the work to make sure the right job is done. The question of Government providing alternative source of portable water for the people was also raised. Other basic amenities such as market, clinic school and expanded road were some request put by the church members for the authorities to consider appeasing the community with.

The team members did their best to provide reasonable and convincing answers to the numerous questions asked as well as the clarifications sought by the congregation. The team members also used the opportunity to inform them that the Government is not providing those basic amenities such as clinic etc. because it was bringing diseases and sicknesses to the community but rather it was an opportunity for the chiefs and elders to use this time to demand for certain basic amenities for their citizens. The meeting ended at 2.00 pm with both parties very much satisfied but with a few doubting Thomas's.

**XX. INTERACTION WITH KWABENYA PRESBY AND METHODIST
CHURCHES ON SUNDAY 10TH MARCH, 2002**

DATE: 10-03-2002
TIME: 8.00 - 11:00 AM
ATTENDANCE: 54 PRESBYTERANS & 48 METHODISTS
PRESENT: BEN V LARTEY, ELVIS ADDAE AND RICHARD BOTCHWEY (CEDEP).

As part of CEDEP's Public Education Campaign on the Kwabenya Landfill project, a three-member team went to the Presbyterian and the Methodist churches at Kwabenya for the purpose on Sunday March 10, 2002. The following is the report on the proceeding of the day. A team member gave an overview of the project after which the drawings as well as the technical designs of the "highly engineered" landfill was discussed with the congregation. Time was allowed for the members of the churches to seek clarifications on the issues raised. The issue of the harmful nature of the entire project featured prominently at both places. "If you say the landfill project is not going to be harmful, why then are you asking those who stay around the area to quit"? someone wanted to know. To this, the need to create a buffer zone was explained to the effect that, though not harmful, it is a safety precaution not to stay very close to a project of that nature.

Again, some members harbored the fear that the beautiful description given and shown may not be the same when it comes to implementing the project. Machines would be broken down, insecticides and other forms of managing the rubbish as described might not be followed. When it happens like that, the unexpected would arise. As a follow-up to this, they wanted to find out who would be responsible for making sure that the right thing was done.

The CEDEP team then introduced on element of the project, which seeks to the formation of a task force from amongst the inhabitants of the Kwabenya community. The task force would serve as watchdogs over the project and liaise between the community and the Accra Metro Authority. Issues on the offer of employment to the youth, the economic potentials for those who win offer of employment to the youth, the economic potentials for those who win stones within the site and provision of social amenities were brought up. However, it would depend on the skills that the people possess and their relevance to particular jobs available.

On the stone winners, it was explained that they could go on with their work for the next fifteen years till the project gets to that area. According to the team, plans were far advanced for the supply of pipe-borne water, clinic and a market for the community. The people were asked to seek more information on the amenities from the Honorable Assemblyman.

OBSERVATION:

It was observed from the reactions of the congregation that, they had been misinformed about the project. This was due to the delay of the public education. While some vehe-

mently opposed to the project, a few who were convinced assisted the team in responding to some of the issues raised.

The leadership of both churches were very grateful for the explicit manner in which the team had explained the project to them. They advised their members to seek more information about anything they don't understand through the proper channel instead of resorting to vandalism.

We also thanked them for the time and attention they had given us. We left our contact addresses and telephone numbers to enable them do necessary follow-up.

XXI. A MEETING BETWEEN THE KWABENYA CHIEFS, ELDERS, CEDEP STAFF AND THE GA DISTRICT CHIEF EXECUTIVE (DCE), MR ATTOH

DATE: 28th January 2002

TIME: 11.30 am

MEMBERS PRESENT

Mr Attoh	DCE, Ga District Assembly
Nii Abbey Akanfra II	Kwabenya Mantse
Mr Tetteh Mensah	Okyeame to Nii Abbey Okanfra II
Enoch Ashiley	Rep for Nii Oboabisa II
Patrick Ashiley	Rep for Nii Oboabisa II
Mr Ashiley	Rep for Nii Oboabisa KK
Ben Vikpeh Lartey	CEDEP
Elvis Addae	CEDEP
Prosper Aryee	Assemblyman

The meeting started at 11.37 am at Amasaman in the Ga District Chief Executive's Office. After exchange of pleasantries, the DCE, Mr Attoh, asked for our mission.

MISSION

The Kwabenya Mantse, Nii Abbey Okanfra II opened the floor by informing the DCE that sometime back they wrote a reminder letter to the DCE concerning some request the chiefs, opinion leaders and elders of the Kwabenya Township made to the Government on the landfill project. Their demand centered on the provision of some basic amenities, like potable water, toilet facilities, roads, schools, market and clinic for the people of Kwabenya before the take-off of the Kwabenya landfill project. In short, the delegation has come to find out where the government (AMA) has reached with the provision of the above mentioned amenities.

RESPONSE

In response, the DCE said he did forward their request to the appropriate authorities, that is the AMA mayor for redress and on Friday January 25, 2002, he did send a reminder

letter concerning the provision of the amenities, which he delivered personally to the mayor. For the delegation to believe his words, the DCE picked his mobile phone, called the AMA mayor and held discussion again on their request. In response, the AMA mayor asked to be given two days so that he could give the delegation a positive feedback. The DCE once again reiterated his support for the project and promised to fight to get the AMA to provide those amenities requested by the Kwabenya chiefs and elders. The delegation was also satisfied with attempts so far made by the Ga District Chief Executive in getting those amenities for the Kwabenya communities.

Our replacement and relocation, the DCE asked the Assemblyman to look for a parcel of land measuring between ten and twenty acres for that purpose.

XXII. SECOND VISIT OF THE CEDEP/AMA TEAM MADE TO THE KWABENYA on 14TH NOVEMBER 2001 to:

Meet the delegates of stone winners group 1 (Ben's group)

Meet Mr Amoakoh and Mr Smith Amo of the Agyeman-Kata Residents Association.

A MEETING WITH BEN'S GROUP

The group was commended for the great patience they had so far demonstrated and were urged to explain issues about the project to their colleagues of the other side.

Demonstration

Members present were taken through the drawings of the project. To do this, sheets of papers with the designs of the project at different stages were given out. Members examined and asked questions and/or made comments on them. This made the understanding of the project very clear to all present.

Concerns

The leader of the group expressed the desire of the stone winners to seek employment with contractors on the project. He said that most of the members there had various skills other than cracking stones. Some are drivers, auto-mechanics, carpenters etc. He therefore appealed that the contractors that win the bid for the subsequent stages of the project should be reminded to consider employing those who have the relevant skills.

The team promised to carry their concerns to the appropriate quarters for consideration. Deliberations ended with the team providing some refreshments to the members, which had risen to 13 at the time of closing.

XXIII. MEETING WITH THE FIELD TEAM MEMBERS AT CEDEP, ACCRA OFFICE KOKOMLEMLE

DATE: 22ND JANUARY 2002

TIME: 15 HOURS GMT

ATTENDANCE: 47 MEMBERS

MEMBERS PRESENT: Ben V Lartey, Elvis Addae CEDEP
Mr Chinebuah Waste Management
Linda Osafo (AMA)

The meeting started at exactly 15 hours GMT. It was chaired by Ben V Lartey of CEDEP. The Chairman started by first welcoming members to the meeting and also wishing them a happy and prosperous New Year since it was the team's first meeting in the year.

Mission

Ben briefed the group about CEDEP's last activities just before the Xmas holidays and post Xmas. The chairman however, raised the issue of inclusion of the other team members, that is, Mr Chinebuah and Mrs Linda Osafo back into the team. It became necessary to drop the two project staff after the team's preliminary community entry, because of the hostile reception given the team by the community members. Members agreed to the suggestion. A letter purported to have been written and signed by the chiefs and opinion leaders of Kwabenya to the Government through the Chief Executive of the GDA was discussed.

Content of Letter

The content of the letter was a request for some amenities made by the people of Kwabenya to the Government. The request included potable water, clinic, schools, roads etc. Mr Chinebuah said he had not seen such a letter and therefore requested for a copy to be shown to his boss, Mr Laryea. The Chairman then informed the team of some planned focus group discussions to be organized the following day by CEDEP. Other team members were invited to the FGDs but Mr Chinebuah said because the notice was too short and he had committed himself to some equally important programmes he could not avail himself. Mrs Osafo who joined the meeting at a later time also said she was already occupied. They however promised to avail themselves in the subsequent focus group discussions. The team agreed to visit the Ga District Chief Executive the following day to find out about the letter written by the Kwabenya chiefs. The meeting came to a close at 17.30.

XXIV. A MEETING WITH THE GA DISTRICT CHIEF EXECUTIVE, MR. ATTOH

Date: 23rd January 2001

Time: 11.00 am

A two man CEDEP team comprised of Ben V Lartey and Elvis S Addae travelled to Amasaman to meet with the Ga District Chief Executive in the person of Mr Attoh. Fortunately for the team, we met the DCE and informed him of our mission.

MISSION

The team's mission was to discuss a letter signed by the chiefs and elders of Kwabenya Township and addressed to the Ga DCE. In the letter, the chiefs and their elders reminded the authorities of some request they had made on behalf of the communities. When the letter was shown to the DCE, he confirmed receiving it and forwarding it to the AMA for redress or further action. The DCE expressed shock that the AMA had not responded to the request made by the chiefs and people of Kwabenya. The team then pleaded with the Honorable DCE for his intervention to speed up the process, since the Government's perpetual silence on the Kwabenya chiefs and the people's request for some basic amenities was generating a lot of anger, anxiety and mistrust amongst youth groups and some community members. Again, the government's silence was also impeding the smooth public education that CEDEP is undertaking in the community. This is so because the question of the government providing some basic amenities requested by the community kept coming up at almost all the discussions that we have held with the youth groups.

Blessings

At this juncture, the DCE thanked us for the good work that CEDEP is doing and promised his unflinching support for our good cause.

The meeting came to a close at 11.52 am.

XXV. MEETING WITH NEE ABBEY AKANFRA II, KWABENYA MANTSE on 24TH JANUARY 2002

The CEDEP field staff on the Kwabenya Landfill Project paid a courtesy call on one of the chiefs of Kwabenya, Nii Abbey Okanfra II at his palace. Being the first time of meeting him after several attempts, a brief introduction of the staff and of CEDEP and its role in the Landfill project was made.

Mission

Our mission was to listen to the reactions of the traditional authorities and for that matter the chief's personal views on the project based on misinformation. He said he attaches greater importance to the project due to the proximity of Kwabenya to the city of Accra. He was of the view that any outbreak of cholera or any other disease that befalls Accra can easily spread to Kwabenya. "We go to Accra everyday, our children attend schools there, so the cleanliness of the place should be our concern too", he said.

The chief acknowledged the powers that the government has when it registers its interest in something. The government could easily pass a Legislative Instrument (LI) to compulsorily acquire that land, he remarked. He was therefore of the view that the people of Kwabenya should reason with the government and negotiate for a better deal before any bitter action was taken against them. He also did not understand the Agyeman-Kata community on their refusal to accept all the good deal the government was prepared to

offer then namely, potable water, schools, clinics, roads and compensation in the forms of relocation and replacement of whatever one may lose to the project.

Blessing

On our 'focused group discussion' strategy to reach as many individuals and groups in the community as possible, the chief registered his support and the blessings of the traditional authorities to go ahead. He pledged his total support in whatever form it would take.

Lessons

It was deduced from the interactions with the chief that

A prompt action by AMA to provide the amenities being requested by the community would put whatever tensions at stake for a successful and speedy completion of the project.

About 70% of the population of Kwabenya are in support of the project, therefore, intensive educational activities would just be enough for total acceptance of and co-operation from the community

With frantic efforts CEDEP could easily identify allies to work with in the community.

Conclusion

The meeting ended with both parties pledging support and hard work to the project.

SUMMARY OF PUBLIC CONSULTATIONS

No.	Meeting Date	Organizer	Attendees	Purpose of Meeting	Additional Comments
1.	January 23, 2001	CEDEP – Ben Lartey Elvis Addae	Ga District Chief Executive – Mr. Attoh	To discuss a letter signed by chiefs and elders of Kwabenya township and addressed to Ga District – reminding authorities of request made on behalf of the authorities.	
2.	November 13, 2001	Linda Osafa, AMEHI Frank Chinebuah, AMA Ben Lartey, CEDEP Elvis Addae, CEDEP CEDEP/AMA	Landfill site	Familiarization visit to: i) introduce terms of reference of CEDEP; ii) familiarize CEDEP with landfill project; and iii) identify various stakeholders of Kwabenya community.	Group leader wanted stone winners group to seek employment with the Project contractors.
3.	November 14, 2001		Stone Winner's Group 1 Agyeman-Kata Residents Association – Mr. Amoakoh Mr. Smith Amo	Familiarization with Landfill Project Answering questions and comments.	
4.	November 19, 2001	CEDEP Team	LOTTE Assemblymen for Kwabenya Electoral Area – Mr. Prosper Aryee	Lotte to familiarize CEDEP with technicalities of landfills – possible hazards and mitigation measures.	
5.	November 27, 2001	CEDEP Team - Linda Asafo, Frank Chinebuah, Bernard Lartey, Elvis Addae	GDA officials – Planning Department officials Mr. Thompson (planner at DA)	Introduce CEDEP and its role as primary Community Educator/Sensitizer of Kwabenya Landfill Project.	Complaints that GDA was sidelined from deliberations/discussions on the Landfill Project.
6.	November 28, 2001	CEDEP Team: Ben Vikpeh-Lartey Elvis Addae	Mr. Attoh (DCE of GDA and legal landlord of Kwabenya)	Introduction of CEDEP to the DCE of GDA	Mr. Attoh pledged his support for the project.
7.	December 5, 2001	CEDEP (unaccompanied)	i) Mr. Amo Smith, Kwabenya Community and proprietor of Nana Saah Memorial Primary School ii) Mr. Amoakoh	First visit to community to try to hold a dialogue with the residents.	Representative's main concerns were the social, economic, health and cultural implications of the project. One of the main concerns was moving the school which would prevent children from poor homes from attending.
8.	January 8, 2002	CEDEP - Ben Lartey Elvis Addae	Youth Group (Cards Playing Stars), Kwabenya Town	CEDEP was supposed to meet with a focus group comprising chiefs, elders, and opinion leaders – but none of them attended.	Youth group were misinformed about landfill projects and not included in deliberations by chiefs and opinion leaders. They initially rejected the Landfill idea but at the end of the meeting changed their stance.
9.	January 8, 2002	CEDEP - Ben Lartey Elvis Addae	Prosper Aryee, assemblyman of the area (Kwabenya)	To familiarize the attendee with the Landfill project.	

No.	Meeting Date	Organizer	Attendees	Purpose of Meeting	Additional Comments
10.	January 22, 2002	CEDEP – Ben Lartey Elvis Addae Mr. Chinebuah Linda Osafa	Field team members at CEDEP, Accra Office Kokom- lemle	Briefing on CEDEP's activities.	
11.	January 24, 2002	CEDEP	Nii Abbey Okanfra II (One of Kwabenya chiefs)	Courtesy call – introduction of staff and their roles in Landfill project.	<i>Chief's main concerns:</i> i) the proximity of landfill to Accra; ii) health issues associated with landfill. <i>Outcome of Meeting:</i> Support and blessing of traditional authori- ties to go ahead with project. 70% of Kwabenya population supports the project.
12.	January 28, 2002	CEDEP	Kwabenya Chiefs Elders GA District Executive (DCE) – Mr. Attoh Kwabenya Mantse – Nii Abbey Okanfra II	To find out what the status of a re- quest which was sent to DC regarding provision of basic amenities and ser- vices (water, schools, clinics etc) which was sent to DCE.	
13.	undated		Stone Winning Group (2 groups) TAYSEC – Scott Wilson Assistants to Mr. Amoakoh	Briefing on one of the enabling works of the Project (drainage culvert; drai- nage road).	Negative effects of the project; displace- ment and compensations; formation of 5 person team to link CEDEP and the group. Ref. was made to a meeting on Nov. 17, 2001 with Agyeman-Kata residents.
14.	February 11, 2002	CEDEP Team: Ben Lartey Elvis Addae	Prosper Aryee - Assemblyman for Kwabenya	To discuss arrangements made so far in connection with impending focus group discussions and group discus- sions to be held in Kwabenya.	
15.	February 12, 2002	CEDEP Team: Ben Lartey Elvis Addae	Kwabenya Youth Association Prosper Aryee (assemblyman, Kwabenya)	To educate and sensitize Kwabenya youth association on the landfill pro- ject.	
16.	February 14, 2002	CEDEP Team: Ben Lartey Elvis Addae	Kwabenya Footballers Asso- ciation	To educate and sensitize the Kwa- benya Footballers Association	
17.	March 6, 2002	CEDEP – Ben Lartey Elvis Addae Richard Botchwey	Mr. Ofori – Kwabenya Youth Association and Opinion Lead- er	To educate and sensitize on the Land- fill project.	
18.	March 8, 2002	CEDEP Public Educa- tional Team - Ben Lartey	Flames of Pentecost Church Congregation	Inform community members (church community) about Landfill project.	CEDEP reviewed structure of landfills.

Meeting Date		Organizer	Attendees	Purpose of Meeting	Additional Comments
19.	March 10, 2002	Elvis Addae Richard Botchway CEDEP – Ben Lartey Elvis Addae Richard Botchway	Kwabena Presbyterian and Methodist Churches	Briefing community members on Landfill project and listen to ques- tions and issues raised by community members	Observation made by CEDEP: Community members were misinformed about the pro- ject.
20.	March 17, 2002	CEDEP – Ben Lartey Elvis Addae Richard Botchway	Members of the Assemblies of God Church Assemblyman for Kwabenya Electoral Area – Prosper Aryee	Inform community members (church community) about Landfill project.	Same fears as mentioned above – particu- larly water contamination and how Gov- ernment will deal with this (provide potable water to community).
21.	March 17, 2002	CEDEP – Ben Lartey Elvis Addae Richard Botchway	Congregation of the Deeper Life Church Assemblyman for Kwabenya Electoral Area – Prosper Aryee	Inform community members (church community) about Landfill project.	
22.	March 24, 2002	CEDEP Public Educa- tional Team - Ben Lartey Elvis Addae Richard Botchway	Members of Pentecost Church, Kwabena	Inform community members (church community) about Landfill project.	CEDEP reviewed structure of landfills, pre- cautionary measures to be taken prior to building landfill, and the benefits derived. Community's main concerns were health hazards, possible explosion, compensation, relocation or resettlement, will the Gov't provide the community with basic amenities (e.g. potable water, etc).
23.	March 24, 2002	CEDEP Public Educa- tional Team - Ben Lartey Elvis Addae Richard Botchway	Members of Redemption Church, Kwabenya	Inform community members (church community) about Landfill project.	
24.	September 9, 2003	AMA	Landowners of Kwabenya landfill site. Attendees in- cluded:	Discussions on the remaining sensi- tive issues on compensation and other related matters.	See Annex for details on Agreements reached.
25.	November 29, 2007	Government Coordi- nating Committee, RCC, Accra	CEDEP Team	Introduction of CEDEP team to Gov- ernment	Topics discussed incl'd: inter-sectoral col- laborations, social economic and political aspects of the project, compulsory acquisi- tions, payment of compensations & reset- tlement packages for effected people.

ANNEX 3

**CHRONOLOGY OF CORRESPONDENCE BETWEEN THE BANK, THE REQUESTERS
AND OTHERS**

GHANA - SECOND URBAN ENVIRONMENTAL SANITATION PROJECT (P082373)
 KWABENYA LANDFILL

ANNEX B: CHRONOLOGY OF CORRESPONDENCE

Letter #	Date	From	To	Subject	Content
OUTGOING LETTERS					
1.	Jan. 30, 2004	Pamela Cox Acting Country Director	The Chairman, Agyemankata Kwabenya Community	UESP 2 - Proposed Kwabenya Landfill	Proposed Construction of a sanitary landfill
2.	Feb. 23, 2004	Mats Karlsson Country Director	K. Adjiei-Darko, Minister for Local Government and Rural Development	Request for Kwabenya Landfill discussions	Request for a discussion on how to deal with interests of local communities
3.	March 5, 2004	Gerhard Tschannerl Task Team Leader	Mr. Opanin Amoako The Chairman, Agyemankata Kwabenya Community	UESP 2- Proposed Kwabenya Landfill Site	Minutes of meeting with members of the Agyemankata Kwabenya Community and the World Bank Office
4.	March 9, 2004	Mats Karlsson Country Director	K. Adjiei-Darko, Minister for Local Government and Rural Development	UESP 2 - Kwabenya Landfill (same Minutes as above No. 3)	Minutes of meeting with members of the Agyemankata Kwabenya Community
5.	July 22, 2004	Robert Blake Acting CD	Chairman, AKC	Proposed Kwabenya Landfill Site	Assuring the Community that Resettlement Action Plan will be carried out prior to Bank financing the facility.
6.	Feb. 22, 2007	Mats Karlsson	The Chairman, Agyemankata Kwabenya Community	Kwabenya Landfill	Assuring the Community that Resettlement Action Plan will be carried out prior to Bank financing the facility.
INCOMING LETTERS					
1.	Jan. 13, 2003	AKC ¹	The Country Director World Bank	The Abandoned Kwabenya Landfill	Familiarization Tour

¹ Agyemankata Kwabenya Community

Letter #	Date	From	To	Subject	Content
2.	Dec. 11, 2003	AKC	The Country Director World Bank	Press Conference	Meeting with the press
3.	Dec. 22, 2003	AKC	The President World Bank	Continuation of Landfill Project	Residents Vow to Resist Continuation of Landfill Project
4.	Jan. 16, 2004	AKC	The President World Bank	The Abandoned Kwabenya Landfill by D.E.I.D	Accountability in Bank Operation
5.	Feb. 27, 2004	AKC	The Country Director World Bank	Stop financing the abandoned land fill project at Kwabeny By D.F.I.D (British Department for International Development	The practice of forced evictions and the records of states concerning housing rights
6.	March 10, 2004	AKC	The Country Manager World Bank	Kwabenya Landfill	Informing the World Bank of not ready to accept any compensation from the government of Ghana
7.	March 10, 2004	Ministry of Local Government	The Country Director World Bank	Invitation to Stakeholders Meeting on Kwabeny Landfill	Demonstration against the Kwabeny Landfill Site to the Offices of the World Bank
8.	March 10, 2004	AKC	The Country Director World Bank	Video Cassette	Requesting for a Copy of Proceedings of meeting
9.	May 20, 2004	AKC	Mr. Gehard Tschannerl Task Team Leader	UESP-2- Proposed Kwabeny Landfill	Complaints from the People of Agyemankata of the Bank refusal to deliver the second part of the video recordings of a meeting to them
11.	June 3, 2004	AKC	The Chief Executive A.M.A	Kwabeny Landfill	Informing the bank of how AMA/Govt ignored rules/procedures on compulsory acquisition to take their land for the Kwabeny Landfill Project
12.	June 9, 2004	Ministry of Local government	The Country Director World Bank	Technical Advisory Committee on Kwabeny Landfill Project (TAC - KLP)	Constitution of Technical Advisory Committee
13.	July 29, 2004	AKC	The Country Director World Bank	Rejection of Committee's Report	Resisting the Survey Department's work as a sign of positive change

Letter #	Date	From	To	Subject	Content
14.	Aug. 27, 2004	Ministry of Local government	The Country Director World Bank	on Kwabenya Landfill UESP-2: Kwabenya Sanitation Landfill Development	Letter of acceptance by the government
15.	Sep. 1, 2004	Women of Agyemankata Community	The Country Director World Bank	Press Release	Agyemankata Women reject technical advisory Committee Recommendations on the Kwabenya Landfill
16.	Sep. 6, 2004	AKC	The Country Director World Bank	Re: Rejection of Kwabenya Landfill Project	Resisting any attempt by the World Bank to grant the govt. loan for the continuation of the abandon Kwabenya Landfill
17.	Sep. 11, 2004	AKC	The Minister of Local Government	T.A.C. Document on Kwabenya Landfill	Protection of their environment from the proposed landfill
18.	Sep. 15, 2004	AKC	Board of Directors Through the Country Director	Objection to Kwabenya Landfill	Letter of Appeal
19.	Jan. 27, 2005	AKC	The Country Director World Bank	Confirmation	Confirming receipt of a press conference held
20.	March 11, 2005	AKC	Mr. Ewool M.L.G.R.D	No Demolition at Kwabenya Landfill Site	Planning for the Construction of Sanitary Landfill
21.	May 18, 2005	AKC	Nii Abbey Okanfra Kwabenya Mantse	Meeting	Invitation to meet with members of Parliament
22.	June 7, 2005	AKC	Mr. Kojo Yankah Yankah's Associates	Request for the Military To Educate Agyemankata Community	Informing Mr. Yankah the history about the Kwabenya Landfill and also asking him to bring the Military to Agyemankata to educate them
23.	Jan. 16, 2007	AKC	President, World Bank	Petition to halt funding of Kwabenya landfill	Gave chronology of communication between Bank and community and advised Bank to halt financing of the landfill.
24.	Undated but after Jan. 25, 2007	AKC	The Editor Crusading Guide	AMA rubbishes Agyemankata Community Claim	Questioning some actions taken by the Mayor of Accra

Letter #	Date	From	To	Subject	Content
25.	July 31, 2002 (received 16 Jan 2007)	British High Commission	The News Editor, Choice FM	Kwabinya Landfill Site and DfID	UK states that the reason for cessation of the landfill was not related to Ghana's decision to go HIPC.
26.	Undated but after Jan. 25, 2007	Three unnamed Media Houses	Agyemankata Community	Compulsory Acquisition of Kwabinya landfill	Advertisers announcement rejecting the Executive Instrument

ANNEX 4

**CORRESPONDENCE AND NOTICES FROM THE REQUESTERS AND OTHERS ABOUT THE
KWABENYA LANDFILL**

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Mobile 021	03.2m
Mobile 022	03.2m
Mobile 023	03.2m
Mobile 024	03.2m
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WWF for a living planet

VACANCY ANNOUNCEMENT

World Wide Fund for Nature (WWF), the global conservation organisation is inviting applications for the position of **FOREST OFFICER** to be based in Accra, Ghana.

Major Duties and Responsibilities.

The Forest Officer will lead and/or participate in the development and implementation of forest conservation projects and assist in building the West African Forest Programme for West Africa.

Minimum Requirement

- A second degree in forest ecology, natural resources or related field.
- Minimum of five (5) years relevant working experience with at least three (3) years in sustainable forest management.

ADVERTISER'S ANNOUNCEMENT

AGYEMANKATA KWABENYA COMMUNITY
P.O. Box KA 16497
Airport, Accra, Ghana

RE: COMPULSORY ACQUISITION OF KWABENYA LANDFILL SITE BY THE STATE

With reference to Daily Graphic and Times publications of 29th January, 2007 and 9th February, 2007, we the Agyemankata/Kwabanya Community write to inform the Minister responsible for Lands and Forestry, the Government of Ghana including the World Bank that the 1962 State Lands Act 125 and its regulation 7(2) L1 230 was breached by A.M.A.

Regulation 7(2) makes it mandatory that prior notification is given to the owners or occupiers of the land before any entry for inspection, survey or valuation is carried out. Accra Metropolitan Assembly did not serve such notices. Rather it invaded the area with about two hundred heavily armed policemen at dawn on the 8th and 13th January, 2007 and forcefully entered residents' homes to unlawfully survey and evaluate our properties. Some residents including women were arrested and detained for a day as part of the intimidation strategies. Therefore, the Executive Instrument is invalid. Refer to Rapid Human / Social Impact Assessment of the Kwabanya Landfill project, Draft Final Report January 2000 pages 6(2) and 13.

We therefore write to inform the Government of Ghana, Members of Parliament and the World Bank that we have rejected the Executive Instrument. We will never relocate or accept compensation from the A.M.A., Government of Ghana including the World Bank. Our three (3) Press Conferences refer, including our letter to Parliament, Ministry of Local Government, A.M.A. and the World Bank.

Sgd.
(A. Asiedu Amoako)
Agyemankata/Kwabanya Community
Accra

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KWABENYA AGYEMANKATA COMMUNITY

11th December, 2003

Learned men and women of the Press good morning

All over the world there is ample evidence that projects are likely to fail especially if their implementation ignores the traditions values and social organizations of the intended beneficiaries or if their objectiveness are too remote from their everyday concerns of the people.

Most of the social problems that countries of the 3rd world face such as poverty, crime and unemployment are the direct result of the forced adherence to programmes that make little room for the concern of the poor.

When inaugurating the Board of E.P.A. on November, 24th 01 the President of Ghana said all over the world environmental protection had become a major issue That Ghana in that respect needed to appreciate the need to take environmental protection serious to preserve the environment for the sake of the future generation.

When Kwabenya Landfill was started it received a stiff objection from the Agyemankata Community and its environs. We blocked access road to the Landfill site for 4 Weeks hence the Government losing ₵37M daily to the contractor Taysoc. Later the vice President came on a familiarization tour to the Landfill site and he received an unpleasant welcome from the residents. On 7th of November, 2001 we met the press and out lined to the press why the impasse. We are grateful to your coverage.

Today brothers and sisters we decided to meet the Accra Chief Executive Mr. S.O. Darko in person and to prove to him why Kwabenya Landfill should be discontinued but we were told that this can not happen. We have tried twice when Radio Top was on the air waves but he refused to honour those invitations. We would therefore be very grateful if you will use your media houses to ask the Metro Chief Executive Mr. S.O. Darko and D.F.I.D. who was the sole financier of Kwabenya Landfill to answer the following questions because Ghanaians will like to have an insight on why Kwabenya Landfill became still born and is abandoned with D.F.I.D. running helter skelter with her loan balance of £ 3.5 hidden in a wattle and daub hut.

The questions to be answered by Mr. Darko are

- 1) Who cut the sod for Kwabenya Landfill to begin and was the caretaker of the land invited and the community represented? (He should show evidence)
- 2) How and when was the first phase of Kwabenya Landfill project bidded and what news paper published the invitation for bids. (I.F.B)
- 3) Evidence that A.M.A got a land title to cover the 195 hectares necessary for the Landfill project from Okaidja Obeke Family with Nil Tetteh Ankamah II as the Head of Family before Kwabenya Landfill commenced.
- 4) When was the Executive Instrument on Kwabenya Landfill signed?
- 5) When were the Land owners (Okaidja Obeke Family) paid? 1992 Constitution Article 202a says prompt payment must be given to expropriated owners before any project begins if the Land is to be taken compulsory.
- 6) Why Land Valuation Board did not value our property as requested by Minister of Land and Forestry Regulations 5 of (LI 230) and the project was started.

- 7) Mr. Darko should prove evidence of how he arrived at his compensation of \$ 40 billion (Aug 27 Daily Graphic 2001).
- 8) On 30th August 2001 issue of the Ghanaian Times Mr. Darko said he was not happy because the elders have sold lands that fall within the project site and asked that the practice be discontinued. He himself has a parcel of land here, how did he acquire it?
- 9) The local Government Act provides people from building within one kilometer away from a Landfill site E.P.A. permits human activity to be 2 kilometers away from a landfill site. Why A.M.A. Government are sitting their High Tech. Landfill project the first in Africa just at our nose? We invite the press to come to Agyemankata and to see things for themselves. Please do not go through the Valley as you often do.
- 10) There is a rumour that \$100,000 was given to A.M.A to sensitize the immediate residents and other communities around the Landfill project why A.M.A refused to do the sensitization before the project implementation.
- Why A.M.A failed to comply with state Lands Act 1962 Regulation 7 (2) (L1230)? It states "prior notification be given to the owners or occupiers of the land before any entry for inspection survey or valuation is carried out"
- 12) Why our letter dated 1/9/01 written to Mr. S.O. Darko was not replied copy attached.
- On what criteria Taysec who came to Agyemankata as a consultant on Kwabenya Landfill, later became the contractor, and was to become the financier when D.F.I.D pulled out from financing the project G.R.I. Newsrec July 24th 02.
- 14) Why A.M.A / Government failed to tell the whole nation why D.F.I.D pulled out from Financing the Kwabenya Landfill project because the Daily Graphics Publication of 23/7/02 said its because Ghana has adopted the H.I.P.C. initiative, Gregory Quinn second Secretary British High Commission's letter to the Press quote "the reason for cessation of Kwabenya Landfill has been discussed with the A.M.A. and Government". On July 14th 2003 Daily Graphic, Mr. Laryea Head of Waste Management also said "the money has been channeled to other use" why such contradictory statements?
- We also want Mr. S.O. Darko to interpret the 1992 constitution Article 202a to Agyemankata Community and Ghanaians.
- 16) Now to D.F.I.D. we want to know why they acknowledge receipt to our letter dated 13th February, 2002 and promised to reply us but failed to do so? (Why they refused to tell Agyemankata Community what they told A.M.A /Government on cessation of funding Kwabenya Landfill)
- 17) On what criteria D.F.I.D disbursed their \$ 3M loan on Kwabenya Landfill because they were aware that the occupiers/Land owners have not been paid and the people not educated very well and all necessary protection not given?

Mr. S.O. Darko said last Tuesday morning that World Bank will sponsor A.M.A to continue the second phase of Kwabenya Landfill. For your information that cannot be

AGYEMANKATA KWABENYA COMMUNITY
P. O. BOX MS305
NEW ACHIMOTA - ACCRA

received
12/31/2003

22ND DECEMBER, 2003

THE PRESIDENT
THE WORLD BANK
1818 H. STREET N.W
WASHINGTON DC 20433
USA

→ Charles B.
for response pls
(and talk to me)
u.

Recd: 1/8/04
JT

KWABENYA AGYEMANKATA RESIDENTS VOW TO RESIST
CONTINUATION OF LAND FILL PROJECT.

With reference to the daily graphic of 10th December, 2003 page 23 paragraph 15 which reads: World Bank has agreed to finance Kwabenya land fill, we write to inform you that a project abandoned by British Department for International Development (DFID) can not be continued by the World bank. It's against International law.

We are aware that World Bank Environmental Requirements on Solid waste which involves sanitary land fills are usually given 'A' ranking for environmental priority. With this ranking the following activities are typically requested to be accomplished prior to project appraisal.

1. **PUBLIC EDUCATION AND LOCAL CONSULTATION WITH RESIDENTS IN THE VICINITY OF THE PROPOSED SANITARY LAND FILL.** This requirement was not followed by Accra Metropolitan Assembly (A.M.A) although sufficient funding was given to them they did not give us any education on the project.
2. **OPEN FORUM WHERE ALL INTERESTED PARTIES HAVE AN OPPORTUNITY TO EXPRESS THEIR OPINION CONCERNING SITE SELECTION.** For your information the open forum was arranged when work has been stalled for 4 weeks due to the residents blocking access roads to the landfill site on that fateful day which was 5th October 2001. We the residents openly kicked against the selected site because it is at "our" backyard". The Government failed to comment on it and therefore A.M.A does not qualify for a World Bank loan.
3. **COMPENSATION MEASURES TO BENEFIT THE HOST COMMUNITY MAY ALSO BE CONSIDERED.** The A.M.A/Government failed to implement the 1992 constitution Article 202a which reads "Prompt payment must be made to expropriated owners. A.M.A's Act violates the constitution of the country (We have not been paid and the first phase has been completed. A.M.A does not qualify for a world Bank Loan).
4. **ALL DESIGN AND TENDER DOCUMENTS DEVELOPMENT TO BE COMPLETED BY THE TIME OF APPRAISAL.** Sadly the project was not tendered. The A.M.A/Government does not qualify for a loan. We therefore write to inform you to abstain from Funding Kwabenya landfill Project in the interest of peace. If you fund the project we will report your behaviour to the U.N High Commissioner for Human Rights to seek redress.

We are looking forward to receive a response from you.

Yours sincerely,

CHAIRMAN
FOR AND ON BEHALF OF COMMUNITY

CC: THE MINISTER OF FINANCE
THE CHIEF EXECUTIVE A.M.A
THE NEWS EDITOR G.N.A.

THE COUNTRY REP. ,THE WORLD BANK, GHANA

Local Govt.

AGYEMANKATA KWABENYA COMMUNITY

P. O. BOX MS 305
NEW ACHIMOTA

(4)

16th January, 2004.

THE PRESIDENT
THE WORLD BANK
1818 H. STREET N.W
WASHINGTON D.C.
20433 U.S.A.

Dear Sir,

THE ABANDONED KWABENYA LANDFILL BY D.E.I.D

We are aware that the World Bank board of Executive Directors took a bold step to increase transparency and accountability in bank operations by establishing an independent. Inspection mechanism - known as the inspection panel..

We know also that the panel is a three (3) member body which is to provide an independent forum to private citizens who believe that they or their interests have been or could be directly, harmed by a project financed by the World Bank.

In Africa the panel has visited Nigeria, Chad, Cameroon Uganda, Kenya and Lesotho Ghana has not been visited by the inspection panel.

We are also aware that the panel makes a move only after it has received a request from residents of a particular country to come on a mission there.

The panel on its own does not take such initiatives additionally the project must be a World Bank sponsored one.

Now the question we are asking you are

1. Have we invited you to Ghana to see our plight on Kwabenya landfill?

2. Is Kwabenya landfill a World Bank project?

Although the World bank seems to pull the strings on the economics of developing states they must also ensure that the projects they fund or have partial oversight of are not merely meant to promote development per se, even at the cost of human life they must be seen to take consideration, human friendly projects that affect the interest of the poor, indigenous people and minorities.

Are you aware that the land fill is being built in a centre of a growing city?

Note carefully that the executive instrument on compulsory acquisition of the land was even not signed. We are aware of Accra Metropolitan Assembly's pack of lies. We have documents to support our claim. The land as even not documented and the first phase has come to a close. They have only put a freeze on the land. Above all the people who are supposed to be beneficiaries of the banks projects must be seen to be happy at whatever new development takes place in their areas. The Community around the project area are not happy with the development.

It will interest you to know that it is on record that we were not even notified of entry or survey The state lands Act 1962 with its regulation 7, (2) (LI 230) was violated.

Stop your moves otherwise it would be like the tale of clearing a virgin forest only to develop a plantation forest to lose biodiversity of the project area.

The environmental impact assessment was funded by D.F.I.D.
D.F.I.D. knew it was an incomplete document but funded the project forgetting that we are now in an era of POSITIVE CHANGE 500 years ago is not today when Tobacco was used in exchange of Human Beings. World Bank your loans must create peace not conflicts. Stay away from the unconstitutional Land fill project. A project with acts of omissions/breachers of procedure.

You cannot teach an old dog a new trick. We know what a landfill is, it must be sited far away from poor families because of its hazards. Ghanaians in the World Bank, don't influence policies which are not in the interest of the poor and the disadvantaged in society its against humanity.

We are earnestly looking forward to hear from you. The International Community is watching us, if really "Rule of Law is in the country.

Yours sincerely,

OPANIN ASIEDU AMOAKO
(C H A I R M A N)
FOR AND ON BEHALF OF AGYEMANKATA COMMUNITY
(THE IMMEDIATE RESIDENTS)

CC. THE COUNTRY REPRESENTATIVE WORLD BANK
THE MINISTER OF FINANCE
THE MINISTER OF LOCAL GOVERNMENT

AGYEMANKATA KWABENYA COMMUNITY

(The Truth Is Like The Cork You Cannot Submerge It)

P.O. Box MS 305
New Achimota
Accra - Ghana

27th February, 2004

The President
The World Bank
1818 H/Street N.W.
Washington D.C.
204 33 U.S.A.
U.S.A.

Dear Sir,

STOP FINANCING THE ABANDONED LAND FILL PROJECT AT KWABENYA BY D.F.I.D.
(BRITISH DEPARTMENT FOR INTERNATIONAL DEVELOPMENT)

The U.N. Committee on Economic, Social and Cultural Rights continue to take the lead on actively confronting the practice of forced evictions and the records of states concerning housing rights. We Agyemankata Community are grateful to such efforts. While General Comment No. 7 is clearly the most detailed standard on forced evictions a range of additional pronouncements by this committee concerning forced evictions and violations of housing rights are included in this section.

The committee of Economic, Social and Cultural Rights and indeed as most international treaty monitoring bodies do issues regular general comments in order to assist state parties to achieve the full realization of the rights established under the covenant. **The Committee must monitor the A.M.A.s activities on Housing Rights in Ghana.**

The Accra Metropolitan Assembly A.M.A. decided to construct a land fill at Agyemankata Kwabenya with the funding from British Department for International Development. On August 5, 1999 at the last meeting of the permanent site Advisory Committee approval was given for the acquisition of the Kwabenya site subject to:

1. Accra Metropolitan Assembly providing evidence in writing of its capacity to pay compensation for the land acquired. The permanent site Advisory Committee is applying the state lands (Act 125) as the enabling legislation to undertake acquisition.

For your information the A.M.A. failed to follow procedures as laid down by the state lands Regulations 1962 (L1230) in the following areas Regulation 7 (2) makes it mandatory that prior notification is given to the owners or occupiers of the land before any entry for inspection survey or valuation is carried out. There is no record to indicate that such notices to owners or occupiers of the land were served.

Although two meetings were held prior to the construction of the project with the Kwabenya Township the Agyemankata Community were not notified (the immediate residents) this however does not meet the requirements of the Act 125 and its regulations (L 1230).

2. Article 202a of the 1992 Constitution makes it mandatory that compulsory acquisition of land by the state should be accompanied by the prompt payment of fair and adequate.

Compensation to expropriated owners. This reinforces Regulation 3 (1) of L 1230 where the site Advisory Committee is enjoined to ensure that sufficient funds are available for the purpose of implementing the proposed user of the Land A.M.A. in its application and subsequent discussions at the permanent site advisory committee could not prove its capacity to pay the cost of acquisition and carried out the project. Note that acquisition through the use of Act 125 requires the outright payment of compensation before project implementation.

Therefore the Ministry of Lands and Forestry notified the Lands Commission that no Executive investment in respect of compulsory acquisition shall be signed by the Minister where the A.M.A. do not satisfy the legal requirements. The Executive instrument is not signed and the project was started.

All these procedures were violated by the Accra Metropolitan Assembly and rudely started the project with financial support from D.F.I.D. who financed the E.I.A. with Scot Wilson as the consultant. What a shame on their part. On 27th and 30th issues of the Daily Graphic and Ghanaian Times 2001 the Metro Boss made statements that we the Agyemankata Community have encroached on their property and for that matter our houses will be demolished to pave way for the landfill project. We petitioned the President but he never acknowledged receipt to our letter.

Our wives wrote a petition to Parliament and handed the petition to the Deputy Speaker of Parliament but he kept it in his pocket. African women have no recognition when it comes to contracting loans on secret projects. Refer the Guide November 20th 2001. A project which was not Tendered and Bidded, but the consultant Taysec later won the contract and became the contractor.

For your information sufficient funding was given to the A.M.A. to sensitize the immediate communities around the project but A.M.A. refused to do so. This is how A.M.A. was to sensitize us:

1. Announcement through gong beater
2. Through church service
3. Community radios and newspapers
4. Creating awareness in schools and markets
5. Holding public durbars and general meetings.
6. Through the media, radios, F.M. and T.V.

It was when we have risen against the A.M.A. and her project and the first phase has come to a close before A.M.A. decided to start her sensitization programme refer to G.R. I. Newsreel 24/7/02 <http://www.mcglob.com/History/July 2002/24g 2002/24g 2n.html>.

The A.M.A./Government continue to deceive people that the project is far from human beings. This is not true. The officials of the Waste Management has constructed a deceitful route to the site by curving the road. Come to Agyemankata and you will see how A.M.A. and her financier D. F.I.D do not value human lives. They preach virtue and practice vice, hypocrites. Down with their brain wash education on modern sanitation "Land fill"

Their modern preservation methods "Rubber sachets have polluted our enviable environment. Our traditions teaches us cleanliness before they came.

General Commitment No.2 on International Technical Assistance Measures (art 22 of the covenant), Fourth session, 1990 (UN doc. E/1990/23).

The committee's General Comment No.2 on International Technical Measures adopted on 2 February 1990 at its fourth session, addresses the obligation of the World Bank and I.M.F. concerning the Financing of projects involving evictions in particular paragraph 6 of General Comment No.2 draws the attention of the International financial institutions, in particular the World Bank and I.M.F. to the view of the committee that;

International agencies should scrupulously avoid involvement in projects, for example; promote or reinforce discrimination against individuals or groups contrary to the provisions of the covenant or involve large scale evictions or displacement of persons without the provision of all appropriate protection and compensation.

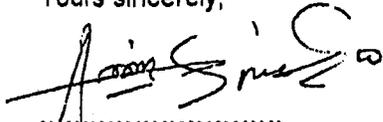
Accra Metropolitan Assembly has no title to the land. Refer to [http www joy997fm.com.gh/frontarts.asp? P=3 & a 7634](http://www.joy997fm.com.gh/frontarts.asp?P=3&a=7634). upon what criteria you promised to finance the project? Loans must create peace. As we have said earlier on the project is not yours therefore abstain from financing it else we will take you to the appropriate quarters to seek redress.

The acts of omissions/ breaches of procedure and wrong sitting of the project made D.F.I.D. to run with her loan balance of £3.5m hidden in a wattle and dub hut, we will never exchange our beautiful environment with refuse.

We hope to hear from you soon and arrange to meet us in our community and see things for yourself a project in peoples bedrooms, meeting the community is necessary, stop sitting in your offices preparing documents on Kwabenya Landfills.

Kwabenya Landfill is among the Accra Waste project initiated by D.F.I.D. it is not an urban sanitation project as preached by you and your Bank, what a shame.

Yours sincerely,



.....
ASIEDU AMOAKO
CHAIRMAN/CARETAKER OF LAND
ON BEHALF OF COMMUNITY

CC. COUNTRY REPRESENTATIVE THE WORLD BANK
THE HEAD OF WASTE MANAGEMENT A.M.A.
THE MINISTER OF FINANCE MR. MARFO
GHANA NEW AGENCY
THE LENS
CENTRE ON HOUSING RIGHTS & EVICTIONS - SWITZERLAND

received
2/11/2004

6

AGYEMANKATA KWABENYA COMMUNITY

(The truth is like the cork you cannot submerg it)

Box ms 305
New Achimota
Accra-Ghana

10/3/04

THE ACTING COUNTRY MANAGER
THE WORLD BANK
GHANA-GHANA

→ Gerhard
Koyi T
Charles B
Nyaho

Dear Sir,

KWABENYA LANDFILL

We write to inform you that the minutes of our meeting with you on 27th February, 2004 is received. Thanks. We want to make it emphatically clear to the World Bank that we would never accept compensation from the Government of Ghana even if she borrows all the money from the vaults of Banks all over the world including that of the World Bank.

OUR REASONS ARE

1. Her acts of omissions/Breaches of procedure on the project call for its stoppage to serve as an eye opener to our leaders and those in authority.
2. The project is too close to human settlement. **We cannot sweep our bedrooms and deposit the refuse just in the living room.**
3. Compensating all the communities to give way for the project is a waste of resources in terms of structures presently on site. **We cannot destroy and rebuild.**

How on earth a Government in power offers only a **Cow** to a chief to pacify the gods of the land and a landfill is in the making with all the regulatory "Bodies and E.P.As consent and an International donor like DFID offering financial assistance knowing very well that the right thing was not done (January 7th 2002 Daily Graphic page 14 captioned A.M.A committed to landfill project.)

If the Government has nothing to hide she should react to our latest press conference held on 11th December, 2003 and answer all the 15th questions that we raised at the conference.

Positive Change does not only mean changing Governments but changing the old order where the vulnerable communities are taken for a ride by those in authority. In terms of projects. Please note carefully if we would accept compensation we would have accepted it during the D.F.I.D Era. We know our rights.

Our struggle is to protect the constitution and the laws of the land not a struggle in terms of MONEY as you think. If the Government who is siding with the A.M.A feels we are an obstacle in her way on Kwabenya landfill she should take us to a court of competent jurisdiction to evict us from their so called property they have not paid for at the time we are writing and they can not pay because the law binds them. The constitution says "pay before you start not after you have started"
World Bank, we will never accept the project today nor tomorrow it is a "monster" it must be sited far away form human settlement.

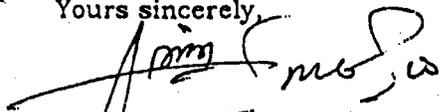
The compensation bait used by the Government to cover her acts of omissions/breaches of procedures and wrong sitting of Kwabenya Landfill will never trap us "d a" For 47 years of independence we must do the right thing for the nation's progress.

World Bank, you know you have policies and you did not ask the Government why DFID pulled out from the Kwabenya Landfill and you assisted the Government to prepare a secret Environmental and social Assessment on Kwabenya Land fill?

Note carefully in your letter of Jan 30th you said yours was in response to ours dated 22nd December, 2003 but in the minutes you said it was a response to that of 16th January, 2004 why such contradiction?

The Ghanaian of 1842 is not the Ghanaian of January, 2001. We have resolved that we prefer our huts to your landfill. What is a landfill? A mass refuse buried in the ground"

Yours sincerely,



OPANIN Asiedu Amoako
Caretaker of Land/ Chairman of Community

CC. THE PRESIDENT OF THE WORLD BANK
THE PRESS
CENTRE ON HOUSING RIGHTS & EVICTIONS - SWITZERLAND
THE MINISTER OF LOCAL GOVERNMENT

7

received
03/11/04

11-2004#088 misc.



REPUBLIC OF GHANA

Ministry of Local Government
and Rural Development
P.O. Box M 50
Accra

E-Mail: local@gov.gh

In case of reply, the
Number and date of this
Letter should be
quoted.

Our Ref SCR/FA 235/381/02

Your Ref

Tel. M 68 20 02

D 66 36 68

D 66 47 63

10th March 2004

**INVITATION TO STAKEHOLDERS
MEETING ON KWABENYA LANDFILL**

As you are no doubt aware, a section of the Agyemankata Kwabenya Community went on a demonstration against the Kwabenya Landfill Site to the Offices of the World Bank last week (February 27, 2004).

There is therefore need to discuss and find lasting solution to the concerns being expressed on the landfill site, as the construction of the Landfill is one of the activities to be undertaken under the Phase II of the Urban Environmental Sanitation Project.

In order not to stall the Project I invite you to a meeting at the Conference Room of the Ministry of Local Government & Rural Development on Friday, March 12, 2004 at 2.00 pm

I count on your usual co-operation and attendance.

**KWADWO ADJEI-DARKO (MP)
MINISTER**

**HON. REGIONAL MINISTER
GT ACCRA
ACCRA**

**METROPOLITAN CHIEF EXECUTIVE
ACCRA METROPOLITAN ASSEMBLY
ACCRA**

**DISTRICT CHIEF EXECUTIVE
GA DISTRICT ASSEMBLY
AMASAMAN**

**COUNTRY DIRECTOR
WORLD BANK
ACCRA
ATTN: G. TSCHANNEL**

AGYEMANKATA KWABENYA COMMUNITY

P.O. BOX MS 305
NEW ACHIMOTA
ACCRA

3rd March, 2004

THE COUNTRY REPRESENTATIVE
THE WORLD BANK
GHANA

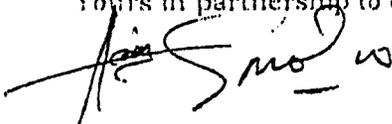
Dear Sir,

VIDEO CASSETTE

We the Community are by this letter requesting you to give us a copy of the proceedings of our meeting with you held on 27th February 2004 on Kwabenya Landfill project which was recorded on the videocassette.

As we all agreed upon before the meeting we do not want it to be edited.

Yours in partnership to develop our motherland constitutionally.



ASIEDU AMOAKO
CHAIRMAN
For AND ON BEHALF OF COMMUNITY

CC. THE PRESIDENT - WORLD BANK U.S.A.

05/20/04 II-2004#193 misc.

AGYEMANKATA KWABENYA COMMUNITY

**P.O. BOX MS 305
NEW ACHIMOTA
ACCRA**

20th May, 2004

**MR. GEHARD TSCHANNERL
WORLD BANK GHANA
P.O. BOX M27
ACCRA**

Dear Mr. Gehard Tschannerl,

**SECOND URBAN ENVIRONMENTAL SANITATION PROJECT (U.E.S.P. - 2)
PROPOSED KWABENYA LANDFILL**

With reference to our meeting held on 27th February 2004, of which you have refused to give us the second part of the video recordings, we write to inform you that the Monday 17th May, 2004 issue of the Ghanaian Chronicle first page captioned A.M.A. takes the bull by the horns says you are to finance the Landfill project.

It is on record that the World Bank has been responsible for financing numerous development projects over the past decade, which has resulted in the forced evictions of millions of people. Are you aware of operational directive 4.30 on Involuntary resettlement, which a part says.

"Community participation in planning and implementing resettlement should be encouraged." We have kicked against the project therefore we will never get ourselves involved in the discussions and meetings on Kwabenya Landfill our letters to you and that of the A.M.A. and Government refers.

We have decided to distribute your letter dated 5th March, 2004 to the general public for them to have an insight on the proposed Kwabenya Landfill of which the Government of Ghana after failing to utilize the £6.5m from D.F.I.D. due to poor procedures and wrong siting of the project turned to you for a loan which is not in conformity to international laws.

According to the Chronicle A.M.A. Government sources hint that for the Mayor there will be no turning back in this war to put the facility in place. "I am ready to face the consequences" said the Mayor.

World Bank note carefully we the FAMILIES which forms the COMMUNITY are also ready to die including our children to give way for the refuse. We assure the World Bank.

We are aware they have the guns we will resist and die. We therefore give you (48) forty eight hours to issue a press statement to clear the air on the said publication because in our last meeting you said, we quote the World Bank will respect your rights on unquote.

If we do not hear from you we will embark on a demonstration of your involvement in Kwabenya Landfill then Agyemankata Community including their children of whom we have sensitized of the dangers ahead of them will face the music from the A.M.A. and Government. Will they accept filth at their backyard?

Yours sincerely,

**KODZOVIE SABLA
CHAIRMAN
FOR AND ON BEHALF OF
AGYEMANKATA COMMUNITY**

**CC. THE NEWS EDITOR G. N. A
THE PRESIDENT WORLD BANK**

**THE MINISTER FOR LOCAL GOVERNMENT
THE MAYOR, A.M.A.**

received
06/05/04

15-2004#209 misc.

(11)

AGYEMANKANTA KWABENYA COMMUNITY
BOX MS 305 NEW ACHIMOTA, ACCRA

3rd June, 2004

THE CHIEF EXECUTIVE
ACCRA METROPOLITAN ASSEMBLY
ACCRA-GHANA

received
June 8 2004

→ Charles B

Dear Sir,

KWABENYA LANDFILL SITE

We the Agyemankata Community are by this letter informing you that the Accra Metropolitan Assembly / Government ignored rules/procedures on compulsory acquisition to take our lands for the Kwabenya landfill project.

1. As to date A.M.A has no land title to the project site at Kwabenya.
2. Accra Metropolitan Assembly violated the 1992 constitution Article 20 2a (Says prompt payment to expropriated owners.) A.M.A could not prove ability to pay for the land as requested by Ministry of Land and forestry but proceeded to construct the landfill.
3. A.M.A violated the (1962) state lands Act Regulations 7 (2) (L1230) says notifications be given to owners or occupiers of land before any entry for inspection, survey or valuation is carried out. Such notices were not served and A.M.A. has finished the first phase of the landfill project at Kwabenya.
4. The first phase of the project was not tendered and bided for.
5. No Executive Instrument was signed for compulsory acquisition of the LAND for the project but Accra Metropolitan Assembly proceeded to construct a landfill in our community with the Governments approval, which is a breach of the law.
6. The project was not commissioned before it took off.
7. The A.M.A or who so ever responsible could not erect a signboard showing the client, the contractor, the financier, the contractor and the type of project being executed (A secret project).
8. Education was a pre-requisite factor before the project could be executed. The A.M.A never sensitized the immediate community before starting the construction of the landfill project in our community.

9. The project is located in the middle of a beautifully growing city. It is too close to human settlement and activities.
10. A.M.A refused to react to our two Press Conferences. We are by this letter informing the A.M.A and the Government that we will never accept compensation or relocation from the authorities.

We are in a constitutional era, rule of law rules supreme therefore if the A.M.A /Government feels we are an impediment in their way on the Kwabenya Landfill project, we the Agyemankata Community should be taken to court of competent jurisdiction to effect our eviction.

We are stating categorically that we will never attend meetings organized by any institution on Kwabenya Landfill, Accra Metropolitan Assembly should relocate the project for peace to prevail in the area.

Your fellow citizens of Ghana

Cc: The Minister For Local Government
 The World Bank ✓
 ACP Derry
 The Lens
 Ghana News Agency
 The Regional Minister, Greater- Accra

Signed by

1. ~~Abraham~~ R.W. Osumari
2. ~~Abraham~~ Anna Nkrumah
3. ~~Abraham~~ Misi Misi
4. ~~Abraham~~ Gabriel Asi
5. ~~Abraham~~ Kwame
6. ~~Abraham~~ Alice Asiedu
7. ~~Abraham~~ Yeboah G. W. A.
8. ~~Abraham~~ Anthony P. A.
9. ~~Abraham~~ J.K. Towiah
10. ~~Abraham~~ J.S. Serpong
11. ~~Abraham~~ C. A.
12. ~~Abraham~~ Iaa Ousua
13. ~~Abraham~~ Y.A. Saka
14. ~~Abraham~~ Ofori
15. ~~Abraham~~ NAT. Y. FIE
16. ~~Abraham~~ E.A. Sarpong
17. ~~Abraham~~ Owusu Afiyem
18. ~~Abraham~~ Joseph
19. ~~Abraham~~ EK Afari
20. ~~Abraham~~ Ansel Simpson

In case of reply, the number and date of this Letter should be quoted.



MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT
P.O. BOX MB 50
ACCRA

Our Ref: SCR/EA3/60/06

Your Ref:

Telephone: M 68 20 21
D 66 36 68
D 66 48 00

REPUBLIC OF GHANA

E-Mail: localgovernment@internetghana.com

Fax Number: 66 20 03 / 66 10 15 / 66 79 11

*Charles B
cc Willie Moei
Gyeland Tsh.
Kof. T
for info, and further
dist. between
Kof. T*

June 9, 2004

received
June 10, 2004

**TECHNICAL ADVISORY COMMITTEE ON
KWABENYA LANDFILL PROJECT (TAC - KLP)**

A Technical Advisory Committee [TAC] has been constituted under the auspices of this Ministry, to help address the protracted dispute over the Kwabanya Landfill Project.

The Committee is mandated as follows:

- i. To determine the extent of encroachment on the land earmarked for the project, and its impact on the success of the project
- ii. To identify the causes of the impasse
- iii. To review all previous agreements, projects and programmes related to the Kwabanya Landfill Project [KLP]
- iv. To investigate the circumstances leading to the resistance by some residents culminating in a series of demonstrations against the project
- v. To assess all feasible alternative technologies to confirm or reject, the notion that sanitary land filling at Kwabanya is a viable and cost effective option for addressing Accra's chronic sanitation issues in the short to medium term
- vi. To investigate any other issues relating to the project; and
- vii. Recommend immediate action plans to resolve all outstanding issues.

The Committee, to be chaired by a Deputy Minister of Ministry of Local Government and Rural Development [MLGRD], comprises:

- i. MLGRD
- ii. Attorney-General's Department
- iii. Ministry of Environment Science and Technology
- iv. Greater Accra Regional Coordinating Council
- v. AMA and Ga District
- vi. Regional Police Commander, Greater Accra Region
- vii. Ghana Institution of Engineers
- viii. Lands Commission Secretariat
- ix. Environmental Protection Agency
- x. Town and Country Planning Department
- xi. Environmental Health Unit of MLGRD

- xii. Two Representatives from the Landowners/Traditional Leaders
- xiii. Opinion Leaders from the Community/Residence Association
- xiv. A Representative from LGPSU as Secretary

You are kindly requested to nominate your representative not below the rank of Director to attend the maiden meeting of the Committee scheduled for Wednesday, June 16, 2004 at 10:00 a.m. in the Ministry of Local Government and Rural Development, Conference Room.

count on your cooperation.



HON. KWADWO ADJEI-DARKO (MP)
MINISTER

1. HON. MINISTER, MINISTRY OF ENVIRONMENT SCIENCE & TECHNOLOGY
2. HON. REGIONAL MINISTER, RCC, GREATER ACCRA
3. METROPOLITAN CHIEF EXECUTIVE, AMA, ACCRA
4. THE REGIONAL COMMANDER, GT. ACCRA POLICE COMMAND, ACCRA
5. THE EXECUTIVE SECRETARY, GHANA INSTITUTE OF ENGINEERS
6. THE EXECUTIVE SECRETARY, LANDS COMMISSION SECRETARIAT, ACCRA
7. EXECUTIVE SECRETARY, ENVIRONMENTAL PROTECTION AGENCY, ACCRA
8. THE DIRECTOR, TOWN AND COUNTRY PLANNING DEPT. ACCRA
9. THE HEAD, ENVIRONMENTAL HEALTH & SANITATION UNIT, MLGRD
10. THE TRADITIONAL AUTHORITIES OR LANDOWNERS CONCERNED
11. THE CHAIRMAN/SECRETARY OF THE RESIDENTS ASSOCIATION/OPINION LEADERS
12. THE DIRECTOR, LGPSU, ACCRA

cc: The Chief of Staff
Office of the President
Castle, Osu

The Country Director
World Bank
Accra

AGYEMANKATA KWABENYA COMMUNITY

**P.O. BOX 305
NEW ACHIMOTA
ACCRA**

→ Charles B
cc Kofi T

received
21/07/04

29th July, 2004

IG - 2004 # 257 misc.

Press Release,

REJECTION OF COMMITTEE'S REPORT ON KWABENYA LANDFILL

We have followed with sorrow the Technical Committee's report on Kwabenya Landfill. Right from 1993 - 2001 when the Kwabenya landfill was to be initiated the Regulatory Bodies especially the E.P.A. Ghana, the Ministry of Local Government and the Land Commission did not know "beans from bird's eggs"

Therefore it is no wonder they will recommend to the Government to reduce the ~~average~~ ^{size} of the landfill.

The committee is ignorant that on landfills the Local Government Act permits 1 (one) kilometer radius away from human settlement and on Engineered Landfills the E.P.A. permits 2 (two) kilometres radius away from human settlement. The communities are too close to the landfill. On compensation the committee has no knowledge that the 1992 constitution of Ghana says "There should be prompt payment to expropriated owners". (Article 202⁸).

This shows that the committee is even not aware that this provision has been violated by the A.M.A. and it is a breach of the constitution and is punishable by law.

How are we to protect the constitution? We petitioned the ^President we petitioned the Members of Parliament and we held 3 press conference this should be enough to Ghanaian that we Agyemankata Community will never accept the landfill in our midst.

They have also forgotten of the 1962 State Lands Act Reg. 7 (2) (L1230) and have recommended that the Survey Department should redemacate the boundaries of the landfill of which the first phase came to a close (2) ~~and~~ two years ago. Were the land owners and occupiers notified before entry?

We are stating categorically that we will resist the Survey Department's work, a sign of "Positive Change."

Countrymen the acts of omissions and the breaches of procedure and wrong sitting of the landfill so close to our homes called for its stoppage D.F.I.D. pulled out honourably yes they understand participatory democracy.

We will continue to oppose the sitting of the project here unless it is taken far away from human settlement even if it will cost our lives.

It is our duty to protect the constitution, the laws and the environment in which we live.

"If the Accra Metropolitan Assembly cannot take us to court to evict us then her Agents too must not come here to work!! We have made it clear in a letter to the A.M.A.

We are also Ghanaians we have the right to protect our properties and to protect our health too.

Concerning the World Bank we advise they abstain from the landfill to safe guard their policies.

Fellow countrymen the Chief and Elders of Kwabenya including the Unit Committee cannot decide for us because we do not owe allegiance to them. We are responsible independent Ghanaians living in our homes. The cat can never teach the lamb how to hunt mice.

We have paid for our lands we acquired from Okaidja Gbeke Family with Nii Tetteh Ankamah II as the Head of Family not Nii Okanfra of Kwabenya.

A.M.A. including the Ministry of Local Government after collecting £6.5m from D.F.I.D. could not pay a pesewa to Okaidja Gbeke Family but started a sanitary landfill at Kwabenya Agyemankata at this time of our history where indiscipline is being preached and taught in schools and on the streets some one elsewhere should PROBE the A.M.A.

We will never accept compensation from the Government of Ghana and we will never live by a refuse dump too either the buffer zone is reduced or increased because of its hazards.

A clean environment makes a healthy community.

We the Agyemankata Community here do invite the press both print and electronic to come to Agyemankata to see the facts of the matter for themselves. The Regulatory Bodies that formed the Technical Committee on Kwabenya Landfill are the same people who could not find the way forward to put the "Calabash" into the sack" in the initial stages of Kwabenya landfill.

Reducing the buffer zone will not make the landfill viable because the area is bounded by A.C.P. Pokuase New Town and Agyemantaka.

**Housing Rights
Human Rights
Resist Forced Evictions.**

Let us put our shoulders to the wheel to fight indiscipline not only on our roads but on projects initiated with loans from International Financial Institutions.

Yours sincerely,

(Signatories Attached)

CC. All Press Houses

The President World Bank U.S.A.

The Country Representative

World Bank Ghana

The Chairman Federation Of Environmental Journalist

Attn: Kwarteng

The Regional Director Survey Department

Minister Of Local Government

A.M.A. Boss

14

In case of reply, the number and date of this letter should be quoted.

Ministry of Local Government and Rural Development
P.O. Box M 50
Accra



Our Ref. No...SCR/ADM283/SF1.1

Your Ref.....
Tel. M 663668

received
21 01 2004

CB
file
CB

→ Charles B
cc. all concerned
advise on next steps.

27th August, 2004

**Second Urban Environmental Sanitation Project (UESP II)
Kwabenya Sanitary Landfill Development**

I am directed to inform you that government has accepted the report of the Technical Advisory Committee, which was set up in June 2004 to review all matters relating to the Kwabenya Landfill Project, and recommend measures to address concerns expressed by some interest groups. The Ministry wishes to thank all the institutions and agencies which contributed to the successful completion of the assignment.

The following immediate actions are to be taken towards implementation of the recommendations:

- a. The Accra Metropolitan Authority (AMA) will initiate a request for World Bank's approval, for the inclusion of Kwabenya township under the community infrastructure upgrading component of the Second Urban Environmental Sanitation Project (UESP-2)
- b. The AMA will expedite action on the selection of consultants under the UESP-2 for a review of the designs to fit the revised boundary.
- c. The RCC, in collaboration with the Ga district assembly, the AMA, the Lands Commission Secretariat, the Town and Country Planning Department, the Survey Department and the Land Valuation Board will take the necessary actions to complete the acquisition process, taking into account the recommendation to re-align the eastern boundary of the site so as to exclude the disputed area from the acquisition.
- d. The Ministry of Local Government and Rural Development will constitute an oversight committee to ensure effective implementation of the project.

In this regard, a coordination meeting, to be chaired by the Regional Coordination Council, has been scheduled as follows:

Date: Wednesday 8th September 2004

Time: 2pm

Venue: Greater Accra Regional Coordinating Council Conference Room

A copy of the final report of the Technical Advisory Committee is enclosed for your information.

We look forward to your participation in the meeting.


D. A NYANKAMAWU
AG. CHIEF DIRECTOR
FOR: MINISTER

DISTRIBUTION

1. Hon. Minister, Greater Accra Regional Coordinating Council
2. Hon. Minister, Ministry Of Environment Science And Technology
3. Metropolitan Chief Executive, AMA
4. District Chief Executive, GDA
5. The Executive Secretary, Lands Commission Secretariat
6. The Executive Secretary, Environmental Protection Agency
7. The Director, Town And Country Planning Department
8. The Regional Commander, Greater Accra Police Command
9. The Executive Secretary, Ghana Institution Of Engineers
10. Representatives From Nii Okaija Onukpa, Nii Okaija Gbeke, Nii Tetteh Tsutsi We, Naa Kwatiorkor Families (The Land Owners)
11. Representatives From Nii We, Abbey We;
12. Representatives From Kwabenya Resident Associations (Agyemankata; East Kwabenya; West Kwabenya)
13. Kwabenya Stone Winning Operators

Cc: The Chief of Staff
Office of the President
Castle, Osu

The Hon. Minister
Ministry of Finance and Econ. Planning
Accra

The Country Director
World Bank
Accra

→ Charles B
cc Legit

received
09/06/2004

WOMEN OF AGYEMANKATTA COMMUNITY
P. O. BOX MS 305, NEW ACHIMOTA-ACCRA

1ST SEPTEMBER, 2004

PRESS RELEASE

AGYEMANKATA WOMEN REJECT TECHNICAL ADVISORY COMMITTEES RECOMMENDATIONS ON THE KWABENYA LANDFILL.

The women of Agyemankata and its surrounding areas have decided to vehemently reject the recent recommendations of the technical advisory committee (TAC) on the Kwabenya Landfill impasse.

As the "TAC" has now shown that the acquisition process was "Not well co-ordinated" and has therefore recommended that our lands be excluded from the boundaries of land required for the landfill, we still call on the authorities concerned to relocate the landfill to prevent any unfortunate incidents.

The agencies involved for site selection, acquisition and valuation must be probed for causing financial loss to the state to the tune of (£3m)

We women CANNOT stay and dwell with a landfill site with our children for any number of years because of its hazardous effects on our health.

Once again we call on government to re-locate the landfill site to where there are no human activities, as we still maintain our right to resist any attempt to use the controversial landfill site.

Democratic government must learn to do things democratically and the rule of law must prevail at all times and not the use of force to evict people or to impose hazardous project on them or take their properties that are legally and lawfully acquired.

Whether A.M.A. will plant trees or buy us masks to prevent the hazards of the landfill we will never accept the landfill in our vicinity. Government of Ghana, are you not happy that some Ghanaian women are environmentally conscious?

We have sent about (80) eight photographs of our homes to the World Bank. The best thing to be done is to find a place very remote and construct the landfill for several years not for only 15 years. After 15 years where will you go to find a new site?

received
09/10/2004

AGYEMANKATA COMMUNITY KWABENYA
P. O. BOX MS. 305
NEW ACHIMOTA ACCRA

6-9-2004

→ Charles B
cc Wiche M
Kq.T

THE COUNTRY DIRECTOR
THE WORLD BANK
ACCRA

Dear Sir,

RE: REJECTION OF KWABENYA LANDFILL PROJECT

We the residents of Kwabenya Agyemankata wish to submit this letter to once again re emphasize our commitment to resist any attempt by the World Bank to grant the government and for the matter the A.M.A. loan to for the continuation of the abandon Kwabenya Landfill project.

Sir should it be noted that in our interaction early this year with your representatives, we were made to understand that without our acceptance of the project you also will not fund the project but information reaching us indicates that a letter from the Ministry of Local Government and Rural Development dated 27th August,2004 in accepting the report of the Technical Advisory Committee on the Landfill project with a copy to your outfit clearly shows intentions of the government and the A.M.A. to solicit your assistance for a loan to continue the Landfill project.

We wish therefore to draw your attention to the fact that we residents of Agyemankata Community were not part of the advisory Committee this is so because we still maintain our stand on the rejection of the project not only on Land issue but most importantly, it's location and **HEALTH RELATED PROBLEMS.**

To this end we want to make it categorically clear that the Landfill be relocated. Because of it's environmental unfriendliness. IN this light we are appealing to the World Bank not to grant the loan if the project is not relocated. Failure to comply with our request we will seek international readiness. The people's voice must be heard and accepted sometimes in matters affecting them. One thing we all must bear in mind is that we the residents are a determine people who are prepared to protect our environment and property and will go to any length to protect the environment and property so if our request is rejected any one who step on project site will regret a regrettable regret regrettably because KYEIWAA NE MMA will be waiting for him.

Yours faithfully,

AGYEMANKATA COMMUNITY

received
11/15/2004

AGYEMANKATA KWABENYA COMMUNITY

Box Ms 305,
New Achimota,
11-9-04.

The Minister for Local Government,
Box Ms 50,
Accra.

Dear Sir,

T. A. C. DOCUMENT ON KWABENYA LAND FILL.

We have resolved to protect our environment from being polluted by the proposed land fill in our community, we the community submit here with the final document prepared by the Technical Advisory Committee on kwabenya land fill which was sent to us by post by Mr. D. A. Nyankamawu.

We assure you, the World Bank and President of the Republic of Ghana of our preparedness to become martyrs of the proposed land fill to be financed by the World Bank.

We assure the nation. It's an insult to send to us such a document. You have infuriated us. Preachers of peace must set examples.

We are responsible Ghanaians. We know our civic rights and responsibilities. The government fearing of a probe in future, is doing all that it can to continue a project initiated with acts of omissions and breaches of procedure. Protecting our environment is not a crime.

Yours sincerely,

(Signatories attached).

- CC: 1. The chief of staff office of the President.
- 2. The country Director the World Bank Accra.
- 3. The President the world bank U.S.A.
- 4. The news editor G.N.A.
- 5. All Press Houses.

WOMEN OF AGYEMANKATA KWABENYA

received
21/12/04

Box Ms 305,
New Achiraota,
12-9-04.

The Board of Directors,
The World Bank,
Box 1818 H/St N.W.

W. MOES
cc. BOAKYE

Through the Country Director,
The World Bank,
Accra Ghana.

9/15/04 PLEASE RESPOND

Dear Sir,

OBJECTION TO KWABENYA LAND FILL.

Dr Kwegyir Aggrey of blessed memory said "If you educate a woman you educate a nation" Yes he was a true son of Africa who new the importance of women.

We are by this letter appealing to you to open your hands of mercy and understanding to save we women from the claws of the Ministry of Local Government of Ghana who is bent to pollute our environment.

Extend your mercies you whites have for your women to save us from the hazards of a land fill. Agyemankata Kwabenya is not the only land left for mother Ghana to be used as a land fill.

Oh "we have shun ants and have fallen into scorpions". Save us, listen to us and see to it that the land fill is relocated. We have the right to protect our environment to save lives of our children and husbands.

We are by this letter informing you that we will resist the construction of the land fill and when we fall dead please kindly take care of our children.

As for our leaders we know they will offer only Schnapps and a million cedis to the bereaved families.

Nana Osagyefo Amoatia Ofori Panin said and we quote "What local people needed was for their communities to be preserved for posterity rather than the immediate provision of the basic necessities of life". Unquote.

Hopping to hear from you soon.

Yours sincerely

(Signatories attached)

CC: 1. The Minister of Local Government.

2. The Chief of Staff Office of the President Accra.

3. The Countries representative World Bank Accra.

4. Press Houses

received
27/01/05

(19)

AGYEMANKATA KWABENYA COMMUNITY

→ Charles B

P.O. BOX MS 305
ACCRA-GHANA
27/01/05
Vn 2705

AGYIRI BLANKSON
A.M.A. CHIEF EXECUTIVE
ACCRA-GHANA

Dear Mr. Blankson,

We write to inform you that a copy of your press conference held on 27th January, 2005 is in our hands.

On page 4. paragraph 3, you said "we are also in serious consultation with interested parties to pave the way for the resumption of work at the Kwabenya Refuse Disposal Site".

Can a community that has refused to be part of a committee set up by the Minister of Local Government and has rejected the findings and recommendations of the Committee publicly be consulted?

Note carefully we the immediate community has to accept the land fill project and see to it that it is sustained. Since we have rejected its location here there is nothing you can do. We assure you of our preparedness to fight for our rights. Stop throwing dust into the eyes of the Ghanaian Press on Kwabenya Landfill.

A.M.A. (cleaning) Bye Laws 1995 5 (1) says " a person who throws litter, refuse or other matter which may cause nuisance or block the free passage of water running in gutters or drains commits an offence".

The landfill is in our bed room. We are not ruminants to live on a landfill site.

If you ~~have~~ as the chief executive feels the law allows you to construct the landfill then use the law.

If you have people to consult then its Agyemankata, but note, time for consultation has elapsed, no amount of consultations can help you. What did the Accra Metropolitan Assembly do with the £100,000.00 given to it for Education on Kwabenya landfill?

If there is rule of law as preached by the N.P.P. Administration then A.M.A., Taysee and its donors must be probed on how A.M.A. came to Kwabenya Agyemankata to construct a landfill.

It's shameful to talk about a project which was initiated with acts of omissions and breaches of procedure.

A sign board has been erected in your honour at Agyemankata in remembrance of the day you danced naked. He who goes a borrowing goes a sorrowing.

Agyiri be humble in your dealings with your fellow men. We are all accountable to God.

Problems that has existed from time immemorial can never be changed by mortal man.

On Kwabenya Land fill Blankson "Let sleeping Dogs Lie"

Signatories attached.

CC:

The Country Director, World Bank
The Minister of Local Government
Mr. Nyankamawu M.L.G.
Mr. Ben Laryea A.M.A.
The Press

AGYEMANKATA COMMUNITY
KWABENYA

MR. EWOOL
M. L. G. R. D.
ACCRA - GHANA

received
3/15/05

BOX MS 305
NEW ACHIMOTA
ACCRA

12-2005#047mdc.

11/03/05
March 11, 2005 Kof B

Dear Ewool,

NO DEMOLITION AT KWABENYA LANDFILL SITE

No demolition no landfill too.

We are reacting to your interview published on 11/03/05 by the Daily Graphic on 11/03/05 Planning for the Construction of Sanitary landfill at Kwabenya started in 1991 under the Accra Planning Development Programme.

D. F. I. D. agreed to finance the project and gave the M. L. G. R. D. £ 6.5M.

We want to know from you why D. F. I. D. pulled out from Financing the Kwabenya Landfill after given out £3M to you and your counter part A.M.A.

Agyemankata community and Ghanajans are ever ready to listen. The cat will one day be out of the bag.

We will also like to hear from you why the World Bank secretly financed the environmental study on Kwabenya landfill but the bank did not consult we Agyemankata Community the immediate residents.

Ghana is marking time because the scholars are using their book knowledge to exploit the poor.

Look Kwabenya landfill can never be continued. Are you going to use soldiers and police to intimidate us?
Police protect both BIG MEN and SMALL MEN in society.

We will call the police to arrest all those who caused breach of procedures and violation of the 1992 constitution on the Kwabenya Landfill. Soldiers defend the nation.

We are not Hawkers on the streets blocking access roads and traffic.
When did you visit the Kwabenya Landfill site? The project catchment area has sprang up with beautiful mansions. The area is not a Slum. Telling us the project can proceed while we stay there is an insult.
No qualified civil Engineer will ever recommend that the kwabenya Landfill is viable.

When they come, we will also chase them out with our husbands and children. Injustice breeds violence.

For your information we know that all landfills leak. Leachate collection systems will fail. The pipes themselves can be weakened by chemicals attack (acids, solvents, oxidizing agents or corrosion and also tons of garbage piled above will crush the pipes.

Plastics are not inert. State of the art plastic (H. D. P. E.) Land fill liners (1/10 inch) or 100 mils thick and plastic pipes allow chemicals and gasses to pass through their membrane become brittle, swell and break down. Landfill gas consists of naturally -occurring methane and carbon dioxide which form inside the landfill as the waste decomposes. As the gases form, pressure builds up inside a landfill, forcing the gases to move. Some of the gases escape through the surrounding soil or simply move upward into the atmosphere, where they drift away.

Typically, landfill gases that escape from a landfill will carry along toxic chemicals such as paint thinner, solvents, pesticides and other hazardous volatile organic compound (VOCs). Many of them chlorinated.

E. P. A. Ghana is asleep and snoring. E. P. A. Ghana, wakeup. Landfills destroy wet land protection. Malam and Oblogo dump are being done to reclaim a degraded land, therefore you can not compare them to Kwabenya land fill. Ewool the Landfill is in our BED Room.

Now to the World Bank we will use their office in Ghana as our home, if they dare finance the Kwabenya Landfill. We assure them. The World Bank has to respect our rights as citizens of Ghana we are not slaves in our own land.

It will be a history in the books of the Bank and Ghana "Ma Oman yi ho nhyia wo Ghana man ye ye nyinaa dea. Nka se won ka ho. What have the numerous loans done for us?

We are even poorer than before. Instead to finance agriculture to the fullest drains are their priority. Yes, there sub contracts can be awarded.

Where as they recycle their waste, they promise us Land fills.

"Thrash for Cash" Land fills are dangerous.

World Bank lets have Zero rubbish in Accra through Recycling. World Bank we do not need a Landfill at Kwabenya Agyamankata.

Hypocrites.

48 years of self rule we are still slaves due to mental slavery when will the black man manage his/her own affairs? Brain wash education.

We put off our Kente clothes and wear suits in such a hot weather. Poor

Protecting ones environment is not a crime. It is a civic responsibility of us all. At our recent educational exercise, the communities around the Kwabenya landfill have resolved to fight for our civic right. It will be all action. We will let the World Bank and the Government see things for themselves that "Positive" change is for action but not a mere slogan.

Are you aware Landfills emit hazardous substances into the air?

You talked about planting of trees.

Mr. Ewool in your capacity as a civil engineer at M. L. G. R. D. you ought to have known that the trees you talked about ought to have been planted 10 years ago, the trees fully grown before the implementation of the project so that the hazards can be minimized when the landfill is in operation. Due to lack of wisdom on the part of those who were tasked to implement the project they preferred to construct the Land fill before planting trees. Does trees takes three years to mature? Are you aware that before the trees could mature to prevent the hazards of the landfill the landfill might have been closed?

Oh what a shame .

Mr. Ewool we are not only protecting our properties as you said in your interview, we are also protecting our health including that of our children. If our environment is clean we need not pay any Health Insurance because a healthy environment makes a healthy community.

In your well built mansion you keep the environs clean . Our huts does not fit for pollution. It is generally known that land fills are located in places where the disadvantaged in society live.

Such a window dressed project will never be accepted by us.

Can't the World Bank tell the A. M. A. and M. L. G. R. D. to shut up!

Their name is being drag in the mud.

The reasonable thing to be done is to find a new site as early as possible than to rely on the controversial land fill at Kwabenya. A stitch in time saves nine.

A land fill is never an environmental friendly project.

We the communities around the project know what a land fill is.

It is absurdity on the part of someone to tell the Agyemankata community to stay few meters away from a landfill. Are we ruminants?

Will they accept a bowl of rubbish at their backyard?

They will use their dogs to drive the intruder carrying that type of rubbish

The Hawk can never be like the Eagle.

Mr. Ewool we are not only protecting our properties as you said in your interview we are also protecting the constitution, rules and regulations made for you and the poor and vulnerable in society.

Please we want you to interpret the 1992 constitution article 20 2a in your capacity as a civil Engineer at Ministry of Local Government and Rural Development.

It is even said that our letters to Parliament and the President of the Republic of Ghana received no attention.

Are they there for their interest? Or they are there for the electorate?

Let sleeping dogs lie. Find new site. On Kwabcnnya Landfill we should not exchange it with human souls. Stop producing rubber satchet and Accra will be clean but if you can't then shut up.

A. M. A. is a thief. A. M. A. has stolen Okaidja Gbeke property and that of Agyemankata Community. Don't cover A. M. A. misdeeds else other organization will emulate their bad behaviour.

The rightful land owners are selling their property so that they can also live. Its their bonafide property no body can take it from them freely. Its time we stop such practice For 48years of Independence we must know better. We add this video cassette for your perusal.

Protecting our environment is not a crime.

SIGNATORIES ATTACHED

.....

- cc.
1. The chief of Staff, office of the president
 2. The A. M. A. Boss
 3. The Country Director, for World Bank Accra
 4. The President World Bank U.S.A.
 5. The Press
 6. The Commissioner for Human, Rights U. N.
 7. Okaidja Gbeke we

AGYEMANKATA COMMUNITY

BOX MS 305
NEW ACHIMOTA
ACCRA

18th May 2005

**NII ABBEY OKANFRA
KWABENYA MANTSE
KWABENYA
ACCRA**

received
5/24/2005

Dear Nii,

He Omanyee.

With reference to your letter written on an ordinary piece of paper inviting us to meet the Member of Parliament for Dome Kwabenya Constituency, we write to state that we will only accept your invitations on the following grounds.

1. To help construct a school, clinic, market or a toilet.
2. Any communal work.

But we Agyemankata community the immediate residents living on Kwabenya landfill site will never honour any invitation on discussions on a dump (landfill) at Agyemankata Kwabenya. We have the right to protect our environment. Any body who comes here does so at his/her own risk.

Although we are all Ghanaians traditionally we are not your tenants. You have not sold or leased any parcel of land to us. As at the time we are writing, are you not aware that the land to be used for the sanitary landfill is being leased out by Nii Tetteh Ankamah II? Come to Agyemankata and you will see fence walls, buildings and foundations all over here. Man must have somewhere to sleep before he can create refuse. Why in Ghana some of those who have to be responsible are not responsible?

We will not sit down for our heads to be cracked to that of A.M.A.

Their deeds will come to light because the majority can never be fooled all the time.

We Agyemankata community stand by the truth.

We are not corrupt and we can never be corrupted through any means too.

Where was the Ministry of Local Government when A.M.A. started work on Kwabenya Land fill? A project initiated by acts of omissions and breaches of procedure.

The evil that men do..... with their bones.

Never invite us to your kwabenya palace on Kwabenya landfill. Let sleeping dogs lie.

Nii Oyi Ana Wala Daa.

[Handwritten signature]
.....
CHAIRMAN *A. Asiedu Amoako*

FOR AND ON BEHALF OF AGYEMANKATA COMMUNITY

- CC: THE OKYEAME KWABENYA
THE M.P DOME/KWABENYA
NII TETTEH ANKAMAH II
THE COUNTRY DIRECTOR WORLD BANK
THE PRESIDENT WORLD BANK
NAA LAMLEY LAMPTEY (GRAPHIC)

THE PRESS

The Minister For Local Govt.

ATTENTION PLEASE: 16-5/05

Mr Anokye & others of Ajuman Ketu
to meet Kwabeng Dome M. P. 119
Nii Abbey Okanfor II Palace at
10.00 am. 17/5/05

Thanks for your call.

Nii Abbey Okanfor II
Chief of Kwabeng.

23

received
6/8/2005**WOMEN OF AGYEMANKATA COMMUNITY****BOX MS 305
NEW-ACHIMOTA
ACCRA.**7th June, 2005

→ Charles B
Kofi T

**MR. KOJO YANKAH
YANKAH ASSOCIATES
P. O. BOX LG 510
LEGON-ACCRA.**

Dear Sir,

We write to you to bring the Military to Agyemankata to educate us not the press.

We wrote the Federation of Environmental Journalist (F.E.J) Ghana to visit the land fill site but they rather published it in the Daily Graphic of Tues. Jan. 28 2003 and refused to come.

We held 3 Press conferences and invited the press Metro TV came. We distributed a hand out at our last press conference inviting the press to come. Only TV 3 came. The rest refused to come.

Now Yankah has gone to collect millions of cedis from the Local Government to throw dust into the eyes of the public on Kwabenya landfill. Attached is a publication, Mr. Kufour once said we quote. "We will not invest on disputed lands" unquote.

As a communication consultant you ought to have fought for the down trodden, but you are on the path of the authorities to suppress the poor whose cause you are to lead. Attached is a letter from C.E.D.E.P and our reply to C.E.D.E.P for your information, we were invited by the Nima Divisional Police to explain why we wrote that letter to C.E.D. E.P.

Let us give you the back ground on Kwabenya landfill. In association with the U.N.D.P and U.N. Centre for Human Settlements (Habit) developed a strategic plan for what was then called the Greater Accra Metropolitan Area. The plan indicated that a new land fill site should be identified within 50 km of Accra to meet the projected requirements for waste management in Accra. Shamefully the kwabenya landfill is located in our homes.

We are not rodents to live by a landfill. We are not prepared to meet the press. We have the right to scorn the press because some have not been circumspect in their reportage on Kwahenya landfill.

Your propaganda stories will not help you nor mother Ghana.

The landfill will pollute our environment and kill us softly including our children Professor Akossa recently advised residents not to live near sanitary landfill sites.

We will therefore fight physically and die through the barrel of the gun than to die due to pollutions from a landfill. The land owners who are not protesting are not residents of Agyemankata.

For four years where were you on Kwabehnya Landfill. Kojo Yankah let sleeping dog lie.

Are you aware that we have rejected the T.A.C report on Kwabehnya landfill?

Find a new site. We have the right to protect our environment.

What benefits do we derive from a dump (landfill) the answer is disease, The benefits of landfill are vultures, snakes, rats and mice including mosquitoes, flies of various sizes. Which will be hovering on our dishes. Sing Halleluyah chorus at our markets.

On compensation the 1992 constitution Article 20 2a says prompt payment to expropriated owners. Not when the first phase has been completed. A total violation of the constitution we should protect the constitution.

The project was initiated with acts of omissions and breaches of procedure, and we continue to talk about positive change.

On Kwabehnya landfill we have learnt a lot and have sensitized our nearby communities on the dangers of a landfill. We are not squatters on the land.

A.M.A. has no land title to the project area. A.M.A's permit to construct a landfill was even provisional. Its a shame to Ministry of Local Government to persue the implementation of this project which is not covered by genuine documents.

The President of Ghana Mr. Kufour never signed an executive instrument for compulsory acquisition of the land for the project. Kojo, Are you aware that kwabehya landfill was not even tended and bidded?

Tell A.M.A. to stop putting refuse in people's homes. We are 48 years old.

We are not living in a shanty town. Can we manage our hospitals? can we even manage our school?

Why D.F.I.D. pulled out from financing the project? Why World Bank has refused to give A.M.A the \$9.3m? We have the answers, we will tell Ghanaians at the right time. The Ministry of Local Government usually do send armed Police men to invite us to attend meetings on kwabehnya landfill. Are you also going to use armed Police men? During your interview at Agyemankata tomorrow the D Day?

Local Government should stop paying million of cedis to consultancy firms like Adjoa Yankey & Associates. We can never be convinced.

Are you aware of what happened to the Vice President, Agania of Local Government, Agyire Blankson, Asofoatse Lindsey the landlord himself, The A.M.A Assembly Members, DSP Yakubu and his men?

If you do not let sleeping dogs lie, it would one day generate into a bloody war.

As a renowned consultant you must know that a couple's honey moon generated the second world war.

Are you aware that we have demolished the pillars demarcating the landfill site? In August 2001? We are not nursery children to be told to accept refuse at our back yard.

Are you aware we have petition the President in 2001? Are you aware the we have petition the World Bank in 2004? We have the right to protect our land and health.

We women of Agyemankata including our husbands and children are not prepared to meet the convoy of pressmen. A word to the wise is enough. Ghana observed the World Environmental Day by plating trees but the old ones will never be protected by man.

Yours sincerely,

We women of Agyemankata Community.

signatories attached.

**CC: THE PRESIDENT, THE WORLD BANK
THE COUNTRY DIRECTOR, WORLD BANK GHANA
THE PRESIDENT, G.J.A.
THE NEWS EDITOR, G.N.A.
MR. EWOL, MINISTRY OF LOCAL GOVT.
THE PRESS**

01/16/2007

AGYEMANKATA COMMUNITY

P.O. Box KA 16497
Airport, Accra

16TH January, 2007.

The President
The World Bank,
1818H Street N.W.
Washington DC 20433
U.S.A.

→ Charles B.

A PETITION TO HALT THE FUNDING OF KWABENYA LANDFILL

On 22nd December 2003 we wrote to the World Bank of the lapses on Kwabenya Landfill initiated by B.D.F.I.D (Graphic publication of 10th December 2003 page 23 paragraph 15).

On 16th January 2004 we wrote to the World Bank asking them some questions to be answered by them on Kwabenya landfill and telling them to stop funding the project, because B.D.F.I.D has stopped funding. (D.F.I.D'S letter to the press dated 31st July 2002) attached for your perusal.

After D.F.I.D has withdrawn funding the Kwabenya landfill the World Bank condoned and connived with the Government of Ghana to prepare an Environmental and Social Assessment and Resettlement Policy Framework without our involvement.

On January 30th 2004 the World Bank invited us to their Accra office for us to examine the Environmental and Social Assessment including the policy Framework of which we were not part of its preparation. Refer to the Bank's letter dated 30th January 2004.

At the meeting we told the World Bank that we are against the siting of the landfill in our vicinity. Refer to the Bank's letter dated 27th February 2004. D.F.I.D who sponsored the landfill has ceased funding therefore the World Bank should also stop funding the project to safeguard the Bank's policies.

We requested the meeting to be filmed. When the video coverage was given to us we found that some areas where Gerhard Tschannel the Task Team leader lambasted the authorities have been withdrawn. (Refer to our letter dated 8th April 2004)

On 27th February 2004 we wrote to the World Bank to stop funding Kwabenya Landfill.

On 10th March 2004 we wrote to the World Bank about its involvement on Kwabenya Landfill.

On 20th May 2004 we wrote to the World Bank to abstain from funding the Kwabenya landfill. We the Agyemankata Community were invited to the Ghana Police Headquarters by ACP Derry to explain why we wrote such a letter to the World Bank. Our leaders were asked to write statements.

On 17th June 2004 the women of Agyemankata including the children petitioned the World Bank. The World Bank responded on July 22nd 2004 asking them to be part of a Technical Advisory Committee formed by the Government of Ghana. The World Bank has no right to tell us what to do in our own country. We did not go to them cup in hand.

We refused to be part of the committee and rejected the recommendations of T.A.C. (Refer to our letter dated 1st September 2004 and 25th June 2004 copied to the World Bank)

Since then there has been some confrontations with some Government officials at the site.

Sadly on 24th March 2006 we wrote to the President of Ghana telling him of an impending invasion by the Ghana Police Service. We received no response from the President's office. A copy was sent to the World Bank.

On 8th January 2007 to 13th January 2007 Policemen numbering over two hundred (200) armed to the teeth invaded our homes and lands to help the Survey Department and Valuation Board to survey and prepare documents on Kwabenya landfill. Our children became scared. Can this act be done in a civilized society? Can a project be forced on a community? Article 41k of Ghana's constitution permits us to protect our environment. The 1962 State Lands Act 125 and its Regulation 7(2) LI 230 was breached by Government.

On January 15, 2007 issue of the Daily Graphic they lied that a school has been built for the community.

With reference to the Daily Graphic publication of January 15th 2007 the invasion was caused by the World Bank because World Bank has given out Ten Million US Dollars (\$10 m) to A.M.A to construct a landfill at Kwabenya Agyemankata.

We are by this letter informing you that if the World Bank funds the 2nd phase of the Kwabenya landfill under the U.E.S.P.2 we will report the behaviour of the World Bank to the Commonwealth Human Right Initiative and U.N.H.C.H.R. to seek redress because the Bank's own document says there is trouble on Kwabenya landfill. Public Information Document (P.IB) report number AB 584 of the World Bank Dated 29th April 2004.

Yours sincerely
Agyemankata Kwabenya Community
Signatories attached

Cc:

1. The President of Ghana
2. The Director C.O.H.R.E
3. The Chief Executive A.M.A
4. The I.G.P , Ghana
5. The Press
6. The Public
7. U.N.H.C.H.R
8. The Commonwealth Secretariat
9. U.N.H.R.P.
- 10.O.H.C.H.R.
- 11.The Country Director, World Bank

ANNEX 5

**CORRESPONDENCE FROM THE BANK TO THE REQUESTERS AND OTHERS ABOUT THE
KWABENYA LANDFILL**

January 30, 2004

The Chairman
Agyemankata Kwabenya Community
New Achimota
Accra
Ghana

Dear Mr. Chairman:

*Second Urban Environmental Sanitation Project
Proposed Kwabenya Landfill*

Thank you for your letter dated December 22, 2003 addressed to Mr. James D. Wolfensohn on the proposed construction of a sanitary landfill for the Greater Accra area at Kwabenya. As Acting Country Director for Ghana, Mr. Wolfensohn has asked me to respond on his behalf. We are also copying this letter to the Ministry of Local Government and the concerned local government agencies for their consideration and follow-up.

The World Bank requires that its safeguard policies be followed in projects proposed for World Bank financing to help ensure that they are environmentally and socially sound and sustainable. One of the safeguard policies concerns involuntary resettlement, which covers all affected persons whose welfare is likely to be impinged upon by the construction of a facility. It calls for the identification of these persons, adequate consultation with them, and compensation.

The World Bank stipulates that this process must be planned and implemented before the construction of a sanitary landfill at Kwabenya, or at any other location, can begin. The sanitary landfill at Kwabenya is one subcomponent of many that together form the proposed Second Environmental Sanitation Project. The Government has recently completed an Environmental and Social Assessment of the entire project and a Resettlement Policy Framework, which can be examined by the public in Ghana at the Public Information Center of the World Bank Ghana Office at 69 Dr. Isert Street, North Ridge, Accra. Copies are also being made available at the offices of the Coordinating Director of the Accra Metropolitan Assembly, the Ga District Assembly, and at the public libraries in the two districts. A Resettlement Action Plan is still to be prepared by the Government for the proposed Kwabenya landfill. In addition, should you have questions beyond the documents listed above, Bank staff in the World Bank Office in Ghana would be able to respond to these.

The Chairman
Agyemankata Kwabenya Community

-2-

January 30, 2004

Under the Urban Environmental Sanitation Project, which has recently been completed, sanitary landfills were constructed at Kumasi and Tamale. They were designed to minimize the adverse effects on the environment and with the full involvement of the affected population, with compensation in a variety of ways. We hope, that as part of the consultation process for the Kwabenya sanitary landfill, your representatives will have an opportunity to visit some of these sites.

Sincerely,



Pamela Cox
Acting Country Director for Ghana
Africa Region

cc: Chief Director, Ministry of Local Government and Rural Development
Metropolitan Chief Executive, Accra Metropolitan Assembly
District Chief Executive, Ga District
Project Director, LGPSU, MLGRD
Mr. S. K. Attah
Mr. Tanwir Ali Agha, World Bank Executive Director

Cleared with and cc: T. Walton (AFTSD); S. Lintner (ESDQC); I. Andersen (AFTU2)

bcc: Messrs/Ms. M. Madavo, M. Keane, B. Tuason, A. La, A. Karasanyi, (AFRVP);
M. Karlsson, B. Lorraine Assam, P. Lamptey (AFC10); N. Dyer, J. Edillon
(AFCGH); M. Diliberti (AFTRM); J. Bond, I. Mishurny-Santini (AFTSD);
I. Andersen, G. Tschannerl, C. Boakye, E. Attafuah (AFTU2); T. Walton
(AFTSD); S. Lintner (ESDQC), IRIS.
EXC Correspondence Unit, AFRVP Correspondence Unit (2 copies)

Correspondence Reference No.: EXC-2004-00234.

Drafted by: Gerhard Tschannerl, ext. 5337+3120
Contact person: Connie Kok Shun, ext. 34308

The World Bank
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

89 Dr. Isert Street
North Ridge
Accra, Ghana

Tel: (233-21) 229681 220837
Fax: (233-21) 227867

February 23, 2004

Honourable K. Adjei Darko
Minister of Local Government & Rural Development
Accra.

Dear Mr. Minister,

Kwabinya Landfill Discussions

As you will be aware, the proposed Kwabinya landfill has been an issue currently being discussed by the public and media. This letter is to request for a discussion on how to deal with the interests of the local communities at Kwabinya for the landfill construction as well as with the negative publicity surrounding the landfill.

We would like to suggest that the following Government officials join in these discussions:

- the Greater Accra Regional Minister
- the Minister of Tourism and Modernisation of the Capital City
- the Head of World Bank Desk, Ministry of Finance

May I suggest that any day between March 3 to 8, 2004 will be convenient for this meeting. My office will coordinate with yours to get a confirmation of the meeting date.

Sincerely,



Mats Karlsson
Country Director
Ghana, Liberia and Sierra Leone

cc. Greater Accra Regional Minister
Minister of Tourism and Modernisation of the Capital City
Deputy Minister, MLGRD
Head of World Bank Desk, MoFEP

The World Bank

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

Resident Mission In Ghana
89 Eighth Avenue Extension
Northridge Residential Area
P.O. Box M27
Accra, Ghana

Telephone: (233-21) 229681, 220837
Cable Address: INTBAFRAD
Facsimile: (233-21) 227887
Telex: 2207

March 5, 2004

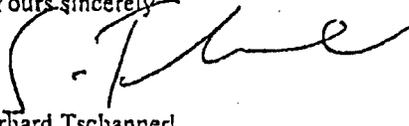
Mr. Opanin Asiedu Amoako, Chairman
Agyemankata Kwabenya Community
P.O. Box MS 305
New Achimota
Accra

Dear Mr. Opanin Asiedu Amoako,

Second Urban Environmental Sanitation Project (UESP-2)
Proposed Kwabenya Landfill Site

Attached please find the Minutes of the meeting that took place at your request between your representatives and members of the World Bank Ghana Office on February 27, 2004. We wish to thank you for the open and curious manner in which you presented your concerns and listened to the explanations on the World Bank position in regard to the issues you raised. We have shared this information with the Government with a request for a follow-up.

Yours sincerely


Gerhard Tschannerl
Task Team Leader

cc: Mr. Mike Ayesu, Head, World Bank Desk, MoFEP
Mr. J. Cofie-Agama, Project Director, MLGRD
Mr. Dyson T. Jumpah, Senior Consultant, P.O. Box CO1344, Accra

Mr. Opanin Asiedu Amoako

-2-

March 5, 2004

bcc: Karlsson, Andersen, Walton, Boakye, Dwumfour, Tsikata, Fosu, Atitsogbui

**Minutes of Meeting with Members of the
AGYEMANKATA KWABENYA COMMUNITY**

On February 27, 2004
At the World Bank Ghana Office, Accra

About 35 members of the Agyemankata Kwabenya Community arrived at the Ghana office of the World Bank to voice their concerns about the planned World Bank assistance for the construction of a sanitary landfill at Kwabenya and to get more information on it. They referred to a letter from the Bank of January 30, 2004, signed by Ms. Pamela Cox, which invited them to contact the staff of the World Bank Ghana Office with further questions. The letter was written in response to a letter from representatives of the Agyemankata Kwabenya Community to the President of the World Bank, dated January 16, 2004. The construction of this landfill is one of the activities proposed for inclusion in the Second Urban Environmental Sanitation Project.

A group of about 10 representatives then were invited to participate in a meeting with World Bank staff (see the list of participants). The meeting was chaired by Mr. Mbuba Mbungu, Acting Country Manager for Ghana. The Community representatives voiced the following main concerns:

1. The World Bank should not resume the construction of this project from which DFID had withdrawn.
2. The World Bank should follow the internationally agreed procedures of consultation and compensation with the people in the area of the proposed landfill before agreeing to construct the landfill.
3. The Government, including AMA, did not consult the Agyemankata Kwabenya Community and did not offer adequate compensation.
4. The recent environmental study financed by the World Bank did not consult with their Community.
5. One of the representatives recounted as a good example the procedure that was followed before and during the construction of the Akosombo dam, including thorough consultations with the affected people.
6. The present site should be given up and another site found further away because (i) it is too close to where people are living, and (ii) the Government did not use the proper procedures before deciding on this site.
7. The landfill will adversely affect the health of the people living nearby.
8. Greater use should be made of recycling of solid waste, but the recycling plant should also be located away from where people are living.
9. The Agyemankata Community is the one living at the site and therefore directly affected by the proposed landfill, while the village of Kwabenya is a few miles away.
10. Consulting with the Chiefs of the area is not the same as consulting with the local community.

The World Bank team confirmed that the grievances of the Agyemankata Kwabenya Community representatives have been heard and responded as follows:

1. The construction of a landfill at Kwabenya is part of a number of activities that have been proposed by the Government for inclusion in the Second Urban Environmental Sanitation Project, which is for waste management, drainage and community infrastructure upgrading in Accra, Kumasi, Sekondi-Takoradi, Tamale and Tema. The project has not yet been approved for financing by the World Bank.
2. Even after such approval was given, the Credit Agreement between the World Bank and the Government would specify that before the construction of certain installations can begin -- including the landfill at Kwabenya -- the Government will identify, compensate, and resettle as necessary the persons who will be affected by the acquisition of the land. This is to be done in accordance with a Resettlement Action Plan, which has to follow the resettlement policy and has to be approved by the World Bank.
3. These provisions are part of the safeguard policies of the World Bank, which apply to all World Bank assisted projects around the world.
4. The World Bank will inform the Government of this meeting and will request it to follow up on the issues raised by the representatives.

At the conclusion of the meeting the World Bank team thanked the delegates of the Agyemankata Kwabenya Community for explaining their concerns to the World Bank and reiterated that the World Bank will make sure that due process is followed before the start of construction. The Chairman of the Community thanked the World Bank for the courteous reception and the clarifications given.

Delegation from the Agyemankata Kwabenya Community

1. Yaw Asiedu, Chairman, Youth Organizer
2. Yaw Okyeremanana, Spokesman
3. Kodzovie Sabla, Assistant Chairman
4. Yaw Fie, Secretary
5. Andrews Efuafu
6. Ama Baah
7. Eno Ataah
8. Mercy Johnson
9. Kwame Abolo
10. Mary Adwoa

Delegation from the World Bank

1. Mbuba Mbungu, Acting Country Manager
2. Gerhard Tschannerl, Task Team Leader
3. Kofi Tsikata
4. Kennedy Fosu
5. Benedictus Atitsogbui

The World Bank
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

1818 H Street N.W.
Washington, D.C. 20433
U.S.A.

(202) 473-1000
Cable Address: INTBAFRAD
Cable Address: INDEVAS

July 22, 2004

The Chairperson
Agyemankata Kwabenya Community
P. O. Box MS 305
New Achimota
Accra, Ghana

*Second Urban Environmental Sanitation Project
Proposed Landfill at Kwabenya*

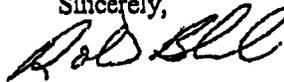
Dear Chairperson:

I refer to the letter from a women's group from Kwabenya Agyemankata Community dated June 17, 2004, and addressed to the President of the World Bank on the above subject. I am responding to the letter as the acting Country Director for Ghana, and I would appreciate that you convey the letter to the group.

The World Bank would like to reiterate our resolve to ensure that borrower countries adhere to all social, environmental and other safeguard policies whenever Bank's funds are used to finance projects. As stated in our previous correspondence with your leaders, we would ensure that these policies are followed through in the case of Kwabenya or any other landfill project in Ghana.

The Minister of Local Government and Rural Development has informed us that a Technical Advisory Committee, headed by his deputy and including members of your community, has been established to recommend actions to resolve the outstanding issues on this subject. It is our belief that the active participation of all affected stakeholders is the best way to identify solutions and we have, therefore, forwarded your letter to the Committee for consideration. In this context, we would also advise that you endeavor to play an active role in this forum to ensure that all your concerns are taken into consideration.

Sincerely,



Robert R. Blake
Acting Country Director for Ghana

c.c.: Hon. Issa Keteku, The Chairman of Kwabenya, Landfill Technical Committee,
Ghana

bcc: C. Madavo, N. Tcheyan, M. Keane, A. Karasanyi, B. Tuason, T. Godwin, C. Malry (AFRVP); C. Herlihy (EXC); M. Karlsson, P. Lamptey, C. Boafo-Portuphy, (AFC10); W. Moes, C. Boakye, A. Swatson, E. Attafuah, (AFTU2); M. Diliberti, J. Edillon, K. Thapa (AFCGH); EXC Correspondence Unit; AFR Correspondence Unit.

Enccorr Ref. #: EXC-2004-03160

Draft's name and extension: C. Boakye, ext. 5337-3113
Contact person and extension: K. Thapa, ext. 35267

AGYEMANKATA COMMUNITY KWABENYA

22nd June 2004

PRESS CONFERENCE

Ladies and Gentlemen of the press good morning.

We women are forcefully been evicted by the Accra Metropolitan Assembly from our Lands we have paid for. Whereas A.M.A has not got land title deed to the site, nor executive instrument signed for the A.M.A. by the Land Commission to acquire the land compulsorily, it started the project in breach of the law under our constitutional dispensation. The Minister of Lands and Forestry, including land commission looks on unconcerned but have agreed to be part of a technical committee inaugurated by the Government. God save mother Ghana.

On 11th December 2003 we met the press and asked 15 questions to be answered by the A.M.A and the Ghana Government but up till now they have not responded. We have written to the A.M.A on 3rd June 2004 to take us to a court of competent jurisdiction to evict us from her land she claims we have encroached (20th Sept 2001 issued of the Ghanaian Times).

But rather the Minister responsible for Local Government has hurriedly formed a Technical Committee to over see to the impasse. A plan to cover A.M.A. misdeeds.

We will never participate in any meetings organized by the Committee on a project we have already rejected for being environmentally unfriendly with its associated health hazards, a project initiated by acts of omissions and breaches of procedure. We have recently distributed handouts on why there is an impasse between the Agyemankata Community and the A.M.A (We have copies for you).

We have sensitized our children of the dangers ahead of their parents.

1. We will never allow A.M.A to pollute our enviable environment.
2. A.M.A came here under the cover of darkness. A.M.A has no land here at Agyemankata.

We will resist the construction of the project and the consequences will be death. If a landfill is a legacy to bequeath to future generations then what about our homes?

We women of Agyemankata will never leave our homes to be filled with refuse. We will never stay by a landfill too. £ 3,000,000 does not worth more than human souls. The access road is an asset to the Community and Ghana. The draining system in the valley will serve a purpose to our future generations. If Alajo was to have such a drainage system we will not dredge the drains every year with loans from the World Bank.

We will soon arrange to contact the UN High Commission for Human Right on the issue

Long live the women of Ghana. We will continue to fight for our rights. Housing right, women right resist forced evictions.

Thank you.

AGYEMANKATA KWABENYA COMMUNITY

P. O. BOX MS 305
NEW ACHIMOTA

16th January, 2004.

THE PRESIDENT
THE WORLD BANK
18 H. STREET N.W
WASHINGTON D.C.
20433 U.S.A.

Dear Sir,

THE ABANDONED KWABENYA LANDFILL BY D.F.I.D

We are aware that the World Bank board of Executive Directors took a bold step to increase transparency and accountability in bank operations by establishing an independent. Inspection mechanism – known as the inspection panel.

We know also that the panel is a three (3) member body which is to provide an independent forum to private citizens who believe that they or their interests have been or could be directly, harmed by a project financed by the World Bank.

In Africa the panel has visited Nigeria, Chad, Cameroon Uganda, Kenya and Lesotho Ghana has not been visited by the inspection panel.

We are also aware that the panel makes a move only after it has received a request from residents of a particular country to come on a mission there.

The panel on its own does not take such initiatives additionally the project must be a World Bank sponsored one.

Now the question we are asking you are

1. Have we invited you to Ghana to see our plight on Kwabinya landfill?
2. Is Kwabinya landfill a World Bank project?
Although the World bank seems to pull the strings on the economies of developing states they must also ensure that the projects they fund or have partial oversight of are not merely meant to promote development per se, even at the cost of human life they must be seen to take consideration, human friendly projects that affect the interest of the poor, indigenous people and minorities.

Are you aware that the land fill is being built in a centre of a growing city?

Note carefully that the executive instrument on compulsory acquisition of the land was even not signed. We are aware of Accra Metropolitan Assembly's pack of lies. We have documents to support our claim. The land has even not documented and the first phase has come to a close. They have only put a freeze on the land. Above all the people who are supposed to be beneficiaries of the banks projects must be seen to be happy at whatever new development takes place in their areas. The Community around the project area are not happy with the development.

It will interest you to know that it is on record that we were not even notified of entry or survey The state lands Act 1962 with its regulation 7, (2) (LI 230) was violated.

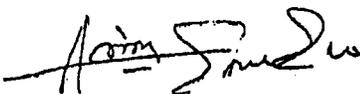
Stop your moves otherwise it would be like the tale of clearing a virgin forest only to develop a plantation forest to lose biodiversity of the project area.

The environmental impact assessment was funded by D.F.I.D.
D.F.I.D. knew it was an incomplete document but funded the project forgetting that we are now in an era of POSITIVE CHANGE 500 years ago is not today when Tobacco was used in exchange of Human Beings. World Bank your loans must create peace not conflicts. Stay away from the unconstitutional Land fill project. A project with acts of omissions/breachers of procedure.

You cannot teach an old dog a new trick. We know what a landfill is, it must be sited far away from poor families because of its hazards. Ghanaians in the World Bank, don't influence policies which are not in the interest of the poor and the disadvantaged in society its against humanity.

We are earnestly looking forward to hear from you. The International Community is watching us, if really "Rule of Law is in the country.

Yours sincerely,



OPANIN ASIEDU AMOAKO
(C H A I R M A N)
FOR AND ON BEHALF OF AGYEMANKATA COMMUNITY
(THE IMMEDIATE RESIDENTS)

CC. THE COUNTRY REPRESENTATIVE WORLD BANK
THE MINISTER OF FINANCE
THE MINISTER OF LOCAL GOVERNMENT

AGYEMANKATA KWABENYA COMMUNITY

P. O. BOX MS 305
NEW ACHIMOTA - ACCRA.

13th January, 2003..

THE COUNTRY REPRESENTATIVE WORLD BANK
GHANA - ACCRA.

Dear Sir,

THE ABANDONED KWABENYA LANDFILL

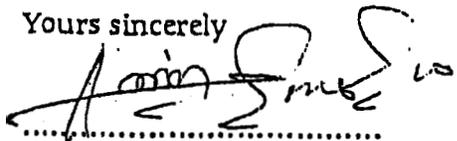
We the community of Agyemankata write to inform you that last Tuesday 13th Jan. 04 the two Assemblies Ga District Assembly and Accra Metropolitan Assembly members came on a familiarization tour with other government officials including the Head of Accra Waste Management Mr. Ben Laryea.

They received an unannounced and a hostile welcome from the communities around the project site. Some of the members of the A.M.A and G.D.A. were mishandled by the residents. The press were there with their T.V. cameras and we are sure you saw it yourself, On the screens (Metro T.V).

Such confrontations with either the contractor who is supposed to continue the project or any official from the A.M.A. will one day generate into a blood bath. That day we know our leaders will sit up because we have seen that they are interested in conflicts back by loans from International Agencies. Out of these bloody conflicts they set up commissions of Enquiry to amass wealth. Stop financing the project in the interest of peace to avoid a conflict.

A copy of our recent speech at a press conference attached for your perusal.

Yours sincerely



.....
OPANIN ASIEDU AMOAKO

Caretaker of land/chairman for and on behalf of community

1. The President The World Bank U.S.A.
2. The Minister for Interior
3. The G.D.A. Chief Executive
4. All media Houses

Kwabinya Agyemankara
Community,
Box: Ms 305,
New Achimota,
Accra.

4/1/03

The Minister Of
Local Government,
Accra - Ghana.

Dear Sir.

KWABENYA LANDFILL

We will like to hear from you by answering the following as a Minister responsible for Local Government.

1. Can a project declared discrete by B.D.F.I.D and the funding stopped be continued by the Contractor who is also a British national by seeking financial assistance from another British investor?

G.R.I. NEWSREEL 24/ 7:02

2. Why the A.M.A. Government failed to tell the whole country why D.F.I.D. stopped funding the Kwabinya landfill?

DAILY GRAPHIC 23/7/02 and the CRUSADING GUIDE of 6th August - 13th 2002.

3. Why an Executive Instrument was not signed on Kwabinya landfill and the project was started and at the moment the first phase has come to "close and declared discrete by D.F.I.D.?

1992 CONSTITUTION (2020)

4. Who cut the sod for the first phase for Kwabinya landfill to begin?

5. Was the Kwabinya landfill tendered and what paper published the I.F.B. (invitation for bidding)?

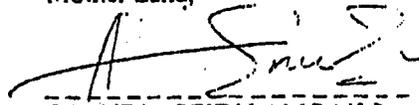
6. On what record did A.M.A. based her compensation of Forty Billion Cedis (€40,000,000,000.00) ? Since Ghana valuation board has not been here?

AUGUST 27 DAILY GRAPHIC 2001

7. Why the land owners/occupiers were not notified? State lands act 1962 Regulation 7 (2) (L 1230). Has A.M.A. got a land title on Okaidja Gbekeland?

8. Why Parliament failed to reply to our letter dated 10/11/01 are we aliens?
9. Can you initiate a project in a community if the community says no to it? Did the E.I.A. says the project be completed before paying the Land Owners?
10. Do you regard us as human beings with sense of humor?
11. Is it in our law books that we should finish a project before executive instrument is signed? Please Honourable Gentleman advise who so ever responsible to refrain from given news items on the air waves about the Kwabenya landfill because our masters (Britain has declared it as a discrete project).
12. Are landfills/recycle plant located in growing cities? Find a new site because "asem bebu a frankaa nsi so" for 45 years we must know better and do the right thing. Reprimand who so ever responsible for all these problems and find a new site as a sign of Positive Change.

Yours In Development Of Our
Mother Land,



OPANIN ASEIDU AMOAKO
(CHAIRMAN)

For And On Behalf Of Community.

CC:

A.M.A. BOSS

G.D.A. BOSS

GREATER ACCRA MINISTER

MINISTER OF LANDS/FORESTRY

BRITISH AMBASSADOR MR. PULLEN ✓

B.B.C. BUSH HOUSE ✓

G.N.A.

MEDIA HOUSES

T.A YSEC DIRECTOR

B . B . C .

AGYEMANKATA COMMUNITY

11th December, 2003

--

- 7) Mr. Darko should prove evidence of how he arrived at his compensation of ₵ 40 billion (Aug 27 Daily Graphic 2001).
- 8) On 30th August 2001 issue of the Ghanaian Times Mr. Darko said he was not happy because the elders have sold lands that fall within the project site and asked that the practice be discontinued. He himself has a parcel of land here, how did we acquire it?
- 9) The local Government Act provides people from building within one kilometer away from a Landfill site E.P.A. permits human activity to be 2 kilometers away from a landfill site. Why A.M.A. Government are sitting their High Tech. Landfill project the first in Africa just at our nose? We invite the press to come to Agyemakata and to see things for themselves. Please do not go through the Valley as you often do.
- 10) There is a rumour that ₵100,000 was given to A.M.A to sensitize the immediate residents and other communities around the Landfill project why A.M.A refused to do the sensitization before the project implementation.
- 11) Why A.M.A failed to comply with state Lands Act 1962 Regulation 7 (2) (L1230)? It states "prior notification be given to the owners or occupiers of the land before any entry for inspection survey or valuation is carried out"
- 12) Why our letter dated 1/9/01 written to Mr. S.O. Darko was not replied copy attached.
- 13) On what criteria Taysec who came to Agyemankata as a consultant on Kwabenya Landfill, later became the contractor, and was to become the financier when D.F.I.D pulled out from financing the project G.R.I. Newsreel July 24th 02.
- 14) Why A.M.A / Government failed to tell the whole nation why D.F.I.D pulled out from Financing the Kwabenya Landfill project because the Daily Graphics Publication of 23/7/02 said its because Ghana has adopted the H.I.P.C. initiative, Gregory Quinn second Secretary British High Commission's letter to the Press quote "the reason for cessation of Kwabenya Landfill has been discussed with the A.M.A. and Government". On July 14th 2003 Daily Graphic, Mr. Laryea Head of Waste Management also said "the money has been channeled to other use" why such contradictory statements?
- 15) We also want Mr. S.O. Darko to interpret the 1992 constitution Article 202a to Agyemankata Community and Ghanaians.
- 16) Now to D.F.I.D. we want to know why they acknowledge receipt to our letter dated 13th February, 2002 and promised to reply us but failed to do so? (Why they refused to tell Agyemankata Community what they told A.M.A /Government on cessation of funding Kwabenya Landfill)
- 17) On what criteria D.F.I.D disbursed their ₵ 3M loan on Kwabenya Landfill because they were aware that the occupiers/Land owners have not been paid and the people not educated very well and all necessary protection not given?

Mr. S.O. Darko said last Tuesday morning that World Bank will sponsor A.M.A to continue the second phase of Kwabenya Landfill. For your information that cannot be

KWABENYA AGYEMANKATA COMMUNITY

11th December, 2003

Learned men and women of the Press good morning

All over the world there is ample evidence that projects are likely to fail especially if their implementation ignores the traditions values and social organizations of the intended beneficiaries or if their objectiveness are too remote from their everyday concerns of the people.

Most of the social problems that countries of the 3rd world face such as poverty, crime and unemployment are the direct result of the forced adherence to programmes that make little room for the concern of the poor.

When inaugurating the Board of E.P.A. on November, 24th 01 the President of Ghana said all over the world environmental protection had become a major issue That Ghana in that respect needed to appreciate the need to take environmental protection serious to preserve the environment for the sake of the future generation.

When Kwabenya Landfill was started it received a stiff objection from the Agyemankata Community and its environs. We blocked access road to the Landfill site for 4 Weeks hence the Government losing ₵37M daily to the contractor Taysec. Later the vice President came on a familiarization tour to the Landfill site and he received an unpleasant welcome from the residents. On 7th of November, 2001 we met the press and out lined to the press why the impasse. We are grateful to your coverage.

Today brothers and sisters we decided to meet the Accra Chief Executive Mr. S.O. Darko in person and to prove to him why Kwabenya Landfill should be discontinued but we were told that this can not happen. We have tried twice when Radio Top was on the air waves but he refused to honour those invitations,

We would therefore be very grateful if you will use your media houses to ask the Chief Executive Mr. S.O. Darko and D.F.I.D. who was the sole financier of Kwabenya Landfill to answer the following questions because Ghanaians will like to have an insight on why Kwabenya Landfill became still born and is abandoned with D.F.I.D. running helter skelter with her loan balance of £ 3.5 hidden in a wattle and daub hut.

The questions to be answered by Mr. Darko are

- 1) Who cut the sod for Kwabenya Landfill to begin and was the caretaker of the land invited and the community represented? (He should show evidence)
- 2) How and when was the first phase of Kwabenya Landfill project bidded and what news paper published the invitation for bidders. (I.F.B)
- 3) Evidence that A.M.A got a land title to cover the 195 hectares necessary for the Landfill project from Okaidja Gbeke Family with Nii Tetteh Ankamah II as the Head of Family before Kwabenya Landfill commenced.
- 4) When was the Executive Instrument on Kwabenya Landfill signed?
- 5) When were the Land owners (Okaidja Gbeke Family) paid?. 1992 Constitution Article 202a says prompt payment must be given to expropriated owners before any project begins if the Land is to be taken compulsory.
- 6) Why Land Valuation Board did not value our property as requested by Minister of Land and Forestry Regulations 5 of (LI 230) and the project was started.

AGYEMANKATA KWABENYA COMMUNITY

Box 17788
Accra

10-11-2001

The Speaker of Parliament
Republic of Ghana

Honourable Members of Parliament,

PETITION TO HALT A LANDFILL

We the women of Agyemankata Kwabenya wish to petition members of parliament to reconsider the decision of the A.M.A to construct a landfill in our community of which the Daily Graphic of 27th and Ghanaian Times of 30th Aug. 2001 made mention of the A.M.A's intention to demolish our houses and compensate us.

For your information procedures laid down by the state for land acquisition was ignored by A.M.A. The state lands Act 1962 (125) (L1230). Then the 1992 constitution 20 (2^a) was also not followed.

It is known all over the world that Landfills are dangerous because of its hazards. The composition of a Landfill are a bottom liner, a leachate collection system, a cover and a natural hydrogeologic setting

A mechanism called diffusion will move organic chemical like beneze through three foot thick clay landfill liner. Some chemicals can degrade clay so Mr. Laryee Head of Waste Management of A.M.A's publication of September 29th 20001 is not convincing.

He also talked about leachate collection system. Leachate collection systems fail in several known ways

1. They clog up from silt or mud.
2. They can clog up because of the growth of micro organism in the pipes.
3. They clog because of a chemical reaction leading to the precipitation of minerals on the pipes.
4. The pipes themselves can be weakened by chemical attack (acids, solvents oxidixiding agents or corrosion and also tons of garbage piled above will crush the pipes.

Its over seven months our community wrote letters to A.M.A, the E.P.A, D.F.I.D Nii Tetteh Ankamah, II A.M.A Chief Executive Mr. Darko and the President of Ghana but none of our letters was replied.

On the 7th and 9th of September 2001 The Daily Guide and the Ghanaian Times publications made it known that we have objected to the Landfill in our Community. The Sept. 26 2001 of the Daily Graphic also made the same publication of our rejection. On 5th of October 2001 a forum held between A.M.A and the communities around the landfill site objected to the Landfill in the area and worked was halted for almost 5 weeks.

In the Accra Metro Environmental Health initiative the A.M.A was to create awareness about the New Landfill site through the following areas.

1. Announcement through gong gong beater.
2. Through church service.
3. Community Radios and news paper
4. Creating awareness in Schools and Markets.
5. Holding Public Durbars and general meetings
6. Through the media, radios, F.M. and T.V.

Such education was never done before project implementation.

A.M.A claiming of 70% work done is not true what has been done is a catch water drain to divert clean run off from the flarks of the valley away from the waste mass.

We are therefore petitioning Hon. members of Parliament to consider the dangers a landfill will pose on the communities and site the Landfill far away from human habitation. For peace to prevail in the area than the Police guarding the workers on site which is undemocratic.

We want to make it clear that we the families staying around the project will not move. Lets save human lives and forget about what have been spent. The money wasted is due to some ones negligence of duty. Kindly bring him to justice to save mother Ghana.

IRENE GYAWU
CHAIRPERSON



cc: Media Houses
The Chief Executive A.M.A
The Chief Executive G.D.A
The Director D.F.I.D
The President of Ghana
The British Ambassador

Press Conference

AGYAMANKATA COMMUNITY
KWABENYA-ACCRA.

6th Nov, 2001

Countrymen,

Our meeting here this morning is all about the Agyamankata Landfill site near Kwabenya. There has been a lot of publicity by the state own media.

Today it will offer other media like the privately owned ones to have the insight of what has gone wrong hence the nation loosing \$ 37 Million Cedis daily for 4 weeks.

A.M.A visited the site in 1995 and was informed that a residential parcels have been leased out to individuals to develop. A.M.A therefore decided to acquire the Landfill site compulsorily. At the last meeting held on August 5th 1999 approval was given for the acquisition of the site subject to A.M.A providing compensation for the land required.

The permanent site Advisory Committee is applying the state Lands Act 1962 (125) as the enabling legislations to under take acquisition it appears that the procedures as laid down 1962 (L1230) have not been followed on the following areas.

- a. Regulation 7 (2) makes it mandatory that prior notification be given to the owners or occupiers of the land before any entry for inspection, survey or valuation is carried out such notices were not given and work has commenced.
- b. Article 20 (2A) of the 1992 constitution makes it mandatory that compulsory acquisition of land by the state be accompanied by prompt payment of fair and adequate compensation to expropriated owners.

Therefore The Ministry of Lands and Forestry notified the Lands Commission that no executive instruments in respect of compulsory acquisition be signed by then Minister if A.M.A does not satisfy the legal requirement. Countrymen, the instrument has not been published and A.M.A contractor is seriously working. The constitution is violated.

- c. To ensure that the Ministry of Lands and Forestry does not reject the recommendation of the Committee the Land Valuation Board was to under take a preliminary Valuation of the site and attach a copy of the Valuation report to the recommendations of the committee to be submitted to the Ministry of Lands and Forestry (Regulation 5 of

L1230) also evidence of A.M.A capacity to pay compensation for the land must be attached. This has not been done.

SOME GAPS IN THE REPORT ARE

- a. The proposed landfill is within Nsakyi, Catchments which is a tributary of river Densu need to be investigated how far the site is from Weija Dam and what effect any leachate will have on the Dam.
- b. Prevailing Wind direction
- c. Odour
- d. Resettlement issues of quarry activities and farming has not been fully addressed. On Education the A.M.A was given sufficient funding but never sensitized the community until 5th October when the community have risen against them and her contractor Taysec has been stopped from working that A.M.A started educating the public on the Landfill project at a forum that time 70% of the job has already been done.

The permit given to the A.M.A was even provisional (E.P.A letter dated July 12 2001) There is no sign board indicating who are the client, the contractor the consultant and the nature of work being done. The day of commencement there was neither radio commentary nor a fetish priest offering prayers for work to commence to show that the community knows what is going on.

We are ~~not~~ against the Landfill project all that we are saying is its negative impact it will have on the nearby communities. What we are saying is the Landfill must be sited far away from human habitation.

Fellow countrymen some of the residents have live there for years, the area is a growing city therefore we are appealing to the authorities to take a second look at our plight, for we are all Ghanaians. Let save human lives not money.

We want to make it clear to the Government that we will not accept any compensation or velocation.

When the first phase she is taking about comes to a close the work must be discontinued to save human lives and property.

- At our last meeting with the A.M.A. and Ministry of Local Government it was disclosed that a seven member committee is going to over see the project. Since we object to the project we are not going to be part of it because this out to have been done earlier before project implementation as said in the impact assessment.

Thank you.

AGYEMANKATA COMMUNITY

BOX MS 305
NEW ACHOMITA

25-6-04

HON. ISSA KETEKU
THE CHAIRMAN OF KWABENYA
LANDFILL TECHNICAL COMMITTEE
ACCRA-GHANA

Dear Chairman,

TOTAL REJECTION OF KWABENYA LANDFILL

We the immediate residents at the landfill site submit here with three (3) press conference held on 11th December 2003, 7th November 2001 and 22nd June 2004 which talks of our total rejection of the Landfill which is very close to our homes.

Attached also are letters we wrote to the World Bank, the Ministry of Local Government and Parliament on 13th January, 2003, 16th January 2004, 10th November 2001 and 4th April 2003 respectively.

'Living persons have the right to fix their residence within the territory of the state of which they are nationals to move freely within such territory and not to leave it except by their own will'. Living persons have the right to the preservation of their health through sanitary and social measures related to food clothing housing and medical care to the extent permitted by public and community resources.

The environment is the social and physical conditions in which we live lets protect it and not to endanger it.

Although the World Bank and other Bretton Woods Institutions seem to pull the strings on the economics of developing states, they must also ensure that the projects they fund or have partial oversight of are not merely meant to promote development per se, even at the cost of human life. They must be seen to take into consideration human friendly projects that affect the interest of the poor, indigenous people and minorities.

Above all the people who are supposed to be beneficiaries of the bank's project must be seen to be happy at whatever new development that takes place in their areas.

The World Banks safeguard policies which are the measuring rod cover impacts of projects on natural habitats indigenous peoples, forest, destruction to cultural property and projects in disputed areas.

The international community is watching us all . . .

Yours in Protection of our constitution and young democratic process which must grow to become a mature adult.

The President
World Bank
U.S.A. America

The Country Representative
World Bank, Ghana - Accra

ned by:

~~Matthew~~ P. W. Ottumani
ma Nkrumah ~~Atkinson~~
GEORGE NKANSAN ~~Bank~~
JERCEAS OWUSU ~~Bank~~
Law Ama ~~Yonah~~
Isaac Ineam ~~Isaac~~
Wolay Mensah ~~Amr~~
ul. K. Anchill ~~Chill~~
edness ~~Etuafid~~
R. Oko. ~~unim~~
A. Adjei ~~Adjei~~
dard Boadi ~~Boadi~~
A. Darko ~~Darko~~
seph Debrah ~~Debrah~~
P. K. OFOSU ~~Ofosu~~
Maami ~~Maami~~
lathan Atanley ~~Atanley~~
A. Sarpong ~~Sarpong~~
O. Asante ~~Asante~~
inda ~~Sado~~
seph ~~seph~~
mes ~~mes~~

Comfort Mensah
Mercy Atanley ~~Atanley~~
CYA ~~CYA~~
Filicial Baahye
Comfort ~~Yeboah~~
Arenska Yeboah
J. K. ESSOON ~~Essoon~~
Victoria ~~Ofu~~
MARY OWARE
Martin Kissi ~~Kissi~~
William Taw Edwi ~~Edwi~~
Emmi. ~~Emmi.~~
Anniwaa ~~Anniwaa~~
Daniel anim ~~anim~~
Richard ~~Richard~~
Michael ~~Michael~~
Jonathan ~~Jonathan~~
Elizabeth ~~Elizabeth~~
Taa ~~Taa~~
Sackley Rebecca
Ouffy

Seth Obeng S.K.
 Pamela ...
 Sampson ...
 Whetia Adinkra ...
 Samuel Obese ...
 Comfort Adubei ...
 Ellen Abagyeyaa ...
 Daniel Adjei ...
 Kwame N. Tenteng ...
 Kwame Samuel ...
 Kwame Dei Tenkorang ...
 Kusanu Tumborung ...
 Maniah LARTSI ...
 Rejoice Sabler ...
 Samuel Afari Gyan ...
 Ama Ampomaa ...
 Esther Oduaa ...
 Mary Jafanfa ...
 Regina Beah ...
 Victoria Debrah ...
 Felicit Opoku ...
 Patrick Avumey ...
 Paulina Avumey ...
 DANIEL NTIM ...
 Damaah Hamem ...
 Amosson Daniel ...
 THERESA BOATENG ...
 MARY BOATENG ...
 David Mawuli ...
 Paulina te H ch ...
 FRODOANCE Amoh ...
 NAIJI Fik ...
 SUSSIE MAWUEI ...
 KWASLEY OKEI ...

Richard K Amo ...
 Abua Asiedu ...
 Kofi ...
 Kwasi ...
 Regina Toff ...
 Matilda Tork ...
 Isaac Owusu ...
 Emmanuel Inenbe ...
 Jacob Ampomaa ...
 Gisu Aked ...
 Ama Tuf ...
 Daniel ...
 Nana ...
 Fred ...
 Peter ...
 Margaret Susu ...
 Agnes ...
 Haus MIREKU ...
 Michael Agbevor ...
 Frank Comfort ...
 F.K. Ahadzi ...
 N.K. Asbenitor ...
 Frank Ofori ...
 Mr. Moses Ahiak ...
 Oluksua ...
 Daniel Ofori ...
 Joseph Agbame ...
 Mary Dwamena ...

Appiah Adjei ~~Adjei~~
Richard Adu Richard

Elizabeth Adu ~~Elizabeth~~

Rejace Adu ~~Rejace~~

Edward Oclame ~~Edward~~

Afula Bosuo Wirempo ~~Afula~~

Kwame Apenteng ~~Kwame~~

Regina Frempong ~~Regina~~

Sampson Ayeh ~~Sampson~~

APPAN Gabriel ~~APPAN~~

Kofi Poku ~~Kofi~~

Cecilia Otu ~~Cecilia~~

Harrison Dankwa ~~Harrison~~

William Anim Dankwa ~~William~~

Rosina Anim Dankwa ~~Rosina~~

Creppy Alex Anim ~~Creppy~~

J.A. Baffoe ~~J.A.~~

Mary Anobea ~~Mary~~

J.K. Asante ~~J.K.~~

Frempong Koranda ~~Frempong~~

Foana Koranda ~~Foana~~

Adwoa Anim Dankwa ~~Adwoa~~

Kofi Anim Dankwa ~~Kofi~~

Boateng Kwame ~~Boateng~~

Janet Asante ~~Janet~~

Kwame Ede ~~Kwame~~

Ophelia Sem ~~Ophelia~~

Daniel Akum Dufca ~~Daniel~~
Civics ~~Johnsen~~ ~~Richard~~
Yaw ~~Johnsen~~ ~~Johnsen~~

G.O. Asante ~~Asante~~
Kwameh Peter ~~Asante~~

T.K. Ofose ~~Asante~~

ERIC Oforu ~~Asante~~

David Obang ~~Asante~~

Adua Manu ~~Asante~~

hana ~~Asante~~

SAMPSON ANNA ~~Asante~~

Asante Kwabena ~~Asante~~

Eric Asai ~~Asante~~

Patience Janeli ~~Asante~~

Foster Sampson

Ama Merit

Hellen Azamobi

Hanna Per

Betricka Sampson

Ama Charity

Dwunna Diana

Adisa

Helina Abala

Yaa Nacisa

Samuel Ansang

Comfort Asantewa

Ibaa.c. Agyeini

Charlton Baird

AGYEMANKATA COMMUNITY
P.O BOX MS 305
NEW ACHIMOTA
ACCRA

26/9/03

THE MINISTER OF
LOCAL GOVT.
ACCRA

KWABENYA LANDFILL PROJECT

A letter we received from the Head of Family of Okaidja Gybeke shows that A.M.A. wants to revive the abandoned Kwabenya Landfill.

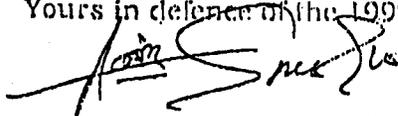
We want to inform you that we are mature human beings living here. We will act and our actions will take the whole community to court to defend the constitution.

A history in Ghana will be written this way. "There was a time a Government in power and a Department crushed a whole community for nothing but a REFUSE DUMP"

The breaches of Procedure on Kwabenya Landfill does not call for its Revival

We need positive action and not positive. *change*

Yours in defence of the 1992 Constitution.



ASIEDU AMOAKO
CHAIRMAN
For and on behalf
Of community

CC:
All Press Houses

Regional Minister

Greater Accra

A.M.A. Boss

G.D.A. Chief Executive

The Regional Police Commander

Agyemankata Kwabenya
Community,
Box: MS 305,
New Achimota-Accra.

4/1/03

The Minister Of Local Government,
Accra - Ghana.

Dear Sir,

**OBJECTION TO EITHER LAND FILL OR RECYCLE PLANT AT AGYEMANKATA-
KWABENYA**

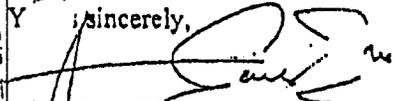
We write to inform you that the scenic view of Agyemankata must be tapped for TOURISM as recommended in the E.I.A on Kwabenya landfill. The landscape is good for hotels to attract tourist. Any one who recommends this area for any form of waste management is short sighted. There is a difference in house wisdom and school intelligence. We the community will never accept any project which deals with waste management in our mist. Either landfill or recycle plant will never be accepted by us. We have lost confidence in A.M.A (government) because they were not truthful in the way they handled the Kwabenya landfill project.

Don't take it as a joke, we the families of Agyemankata have resolved to oppose any waste management project here if even the authorities will crush us to death. Any project which will deal with waste must be sited 40 - 50 kilometers as recommended by you a year and half ago.

Those news bulletins will never deter us from our stand we have taken. Its rather infuriate us the more.

Se kokoram anferese obetu wo hwene a wo nso wonifere se wode ahahan beto so.

Y sincerely,


OPAMIN ASIEDU AMOAKO
(Chairman Agyemankata Community)

Cc:

A.M.A. Boss

G.D.A. Chief Executive

Regional Minister
Greater Accra

G.N.A.

Waste Management A.M.A.

Media Houses

The British High Commissioner

Taysec

B . B . C .

AGYEMANKATA KWABENYA COMMUNITY

P.O. BOX MS 305,
NEW ACHIMOTA-ACCRA

17/6/04

THE PRESIDENT
THE WORLD BANK
1818 HST N.W.
WASHINGTON D.C.
20433 U.S.A.

(2) C. Madawo

WORLD BANK INVOLVEMENT IN KWABENYA LANDFILL

We the women of Agyemankata including our children write to petition the World Bank to halt financing the second phase of Kwabenya Landfill. We women including our children experience violence as a result of forced evictions in a number of ways and as a result of variety of incidents during the entire process.

During the pre-eviction phase, beyond the everyday structural violence with which we mostly poor women must contend, the violence women experience is largely psychological. The threat of forced evictions requires many women to simultaneously cope with their own anxiety and stress whilst trying to protect the rest of the family from more violence by creating an atmosphere of warmth, caring and security within the home.

Coupled with anxiety we women become extremely depressed with the knowledge that our home and work place may soon be destroyed. Many of us affected by this forced eviction have used much of our earnings to build our homes and now face losing all our savings once the eviction occurs. At the same time the threat of forced eviction provokes intense anger and a sense of injustice which then fuels active anger. This is a common sight if you come to Agyemankata Community.

The prospect of forced eviction directly impinges on a woman's mobility which ultimately can lead to job loss. That is in many cases, women who work outside the home are reluctant to leave their home.

Beyond the violence we women experience when we have no longer a place to call home, we women undoubtedly experience tremendous psychological violence when we witness our home and worldly possessions set ablaze or when we are forced as is sometimes the case to participate in the dismantling or demolition of our own home. Although technically it is the house that is destroyed we women stand by watching our life turn to rubble and scattered pieces.

We the women of Agyemakata petitioned members of parliament of our eviction by the Accra Metropolitan Assembly. We made it known to the Government how the A.M.A violated the 1992 constitution of Ghana (Article 20 2A) which is a breach of the constitution.

We were even not notified as laid down in the 1962 state lands Act Regulations 7 (2) Li 230) No executive instrument was signed for compulsory acquisition of our lands.

We attached some photographs of our homes, which are going to be demolished by the Accra Metropolitan Assembly to give way to a Landfill.

Ghana has land, Souls are worth more than £ 3 M.

The first phase of Kwabenya Landfill was not tendered and it was not bided for.

If we are evicted including our children then it is the World Bank which has evicted us.

The state itself must refrain from forced evictions and ensure that the law force is enforced against its agents or third parties who may carry out forced evictions.

"God come from the heavens and save we women including our children from the claws of the Government and Accra Metropolitan Assembly".

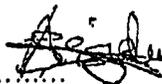
World Bank the project is located in the middle of a beautifully growing City. The communities around the project can not live with a landfill for 25 years because of its associated hazards.

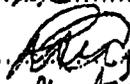
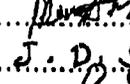
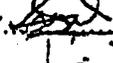
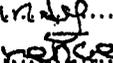
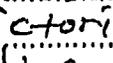
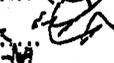
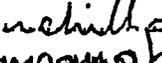
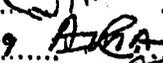
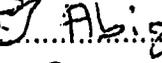
World Bank advice the Government and A.M.A to relocate the Landfill to where there are no human activities, so that the threat of forced eviction, the waiting and uncertainty, heightens feeling of instability will be over

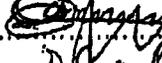
Yours sincerely,

Depressed and worried
Women of Agyemankata

Signed:

Efua Kisiwa 
Susana Asante 



J. D. Sackey
Ayeley 
Cindy Saso 
Florence Yeboah FY
Victoria 
Alice Asiedu Mr.
Victoria Debrah
Margaret Sasi
Rebecca Asiedu
ABENA BURUWA
Regina Baah 
Mercy Enchill 
Juliana Amosah 
Alice Antwiwa 
Kwabena New 
Mercy Atanky 
Quid

Rosina Owave
Sarah Owave
Kwakyaw Elizabeth 
Rejoice Sablah 
Martha Obeng 
Vida Osaeboah 
Patience Dzreke
Bertha Adu 
Evalyn Hoam 
Anthonia
 Yaa Opressu
Alicia Okunoh 
Juliana Ofosu
Cherebor Bonene
Anisah Elizabeth
Elizabeth Asante 
Abigail Adu

Irene Rose Gyau (Gyau)
 Comfort - Yeboah
 Afa Besu Wiren
 Janet Erli
 Ophelia Sem Daw
 Regina Frempongbaaye
 Christina Bannin
 Agatha Attieku
 Rose Aballa
 Ama Mikekyah M.
 Pat Gamli
 Comfort Mensah
 Hilda Mensah
 Mary Dwemah
 Rebecca N. Bineful
 Abena Kisiwa
 A. Dede
 Selina Bredu

Alice Afrifa Anumel
 Aku Nana Uor
 Ama Tawlah
 AMMA Apomah
 Marian Wood
 Yadel Agomah
 Esther Odurca
 Starla Coffi
 Mary Opaky
 Yae Hesu
 Manu Kan
 Ima Esunian
 Pula Gwaka
 Mavis Atipie
 Rita Anukye
 Rita Appiam
 Matilda Torff
 MARE owdy
 Elizabeth
 Esther Obese
 Anppooa Baha
 Mary Okante
 Abigail ESSOUN
 Monica Lartey Manku

- HOUSING RIGHTS =
- WOMEN'S RIGHTS =
- HUMAN RIGHTS || ←
- EVICIONS VIOLATE
- HUMAN RIGHTS
- RESIST FORCED
- EVICIONS

Cc: Mrs. Gladys Asmah
 Minister for Children and Women Affairs
 W.A.J.U.
 The Minister for Local Government
 The Ghana News Agency
 The News Editor B.B.C.
 The Mayor A.M.A.
 The Lens Editor
 A.C.P Derry (Ghana Police Service)



Ref #: EXC-2004-03160

**CORRESPONDENCE MANAGEMENT FOR
THE PRESIDENT'S OFFICE
External Incoming Correspondence Log**

Due Date: 07/22/2004

Status: Open

FOR ACTION:**Callisto E. Madavo**

(Assistant: Theodora Godwin, Bridget F. Tuson, Michelle G. Keane, Charles Matry, Ann G. Karasanyi)

VP/Dept/Div.	AFRVP	Logged By:	Isabel Estrada
Mail Stop	J 5-507	Date Logged:	07/16/2004 04:39:15 PM
Telephone:	458-2808	Response Date:	

CORRESPONDENCE DESCRIPTION:

* From:	Agyemankala Kwabonya Community	Organization:	Agyemankala Kwabonya Community
Title:	Members of the Community	Country:	Ghana
To:	Mr. James D. Wolfensohn	Dated:	06/17/2004
Type:	Letter	Language:	English
* Subject:	Woman of the Agyemankala Kwabonya Community write to request that the WBG stops financing of the second phase of the Kwabonya Landfill.		

ACTION INSTRUCTIONS:

2. Please handle and provide a copy of the reply to the Correspondence Unit.
Note: Documents scanned, pictures not scanned. No hard copies at EXC. Original documents, signatures and pictures forwarded in AFRVP via special inter-office mail IE.

INFORMATION COPIES:

James D. Wolfensohn/Person/World Bank; Candy Peique Heltly/Person/World Bank

For further information regarding EXC correspondence procedures, kindly refer to the Guidelines available on the President's website (under "How to Prepare")

AGYEMANKATA KWABENYA COMMUNITY

P.O. BOX MS 305,
NEW ACHIMOTA-ACCRA

17/6/04

THE PRESIDENT
THE WORLD BANK
1818 HST N.W.
WASHINGTON D.C.
20433 U.S.A.

WORLD BANK INVOLVEMENT IN KWABENYA LANDFILL

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This document is from the President's Office. You are responsible for ensuring that it is only further transmitted where a genuine business need exists.

We attached some photographs of our homes, which are going to be demolished by the Accra Metropolitan Assembly to give way to a landfill.
 Ghana has land, Souls are worth more than £ 3 M.
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Asante for your time

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 "God came from the heavens and save we women including our children from the claws of the Government and Accra Metropolitan Assembly".

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Yours sincerely,

Depressed and worried
 Women of Agvevunkata

Signed: _____

J. P. Sackey _____

Ayeley _____

Florence Yebomah FY _____

Victoria _____

Alice Asiedu Ati _____

Victoria Deborah _____

Margaret Sasu _____

Rebecca Asiedu _____

ABENA BURUWA _____

Regina Baah _____

Mary Enchill _____

Juliana Anomah _____

Alice Antwiwa _____

Kwabari Nene _____

Mary Atanky _____

Owena Akyer _____

Efua Kiewa _____

Susana Asante _____

Rosina Oware _____

Sarah Oware _____

Kwakyaw Elizabeth _____

Rejoice Sablah _____

Martha Obeng _____

Ulla Osei _____

This document is from the President's Office. You are responsible for ensuring that it is not further transmitted where a perfume business need exist

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Irene Rose (Gyan) (Gyan)	Alice A. A. A. A.
Guantort - Yankah	Ama Nor. Uor
Abu Basu Nwemprah	Ama Tawich
Janet A. L.	ANNA APIMGAS
Daphnia Sem Bui	Magian Wood
Regina Frempong	Yael Asamoah
Christina Bannin	Bir
Agatha Attaku	Rid
Rose Atella	Esther Oduro
Ama Mue. Isha	Marla Coffi
Pat Gamli	Mary Ciochy
Guantort mensah	Yael Uesu
Hilda Mensah	Maria K...
Mary Dwanah	Jana...
REBECCA N. BINFUL	Tina...
A. Bena. Kisiwa	Maria Atapie
A. D...	Kata Anuk...
Selina B...	Rita...

HOUSING RIGHTS -
 WOMEN'S RIGHTS -
 HUMAN RIGHTS -
 EVICTIONS VIOLATE -
 HUMAN RIGHTS -
 RESIST FORCED -
 EVICTIONS -

Matilda Tort (M)
 MARE oway
 Elizabeth (E)
 Esther Oduro
 Anpofia Baha
 Mary Okante
 Abigail ESSOUH
 Monica Lartey

Cc: Mrs. Gladys Asmah
 Minister for Children and Women Affairs
 W.A.I.U.
 The Minister for Local Government
 The Ghana News Agency
 The News Editor B.B.C.
 The Mayor A.M.A.
 The Lens Editor
 A.C.P. Derry (Ghana Police Service)

6

The World Bank
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

Ghana Office
69 Dr. Isert Road
North Ridge Residential Area
P.O. Box: M27
Accra, Ghana

Telephone: (233-21) 229681
Cable Address: INTBAFRAD
Fax: (233-21) 227867

February 22, 2007

The Chairman
Agyemankata Kwabenya Community
P. O. Box KA 16497
Airport
Accra

Dear Chairman,

I am writing in response to your letter dated January 16, 2007, addressed to the President of the World Bank, on the proposed construction of the Kwabenya sanitary landfill near Accra, under the Second Urban Environmental Sanitation Project (UESPII).

We have reviewed your letter and the concerns you present in relation to the project. Please note that the UESPII is being undertaken in full accordance with World Bank policies and procedures. These procedures include the requirement that a Resettlement Action Plan, acceptable to the Bank, be developed in connection with our eventual support for the landfill component. Amongst a series of policy requirements, Resettlement Action Plans assess the impact and outline mitigation measures regarding proposed project activities on affected people. It is important to underscore that any Resettlement Action Plan associated with this project will be prepared in consultation with the affected communities, the results shared with all parties; and the outcome will serve as a platform for implementation before and during the construction phase.

Please be assured that the Bank's support for UESPII is predicated on compliance with Bank policies and procedures, and that the Bank is interested in promoting a full and open discussion among affected parties. To this end, we encourage you to endeavor to dialogue with the relevant institutions and consultants to have your concerns addressed.

Sincerely



Mats Karlsson
Country Director for Ghana
Africa Region

c.c.: The Minister, Ministry of Local Government, Rural Development and Environment
Metropolitan Chief Executive, Accra Metropolitan Assembly
District Chief Executive, Ga District Assembly
Mr. Shuja Shah, World Bank Executive Director for Ghana

bcc: A. Kouame, R. Cleveland (EXC); H. Schafer, N. Tcheyan, P. Mcpherson, J. Chilufya, B. Infantewells, C. Casselle, S. Crystal (AFRVP); P. Maisterra, K. Bain, M. Jayawickrama, A. Diallo-Bah, K. Thapa (AFCGH); E Ouayoro, W. Moes, C. Boakye, A. Swatson, C. Farvacque, E. Attafuah, C. Kok Shun, (AFTU2); M. Hristov (LEGAF); K. Schwebach (AFTS1); A. Ninio (LEGEN); C. Kimes (AFTRL); J. Harley, C. Boafo-Portuphy (AFC10); K. Fosu, K. Tsikata (AFREX)

EXC Ref: EXC-2007-00289
AFR Ref: AFRVP-2007-00061

Drafter's name and extension: C. Boakye, 5337-4113
Contact person and extension: Krishna Thapa, 35267

Cleared: Alberto Ninio, (Lead Counsel), 81750
Kristine Schwebach, (Safeguard Specialist), 35251

ANNEX 6

**MINUTES OF THE MEETING BETWEEN THE BANK
AND THE AGYEMANKATA KWABENYA COMMUNITY – FEBRUARY 27, 2004**

**Minutes of Meeting with Members of the
AGYEMANKATA KWABENYA COMMUNITY**

On February 27, 2004
At the World Bank Ghana Office, Accra

About 35 members of the Agyemankata Kwabenya Community arrived at the Ghana office of the World Bank to voice their concerns about the planned World Bank assistance for the construction of a sanitary landfill at Kwabenya and to get more information on it. They referred to a letter from the Bank of January 30, 2004, signed by Ms. Pamela Cox, which invited them to contact the staff of the World Bank Ghana Office with further questions. The letter was written in response to a letter from representatives of the Agyemankata Kwabenya Community to the President of the World Bank, dated January 16, 2004. The construction of this landfill is one of the activities proposed for inclusion in the Second Urban Environmental Sanitation Project.

A group of about 10 representatives then were invited to participate in a meeting with World Bank staff (see the list of participants). The meeting was chaired by Mr. Mbuba Mbungu, Acting Country Manager for Ghana. The Community representatives voiced the following main concerns:

1. The World Bank should not resume the construction of this project from which DFID had withdrawn.
2. The World Bank should follow the internationally agreed procedures of consultation and compensation with the people in the area of the proposed landfill before agreeing to construct the landfill.
3. The Government, including AMA, did not consult the Agyemankata Kwabenya Community and did not offer adequate compensation.
4. The recent environmental study financed by the World Bank did not consult with their Community.
5. One of the representatives recounted as a good example the procedure that was followed before and during the construction of the Akosombo dam, including thorough consultations with the affected people.
6. The present site should be given up and another site found further away because (i) it is too close to where people are living, and (ii) the Government did not use the proper procedures before deciding on this site.
7. The landfill will adversely affect the health of the people living nearby.
8. Greater use should be made of recycling of solid waste, but the recycling plant should also be located away from where people are living.
9. The Agyemankata Community is the one living at the site and therefore directly affected by the proposed landfill, while the village of Kwabenya is a few miles away.
10. Consulting with the Chiefs of the area is not the same as consulting with the local community.

The World Bank team confirmed that the grievances of the Agyemankata Kwabenya Community representatives have been heard and responded as follows:

1. The construction of a landfill at Kwabenya is part of a number of activities that have been proposed by the Government for inclusion in the Second Urban Environmental Sanitation Project, which is for waste management, drainage and community infrastructure upgrading in Accra, Kumasi, Sekondi-Takoradi, Tamale and Tema. The project has not yet been approved for financing by the World Bank.
2. Even after such approval was given, the Credit Agreement between the World Bank and the Government would specify that before the construction of certain installations can begin -- including the landfill at Kwabenya -- the Government will identify, compensate, and resettle as necessary the persons who will be affected by the acquisition of the land. This is to be done in accordance with a Resettlement Action Plan, which has to follow the resettlement policy and has to be approved by the World Bank.
3. These provisions are part of the safeguard policies of the World Bank, which apply to all World Bank assisted projects around the world.
4. The World Bank will inform the Government of this meeting and will request it to follow up on the issues raised by the representatives.

At the conclusion of the meeting the World Bank team thanked the delegates of the Agyemankata Kwabenya Community for explaining their concerns to the World Bank and reiterated that the World Bank will make sure that due process is followed before the start of construction. The Chairman of the Community thanked the World Bank for the courteous reception and the clarifications given.

Delegation from the Agyemankata Kwabenya Community

1. Yaw Asiedu, Chairman, Youth Organizer
2. Yaw Okyeremanana, Spokesman
3. Kodzovie Sabla, Assistant Chairman
4. Yaw Fie, Secretary
5. Andrews Efuafu
6. Ama Baah
7. Eno Ataah
8. Mercy Johnson
9. Kwame Abolo
10. Mary Adwoa

Delegation from the World Bank

1. Mbuba Mbungu, Acting Country Manager
2. Gerhard Tschannerl, Task Team Leader
3. Kofi Tsikata
4. Kennedy Fosu
5. Benedictus Atitsogbui

* * *

ANNEX 7

FIRST LETTER FROM COHRE REGARDING THE PROJECT

CENTRE ON
HOUSING RIGHTS
AND EVICTIONS



12 February 2007

Mr Gerhard Tschannerl, Task Team Leader, UESP-2 Project
Mr. Kofi Tsikata, Public Relations Officer
The World Bank
Resident Mission in Ghana
PO Box M27
Accra, Ghana

International Secretariat
83 rue de Monbrillant
1202 Geneva
Switzerland

tel: +41.22.734.1028
fax: +41.22.733.8336

VIA FACSIMILE: 021.227877

Dear Mr Tschannerl, Mr Tsikata,

The Centre on Housing Rights and Evictions (COHRE) is an independent, international human rights NGO headquartered in Geneva, Switzerland, with offices throughout the world. COHRE's Africa office is located in Asylum Down, Accra, Ghana. COHRE's mandate is to protect and promote the human right to adequate housing and land rights throughout the world.

We write to express grave concerns over a component of The World Bank funded Second Urban Environment Sanitations Project (UESP-2), specifically, the proposed construction a sanitary landfill at the Kwabenya site in Ga District, Ghana.

We are conducting investigation into this project, and are alarmed at the grave social and environmental hazards and threats to human rights which it poses. Of particular concern is the issue of land ownership and proposed land acquisition, which have remained contentious since the commencement of the project.

We have travelled to the site and met with the residents of Agyemankata Kwabenya community. They have shared with us information detailing their claims and documents which provide the bases for such claims. Additionally, we have consulted a variety of documents found on your website relating to the Kwabenya landfill, including the project's Environmental and Social Assessment Report for 2003 as well as the Resettlement Framework Policy of 2004. We note that the World Bank has recognized that the land issue at the Kwabenya site is a difficult issue, and though a number of mitigating activities have been proposed, there is no evidence of proper implementation of such activities.

A recent development is particularly alarming. We have learned that since late January of this year, National Security and police forces have begun visiting the community on a regular basis, to intimidate and threaten the residents into leaving the area, without any further information.

The situation at hand is one that threatens not only the resident's human rights to housing and land and livelihood, but also their civil liberties and rights to be free from threats and harassment.

Accra
PMB CT 402
Cantonments Accra
Ghana

Colombo
106 1/1 Horton Place
Colombo 7
Sri Lanka

Duluth
9 N. 2nd Avenue-East, Suite 206
Duluth, MN 55802
USA

Melbourne
PO Box 1160
Collingwood, Victoria 3065
Australia

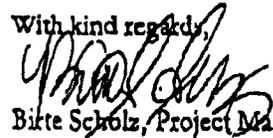
Porto Alegre
Rua Demetrio Ribeiro
990/conj.202, 90010-313
Porto Alegre, RS, Brasil

In light of the above, we would like to request a meeting with you, to fully explain our concerns related to this project, and to learn further information on World Bank's perspective and actions on this project.

We believe this to be a matter of urgency. We will contact you to find a mutually convenient time for our meeting.

Thanking you in advance for your cooperation.

With kind regards,



Birte Scholz, Project Manager
Centre on Housing Rights and Evictions (COHRE)
PMB CT 402
Accra, Ghana
Tel: 021.238821
Mobile: 024.372.4079

cc: Agyemankata Community Committee

ANNEX 8

EXECUTIVE INSTRUMENT

EXECUTIVE INSTRUMENT

E.I. 1

STATE LAND (KWABENYA—ACCRA) SITE FOR LANDFILL PROJECT INSTRUMENT, 2007

WHEREAS it appears to the President the land specified in the schedule to this Instrument is land required in the public interest.

NOW THEREFORE in exercise of the powers conferred on the President by Sub-section 1 of Section 1 of the State Lands Act, 1962 (Act 125) this Instrument is made this 25th day of January, 2007.

The land specified in the Schedule to this Instrument is hereby declared to be land required in the public interest.

SCHEDULE

ALL THAT PIECE OR PARCEL OF LAND known as site for Landfill and containing an approximate area of 364.246 Acres (147.410 Hectares) situate at Kwabenya—Accra in the Greater Accra Region of the Republic of Ghana and bounded on the North from Pillar SGGA.1083/06/21 to SGGA.1083/06/22 by family land measuring a total distance of 1551.4 feet more or less on the East from Pillar SGGA.1083/06/22 to SGGA.1083/06/8 by family land measuring a total distance of 7993.2 feet more or less on the South from Pillar SGGA.1083/06/8 to SGGA.1083/06/10 by family land measuring a total distance of 1982.4 feet more or less on the West from Pillar SGGA.1083/06/10 to SGGA.1083/06/21 by family land measuring a total distance of 7711.1 feet more which piece of land is more particularly delineated on the attached plan hereto and thereon shewn edged pink.

In accordance with Section 5 of the State Lands Act as amended, any person claiming a right or having an interest in the above-mentioned land or whose right or interest in the said land is affected in any manner, shall within six (6) months from the date of publication of this instrument submit in writing to:

**The Executive Secretary,
Land Valuation Board,
P.O. Box 558,
Accra.**

- (a) particulars of his claim or interest in the land,
- (b) the manner in which his claim or interest has been affected by this Instrument,
- (c) the extent of any damage done,
- (d) the amount of compensation claimed and the basis for calculation of the compensation.

By command of the President.

HON. PROF. D. K. FOBIH, M.P.
Minister for Lands, Forestry and Mines

Date of *Gazette* notification: 26th January, 2007

ANNEX 9

**LETTER FROM THE BORROWER OF SEPTEMBER 13, 2007 CONFIRMING ITS
COMMITMENT TO ADVANCE THE PROJECT IN COMPLIANCE WITH BANK POLICIES**

In case of reply, the
number and date of this
Letter should be quoted.



**Ministry of Local Government
Rural Development & Environment
P.O. Box M 50
Accra**

Our Ref. No.
PCU/UESPII/KEH/07/065

Your Ref.....

REPUBLIC OF GHANA

13 September 2007

Tel. D 5147 39
Tel. D 514740
E-mail:

**Second Urban Environmental Sanitation Project
Kwabinya Landfill Project
Meeting on the Way Forward**

I refer to the meeting in my office on Thursday, September 13, 2007 between representatives of the Government of Ghana led by myself, including Hon. Stanley Adjiri Blankson, the Mayor of Accra, and a team from the World Bank led by Mr. Eustache Ouayoro, Sector Manager for Water and Urban II Unit concerning the above. During the meeting, we explained the actions Government has taken so far towards the acquisition of the land for the project.

The Government is committed to implementing the project according to the provisions in the Project Appraisal Document and the Development Credit Agreement of the project, specifically, a satisfactory Resettlement Action Plan (RAP) in accordance with the Resettlement Policy Framework will be prepared and submitted to the Bank for approval not later than March 31, 2008, and before the start of construction activities.

Until the RAP is completed:

- i. The Government will ensure that no new development takes place on the acquisition site and
- ii. There will be no resettlement of affected persons.

We have completed negotiations to recruit a consultant to update detailed design studies and actions for the preparation of environment assessment are in progress.

In the meantime, the Government will develop a communication strategy and carry out a communication campaign to build better dialogues and consensus among local residents, landowners and the public at large, and create effective and efficient means of dialogue and feedback communication. We also intend to hold bi-monthly progress review meetings on the preparation of the RAP and the implementation of the communication strategy with the Bank.

We thank you for the Bank's continued support to the project and your desire to ensure the completion of the project in a satisfactory and acceptance manner.

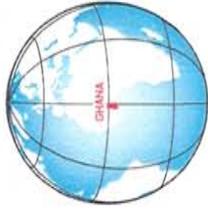

**KWADWO ADJEI-DARKO (MP)
MINISTER**

**THE COUNTRY DIRECTOR
WORLD BANK GHANA OFFICE
ACCRA**

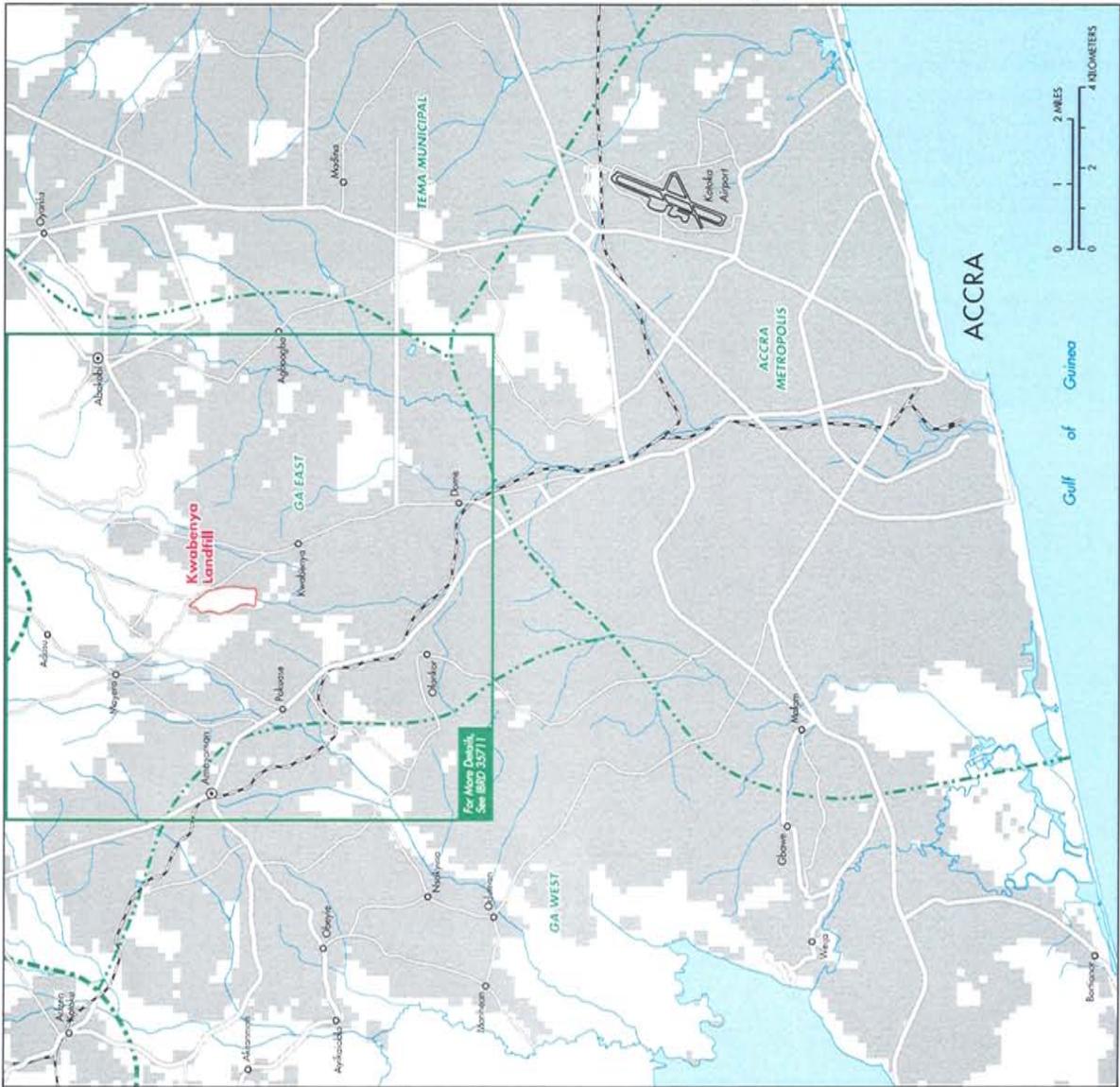
cc: The Metro Chief Executive
Accra Metropolitan Assembly,
Accra

**GHANA
SECOND URBAN
ENVIRONMENTAL
SANITATION PROJECT**
Request for Inspection

- KWABENYA LANDFILL PROJECT
- DISTRICT CAPITAL
- MAIN CITIES AND TOWNS
- URBAN AREAS
- RIVERS
- MAIN ROADS
- SECONDARY ROADS
- RAILROADS
- REGION BOUNDARIES
- DISTRICT BOUNDARIES



This map was prepared by the Urban Design Unit of The World Bank. The boundaries, names, administrative divisions and other information shown on this map do not imply, on the part of The World Bank, any judgement on the part of The World Bank concerning the accuracy or completeness of any information or any endorsement or acceptance of such boundaries.



GHANA SECOND URBAN ENVIRONMENTAL SANITATION PROJECT Request for Inspection

-  OFFICE SITE
-  AREA MARKED FOR LANDFILL DEVELOPMENT
-  BUFFER AREA (250 METERS WIDE)
-  DISPUTED AREA (RECOMMENDED TO BE EXCLUDED FROM ACQUISITION AREA)
-  DISTRICT CAPITAL
-  MAIN CITIES AND TOWNS
-  URBAN AREAS
-  RIVERS
-  MAIN ROADS
-  SECONDARY ROADS
-  RAILROADS
-  REGION BOUNDARIES
-  DISTRICT BOUNDARIES



This map was produced for the design of the project. The boundaries, colors, denominations and any other information shown on this map do not constitute an endorsement or acceptance of such boundaries.

