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Report No: PAD3711

INTERNATIONAL DEVELOPMENT ASSOCIATION

PROJECT APPRAISAL DOCUMENT

ON A
PROPOSED GRANT
IN THE AMOUNT OF SDR 52.0 MILLION
(US\$75.0 MILLION EQUIVALENT)

AND ON A
PROPOSED CREDIT
IN THE AMOUNT OF EUR 61.6 MILLION
(US\$75.0 MILLION EQUIVALENT)

TO THE
BURKINA FASO

FOR A
SUPPORT TO LAND AND MINING MANAGEMENT STRENGTHENING PROJECT

JUNE 8, 2021

Energy and Extractives Global Practice
Western and Central Africa Region

This document may be updated following Board consideration and the updated document will be made publicly available in accordance with the Bank's policy on Access to Information.

CURRENCY EQUIVALENTS

(Exchange Rate Effective May 31, 2021)

Currency Unit = Special Drawing Right (SDR); Euros (EUR)

US\$1 =	SDR 0.692
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US\$1 =	EUR 0.820
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FISCAL YEAR

January 1 - December 31

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ABBREVIATIONS AND ACRONYMS

AFD	<i>Agence Française de Développement</i> (French Development Agency)
ANDFOP	<i>Agence Nationale du Domaine Foncier des Organismes Publics</i> (National Agency for Public Entities' Land)
ANEEMAS	<i>Agence Nationale d'Encadrement des Exploitations Minières Artisanales et Semi-mécanisées</i> (National Agency for Support to Artisanal Mining)
ANPTIC	<i>Agence nationale pour la promotion des technologies de l'information et de la communication</i> (Agency for the Promotion of Information and Communication Technologies)
APFR	<i>Attestation de Possession Foncière Rurale</i> (Rural Land Possession Certificate)
ASM	Artisanal and Small-Scale Mining
BD	<i>Bureau Domanial</i> (Domains Office)
BUMIGEB	<i>Bureau des Mines et de la Géologie du Burkina Faso</i> (Bureau of Mines and Geology of Burkina Faso)
BUNEE	<i>Bureau National des Evaluations Environnementales</i> (National Environmental Assessment Office)
CCFV	<i>Commission de Conciliation Foncière Villageoise</i> (Village Land Conciliation Commission)
CE	Citizen Engagement
CEDP	Competitiveness and Enterprise Development Support Project
CERC	Contingent Emergency Response Component
CFV	<i>Commission Foncière Villageoise</i> (Village Land Commission)
CORS	Continuously Operating Reference Stations
COVID-19	Coronavirus Disease 2019
CPF	Country Partnership Framework
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
CVD	<i>Conseil Villageois de Développement</i> (Village Development Council)
DGFOMR	<i>Direction Générale du Foncier, de la Formation et de l'Organisation du Monde Rural</i> (Directorate General of Land, Training and the Organization of Rural Areas)
DFIL	Disbursement and Financial Information Letter
DGAIE	<i>Direction Générale des Affaires Immobilières et de l'Équipement de l'État</i> (Directorate General for Real Estate Affairs and State Equipment)
DGDT	<i>Direction Générale Développement Territorial</i> (Directorate General for Territorial Development)
DGI	<i>Direction Générale des Impôts</i> (Directorate General for Taxation)
DGPE	<i>Direction Générale de la Préservation de l'Environnement</i> (Directorate General for the Preservation of the Environment)
DGUTF	<i>Direction Générale de l'Urbanisme et des Travaux Fonciers</i> (General Directorate for Urbanism and Land Operations)
DMP	Direction des Marchés Publics (Public Procurement Directorate)
DPO	Development Policy Operation
EIA	Environmental Impact Assessment
EITI	Extractive Industries Transparency Initiative
ENAREF	<i>Ecole Nationale des Régies Financières</i> (National School of Public Administration)

ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESRS	Environmental and Social Review Summary
FA	Financing Agreement
FAO	Food and Agriculture Organization
FIDA	International Fund for Agricultural Development;
FM	Financial Management
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GIS	Geographic Information Systems
GRM	Grievance Redress Mechanism
GUF	<i>Guichet Unique du Foncier</i> (One-Stop Land Office)
IBRD	International Bank for Reconstruction and Development
ICT	Information and Communication Technologies
IDA	International Development Association
IFC	International Finance Corporation
IFR	Interim Financial Report
IGB	<i>Institut Géographique du Burkina</i> (Geographic Institute of Burkina)
IPF	Investment Project Financing
IRR	Internal Rate of Return
IS	Implementation Support
IT	Information Technology
IPF	Investment Project Financing
LIDAR	Light Detection and Ranging
LIS	Land Information System
MCC	Millennium Challenge Corporation
MBP	Mining Budget Program
MDSP	Mineral Development Support Project
M&E	Monitoring and Evaluation
MEEVCC	<i>Ministère de l'Environnement de l'Economie Verte et du Changement Climatique</i> (Ministry of Environment, Green Economy, and Climate Change)
MEMC	<i>Ministère de l'Energie, des Mines et des Carrières</i> (Ministry of Energy, Mines, and Quarries)
MDSP	Mineral Development Support Project
MFD	Maximizing Finance for Development
MFLD	Mining Fund for Local DevelopmentAg
MINEFID	<i>Ministère de l'Économie, des Finances et du Développement</i> (Ministry of Economy, Finance, and Development)
MoDDEP	Ministry of Development of Digital Economy and Post (<i>Ministère de l'Economie numérique, des Postes et de la Transformation Digitale</i>)
MoU	Memorandum of Understanding
MSME	Micro, Small, and Medium Enterprise
NGO	Non-Governmental Organization
NPV	Net Present Value
NSDI	National Spatial Data Infrastructure

PAD	Project Appraisal Document
PACOF	<i>Projet d'Appui aux Communes rurales de l'Ouest en matière de Gestion du Foncier rural et des ressources naturelles</i> (Support to Western Rural Communes in Land Tenure and Natural Resource Management Project)
PDO	Project Development Objective
PIIMD	<i>Plan Inter Institutionnel de Modernisation et de Déconcentration</i> (Inter-Institutional Plan for Modernization and De-concentration)
PIM	Project Implementation Manual
PIT	Project Implementation Team
PM&E	Planning, Monitoring and Evaluation
PNG	<i>Politique Nationale Genre</i> (National Gender Policy)
PNDES	<i>Plan National de Développement Economique et Social</i> (National Economic and Social Development Plan)
POS	<i>Plan d'Occupation des Sols</i> (Land Occupation Plan)
PPCG	Partial Portfolio Credit Guarantee
PPSD	Project Procurement Strategy for Development
PR	Procurement Regulations
PRECAGEME	<i>Projet de Renforcement des Capacités Nationales du Secteur Minier et de Gestion de l'Environnement</i> (National Capacity Building and Environmental Management Project for the Mining Sector)
PFS	Project Financial Statement
PUH	<i>Permis Urbain d'Habiter</i> (Urban Residency Permit)
RAF	<i>Réorganisation Agraire et Foncière</i> (Agrarian and Land Reform)
RC	Review Committee
RDPF	<i>Recette des Domaines et de la Publicité Foncière</i> (Property Revenue and Land Publicity Office)
RESINA	<i>Réseau Informatique National de l'Administration</i> (National Computer Network of the Administration)
RRA	Risk and Resilience Assessment
SA	Social Assessment
SCD	Systematic Country Diagnostic
SCTF	<i>Service du Cadastre et des Travaux Fonciers</i> (Office of Cadastral Services)
SDAU	<i>Schéma Directeur d'Aménagement et d'Urbanisme</i> (Master Plan for Urban Development)
SDG	Sustainable Development Goals
SEA/SH	Sexual Exploitation and Abuse/ Sexual Harassment
SEP	Stakeholder Engagement Plan
SESA	Strategic Environmental and Social Assessment
SFR	<i>Service Foncier Rural</i> (Rural Land Service)
SME	Small and Medium Enterprise
SMI	Small and Medium Industries
SORT	Systematic Operations Risk-Rating Tool
SPD	Standard Procurement Documents
STEP	Systematic Tracking of Exchanges in Procurement
ToR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Program

UNICEF	United Nations Children's Fund
WBG	World Bank Group



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DATASHEET

BASIC INFORMATION

Country(ies)	Project Name	
Burkina Faso	Support to Land and Mining Management Strengthening Project	
Project ID	Financing Instrument	Environmental and Social Risk Classification
P169267	Investment Project Financing	Substantial

Financing & Implementation Modalities

<input type="checkbox"/> Multiphase Programmatic Approach (MPA)	<input checked="" type="checkbox"/> Contingent Emergency Response Component (CERC)
<input type="checkbox"/> Series of Projects (SOP)	<input checked="" type="checkbox"/> Fragile State(s)
<input type="checkbox"/> Performance-Based Conditions (PBCs)	<input type="checkbox"/> Small State(s)
<input type="checkbox"/> Financial Intermediaries (FI)	<input type="checkbox"/> Fragile within a non-fragile Country
<input type="checkbox"/> Project-Based Guarantee	<input checked="" type="checkbox"/> Conflict
<input type="checkbox"/> Deferred Drawdown	<input type="checkbox"/> Responding to Natural or Man-made Disaster
<input type="checkbox"/> Alternate Procurement Arrangements (APA)	<input type="checkbox"/> Hands-on Enhanced Implementation Support (HEIS)

Expected Approval Date	Expected Closing Date
29-Jun-2021	31-Dec-2027
Bank/IFC Collaboration	Joint Level
Yes	Complementary or Interdependent project requiring active coordination

Proposed Development Objective(s)

The Project Development Objective is to improve national land and mining administration services, register land rights in selected municipalities and foster inclusive benefits sharing from the mining sector

**Components**

Component Name	Cost (US\$, millions)
Strengthening of the Legal Framework and Institutional Development	35.00
Strengthening of Land and Mining Information Management and Improving Land Tenure Security	72.00
Fostering Socio-Economic Inclusion and Community Development	32.00
Project Management, Monitoring and Evaluation and Knowledge Dissemination	11.00
Contingent Emergency Response Component (CERC)	0.00

Organizations

Borrower:	Burkina Faso
Implementing Agency:	Ministry of Economy, Finance, and Development (MINEFID) Ministry of Energy, Mines, and Quarries (MEMC)

PROJECT FINANCING DATA (US\$, Millions)**SUMMARY**

Total Project Cost	150.00
Total Financing	150.00
of which IBRD/IDA	150.00
Financing Gap	0.00

DETAILS**World Bank Group Financing**

International Development Association (IDA)	150.00
IDA Credit	75.00
IDA Grant	75.00

IDA Resources (in US\$, Millions)

	Credit Amount	Grant Amount	Guarantee Amount	Total Amount
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Burkina Faso	75.00	75.00	0.00	150.00
National PBA	75.00	75.00	0.00	150.00
Total	75.00	75.00	0.00	150.00

Expected Disbursements (in US\$, Millions)

WB Fiscal Year	2021	2022	2023	2024	2025	2026	2027	2028
Annual	0.00	12.00	25.00	25.00	25.00	27.00	20.00	16.00
Cumulative	0.00	12.00	37.00	62.00	87.00	114.00	134.00	150.00

INSTITUTIONAL DATA

Practice Area (Lead)

Energy & Extractives

Contributing Practice Areas

Urban, Resilience and Land

Climate Change and Disaster Screening

This operation has been screened for short and long-term climate change and disaster risks

SYSTEMATIC OPERATIONS RISK-RATING TOOL (SORT)

Risk Category	Rating
1. Political and Governance	● Substantial
2. Macroeconomic	● Moderate
3. Sector Strategies and Policies	● Substantial
4. Technical Design of Project or Program	● Substantial
5. Institutional Capacity for Implementation and Sustainability	● High
6. Fiduciary	● Substantial
7. Environment and Social	● Substantial
8. Stakeholders	● Moderate
9. Other	● High



10. Overall

● Substantial

COMPLIANCE**Policy**

Does the project depart from the CPF in content or in other significant respects?

☐ Yes ☒ No

Does the project require any waivers of Bank policies?

☐ Yes ☒ No**Environmental and Social Standards Relevance Given its Context at the Time of Appraisal**

E & S Standards	Relevance
Assessment and Management of Environmental and Social Risks and Impacts	Relevant
Stakeholder Engagement and Information Disclosure	Relevant
Labor and Working Conditions	Relevant
Resource Efficiency and Pollution Prevention and Management	Relevant
Community Health and Safety	Relevant
Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	Relevant
Biodiversity Conservation and Sustainable Management of Living Natural Resources	Not Currently Relevant
Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities	Not Currently Relevant
Cultural Heritage	Relevant
Financial Intermediaries	Not Currently Relevant

NOTE: For further information regarding the World Bank's due diligence assessment of the Project's potential environmental and social risks and impacts, please refer to the Project's Appraisal Environmental and Social Review Summary (ESRS).



Legal Covenants

Sections and Description

Schedule 2, Section I, A.2 (a). The Recipient shall, by no later than three (3) months after the Effective Date, establish and maintain, throughout the implementation of the Project, a Project Review Committee, with a composition, mandate, terms of reference, and resources acceptable to the Association, to be responsible for, inter alia: (i) reviewing and adopting a Project implementation plan in line with the PIM; (ii) reviewing the progress of Project implementation; (iii) endorsing Annual Work Plans and Budgets; (iv) reviewing and endorsing Project progress and financial reports and revisions to the Project procurement plan; (v) monitoring the implementation of its recommendations, supervision missions, Project review meetings, and audits; (vi) evaluating the performance of the financial management specialists; and (vii) approving the financial statements for the Project.

Sections and Description

Schedule 2, Section I, A.4. (a). Each PIT shall hire or appoint an internal auditor within three (3) months of the Effective Date, and an external auditor within six (6) months of the Effective Date. Notwithstanding the foregoing, the accountant and accounting assistant at the MINEFID PIT shall be hired and in place no later than three (3) months from the Effective Date.

Sections and Description

Schedule 2, Section I, A.5. No later than thirty (30) days from the Effective Date the Recipient shall establish and thereafter maintain four regional Project implementation teams (the “Regional PITs”) to support the implementation and coordination of land activities in the regions and municipalities selected to participate in the Project, pursuant to criteria set forth in the PIM.

Sections and Description

Schedule 2, Section I, A.6. The Recipient shall, by no later than three (3) months after the Effective Date, acquire and install, an accounting software acceptable to the Association.

Sections and Description

Schedule 2, Section I, A.3. Jointly with the formation of the Review Committee, the Recipient, through a resolution from the minister of MINEFID, shall form the Technical Monitoring Committee, chaired by a national coordinator appointed by MINEFID, and composed of representatives of key co-implementing agencies.

Sections and Description

Schedule 2, Section I, A.4 (a) (i). A Project Implementation Team shall be established by the Effective Date, but in no case later than sixty (60) days from the Effective Date, and thereafter maintained within MINEFID (the “MINEFID PIT”).

Sections and Description

Schedule 2, Section I, I, 1. No later than December 1 of each calendar year, the Recipient shall prepare a draft annual work plan and budget for the Project (including performance reports for all staff working in the PITs, and Training and Operating Costs) for the subsequent fiscal year of Project implementation, of such scope and detail as the Association shall have reasonably requested.



Sections and Description

Schedule 2, Section I, J. The Recipient shall maintain, throughout Project implementation, and publicize the availability of a grievance redress mechanism, in form and substance satisfactory to the Association, to hear and determine fairly and in good faith all complaints raised in relation to the Project and take all measures necessary to implement the determinations made by such mechanism in a manner satisfactory to the Association.

Sections and Description

Schedule 2, Section I, M, 1 (a). The Recipient shall provide, on a yearly basis throughout Project implementation, an amount in CFA set forth in the Annual Work Plan and Budget as counterpart funds ("Counterpart Funds") for the Project;

Sections and Description

Schedule 2, Section IV, 1. Prior to starting the implementation of any activities under Part 2.3.2(a) of the Project (other than Part 2.3.2(a)(i)), the Recipient shall ensure that the methodology for the systematic registration activities under Part 2.3.2(a)(i) has been prepared and adopted in form and manner satisfactory to the Association.

Sections and Description

ESCP. NGO specialized in Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) to be recruited within 6 months of project effectiveness.

Sections and Description

ESCP: The Strategic Environmental and Social Assessment (SESA) update shall be completed by June 30, 2023.

Sections and Description

ESCP: Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) Action Plan shall be prepared within nine months of project effectiveness.

Conditions

Type Effectiveness	Financing source IBRD/IDA	Description The Recipient has prepared and adopted the Project Implementation Manual in form and manner satisfactory to the Association.
Type Effectiveness	Financing source IBRD/IDA	Description Either (i) the Project Implementation Team (PIT) for the Ministry of Economy, Finance, and Development (MINEFID) has been established by the Recipient in form and manner and with terms of reference and resources (including a Project leader, a procurement specialist, a financial management specialist, a monitoring and



		evaluation specialist, and environmental management specialist, and a social development specialist) all satisfactory to the Association; or (ii) an agreement has been entered into in form and manner satisfactory to the Association between MINEFID and the Ministry of Energy, Mines and Quarries (MEMC) laying out the implementation responsibilities to be carried out by MEMC PIT until the MINEFID PIT is established and operational.
Type Disbursement	Financing source IBRD/IDA	Description Notwithstanding the provisions of Part A above, no withdrawal shall be made for payments made under Category (3), unless: (i) the Recipient has appointed a qualified payment agency in form and manner satisfactory to the Associations to make Cash Transfers; and (ii) the Recipient has prepared and adopted the Cash Transfers Manual in form and manner satisfactory to the Association.
Type Disbursement	Financing source IBRD/IDA	Description Notwithstanding the provisions of Part A above, no withdrawal shall be made for payments made under Category (4), unless: (i) the Recipient has appointed a qualified payment agency in form and manner satisfactory to the Associations to pay the Scholarships; and (ii) the Recipient has prepared and adopted the Scholarships Manual in form and manner satisfactory to the Association.
Type Disbursement	Financing source IBRD/IDA	Description Notwithstanding the provisions of Part A above, no withdrawal shall be made for payments made under Category (5), unless: (i) the Recipient has appointed a qualified payment agency in form and manner satisfactory to the Associations to make payments for Micro-grants; (ii) the Recipient has prepared and adopted the Micro-grants Manual in form and manner satisfactory to the Association; and (iii) at least one Micro-grant Agreement has been signed with an eligible beneficiary for the financing of a Micro Sub-project.
Type Disbursement	Financing source IBRD/IDA	Description Notwithstanding the provisions of Part A above, no withdrawal shall be made for Emergency Expenditures under Category (8), unless and until all the following conditions have been met in respect of said expenditures: (i) (A) the Recipient has determined that an Eligible Crisis or Emergency has occurred, and has furnished to the Association a



		<p>request to withdraw Financing amounts under Category (8); and (B) the Association has agreed with such determination, accepted said request and notified the Recipient thereof; and</p> <p>(ii) the Recipient has adopted the CERC Manual and Emergency Action Plan, in form and substance acceptable to the Association.</p>



I. STRATEGIC CONTEXT

A. Country Context

- Burkina Faso is a landlocked, low-income country in the Sahel region facing conditions of increased fragility, violence, and conflict.** The country is facing a three-fold security, humanitarian, and public health crisis linked to the Coronavirus disease 2019 (COVID-19) pandemic. Since 2017, violent extremism, which initially came across the border from Mali and Niger, has taken root in Burkina Faso, where it has intertwined with self-defense strategies and inter-community conflicts. Six of the thirteen regions are under a state of emergency. By the end of 2020, the conflict had led to an unprecedented humanitarian crisis with nearly 1.05 million internally displaced persons and 3.5 million people in need of assistance.¹ Burkina Faso was among the first countries in Sub-Saharan Africa to be hit by the COVID-19 pandemic. Although the government took early and decisive action, the outbreak has lowered regional and global demand for exports and generated fiscal pressures to finance public health services and prevention measures.
- The resilience of the population in the face of these challenges is constrained by the country's high poverty levels.** With a Gross National Income per capita of US\$750 in 2018, Burkina Faso was among the 20 poorest countries in the world. Ninety percent of the poor live in rural areas. The country was ranked 182 out of 189 countries on the 2020 United Nations (UN) Human Development Index. Non-income indicators of poverty and welfare, particularly in the areas of education and health, were already among the lowest in the world, and closures of schools and health care facilities in conflict-affected areas could set back even further the prospect of attaining the human development indicators in the Sustainable Development Goals.
- Economic performance was relatively stable in the past decade, but the economic outlook has deteriorated because of the security challenges and the global effect of the COVID-19 pandemic.** Economic growth averaged 5.5 percent per year over the past 15 years. A rise in cotton and mining production, steady investments, and a stable macroeconomic environment contributed to a positive performance. The economy was able to grow despite the challenging security situation, but conflict has started to take its toll on economic activity and put pressure on the government budget. Favorable terms-of-trade, and good crop production kept the economy growing in 2020, despite the negative COVID-19 shock and persistent security crisis. However, about 450,000 people joined the extreme poor in 2020. With low oil and high gold prices, real GDP is projected to rise by 3.1 percent in 2021 and the extreme poverty incidence rate is projected to decrease only from 2022 onwards. Improvements in the efficiency of social safety nets and public service delivery are critical to resume poverty reduction.
- Demographic growth and climate change expand fragility threat multipliers by exerting strong pressure on land and natural resources and driving internal migrations.** The population has more than doubled since 1985, growing from 7.7 million to 20.3 million in 2019, and it is expected to reach 27.3 million in 2030. About 70 percent of the population live in rural areas and the vast majority are employed in the agricultural sector. Population growth is both an asset and a challenge for agriculture, as it creates more demand for food but also adds pressure on resources. Climate change events, including an increased frequency of droughts and floods, have exposed agricultural and livestock activities to greater vulnerability. It is estimated that 34 percent of the country's land area has already been degraded due to climate change and desertification, with an annual progression of around 105,000 ha to 250,000 ha. The loss of soil productivity and reduced access to drinking water have disproportionately

¹ Burkina Faso National Emergency Relief and Rehabilitation Committee (CONASUR). November 10, 2020. Report.



affected low-income farmers and livestock herders in the northern parts of the country, which has driven migration to more fertile areas in the south. As a result of population migration and limited control over land clearing, it is estimated that the national forest cover is decreasing by 0.8 percent per year². Yet, insecure land rights often prevent smallholders to engage with tree planting and agroforestry as these require stable long-term commitment. Pastoralists are increasingly combining agriculture and livestock activities which has also added pressures on land and created conflicts with farmers. Between April and September 2020, more than 70,000 people were affected by floods in 13 regions of the country and over 5,000 houses were either destroyed or damaged, resulting in significant population displacement³ and an associated risk of losing paper-based land information needed for disaster recovery⁴. Despite the intention of people to return home⁵, post-disaster recovery may be compromised and conflictual in the absence of land tenure security, especially in the case of parcel boundary disappearance⁶. Further, material damages cannot be assessed properly without prior property valuation. There is increasing evidence of the compounding effects and relations between climate change (in the form of more volatile rainfall patterns), desertification, and land-related conflict in the country^{7,8,9}, and worries that the tensions could exacerbate in the future.

5. The World Bank 2020 Sahel Risk and Resilience Assessment (RRA) points to conflict risks in Burkina Faso reflecting a crisis of confidence toward the state which is unable to maintain a positive presence across the territory and deliver public services effectively. Most of public funds are managed at the capital city level, Ouagadougou, where 55 percent of public servants are located. The decentralization process which started in 1993 is yet to be completed. Although some functions have been decentralized, local governments often lack the resources or capacity to carry out their mandates and manage crises. At the local level, the distribution and quality of basic services are uneven, reinforcing feelings of exclusion and marginalization, thus increasing the risk of conflict. Pastoralist population, women, vulnerable youth, displaced population, and ethnic or religious minorities are particularly exposed to exclusionary dynamics.¹⁰ The limited capacity of state institutions has curtailed the ability to prevent and respond to the rise in violent conflict. In particular, the state's difficulty in providing adequate protection and justice to citizens during the security crisis has led to the emergence of self-defense groups, which has increased violence between and against civilians.

6. Burkina Faso ranks 182 out of 189 on the Gender Inequality Index¹¹, and gender-based violence (GBV) is highly prevalent with 33.9 percent¹² of women nationwide estimated having experienced physical violence at some point in their lives. Insecurity in some areas of the country have further exacerbated pre-existing risks of GBV in multiple ways: the collapse of social safety nets and protective relationships; the growing challenges associated with accessing life-saving services leaving survivors isolated and unable to seek care; the weakened rule of law and state presence failing to provide protection; and the widening of levels and severity of gender inequality and different manifestations of GBV, from intimate partner violence to sexual exploitation of women

² Ministry of Agriculture – Burkina Faso. 2020. “Stratégie nationale de restauration, conservation et récupération des sols au Burkina Faso 2020-2024”

³ Shelter Cluster. 2020. “Situation des inondations et vents violents au Burkina Faso”.

⁴ Luxembourg International Cooperation. 2019. “Étude prospective : Cadastre fiscal au Burkina Faso”.

⁵ Médecins Sans Frontières (MSF). 2020. “Burkina Faso : les conditions de vie des personnes déplacées se dégradent avec l’escalade de violence et le début des pluies”.

⁶ Internal Displacement Monitoring Centre (IDMC). 2019. “Rapport sur le déplacement interne en Afrique”.

⁷ UN High Commissioner for Refugees (UNHCR), 2021. “Climate change and conflict, double burden for displaced Burkinabes”.

⁸ UN Office for the Coordination of Humanitarian Affairs (OCHA). 2021. “Climate change and conflict pursue displaced Burkinabes”.

⁹ USAID. 2014. “Climate change and conflict in the Sahel: evidence from Niger and Burkina Faso”.

¹⁰ Burkina Faso is a multi-ethnic country with the Mossi being the largest ethnic group, 52 percent, followed by the Fulani at 8.4 percent.

¹¹ United Nations Development Program 2020

¹² US State Department 2016



and girls. In addition, Burkina Faso has the fifth highest rate of child marriage in the world with 52 percent¹³ of girls married before they are 18. Sexual violence against girls in schools is a particular concern in Burkina Faso, as highlighted by the United Nations Human Rights Office of the High Commissioner in 2017. Furthermore, 76 percent of women and girls aged 15 to 49 have undergone female circumcision, against a regional average of 45.8 percent¹⁴. Proxy indicators in Burkina Faso for social norms appear to legitimize and condone GBV, with wife beating justified by 42.5 percent¹⁵ of women in the country. Burkina Faso does have a GBV law meant to prevent and respond to all forms of violence against women and girls, although implementation continues to be a challenge. Women are also disadvantaged in the education system and the labor market. They experience relatively more difficulties in accessing land and owning productive assets, and the recent growth in gold mining activities disproportionately affects women and children's personal safety.

B. Sectoral and Institutional Context

7. The Sahel RRA has identified tensions related to access to land and extractive resources as important factors contributing to conflict risks. The combined impact of climate change, population growth, land degradation, and economic interests has exacerbated pressures on land and natural resources. Some of the factors that have contributed to these tensions include land speculation for agricultural and urban development, exclusion of traditional rights of use and access in the legal framework, the rapid expansion of artisanal mining, and policies that have favored some sectors (i.e. agriculture) at the expense of others (livestock grazing). Land conflicts have resulted in violence between pastoralist and sedentary communities and between migrants and the native population. Discontent over the industrial mining sector relates to: (a) insufficient inclusion of mining into the local/national socio-economic fabric through employment and local content; (b) inadequate sector management leading to social conflicts with communities; and (c) risks to communities stemming from their dependency at mine closure. The inadequacy of regulations and state control over artisanal mining have also generated frustrations. There are reports of Artisanal and Small-Scale Mining (ASM) sites being controlled by armed groups and therefore being a potential source of funding for terrorism.

8. Land-based subsistence activities and ASM are also sources of resilience for local communities, but fostering this dimension requires strengthening land tenure, use planning and management. Subsistence agriculture and herding are essential for the resilience of community livelihoods and the inclusion of women in the economy. Similarly, ASM is an important source of employment and a social safety valve for the communities involved. The capacity to manage risks and foster resilience in land and natural resources has been negatively affected by inefficient policies and insufficient institutional and regulatory capacities. There are important synergies between the land administration and mining sectors that can contribute to more effective land use planning. Management in both sectors depends on access to land-related information to inform licensing for various sectors and basic features linked with surface land management. Each of the sectors also has specific needs and faces distinctive issues.

The Land Sector

9. Pressure on land is ever increasing due to population growth, expansion of urban centers, the development of natural resources projects in rural areas, and climate change. These dynamics, and the ensuing competition for land, pose significant risks to the country's economic development and social cohesion. In rural

¹³ United Nations Children's Fund (UNICEF) 2018

¹⁴ Demographic and Health Survey 2018

¹⁵ Demographic and Health Survey 2010



areas, population density, the reduced availability of arable land, migrants' flows¹⁶, the competition between farmers and herders, and the emergence of mining companies and agro-industries requiring large tracts of land, have led to a higher incidence of conflicts over land due to lack of clear documentation on the nature and extent of the existing rights. In urban areas, the peripheries around the two main cities (Ouagadougou and Bobo-Dioulasso) have seen the largest conversion from agricultural to urban land use, with land transactions carried out to the detriment of the original land occupants in the absence of documents guaranteeing existing rights. Users in peri-urban areas have expressed an urgent need to formalize their land rights to cope with the pressure of better-informed buyers and to avoid the risk of being stripped of their right. Overly complicated measures to limit land speculation around the cities made it impossible to control urban sprawl, most of which has taken the form of informal settlements with no access to basic services. Meanwhile, some real estate developers have amassed large quantities of land for investment, sometimes by engaging in corrupt dealings with local authorities. This form of speculation has created upward pressure on land prices and contributed to further expansion of informal settlements. A weak system for land valuation, which does not reflect market prices, has prevented a fair compensation for sellers, particularly in peri-urban areas. In addition, since most land rights are not formalized, property taxes contribute little to the state's budget (in 2017, property taxes represented only 1.3 percent of total taxes collected by the Government).¹⁷

10. Burkina Faso has introduced innovative measures over the past 20 years to strengthen land governance and the delivery of land services. The 2009 Rural Land Law introduced the rural land possession certificate (*Attestation de Possession Foncière Rurale*, APFR) to recognize customary occupancy (individual and collective) over agricultural plots and conservation areas, and supported a largely decentralized rural land system, through the creation of land administration structures at the local/municipal level (the Village Land Commissions [*Commission Foncière Villageoise*, CFV], the Village Land Conciliation Commissions [*Commission de Conciliation Foncière Villageoise*, CCFV], the rural land services [*Service Foncier Rural*, SFR], and the Domains Office ([*Bureau Domanial*, BD]) (see Annex 3). In urban areas, the One-Stop Land Office (*Guichet Unique du Foncier*, GUF) was established in 2008 in Ouagadougou and Bobo-Dioulasso to facilitate application procedures and reduce the delays in the delivery of land services. Since 2017, the Government, with support of the Danish cooperation, has developed a mass valuation methodology that has been tested in the city of Ouagadougou. In 2020, the National Agency for Public Entities' Land (*Agence Nationale du Domaine Foncier des Organismes Publics*, ANDFOP) was created to mobilize financing for the registration of state and municipal land. Overall, the legal framework to support project activities is in place, though overlapping institutional mandates resulting from lack of coordination in the drafting of legal texts need to be addressed and roles and responsibilities harmonized.

11. Despite the innovative legal framework, the improvements have been barely perceptible and land tenure insecurity remains widespread. Institutional weaknesses, overlapping mandates, and the inability to perform basic land administration tasks especially at the decentralized (municipal) level, have been a major obstacle to the implementation of the rural land law: the number of issued APFRs has been extremely low; and few decentralized offices currently exist.¹⁸ The low take-in of APFRs can be explained by: (a) lack of capacity to pay the required fees and taxes; (b) lack of promotion and utilization of collective APFRs in rural areas; (c) low capacity to process demand in peri-urban municipalities; and (d) difficulties obtaining identity cards. Regarding the implementation of decentralized services, challenges have included the small share of the municipal budgets allocated to land services, delays in the payment of staff salaries, lack of adequate equipment and supplies, and

¹⁶ Burkina Faso is home to over 34,000 refugees, mainly from Mali, of which 80 percent are women and children and 87 percent do not wish to return to their place of origin (World Bank, Country Partnership Framework, 2018-2023, p.34).

¹⁷ World Bank. 2020. "Burkina Faso Land Sector Review".

¹⁸ A total of about 20,000 APFRs have been issued so far. Less than 20 percent of municipalities have a functional SFR.



insufficient/non-standardized training of young, locally recruited staff. Difficulty of access to certain rural areas, exacerbated by the current conflict situation, has also contributed to the low performance of registration and land service delivery overall. In urban areas, complex procedures, and high costs, coupled with weak capacity of land institutions are major challenges for obtaining use rights and property titles and the development of a formal land market. So far, only about 20,000 property titles have been registered for the entire country. In rural areas, some 77 percent of households have no written document attesting to their right to land or property, and only 1 percent of households have a registered title. Only 7 percent of urban homeowners have a land title. One-third of landowners claim to have an Urban Residency Permit (*Permis Urbain d'Habiter*, PUH), but another third has no land document. Lack of formal documentation and registration has proven to be a serious disadvantage in protecting land occupancy rights for most of the population, when pressure on land increases due to density and urbanization, in situations of conflict, or when negotiating with potential investors. This complexity can promote rent seeking, deter investment in land, leave the poorer communities and individuals vulnerable to loss or curtailment of their land rights, and limit the Government's capacity to derive revenues from land-use taxation.

12. Further, registration has largely been based on a demand basis, with high costs and delays, and the full potential of a systematic approach has yet to be realized. Though the legal framework for implementation of systematic land registration is in place (Decree 2010-405 and Decree 2014-481 article 263), the country has no experience in conducting such activities. Limited pilots have been implemented for the regularization of land occupations in support of agricultural development projects in a few irrigation districts, with the issuance of about 6,800 land titles so far (3,800 with the Millennium Challenge Corporation [MCC] support and 3,000 through the World Bank-funded Bagre Growth Pole Project, P161234¹⁹). A few other interventions have supported on-demand processes for the issuance of land certificates in rural areas.²⁰ In addition, current registration procedures need to be further detailed and streamlined and adjusted to reflect a systematic approach (to be carried out with support of the private sector), rather than a demand-based process.

13. In spite of existing legal provisions to help protect the land rights of women and youth, the gender gap in land tenure and land ownership remains critical in Burkina Faso. The 1991 Constitution of Burkina Faso establishes a principle of non-discrimination and equality of the sexes and guarantees the right of inheritance for children of both sexes. Similarly, the Code of Persons and the Family promotes equality between spouses and within the family and provides for the agreement of both spouses for any transfer of property. The country has also developed a National Gender Policy (*Politique Nationale Genre*, PNG) with the objective of ensuring women's equal and equitable access to and control of resources and decision-making spheres. Specifically, the Rural Land Law advocates gender equality by providing specific rights to disadvantaged social groups and by requiring the inclusion of women in land administration bodies. However, most of the land is registered in the name of the male head of the household and only 0.8 percent of women hold recognized and formal occupancy or property land rights²¹. Recent evidence also suggests that 36 percent of women have sole and joint land ownership compared to 61.9 percent of men, and only 14.2 percent of women have sole land ownership compared to 50 percent of men²². The improvement of women's access to land is a complex process that implies the transformation of social relationships and inter-generational transfers that traditionally occur along patrilineal lines. Addressing gender bias through access to land by women was identified as a priority in the WBG Country Partnership Framework

¹⁹ So far, a total of about 20,000 land titles (*titres fonciers*) have been issued in Burkina Faso.

²⁰ World Bank-financed Third Phase Community Based Rural Development (P129688); MCC's Rural Land Governance Project; and the Support to Western Rural Communes in Land Tenure and Natural Resource Management Project (*Projet d'Appui aux Communes rurales de l'Ouest en matière de Gestion du Foncier rural et des Ressources Naturelles*, PACOF) financed by the French Agency of Development.

²¹ World Bank. "Country Partnership Framework (FY2018-2023)", p.53.

²² Gaddis, I. et al. 2018. "Gender Gaps in Property Ownership in Sub-Saharan Africa". *Policy Research Working Paper 8573*. WBG, p.34.



(CPF) for Burkina Faso for the period of FY2018-2023 (Report No. 123712-BF)²³

14. **Land information is mostly paper-based and the existing digital information is scattered across different systems that are not interoperable, partially functional, and not secure.** Separate land information management systems have been developed at central and municipal level to support the registration and delivery of APFRs, streamline the processes for issuing land titles, and manage information related to lease agreements and property taxes. Land information is often georeferenced in different local projection systems, hindering the constitution of an integrated and coherent cadaster. Operating difficulties are linked to various technical issues (unreliable telecommunication network, faulty infrastructure, and power outages) and lack of capacity. Most importantly, the lack of interoperability can result in different institutions assigning distinct rights to the same parcel, a risk that may trigger land disputes and erode social cohesion.

15. **Initiatives for the digital transformation of land administration and the adoption of a geospatial roadmap have recently been launched and need additional support.** To increase efficiency and transparency of land management, two web-based platforms aimed at assessing land and real estate value (SIEBI) and managing cadastral and land information (SYCAD) were recently developed by the Government with support from the Danish development cooperation. These platforms remain to be tested, integrated and rolled out nationwide, and an efficient network and server infrastructure must be set up for their effective performance. In parallel, the Government has started to lay the core foundations of a National Spatial Data Infrastructure (NSDI) in collaboration with the UN Global Geospatial Information Management. The adoption of a geospatial roadmap will help government agencies to agree on common data standards, mutualize investments in geospatial services and infrastructure, and eventually make land and mining information interoperable with other common territorial datasets for better natural resources and land use management, thereby enhancing the possibilities for a climate resilient development. Currently, additional resources and technical expertise are required to advance this agenda.

The Mining Sector

16. **Mining brought the most important structural change to Burkina Faso's economy over the last decade.** Its share of GDP increased from 0.8 percent in 2008 to 10.4 percent in 2019; and of export from an insignificant number to about 70 percent for the same period. The sector provided about US\$500 million in government revenues in 2019, over 11,300 direct jobs from 16 industrial mines and 40,000 indirect jobs. An estimated 500,000 to 1,000,000 people work in ASM. COVID-19 has had a limited impact on mining production which was in fact positively affected by COVID-19 induced higher prices for gold. Burkina Faso has significant potential for manganese, bauxite, copper, nickel, zinc, limestones, and gold. The major growth in the sector has generated social, economic, and environmental impacts as well as expectations from citizens that are yet to be comprehensively addressed. Real or perceived insufficient benefits fuel conflicts in mining communities. Burkina Faso has more to do to increase and share mining benefits and make the sector a lever for sustainable socio-economic development²⁴.

17. **The most difficult challenge to mining relates to the high levels of insecurity in the country.** Security initiatives taken by the Government, including the creation of the National Office for Security in Mining Sites and mining companies' own security initiatives, have not prevented terrorism from affecting the mining sector. There

²³ CPF objectives 1.1, 1.4 and 1.5 aim to improve land tenure accessibility by women.

²⁴ The National Plan for Economic and Social Development (PNDES) set the following increase for mining: in GDP from 7.9% in 2015 to 10.2% in 2020; the local purchases in food consumption for miners from less than 14% in 2015 to 25% in 2020; local investments made by the mining industry from CFAF 2 billion in 2015 to CFAF 5 billion in 2020; direct jobs from less than 10,000 in 2015 to 20,000 in 2020.



were multiple instances of exploration and mine workers or their relatives being kidnapped or killed mostly on roads to and from mines in Burkina Faso. This insecurity is having significant (human and financial) cost impacts and has severely limited exploration. Security is estimated to represent 10 to 20 percent of operating costs for miners currently. While larger mines are coping with this cost, smaller mines and exploration companies are struggling at best. Mining production, however, has continued to remain strong due to the number of advanced projects which were in the pipeline before insecurity settled in the country. Gold production was 52.4 tons in 2018, 50.3 tons in 2019, and 60.7 tons in 2020. This is not the case for exploration which incurred 58²⁵ requests for title suspensions between 2019-2020. Beyond the loss of investments these will impact new discoveries and the replacement of reserves being mined currently. The Government has a critical role to play to enable further investments in mining and the Maximizing Finance for Development (MFD) by conducting, where securely possible, geological, geochemical, and geophysical mapping to reduce the risks for exploration, safeguard domestic revenue mobilization in the medium term and promote the diversification of mined minerals including those in demand for the green economy.

18. The ASM subsector is a source of livelihood for the poorest and most vulnerable but also informal, poorly managed, and source of environmental pollution, conflict, and illicit commercial practices. Officially exported ASM gold is less than a ton against estimates of annual production of 15-30 tons for the period 2006-2015²⁶. ASM is largely driven by poverty, the lack of alternative livelihoods in rural areas, and competes for land with other users with resulting periodic conflicts. Distress from the combined effects of the security, climate change, and COVID-19 increase the number of Burkinabe and migrants moving to this subsector. The RRA noted ASM as both a source of resilience (livelihood for millions including at times armed fighters) and potential conflict through mechanization/formalization if not managed carefully. Mechanization may be prone to elite capture to the detriment of communities if not handled correctly and in so doing drive fragility further. There are however premises for better management of ASM risks and improving its “social valve” functions in Burkina Faso. This could include the establishment of the National Agency for Support to Artisanal Mining (*Agence Nationale d'Encadrement des Exploitations Minières Artisanales et Semi-mécanisées*, ANEEMAS) which needs to be significantly supported if it is to be present in the field, provide extension services, enable inclusive ASM management, and support formalization.

19. Governance in the mining sector involves the participation of multiple agencies.²⁷ Oversight over the mineral sector is conducted through the Ministry of Energy, Mines, and Quarries (*Ministère de l'Énergie, des Mines et des Carrières*, MEMC) for regulatory and technical aspects, the ANEEMAS for ASM management, the Ministry of Economy, Finance, and Development (*Ministère de l'Économie, des Finances et du Développement*, MINEFID) and its tax, custom, and treasury departments for revenues collection, and the Ministry of Environment, Green Economy, and Climate Change (*Ministère de l'Environnement de l'Économie Verte et du Changement Climatique*, MEEVCC) for the environmental oversight. These institutions have made significant strides in increasing their capacities for oversight, but they still need further strengthening to close the legal and regulatory gaps, provide services and relevant sector information, and enable shared mining benefits. They also need to develop the necessary skills to meet the demands of private sector led mineral development and citizens.

20. Environmental management of the sector benefited from the Strategic Environmental and Social Assessment (SESA) conducted by the MEEVCC in 2014. Some of its recommendations were implemented through the Mineral Development Support Project (P124648- MDSP), but there are several important ones to still be

²⁵ Ministry of Mines – Burkina Faso. October 2020. “Impacts de la COVID 19 et de l'Insécurité sur les Activités Minières au Burkina Faso”.

²⁶ Parliamentary inquiry into the mining sector in 2016

²⁷ Governance refers to the abilities of the relevant ministries in transparently promoting, regulating, controlling, and monitoring the mining sector.



addressed. The MEEVCC still needs substantial support in strengthening its Environmental Impact Assessment (EIA) agency (which has now become autonomous), including advisory services in the short to medium term to help Burkina Faso in dealing with requirements for mine closure and the mitigation/management of related socio-economic challenges.

21. Burkina Faso has been implementing the Extractive Industries Transparency Initiative (EITI) and needs to continue toward mainstreaming it in its public management systems. The process has some ways to go to be effectively present in the mining districts and to become locally and nationally a platform for a more meaningful engagement and dialogue between stakeholders.

22. While the Government has been pleased with the contribution of the industrial mining sector to export revenues and, increasingly, fiscal revenues, its ambitions is for the sector to contribute more to sustainable development. If Burkina Faso is to succeed with economic integration of the mining sector, a number of developments are required: (a) the adoption of national policies for local content, establishment of an online platform to enable local purchase of goods and services by miners, and support to Small and Medium Enterprises (SMEs) for supplying miners with the standards required; (b) the establishment of governance mechanisms and capacities to enable economically productive and efficient use of the Mining Fund for Local Development (MFLD-funded by 20 percent of royalties collected and 1 percent of mining turnover) or to enable harmonized corporate social responsibility investments toward local and national development priorities (as opposed to the current largely isolated ad hoc approaches); and (c) an opportunistic approach to leveraging mining ancillary infrastructure. The broader macroeconomic management and fiscal decentralization are supported by World Bank budget support operations which have had several triggers on mining.

23. Gender issues are relevant to many aspects of the mining sector. While gender dynamics in the mining sector mirror those in the country, the conditions in ASM make them even more prominent. Burkina Faso does not have a mining sector-specific gender policy. A gender assessment in two ASM sites²⁸ indicated, among other issues, that: (a) poverty is the main driver for women involvement in ASM; (b) most women involved in ASM are not married;²⁹ and (c) issues of GBV are prominent.³⁰ A study by the International Labor Organization³¹ that surveyed the conditions of 61 youth in two ASM sites found that females were involved in lower paying jobs (crushing, washing, cooking, etc.) and were subject to GBV. Mining stakeholders in Burkina Faso point to: (a) an overall significant decline in females pursuing technical studies in the country resulting in fewer women with graduate level technical positions in the public and private mining sectors; (b) insufficient financial resources to carry out economic initiatives around mining activities; and (c) insufficient participation in the development and deployment of community development plans in general and mining corporate Social Responsibility (CSR) activities in particular with a resulting lower focus on gender-sensitive activities. Women are nevertheless involved in income-generating initiatives in both large-scale mining and ASM, and could have a large role to play in the deployment of CSR allocations, the MFLD, and local content undertakings.³² Gender monitoring and counseling activities in ASM, the promotion of ASM cooperatives for women, bursaries for geoscience related studies

²⁸ United Nations Industrial Development Organization (UNIDO). 2017. "Integration du genre dans le projet. Contribution à l'Élimination du Mercure et à l'Amélioration de la Chaîne de Valeur de l'Or dans le Secteur de l'Exploitation Minière Artisanale et à Petite Echelle au Burkina Faso".

²⁹ The gender assessment found that about 85 percent of women on the sites were divorced, 10 percent widowed, and 5 percent single.

³⁰ The gender assessment reported the following forms of violence by gender: language/verbal 120 cases for women and 75 for men; physical 13 for women and 22 for men; undesired pregnancy 24; sexual abuse 12; various litigations 19 for women and 45 for men

³¹ Étude sur les questions de genre, le travail des enfants et les pires formes du travail des enfants dans les mines et les carrières : le cas du Burkina Faso

³² The full scope of the gender analysis in this project is being defined in a study undertaken with the project preparation facility and it will inform project implementation.



targeted towards female students, dedicated training modules and micro-grants to support women's entrepreneurial initiatives are needed for the mining sector in Burkina Faso and will be supported by the project. These interventions together with the activities aimed at ensuring registration of land in the name of women (as measured by PDO indicator on titles and certificates of occupancy issued disaggregated by sex) align the project with the World Bank Gender Strategy and addresses the Pillar 3 (Removing Barriers to Women's Ownership and Control of Asset).

C. Relevance to Higher Level Objectives

24. **The proposed project is fully consistent with the 2017 Systematic Country Diagnostic (SCD), the CPF FY2018-2023 (Report No. 123712-BF) and the 2020 Risks and Resilience Assessment for the Sahel (RRA).** The SCD identified three top priorities necessary to end extreme poverty and increase shared prosperity in Burkina Faso: (a) improving natural resource management; (b) promoting skills development; and (c) reducing gender bias against women. The CPF proposes three Focus Areas: (a) accelerate sustainable private- sector led growth for job creation; (b) invest in human capital and social protection systems; and (c) strengthen governance and support citizen engagement (CE). The project addresses all three priorities of the CPF. It will strengthen the management of land and mining, support related skills development, enhance transparency and citizens participation and benefits from both sectors. The project is aligned with the PRA, which identifies competition over natural resources, poor land management, and the development of artisanal gold mining, all exacerbated by climate change, as significant conflict drivers. In response, the project will support the land and mining-related milestones of the PRA by establishing inclusive practices in land management, natural resources, and extractives, which constitute one of the four key strategic priorities of the PRA. This will be achieved through the establishment of SFRs, the establishment of inclusive communal charters for the management of ASM, and support to mining local content and communities development. The project is also in line with the World Bank's corporate agenda, including shared prosperity, MFD, climate change and more collaboration and synergies with the International Finance Corporation (IFC).

25. **Project activities are designed to support good governance in the land and mining sectors.** Securing land tenure and enabling efficient and transparent land markets are indispensable conditions to support good governance, promote rural development (including agriculture and forest protection), and improve urban development and planning. Project activities related to the land sector will directly support objective 3.3 in the CPF (Support to Decentralization) by strengthening SFR, CFV and CCFV. The mining interventions are designed to support governance and greater economic inclusion—that is, shared prosperity—of the mining sector, particularly but not solely to communities in the vicinity of mines and for artisanal miners. They will also support improved provision of goods and services to mining operations and miners; better regulations and a more inclusive management of ASM and support an improved implementation/use of the MFLD to finance sustainable socio-economic investments for rural mining areas. The exclusion of classified forests from mining licensing, better management of ASM and improved approaches to mine closure will reduce loss of trees and deforestation with corresponding impacts on climate change. Digitally securing land rights and providing spatial planning tools including harmonized geospatial datasets and a property valuation system will also support the country in achieving its climate change adaptation and mitigation objectives. There will also be a special emphasis on gender on all aspects of mining management.

26. **The project is aligned with the World Bank Group (WBG) COVID-19 Crisis Response Approach Paper,**³³ in particular Pillar 3 (Ensuring sustainable Business Growth and Job Creation) and Pillar 4 (Strengthening Policies,

³³ World Bank. 2020. "Saving Lives, Scaling-up Impact and Getting Back on Track: WBG COVID-19 Crisis Response Approach Paper."



Institutions and Investments for Rebuilding Better) as it contributes to enhancing livelihoods of poor rural communities, resilient recovery, and rebuilding better the economy of Burkina Faso. It fits with the recalibration of Burkina Faso's portfolio to support the country in facing up to the challenges of the COVID-19 (See Annex 2).

II. PROJECT DESCRIPTION

A. Project Development Objective

PDO Statement

27. The Project Development Objective is to improve national land and mining administration services, register land rights in selected municipalities, and foster inclusive benefits sharing from the mining sector.

PDO Level Indicators

A. *Improve national land and mining administration services*

- (i) Time to register land certificates and titles reduced (days)
- (ii) Time to register urban occupancy certificates reduced (days)
- (iii) An online platform matching the demand and supply for goods and services is established
- (iv) Policy for making mining assets and anomalies discovered during geoscientific investigations accessible to prospective investors is approved

B. *Register land rights in selected municipalities*

- (i) Titles and certificates of occupancy issued (Number)
 - Rural land possession certificates issued (Number)
 - Urban occupancy certificates issued (Number)
 - Land titles issued on demand (Number)
- (ii) Women who receive a title and/or certificate of occupancy in their name or jointly (Percentage)

C. *Foster inclusive benefit sharing from the mining sector*

- (i) 30 ASM Management Charters established (Number)

B. Project Components

COMPONENT 1: STRENGTHENING OF THE LEGAL FRAMEWORK AND INSTITUTIONAL DEVELOPMENT (US\$35 MILLION EQUIVALENT)

28. The objectives of this component are to clarify and make more inclusive the legal, regulatory, and institutional frameworks of the land and mining sectors, increase the capacity of institutions to carry out reforms, regulate the two sectors, provide services, and improve efficiencies and inter-institutional coordination and cooperation. This component will identify gaps and support relevant revisions of existing and drafting of new legal instruments, support the operationalization of institutional structures, the development of inter-institutional coordination schemes, the provision of infrastructure, equipment and tools to institutions, and deliver capacity building programs. It targets both immediate land and mining priorities brought about by the fragile context of



the country as well as those related to their medium-term development challenges. Activities under this component are expected to support climate adaptation and mitigation by: (a) strengthening capacities in land and natural resources management; (b) improving access to geospatial information for climate resilient planning; and (c) strengthening the mine closure framework and the regulation of artisanal mining.

Subcomponent 1.1: Legal and Regulatory Updates (US\$3 million)

29. **1.1.1 Legal and Regulatory Framework in the Land Sector:** The project will support the revision of existing laws and regulations to harmonize and improve the legal framework concerning land and property administration and management. The project will support activities to: (a) carry out a review and propose the necessary revisions to harmonize existing legal texts for improved land administration and management; (b) prepare and propose draft regulations for long-term leases on state and municipal lands; (c) prepare and propose draft amendments to laws related to the functioning of land agencies and the assessment and collection of property taxes; and (d) prepare draft regulations for the introduction of digital transformation in land services, and the improvement of registration procedures in a gender sensitive way, including joint issuance of land certificates, improved access for women to land services and better representation of women in land agencies and local commissions.

30. **1.1.2 Legal and Regulatory Framework in the Mining Sector:** The project will address policy, legal, regulatory, and institutional gaps and insufficiencies constraining a better management of the mining sector. It will support activities to: (a) prepare a strategy for a low-carbon development of the mining sector; (b) drafting regulations for the exclusion of protected forests areas from mining licensing; (c) prepare or update relevant mining policies, and draft laws and regulations, including those related to the fiscal framework for ASM; (d) prepare guides and procedural manuals to oversee local content provisions and the management of funds earmarked for community use; (e) draft mineral-related environmental regulations and guides that focus on protecting forests areas and inform higher climate mitigating reforestation of degraded land upon mine closure; and (f) draft proposals for other mining sector related regulations, standards and guides for various departments and agencies impacting inclusive mining management. The low carbon development strategy will include the vision, objectives, timing and approaches toward the realization of Burkina Faso's Nationally determined contribution goals related to mining and its pathways toward sector related low carbon emission for energy and transport needs, mitigation of water related risks (floods/drought, mining communities, and water use) or optimizing opportunities for Burkina Faso in contributing to and leveraging green growth. The project will support regulatory improvements for the integration of climate change considerations in mining operations

Subcomponent 1.2: Institutional Development (US\$23 million)

31. This subcomponent will support the operationalization of institutional and regulatory structures, the implementation of policies and strategies for inclusive governance of natural resources, and the development and implementation of capacity building programs to train staff.

32. **1.2.1 Institutional Support to the Land Sector:** The subcomponent will contribute to the strengthening of institutions by providing technical assistance and training. The project will finance activities to: (a) facilitate the operations of the Commission for the Evaluation and Control of Land Operations, the inter-ministerial commission responsible for deliberating on the transfer of land to real estate developers; (b) support the implementation of the Inter-Institutional Plan for Modernization and De-concentration (*Plan Inter Institutionnel de Modernisation et de Déconcentration*, PIIMD); (c) train staff of relevant institutions (including in the judicial sector) on land administration as well as climate and gender-sensitive land conflict resolution; (d) disseminate the law on expropriation for public utility and compensation of affected persons; (e) participate in study tours to learn about other countries' experiences with land administration and territorial management; (f) provide scholarship for



excellence for female students in land administration; (g) update the curriculum of the National School of Public Administration (*Ecole Nationale des Régies Financières*, ENAREF) for land administration professionals including SFR staff and provide teaching materials for training; and (h) provide support to municipalities selected in accordance with the criteria set forth in the Project Implementation Manual (PIM) for the establishment or strengthening of local land administration structures. in selected municipalities.

33. 1.2.2 Institutional Support to the Mining Sector: The subcomponent will strengthen the capacities of key institutions managing the mining sector and their coordination to ensure proper oversight. The project will support: (a) the MEMC in controlling and monitoring mining operations, collecting and disseminating periodic mining statistics, enabling the socio-economic inclusion of the mining sector to improve resilience, building two energy efficient office buildings (with LED lights, efficient building materials, and optimized ventilation), promoting a low carbon development of the sector; (b) the MEEVCC in strengthening its oversight capacities for mining, controlling mine closure plans, conducting mining related environmental awareness campaigns and sensitization, completing the delineation of classified forests and preventing their overlaps with mining licenses, promoting climate friendly revegetation of closed mines; (c) the MINEFID on strengthening mining tax collection administration systems, capacities and processes to drive compliant payments from miners; and (d) the School of Engineers at Fada and other training institutions selected in accordance with criteria set forth in the PIM in developing earth sciences curricula including those related to low carbon mining (as described in activity above), enabling distance learning, training of trainers, and providing scholarships for female students in earth sciences. The promotion of the low carbon development of the sector will include advocacy and capacity building to further the use of renewable energy to power mines, low carbon emission transport systems, climate sensitive approaches to flood/drought management for mining, water pollution prevention, dams stability, and training related to these matters.

34. 1.2.2.1 Institutional Support to a Decentralized Management of the ASM: The project will facilitate ANEEMAS's gradual expanded decentralized presence on the field in regions, prefectures and sites of significant ASM production concentration (Centre-Nord, Sud-Ouest, Nord accounting for some 80 percent of ASM gold production) feasible within the security context of the country to implement Burkina Faso's ASM strategy. The project will: (a) support a rapid decentralized deployment of ANEEMAS through strengthening the human resources and equipment of ten existing offices and the establishment of ten new ones to advance field based control and monitoring of artisanal mining sites, and the provision of extension services including on geoscience, mining, environment, and licensing; (b) the provision of ASM cards/certificates to artisanal miners learning from ASM property registration good practices; (c) the promotion of environmentally-friendly processing technologies and awareness about the use of banned chemicals; (d) the promotion of inclusive ASM management in rural areas through the establishment of Artisanal Mining charters and improved marketing ASM products; (e) the establishment of a web-based monitoring platform to monitor GBV and children's presence in ASM sites together with remediation support and advisory mechanisms including through partnerships with experienced local and international Non-Governmental Organizations (NGOs) in accordance with criteria and terms of reference (ToR) set forth in the PIM; (f) the establishment of cooperatives for ASM; and addressing drivers of conflict and risks to women and children, through the provision of (g) cash transfers pilots to incentivize removing children from artisanal mining work and their enrolment into education/training , and (ii) micro grants to support alternative livelihood programs by women cooperatives primarily around ASM.

Subcomponent 1.3: Inter-Institutional Coordination and Integrated Decision Support Systems (US\$9 million)

35. 1.3.1 Spatial Data Harmonization and Geodetic Network Strengthening: This subcomponent will support institutional cooperation and partnerships for integrated territorial management through the enabling of multi-



use data (land, mining, forestry, agriculture, etc.) sharing for informed and sustainable land use management and planning with respect to protecting forests and improving land degradation for the land and mining sectors. It will support the establishment of an architecture for common data interoperability and data exchange including the principles, standards, modularity, scalability, and autonomy useful between relevant land, mining and other sectors domains to reduce cost and enable digital links/exchange of new or existing data systems. The project will finance activities to: (a) finalize the NSDI strategy; (b) develop instruments and procedures for data storage, management, and sharing of spatial data; (c) design a platform to integrate geospatial datasets to support decision-making; (d) strengthen the geodetic reference system by adding 11 stations to the 13 existing stations in order to densify the geodetic network; (e) strengthen the core foundation of a NSDI for better interoperability of geographic datasets, using orthophotos and images acquired through the project to support the development of a cadastral layer in the project area; (f) establish specific interoperability and data exchanges within ministries in charge of mines (Mining Cadastre, Bureau of Mines and Geology of Burkina Faso [*Bureau des Mines et de la Géologie du Burkina Faso*, BUMIGEB] and MEMC) and between key ministries involved with land and mining such as the Info-center located at the Directorate General for Taxation (*Direction Générale des Impôts*, DGI) at MINEFID to enable compliant mineral payments, or connection with MEEVCC regarding the exclusion of classified forests areas from mining licensing; (g) strengthen the National Observatory of Territorial Economy to facilitate the collection, sharing, and analysis of economic data at the local and regional levels; and (h) strengthen the National Urban Observatory to support the monitoring and evaluation of urbanization policies. Activities of this subcomponent will enable the collection, management and dissemination of land, mining and other common territorial datasets that will be key for planners and decision makers to enhance climate resilient planning, and for the academia and NGOs to monitor climate change and strengthen early warning systems. Standardized land use data and relevant risk information will also help decision makers and planners assess and manage risk exposure to natural hazards through land-use zoning and by selecting strategic location for critical infrastructure.

36. **1.3.2 Institutional Cooperation and coordination.** The management of land and mining requires support, coordination, and cooperation between various departments at central, regional and local levels. Agriculture, gender, education, decentralization departments all have specific roles and responsibilities for a proper management of the sectors. The project will provide: (a) training and equipment for relevant departments including those in charge of agriculture, gender, children, decentralization, and education to promote an inclusive and climate resilient management of land and mining including awareness of climate change risks and impacts; (b) consultative coordination of inter-ministerial group of experts for land and mining matters supported by external facilitators and coaches to assist in establishing more efficient communication channels to properly use the Information Decision Support System tool and other related modules which have a wide inter-ministerial reach; (c) support for addressing drivers of conflict and risks to gender and children, and to stimulate income generating activities; and (d) security protocols with police and gendarmes in the areas of operations of BUMIGEB, ANEEMAS, and land agencies to mitigate security risks for project activities.

COMPONENT 2: STRENGTHENING OF LAND AND MINING INFORMATION MANAGEMENT AND IMPROVING LAND TENURE SECURITY (US\$72 MILLION EQUIVALENT)

37. The objective of this component is to modernize information management systems in land and mining and strengthen land tenure security through capacity building and systematic registration of land rights. This component will support the production of cadastral base maps, the development of a new Land Information System (LIS), the modernization of the mining cadastre, the collection of geo-data, and the provision of capacity building to support land registration and the systematic registration of land rights. The delineation of classified forests and their exclusion from mining licensing and climate friendly revegetation of closed mine land sites will



contribute to the country's climate adaptation efforts. Securing land rights will also facilitate temporary relocation and resilient recovery in the case of a disaster by ensuring that displaced populations will get their land back upon their return home.

Subcomponent 2.1: Mining Cadastre and Geo-Data Collection (US\$23.5 million)

38. **2.1.1 Mining Cadastre:** This subcomponent will support the ongoing modernization of the mining cadastre and enable its financial sustainability to ensure the continuity of undertaken reforms through activities to: (a) restructure the cadastre to make it financially more sustainable; (b) exclude approximately 671,000 hectares of classified forests from mining licensing and incorporate other land uses in mining license systems to improve transparency and reduce potential conflicts and unlawful overlaps; (c) optimize the time required to process and issue permits; (d) support IT and connectivity requirements with other government systems, data interoperability, scanning and digitizing of historic physical concession reports and maps, archives and technical information compulsory for maintaining the mining licenses , etc.; and (e) train, equip, and provide tools to the staff in the mining cadastre.

39. **2.1.2 Geodata Collection and Management:** This subcomponent will improve the knowledge and access to geological information to minimize investment risks and promote sound, transparent, and inclusive economic development through activities to: (a) assess approximately 15 existing targets or anomalies, particularly with respect to, *inter alia*, base metals, lithium and rare earths (minerals critical for the *green economy*); (b) compile and analyze existing data to develop new targets and acquisition of new geophysical, geochemical and geological data at a scale of 1:50 000 for 20 maps and 1:100 000; (c) develop a web-map application/portal demonstrating the value of common territorial datasets easily adaptable to a myriad of non-mining applications; (d) strengthen and expand the geographic information systems (GIS) into an IT hub enabling interconnection between agencies within the MEMC, MINEFID, and other departments; and (e) train staff, provide tools and equipment to BUMIGEB and support its promotional activities. The mapping targets minerals in short supply for the development of renewable energy to enable Burkina to potentially tap into expected high market demands for minerals by the low carbon economy.

40. **2.1.2.1 Prospectivity Mapping for ASM.** This subcomponent will estimate approximative value of nonproducing mineral properties or exploration assets, as they are given back to Government, to assess their amenability for ASM, and develop a strategy for ASM prospection that reduces unlawful encroachments in existing licenses and the current unscientific practices. This activity will support the MEMC and ANEEMAS in: (a) prospecting specific sites amenable to ASM to gradually drive an orderly, data-driven, and formalized approach to the activity; (b) completing geophysical, geochemical and geological surveys to inform improved approaches to ASM; and (c) collecting data from continuous subsurface sampling and augering for modelling mineral deposits in sites under ASM to inform better, safer and more productive mining techniques.

Subcomponent 2.2: Infrastructure Improvement and Equipment for Land Administration (US\$28.5 million)

41. **2.2.1 Buildings and Equipment:** The subcomponent will support the development of energy efficient infrastructure and the provision of equipment to improve the performance of institutions in the land sector, including solar panel powering, LED lighting, efficient building materials, optimized ventilation and improved insulation. The project will finance activities to: (a) rehabilitate or build and equip SFR offices in selected municipalities in the four regions of the project area, as further detailed in the PIM; and (b) provide the hardware, software, connectivity, and furniture required to operate the cadastral offices at national and regional levels, including equipment for the processing, storage and archiving of cadastral and registry documents.

42. **2.2.2 Digitization of Records and Cadastral Base Mapping:** This subcomponent will finance activities to



carry out the conversion in digital forms and georeferencing of cadastral maps and related documentation, in coordination with the Luxembourg Cooperation (LuxDev) who is planning to carry out these activities in the two main cities (Ouagadougou and Bobo-Dioulasso). It will also finance the digitization of land registry records, including both private and public properties (*livre foncier, titres de jouissance*) to enable the integration of all these data in the LIS. The project will finance activities to: (a) prepare a methodology and field strategy for cadastral activities; (b) scan, index, and archive all documents and data linked with the cadaster and land registry using an electronic document management system that will be connected to the LIS; and (c) acquire orthophotos and images, including with Light Detection and Ranging (LIDAR) technology when relevant to support the development of cadastral maps in 20 municipalities. These maps, which will include both land and buildings, will support systematic registration activities, as well as the mass valuation work financed in the four main cities under Subcomponent 3.3.1. In areas threatened by climate variability and flooding, the acquisition of orthophotos can support discussions with community groups on which areas may no longer be safe for habitation and whether planned relocation is necessary.

43. **2.2.3: Land Information System:** This subcomponent will finance activities related to the development, operation, and maintenance of a new integrated LIS to make land transactions more secure, reliable, and efficient, allow interoperability between other relevant systems, and facilitate access to land information and online services to different types of users (public sector, private sector, and the public in general). The new LIS, which will be developed in consideration of the existing systems, will link land information that is currently managed and stored in such systems. The project will develop the LIS by carrying out activities to: (a) prepare feasibility studies and technical specifications, including user needs; (b) conduct business process reengineering (in coordination with LuxDev); (c) strengthen the performance and coverage of the state's computer network (**National Computer Network of the Administration** [*Réseau Informatique National de l'Administration*, RESINA]) and upgrade the local networks at the various sites where the LIS will be installed (municipalities, Property Revenue and Land Publicity Office [*Recette des Domaines et de la Publicité Foncière*, RDPF], Office of Cadastral Services [*Service du Cadastre et des Travaux Fonciers*, SCTF], GUF); (d) strengthen the capacities of the Unit of Information Technology at the DGI to manage the LIS, a Data Center and a Disaster Recovery Center; (e) deploy the LIS to selected offices connected to the RESINA network and develop training materials for the users; (f) migrate existing data into the new LIS; and (g) develop a Geoportal to allow multiple stakeholders to access land and geospatial information. The project will support improvements to the existing systems to ensure their operability in the transition period, until the new LIS becomes operational. Digitizing land information and storing it in a central database made accessible to the population through the LIS will contribute to reduce use of paper and vehicle usage (to visit land registry or cadastral offices), and prevent the data needed for disaster recovery from being lost during flooding.

Subcomponent 2.3: Land Registration (US\$20 million)

44. **2.3.1 Technical Assistance to Land Services:** The project will support activities to: (a) provide technical assistance, including the recruitment of technical personnel at selected SFRs, to strengthen the government capacity at both central and municipal level to provide cadastral and registration services; (b) train government staff on the procedures for issuing APFRs and other land occupations titles, and for participating in and supervising systematic registration; (c) train local-level structures determined in accordance with criteria set out in the PIM on alternative conflict resolution mechanisms in land registration, including in the case of post-disaster recovery and planned relocation caused by climate variability; and (d) acquire land books and other registration materials for the SFRs.

45. **2.3.2 Systematic and On-demand Land Registration:** This subcomponent will support the first-time registration of land rights focusing on selected peri-urban and urban areas. Selected rural areas (eight municipalities) will also benefit from systematic registration. The project will finance the registration of APFRs for



individual and collective landholdings in rural areas and land occupancy titles (such as PUH) in peri-urban and urban areas,³⁴ following a systematic process that is initiated by the Government (rather than demand-based) and covers all properties in a selected area. The delivery of these documents will be done at very low cost for the beneficiaries.³⁵ The beneficiaries will subsequently have the option of requesting the conversion of these documents into full ownership titles (*titre foncier*) by paying the related fees and taxes. Systematic registration, which will utilize the cartographic materials that will be provided under Subcomponent 2.2.2 to support area-based adjudication, will include activities to: (a) develop a detailed, participatory, and fit-for-purpose methodology for the systematic registration activities; (b) sensitize and consult communities, citizens including at least 40 percent of women, civil society organizations, and customary authorities about the operations of systematic registration to ensure that they are able to participate in the field activities and understand the systematic approach; (c) conduct an inventory of existing land rights and natural resources in the municipalities (both rural and urban) selected in accordance with criteria set forth in the PIM; (d) carry out public viewing of the collected data and field validation; (e) promote the resolution of land conflicts through conciliation; (f) support the registration and delivery of land certificates and titles, including at least 30 percent of women receiving a title and/or certificate of occupancy in their name or jointly; (g) carry out the first-time registration of state and municipal lands; and (h) register and transfer ownership of selected properties from the state to municipalities. To ensure appropriate participation of all groups of society and particularly women, migrants, pastoralists, ethnic minorities in registration activities, this subcomponent will support: (a) continuous communication and information sharing at the local level about land rights and options for registration, through local radio, community meetings, printed material, and relevant cultural channels; (b) extensive consultation of communities before and during the registration process; (c) adequate representation in local land structures (CFVs); and (d) accessibility of the Grievance Redress Mechanism (GRM) and the channeling of grievances and complaints into the appropriate channels. The systematic registration methodology to be developed with project support and approved by the World Bank before the start of field activities will detail consultation processes as well as conflict resolution mechanisms. The project will further support the on-demand process for the issuance of ownership titles (*titres fonciers*) (for which a demand for registration has already been submitted), through the provision of technical services (for delimitation and valuation) and technical assistance to expedite registration procedures. To increase competition for systematic registration effort and reduce the cost per unit, the participation of international companies with proper resources and technology will be key. Due to the sensitivity of land issues, local service providers and civil society organizations with relevant experience in the area will be critical partners for the implementation of these activities. Service providers will closely coordinate with land institutions at both national and decentralized level that will be responsible for the overall supervision and quality control, and cooperate with municipalities, customary authorities, and Civil Society Organizations (CSOs) during the sensitization campaign and the undertaking of field activities. Land institutions will benefit from the transfer of know-how for conducting systematic registration. The authorities will rely on the resulting cadastral mapping at the parcel level to enhance climate resilient land-use planning and the protection of natural resources, and to mainstream land issues into adaptation plans. Securing land rights will support sustainable resettlement conditions for temporarily displaced populations whose parcel boundaries may have disappeared as a result of destructive floods. In addition, secured land rights will directly contribute to climate adaptation by encouraging smallholders to plant trees and adopt

³⁴ APFRs are registered in the SFRs and the Urban Housing Permits in a dedicated registry in the Land Registry Offices.

³⁵ The project will explore the possibility of waving all registration costs for those beneficiaries who cannot afford to pay related fees.



climate-smart agriculture techniques,³⁷ and making climate resilience measures more acceptable.³⁸ Secure land tenure systems can also increase resilience, with farmers feeling more comfortable to leave during a disaster, and reduce incentive for conflict over land.

COMPONENT 3: FOSTERING SOCIO-ECONOMIC INCLUSION AND COMMUNITY DEVELOPMENT (US\$32 MILLION EQUIVALENT)

46. The objective of this component is to promote transparency and participation in the management of land and mining resources as well as to contribute to sustainable alternatives for community development. The component will support stakeholder participation in land policy dialogue and land rights registration, transparency mechanisms in the management of mining resources, the provision of local content for mining operations, improved mining communities' development approaches, the fiscal autonomy of municipalities to support decentralization, and land use planning instruments and strategies to promote sustainable territorial management and improve soil conservation. Increased capacity in land use planning is expected to directly contribute to the prevention of desertification and deforestation.

Subcomponent 3.1: Transparency and Citizen Engagement (US\$6.5 million).

47. **3.1.1 Transparency and Citizen Engagement in the land sector:** This subcomponent will support transparency in the land sector by: (a) establishing a forum to discuss land issues with key stakeholders; (b) strengthening the land conflict resolution system at all levels, as well as implementing a grievance redress mechanism to provide social monitoring during the process of systematic registration; (c) sensitizing CSOs and customary authorities on questions of land administration and territorial management; and (d) implementing additional measures to ensure that women benefit from land registration, including inclusion in local/community committees, campaign on women rights and the benefits of women empowerment, and potentially the implementation of incentives to support joint titling.

48. **3.1.2 Transparency and Citizen Engagement in the mining sector:** The project will support transparency and the demand for accountability in mining through: (a) strengthening EITI reports and requirements; (b) the establishment of consultation frameworks between the mining communities, the Chamber of Mines, and public departments on benefits and impacts of the sector; (c) citizen engagement, including consultations and a two-pronged GRM with communities that will be impacted by the project interventions, periodic engagements and feedback collection gatherings, awareness campaigns and the dialogue with CSOs; and (d) other activities affecting transparency, accountability and good governance in the ASM and industrial mining subsectors including reports on the functioning and impacts of the ASM Management Charters, and reporting on the use of renewable energy to power mines, low carbon emission transport systems, and other climate sensitive approaches to mining in Burkina Faso.

Subcomponent 3.2: Local Content and Community Development (US\$16 million)

3.2.1 Local Content: This subcomponent will support the implementation of the national strategy for the development and promotion of local supply of goods and services to mining operations through activities to: (a) support the operationalization of Burkina Faso's local content strategy at the national and mining districts levels; (b) establish a bonded/customs warehouse for local content, a digital market place (*Bourse des Achats Locaux*, BAL), to match the demand and supply of goods and services to mining operations; (c) introduce SME

³⁷ Y. Bambio, S. Bouayad Agha. 2018. "Land tenure security and investment: Does strength of land right really matter in rural Burkina Faso?", *World Development* 111, 130–147.

³⁸ UN- HABITAT. 2019. Land tenure and climate vulnerability.



categorization/labelling, and strengthen the technical, financial and management capacities of suppliers of mining goods and services; (d) launch a women entrepreneurs' program with dedicated modules; (e) promote financing for small/medium enterprises through outreach activities targeting financial institutions to facilitate financing for contracts entered into through the digital market place; and (f) support the activities of the Chambers of Mines and Commerce, mining companies, other initiatives aimed at promoting local purchases, the assessment and design of mitigation to climate change related disruptions to the supply chains of the mining sector due to extreme weather, and other initiatives aimed at promoting local purchases and periodic peer to peer learning events. This subcomponent will advocate for financing for SMEs for contracts entered through the BAL and help local content strategies accounting for potential climate change related disruptions to logistics.

49. **3.2.2 Community Development:** This subcomponent will support enhanced mining community development initiatives and alternative livelihood programs to improve the developmental impacts of mines. It will: (a) strengthen community leaders and the mining communities to improve coordination and the rational use of resources; (b) support the implementation of the MFLD, through the drafting of a manual of procedures for the use of the MFLD to consider social (including gender, youth, and vulnerable people), environmental (risks screening and mitigation) and economic dimensions; (c) promote catalytic partnerships between the MEMC and mining companies CSR investments including the expansion of existing successful experiences; (d) provide technical assistance for designing and implementing communal/regional economic development plans for land use. The plans will take into consideration climate change and its impact on soil fertility, drought, and flooding in three communes covered by this project and hosting industrial mining operations. They will identify potential climate change-induced pressure points between communities and miners over competition for resources (water and energy), develop a related guiding framework for climate adaptation and cross-industry collaboration. The above supported activities will target women and youth livelihood activities developed around mines and land resources and their participation in the development and implementation of local development plans to ensure that activities are gender and youth sensitive. The activities that will have a strong emphasis on increasing gender-related economic impacts include: (i) training and peer to peer learning events to improve the organization and functioning of women organizations working on gender in mining; (ii) training programs on community level climate adaptation strategies to strengthen women's capacity to develop alternative income generating activities around mining and to prevent child labor in ASM; (iii) microcredits to support income generating activities around mines; and (iv) other gender related activities around mining.

Subcomponent 3.3: Mass Property Valuation and Territorial Management (US\$9.5 million)

50. **3.3.1 Mass Property Valuation.** This subcomponent will support decentralization by improving the capacity of municipalities to assess and collect property taxes, and as such their financial sustainability. Activities included in other components will contribute to this objective. The legal revision of property taxation under Component 1 will contribute to the reorganization of the land institutions in charge of collecting taxes, including property taxes. The preparation of cadastral maps that include building information under Component 2 will contribute to the development of a data layer for property assessments.³⁹ The project will carry out a mass valuation of properties (land and buildings) in the four largest cities in the country, which are located within the project area, pursuant to criteria set forth in the PIM. This work will build on pilot activities carried by the Government with the support of the Danish Cooperation, which were recently completed (September 2020) and included the development and testing of a methodology in the capital city. It will also complement the Prior Action in the current Development Policy Operation⁴⁰ (DPO) series targeting the adoption of a decree establishing a

³⁹ During the first year, the project will be able to make use of existing geospatial data collected by the project supported by the Danish Cooperation.

⁴⁰ P173529 - Burkina Faso Third Fiscal Management, Sustainable Growth, and Service Delivery Development Policy Financing.



property valuation system to enable the implementation of mass appraisal operations in the municipality of Ouagadougou. This will contribute to expediting recovery by facilitating systematic evaluation of disaster damage and the development of climate disaster compensation and insurance schemes.

51. **3.3.2 Territorial Management and Land Use Planning.** This subcomponent will support activities to strengthen the government capacity at both central and local levels for territorial management, and the development of spatial planning tools. The project will finance activities to: (a) prepare and disseminate a strategy to implement the Law on Territorial Management and Sustainable Development; (b) establish the councils at the regional, provincial, and municipal levels that are required for the implementation of this Law; (c) prepare and implement a strategy for the delimitation of municipalities in pilot municipalities; (d) prepare Territorial Management and Sustainable Development Plans for selected regions and municipalities; (e) prepare Master Plans for Development and Urbanism in urban municipalities; and (f) prepare Land Use Plans in rural municipalities to better organize and plan the development of the areas concerned and protect agricultural land. Activities of this subcomponent will have a direct impact on protecting natural and flood-prone areas, limiting urban sprawl, and fostering a sustainable urban development by promoting urban densification and a more balanced spatial distribution of activities in urban and rural areas through land-use zoning and regulation.

COMPONENT 4: PROJECT MANAGEMENT, MONITORING AND EVALUATION, AND KNOWLEDGE DISSEMINATION (US\$11 MILLION EQUIVALENT)

52. This subcomponent will support MINEFID Project Implementation Team (PIT) and MEMC PIT in fulfilling their responsibilities in the administrative, technical, fiduciary, and monitoring and evaluation (M&E) functions. These include: (a) drafting or updating all the relevant manuals and project management plans; (b) providing support to the Review Committee and implementing its recommendations; (c) preparing annual work plans and budgets, monitoring and evaluating the implementation of the work plan; (d) preparing all required reports, including the mid-term review and final evaluation; (e) staffing, training, and acquiring software, hardware, and logistics required to support project implementation; (f) training, carrying out surveys and other studies to measure the indicators in the results framework and evaluate progress; (g) disseminating information, and liaising with civil society organizations; and (h) coordinating activities with NGOs contributing to project implementation, including the social monitoring of the systematic registration campaign.

53. This subcomponent will finance the functioning of two PITs, one for land and one for mining, with two project leaders responsible for overseeing procurement, disbursement, financial management (FM), M&E activities, and technical staff and advisory services necessary to support implementation activities. In accordance with the current legislation, the Government will appoint a project coordinator (Head of a Budget Program), who will liaise between the project and the country systems.

54. **COVID-19 and its impacts will inform project implementation**, particularly regarding the ASM which has witnessed increased activity as the lives and livelihoods were negatively affected by the pandemic. The project will contribute toward medium- to long-term economic and social development during the post-COVID-19 recovery phase, focusing on increased productivity and mitigation of ASM COVID-19 constraints.

55. **A tailored spatial deployment of project activities is planned** with activities initially implemented in the low to medium intensity conflict areas (see Annex 4). The project is not anticipating deployment in high intensity conflict areas. The rural land interventions, BUMIGEB's geoscience investigations and ANEEMAS field offices deployments will be done with support from Burkina Faso's public security apparatus, as needed. Based on the experience developed during the implementation of the MDSP (P124648) specific case by case conventions, based on conditions in specific areas of project interventions, will be signed with the national security agencies



(gendarmes and police) to finance their support to securing people and project activities. In addition, when relevant, as determined in a security assessment, alternative supervision of the project activities will be pursued.

56. **Counterpart funding** will be sought to address the need for resources needed for implementation activities that are ineligible for World Bank funding. A dedicated treasury account will be opened for this purpose.

57. **No land acquisition or compensation** will be paid from project funds.

COMPONENT 5 - CONTINGENT EMERGENCY RESPONSE COMPONENT (CERC) (US\$0.0 MILLION)

58. This contingent emergency response component is included under the project in accordance with World Bank's Investment Project Financing (IPF) Policy, paragraphs 12 and 13, for situations of urgent need of assistance.⁴¹ This will allow for rapid reallocation of project proceeds in the event of a natural or man-made disaster or crisis that has caused or is likely to imminently cause a major adverse economic and/or social impact.⁴²

C. Project Beneficiaries

59. The direct project beneficiaries include mostly land rights holders in peri-urban and rural areas (individuals and collectivities, including at least 30 percent of women) in selected municipalities targeted by the project for systematic registration. Land rights holder in urban areas covered by the project will also directly benefit from improved institutional capacity to deliver land services and title registration. Local communities in mining areas will benefit from an improved regulatory framework, the MFLD, the ASM mining charters, and combating of the use of prohibited chemicals. The direct institutional beneficiaries are: (a) the MINEFID, the State Secretariat in charge of land planning, the DGI, and other MINFID related central and local departments and agencies which will benefit from technical assistance, capacity building, and equipment; (b) MEMC and its key departments and dependencies, including BUMIGEB, ANEEMAS, the mining cadastre, which will benefit from technical assistance, capacity building, and equipment; and (c) the MEEVCC and its key departments, including the Directorate General for the Preservation of the Environment (*Direction Générale de la Préservation de l'Environnement*, DGPE) and National Environmental Assessment Office (*Bureau National des Evaluations Environnementales*, BUNEE), who will benefit from technical assistance, capacity building, and equipment. At the decentralized level, SFRs, BDs, and Village Commissions will benefit from technical assistance, training and equipment, as well as from more accurate land information and systems that will allow them to improve the provision of services. Domestic suppliers of mining goods and services will benefit from capacity building, advocacy, and transparency and greater access to mine markets; and artisanal miners from extension services, training and demonstrations of non-mercury innovative technologies to increase the productivity of their work while reducing pollution and environmental degradation. Mining companies will benefit from better efficiency of public services involved in the management of the mining sector, the introduction of greater transparency in the management of mining titles, and better geological and mining information. Indirect beneficiaries will include Burkina Faso's population, including citizens and business entities, who will benefit from improved institutional land and mining management capacities and clearer property rights, information and communication regarding land and mining issues, reduced conflicts

⁴¹ To trigger this component the government needs to declare an emergency or provide a statement of fact justifying the request for the activation of the use of emergency funding. To allocate funds to this component the Government may request the World Bank to re-allocate project funds to support emergency response and early recovery. If the WBG agrees with the determination of the disaster, and associated response needs, this component would draw resources from the unallocated expenditure category and/or allow the Government to request the World Bank to re-categorize and reallocate financing from other project components to cover emergency response and recovery costs.

⁴² A CERC Annex would be included in the Operational Manual.



around land and mining as well as a greater contribution of the mining sector to the economic and social development of the country.

Gender

60. The project will build on the experiences of other donor-funded projects, such as the MCC, and promote land registration for female-headed households and jointly for the households (husband, wife, and children). To this end, the project will seek to raise women's and community awareness of women's property rights, by ensuring that the consultation methodology includes specific outreach to women and that women participate in the committees and groups established to lead the systematic registration activities. The project will explore financial incentives for joint titling, such as the provision of free agricultural inputs (in rural areas) or lower fees for title registration in urban areas. The project will further seek to promote regulatory improvements that would improve current practices by mandating greater outreach to women. Women and youth in industrial and artisanal mining areas will benefit from counseling/advisory services, training and programs for improved livelihoods, inclusion in the implementation of the MFLD and local content activities, support to education, and activities tailored to their needs to improve their working and living conditions around mining areas. The monitoring and evaluation system of the project will document gender interventions supported by the project.

Citizen Engagement (CE) and Grievance Redressal Mechanism (GRM)

61. The project will promote an awareness and social mobilization strategy to ensure that all stakeholders (community members, and regional and local land and mining institutions) receive timely and accurate information to be able to make well-informed decisions. These activities will involve outreach to disseminate information and raise public awareness about the laws, procedures, roles, and responsibilities of the agencies involved in project activities. Specific activities will include the establishment of: (a) beneficiary feedback mechanisms, involving consultation with communities impacted by the projects and CSOs active on land and mining matters; and (b) two-pronged dispute and grievance resolution mechanisms. The analytical instruments developed to comply with the Environmental and Social Standards will provide further improvements of citizen engagements and ways to participate including through the GRM. The GRM will include procedures to address concerns and complaints related to the project activities. The MINEFID will develop a GRM Manual for the project, which will include the: (a) design of a public awareness and dissemination campaign to inform the population in general and the beneficiaries of the project on how to access the GRM; (b) identification of uptake locations and procedures to address specific grievances and complaints and how these will be addressed; (c) capacity needs within MINEFID, MEMC and the other regional and local institutional actors involved in project execution and responsible for addressing concerns and requests for information; and (d) clear mechanisms to register, follow up and address concerns and other requests on time.

Climate Change and Disaster Risks

62. The project activities will support the country's effort to mitigate desertification and deforestation and to adapt to the increased frequency of droughts and floods.⁴³ Project support to review the regulatory framework and foster institutional development will contribute to improve capacities in land and natural resources management. Stronger regulation of artisanal mining and increased capacities in land use planning are expected to better protect biodiversity zones and reduce the loss of trees, which is an important factor of desertification and deforestation. The project will contribute to the delineation and exclusion of classified forests with a surface of 67,000 ha in Burkina Faso from mining and making the outline of the forests available for better management and climate mitigation. The project will support improved mine closure including through the identification of

⁴³ World Bank. 2011. "Vulnerability, Risk Reduction, and Adaptation to Climate Change".



vegetal covers contributing to climate mitigation. Investments in geospatial infrastructures and the development of integrated decision support systems will enable the collection, management and dissemination of land, mining and other common territorial datasets. Access to this geospatial information will be key to enhance climate resilient planning and decision making, and will enable Government entities, NGOs and academia to effectively monitor climate change and strengthen early warning systems. In the case of disaster displacement, the creation of a digital cadaster linked to a land registry that includes information on property values will contribute to expedite recovery by enabling the Government to reconstitute parcel boundaries, verify associated rights, and assess the damages incurred. It may also be the foundation for efficient insurance products, provided they account for local specificities of tenure management.⁴⁴ Evidence in rural Burkina Faso also indicates that increased tenure security provides an incentive for landholders and occupants to plant trees and invest in higher-quality infrastructure and climate-smart agriculture techniques,⁴⁵ which would contribute to increase carbon sequestration and improve climate change resilience. The project will also support mapping on the prospectivity of Burkina Faso for minerals in demand for the green economy including rare earths, nickel, and lithium.

D. Results Chain

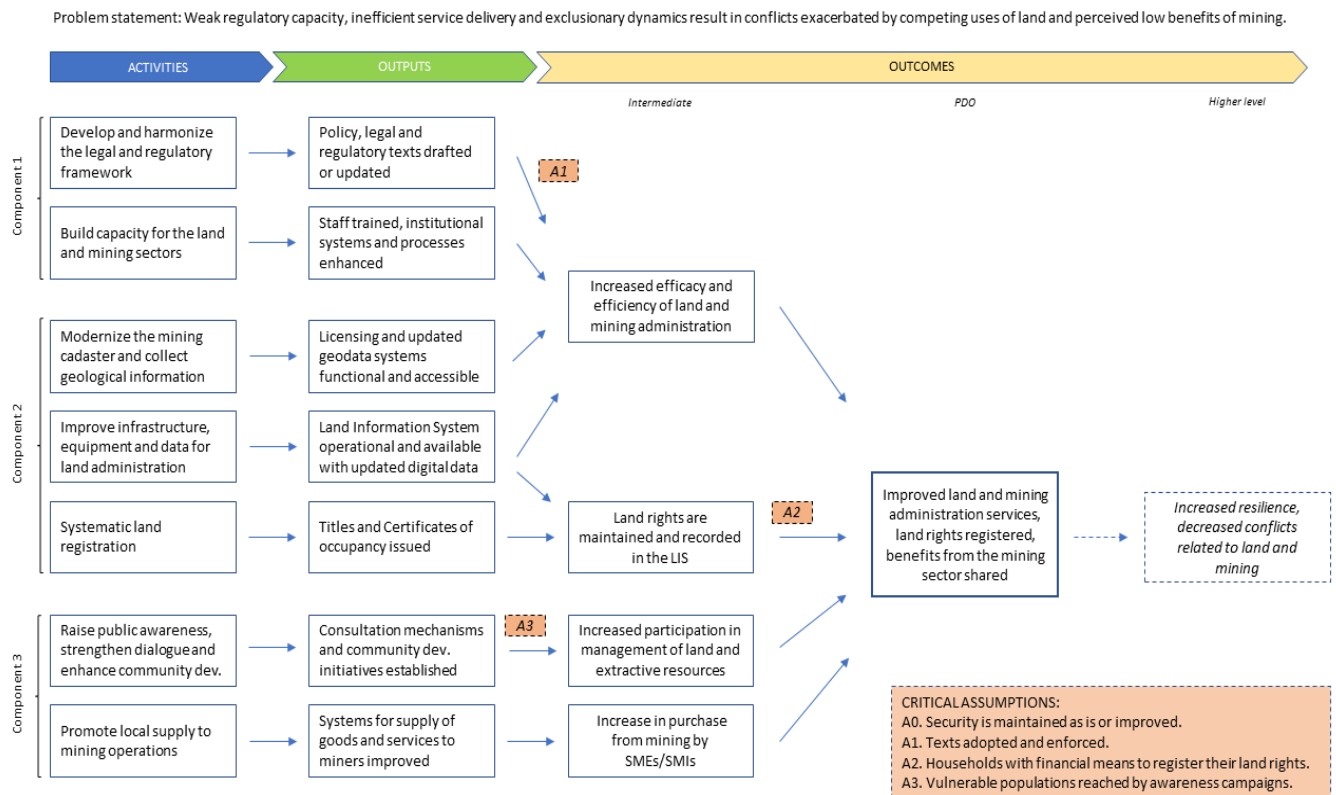
63. **Project Results Chain/Theory of Change.** Figure 1 below illustrates how the proposed project activities and related outputs and outcomes are expected to contribute toward the achievement of the PDO. The key elements in the causal results chain for achieving the PDO are: (a) harmonization and improvement of the legal and institutional framework, along with the enhancement of capacities to improve land service delivery and better manage the land and mining sectors in a coordinated manner; (b) provision of electronic integrated cadastral and registry services at central and decentralized levels, and the provision of new geodata and enhanced mining licensing systems; and (c) improved land tenure security and provision of land data and information, goods and services to miners, enhanced community development, and better informed and participating citizens into land and mining policy and management. By doing so, the project will contribute to improving the investment climate, mitigating land and mining related conflicts risks and increasing resilience of these sectors.

⁴⁴ Matthias Kalkuhl, Gregor Schwerhoff, Katharina Waha. 2020. "Land tenure, climate and risk management", *Ecological Economics* 171.

⁴⁵ Y. Bambio, S. Bouayad Agha. 2018. "Land tenure security and investment: Does strength of land right really matter in rural Burkina Faso?". *World Development* 111, 130–147.



Figure 1: Project Results Chain/Theory of Change



E. Rationale for World Bank Involvement and Role of Partners

64. For over 20 years the World Bank has been supporting land tenure reforms across the world. This global long-term experience places the World Bank in a unique situation to bring expertise and knowledge to support Burkina Faso in addressing its land management improvement needs. The World Bank will bring global know how and a skilled team with large experience in multiple regions to ensure the design and execution of innovative land tenure management.

65. The World Bank has been a critical partner for Burkina Faso at each stage of its mineral development value chain. This partnership started in the 1990's when Burkina Faso's mineral potential was met at best with skepticism, and when it was setting the conditions to attract investments (phase 1). It continued when the potential was confirmed in late 2000s and the first private sector led mines were starting to operate (phase 2). This proposed project is to build on a strong dialogue to support the country in trying to leverage its minerals for inclusive development (phase 3) including through: (a) stimulating economic integration of the mining sector through local content and local economic development initiatives; (b) enabling the MFD and domestic revenue mobilization potential of minerals; (c) enabling environmental sustainability with climate change dimensions; and (d) better managing risks and opportunities of ASM or of mining in general.

66. The proposed project is in line with important aspects of the World Bank's corporate agenda, specifically MFD, more collaboration and synergies with IFC, gender and climate change. Continued World Bank involvement



in the sector and maintaining the excellent dialogue with Burkina Faso on mining sector issues will support these agendas, reinforce and build on the gains made in previous projects, and help Burkina Faso in taking a big step forward in promoting mining induced shared prosperity through the following:

1. A set of activities aimed at MFD through improving geological, licensing, and capacity strengthening to stimulate further investments in both mining and its positive socio-economic externalities. The development of policies to enable further exploration for known anomalies and deposits will be pursued. In addition to direct support to the Government of Burkina Faso, there will be collaboration with the Chamber of Commerce, Chamber of Mines, and specific mining companies to enable the economic inclusion of the mining sector, both at the national and local levels to enable SMEs to supply to the mining industry and its employees. Through these activities, this project is expected to generate over four times of the funding for the mining component through foreign direct investments in mining.
 2. Improvement in domestic revenue mobilization through the strengthening of mining revenues collection administration to mitigate tax base erosion risks linked with both the sophistication of the mining companies and the amenability of the sector for transfer mispricing by supporting capacities and the required institutional coordination including the functioning of INFOCENTRE- the database to support intelligence for mining revenue collection administration.
 3. A suitable deployment of funds earmarked for communities through the MFLD through improved capacities, advisory services, and the pursuit of catalytic activities to crowd in further mining private companies' investments in local economic development.
 4. Improved environmental performance of the sector, including by tackling the relatively new requirements for Burkina Faso to employ modern mine closure requirements involving a better approach toward socio-economic transition post mining. Improved management by a better capacitated BUNEE in areas such as the exclusion of biodiversity zones from mineral licensing and better management of forestry and grasslands as these relate to mining areas are expected to have a positive impact on climate change.
 5. Improved social and economic performance of artisanal mining in the country, including on conflicts mitigation; gender aspects; social inclusion actions that will improve incomes of men, women and youth; fight against child labor, GBV, and abuse of children; and the promotion of the integration of vulnerable groups interest in the community development activities around mines.
67. **The project builds on the experience gained from projects implemented in Burkina Faso.** The land sector includes the following projects: the Community Based Rural Development Project and Sustainable Land and Forestry Management Project (P129688), the Local Government Support Project (P162742), the Decentralized Forest and Woodland Management Project (P143993) and the Bagre Growth Pole Project (P120960). The project will also build on the experience gained from the implementation of ongoing projects in Sub-Saharan Africa such as Competitiveness and Enterprise Development in Uganda (P130471 and P169435), the Land Policy Improvement and Implementation Project in Cote d'Ivoire (P157206), the Land Administration (Terra Segura) Project in Mozambique (P164551), as well from other regions. Other donors—such as the MCC, the French Development Agency (*Agence Française de Développement*, AFD) and the German Cooperation—have undertaken numerous projects and studies over the past two decades aimed at improving land rights and the project builds on the lessons learned from these experiences too.
68. For mining the project builds on World Bank-funded National Capacity Building and Environmental



Management Project for the Mining Sector (*Projet de Renforcement des Capacités Nationales du Secteur Minier et de Gestion de l'Environnement*, PRECAGEME), which started in 1997; the mining component of the Competitiveness and Enterprise Development Support Project (CEDP), which began in 2003; and the MDSP in 2011. It has also managed an EITI grant for Burkina Faso. PRECAGEME provided crucial support for Burkina Faso's efforts to attract investments, including a new mining code in 2003, which set the conditions for the current mineral development. The CEDP targeted several capacity and policy issues. The MDSP focused on increasing knowledge of resources, capacity building for M&E and enforcement, mine revenue collection and transparency, and legal and regulatory aspects. The EITI Trust Fund has helped strengthen the credibility and reliability of collecting and reporting on mining revenues. The World Bank supported reforms in the mining sector through a number of DPOs including the Growth and Competitiveness Credit 4 (P151275) which supported the drafting of the current mining code in 2015; and the Second Fiscal Management, Sustainable Growth and Health Service Delivery DPO (P170934), which supported improved natural resources management and productivity in ASM.

Donor Coordination and Harmonization

69. There is a growing pressure to improve the efficiency and effectiveness of development cooperation in Burkina Faso. Coordination among donors in the land sector would not be effective unless it is integrated within the Government's national development planning and governance structures. For this reason, through this project and in coordination with the Government, the World Bank will help organize a roundtable among development agencies which are actively involved in the land and mining sectors.⁴⁶ The purpose of these meetings will be to coordinate activities and discuss synergies, such as complementing work in different areas of interventions. There are ongoing coordination and harmonization discussions with UNIDO, UNICEF, the Swiss Cooperation in Burkina Faso for partnerships on mining including on eradication of mercury use, children in ASM or support to gender/children sensitive community development plans. A potential converging or joint funding from the Swiss International Corporation to support ASM management in Burkina Faso through this project is under discussion.

F. Lessons Learned and Reflected in the Project Design

70. More broadly, the project design incorporates numerous lessons learned from recent and on-going land and mining administration projects in Africa and worldwide, including in conflict and post-conflict contexts, as described below:

a) **Political Support and Programmatic Approach.** Land and mining policy reforms require long time effort and high-level political will and reform champions. Countries that develop interventions based on a programmatic approach have a much better chance of prioritizing medium-term tasks that effectively build towards a higher-level goal, coordinating between multiple agencies, and across different branches and levels of government. Countries that have been successful in promoting effective inter-institutional coordination in a programmatic approach have usually required a strong champion that is able to orchestrate the dialogue. The mining dialogue between Burkina Faso, Guinea, and Ghana points to the benefits of multiyear and multiphase engagement with political champions for impacts in the sector. Similarly, strengthening of land tenure security and modernization of land administration services is a continuous investment that requires long-term coherent support and Government commitment. As such, this project should be seen as the first

⁴⁶ The donors who attended the meeting were Bureau Diplomatique des Pays Bas; Food and Agriculture Organization (FAO); European Union; International Fund for Agricultural Development; Luxemburg Development; and the World Bank.



phase of a longer-term program and as a key building block of a modern system that facilitates economic development and good governance by having reliable and accessible records for all real property.

b) **Technology.** The use of technology and the LIS should be tailored according to the needs and capacity of the country. Experiences in several countries have shown that it is preferable to develop the LIS incrementally, using a fit-for-purpose approach rather than to solicit a turn-key program. Institutional actors must be ready to cover the maintenance costs once initial investments are completed. Although the institutional configuration of the cadastre and registry varies across countries, a comprehensive LIS should be able to link cadastral and registry information regardless of the institutional repository. Tailored technologies and databases (mining cadastre, geology, and revenue services) sharing data among various agencies managing the mining sector, are required for both sector promotion and management.

c) **Decentralization.** A clear strategy to maintain a balance between decentralized land administration and centralized management is indispensable to successfully maintain economies of scale while promoting a robust high-level monitoring of the implementation of decentralization policies. Decentralization is key to making services more accessible to the public and improving trust with civil society. Decentralization, however, involves the challenge of maintaining and staffing multiple offices. The experience of countries like Uganda has shown that the re-concentration of certain functions might be a necessary step to uphold the spirit of decentralization while ensuring that the scheme is cost-effective. Decentralization is critical especially for the management of ASM and for the provision of services to enable formality of this subsector while driving good practices. Decentralization in the share of mining revenues through earmarking some for communities' development as well as the support for income generating, gender and youth awareness activities are part of the resilience driver for mining.

d) **Conflict and post-conflict.** An understanding of the political economy and engagement with key stakeholders will help to identify the situation of the country in terms of insecurity, institutional capacity, and public acceptance to trust and use the system and the decentralization framework. These together with specific support from public security services on project activities in rural areas are drivers of safety and security for project implementation as has been experimented during the closed MDSP. A tailored deployment of the project activities is planned with activities initially implemented in the low to medium intensity conflict areas as defined. Based on the experience developed during the implementation of the MDSP, case by case conventions set on conditions in specific areas of project interventions will be signed with the public security apparatus (gendarmes and police) to finance their support to securing people and project activities in rural areas including for BUMIGEB, ANEEMAS, and decentralized Land agencies. In addition, when relevant, as determined in a security assessment, alternative supervision of the project activities will be completed by qualified NGOs.

e) **Consultation, participation, and land registration.** Integrating consultation and systematic participation in the land registration process contributes to developing ownership at different levels, including communities and civil society, which will contribute to project sustainability and mitigation of social risks. The experience with the recording of customary land rights in rural communities around the world has shown that participatory mapping and demarcation are effective tools to identify collective and individual tenure arrangements and integrate meaningful consultation of all stakeholders. Global evidence also indicates that land registration is more efficient, effective, and inclusive when carried out through a systematic approach (rather than on-demand) as this allows for lower costs, greater coverage and a stronger participation from beneficiaries and communities. In Burkina Faso, previous land registration experiences were based on demand



and have shown limited results. Between 2009 and 2014, a US\$57.6 million project funded by MCC led to the deliverance of 260 signed APFRs. A subsequent survey conducted by MCC in 2014 found that 44 percent of the respondents with the lowest income could not afford the cost of an APFR and 43 percent of all respondents called for a reduction in costs.⁴⁷ More recently, despite 500 demands registered during the first year of a project funded by AFD (PACOF), a total of 20 APFRs were delivered in 15 municipalities over a two-year period. These experiments call for a renewed (systematic) approach that benefit a larger share of the population, especially the most vulnerable, in a more efficient and sustainable manner.

f) **Awareness and information dissemination campaigns.** Virtually every land administration project incorporates activities to inform the population about field activities in their locality and raise awareness about land rights. Some countries developed successful civic engagement coupled with campaigns to disseminate information about property law that contributed to building trust of land agencies among the population (Rwanda). Information dissemination (through EITI, and various local and national, and international media) is key to improving land and mining sector understanding, managing risks and for demand for governance in the management of both land and the industrial and ASM subsectors.

g) **Gender Strategy.** Despite legislated equal rights, groups such as rural women still are at a disadvantage in defending their rights. Due to several factors, including a lack of awareness, capacity or will and social norms, formal legal rules are at different levels. The project will finance a communication strategy through commonly used media such as radio shows in local languages, that will be delivered at the community level as part of the community participatory preparatory activities for the issuance of APRFs and other land occupancy titles (*titres de jouissance*) and will include materials and methods to reach out to women and ensure that all community members are involved in decisions about the use and management of their land.⁴⁸ Gender issues are prevalent especially in ASM, and the lack of a mining sector gender policy is a key gap that the project will address. It will support constraints to identified gender issues ranging from the number of female graduates on earth sciences, to SMEs, alternative income generating activities in mining and mining districts and addressing GBV in ASM including through a web-based platform.

h) **Implementation capacity.** Some of the most critical lessons learned from the MDSP concern its implementation. There was a long delay in getting the MDSP off the ground due to the inexperienced project management team, which was hired as a result of a drive to comply with the Five Decrees set by Burkina Faso at that time to guide the implementation of projects financed by development partners. This meant that in the context of high demand for mineral related skills the required personnel could not be secured, and the project had to contend with lesser qualified staff. Insufficient human resources, an overall lack of experience in the administration of a fast-growing private sector led mineral industry, the complexity linked with involving three ministries (mines, finance, and environment, which were previously working in silos), and the use of dual country and World Bank procurement processes led to delays. The project had to be extended for 18 months, as only 52 percent of the budget had been disbursed by the initial project closure date. The hiring of a new project coordinator in 2016, together with the change of the status of all project staff to higher paid

⁴⁷ Pascal Thinon. 2014. "Analyse des coûts à payer pour l'obtention de l'APFR". MCC.

⁴⁸ Good governance depends on recognizing all stakeholders and respecting their rights. Gender equity is an increasingly important international and national issue. Gender equity in rights to land can increase women's power in social and political relationships (FAO – International Practice). The issue of community mobilization and awareness around gender equality in land rights is an activity that aims at changing deep beliefs about gender equality in land rights at the community level, and through that increase the share of land that is registered under women's names.



consultants, significantly improved project planning and coordination, resulting in a disbursement rate of 99.6 percent by closing in 2018. As part of the Implementation Completion Report prepared by Burkina Faso on the MDSP, all beneficiaries of the MDSP stressed the importance of a high-quality Project Implementation Unit and the need for clarity on priorities and eligibility for funding. Similarly, weaknesses in capacity for project management and implementation have been significant bottlenecks for previous interventions in the land sector, both regarding property registration and valuation.

i) **Importance of multilevel and multiform continued engagements.** The need for continued engagement through video conferences, and closer coordination between ministries, including through direct World Bank staff engagements with ministers themselves was an important lesson. Burkina Faso is still a new mining country and 10 years ago had very little human resource capacity to work in or supply to the mining sector, let alone managing it for the best interests of the country. By building up the capacity in all three of these areas as quickly as possible, without losing sight of quality, there has been a considerable turn around in the sector management and its contribution to the country. Nevertheless, these achievements are still fragile and will have to be strengthened if mining is to become a stronger catalyst for shared growth in the country. It is a well-established lesson from similar mining sector programs that comprehensive institutional reforms and capacity building require more than a single project cycle of five to seven years of capacity building. Successful country cases from Argentina, Mauritania, and Ghana, among others, confirm that sustained institutional reform will require at least a decade of targeted support to address capacity building at all levels, including policy, operational as well as skills development for a sufficient number of staff.

j) **Prioritization of activities for impacts on PDO, disbursement and results indicators** will be used to avoid focus on less critical activities. Project implementation support will include more frequent World Bank staff missions especially during the initial stages of project implementation as possible within the COVID-19 context. Frequent video conferences will be used to support individual departments facing challenges. As required and feasible, the implementation support may involve World Bank short term consultant in the office in Ouagadougou.

III. IMPLEMENTATION ARRANGEMENTS

A. Institutional and Implementation Arrangements

71. Development partners-sponsored projects in Burkina Faso are now managed through the provisions of the Decree 2018-0092 PRES/PM/MINEFID of February 2018. Based on this Decree, and lessons learned from the MDSP, the management of the project will take place in the “033 Resource Mobilization” budget program of MINEFID and a Mining Budget Program (MBP) of the MEMC, under the overall coordination of MINEFID. A national project coordinator based in MINEFID and appointed by the Government will be responsible for overall coordination of project activities and for liaising with the national processes and systems. The project will be implemented under the leadership of MINEFID⁴⁹ and MEMC, with technical oversight to be provided by their relevant competent Directorates (on the MINEFID side, the DGI, the Directorate General for Territorial Development (*Direction Générale Développement Territorial*, DGD), the Directorate General for Real Estate Affairs and State Equipment (*Direction Générale des Affaires Immobilières et de l’Équipement de l’État*, DGAIE), the State Judicial Agency (*Agence Judiciaire de l’État*, AJE), the ANDFOP, and the ENAREF; on the MEMC side, ANEEMAS,

⁴⁹ MINEFID, through the DGI is responsible for property registration, cadastre maintenance, and property taxation.



BUMIGEB. Technical oversight will also be provided by the relevant Directorate of the MEEVC (Directorates in charge of environmental protection, inspections, radio protection, legal); Ministry of Agriculture (Directorate General of Land, Training and the Organization of Rural Areas [*Direction Générale du Foncier, de la Formation et de l'Organisation du Monde Rural*]), responsible for supporting capacity building of local actors involved in land registration activities; the Ministry of Infrastructure (Geographic Institute of Burkina [*Institut Géographique du Burkina*, IGB]), responsible for the establishment and management of the geodetic network; the Ministry of Development of Digital Economy and Post (MoDDEP, the National Agency for the Promotion of Information and Communication Technologies [*Agence nationale pour la promotion des technologies de l'information et de la communication*, ANPTIC]), responsible for the development of the telecommunication network; and the municipalities, responsible for land registration in rural and urban areas and the management of land services.

72. A Memorandum of Understanding (MoU) will be signed between MINEFID and the Mayor of selected municipalities, as well as with the General Secretaries of the Ministries of the departments involved (DGFOMR, IGB, ANPTIC, MEEVCC, and other as relevant) and will establish the roles and responsibilities of each entity for the implementation of relevant field activities. A MoU will also be signed between the MEMC and the Chamber of Commerce, specifying the roles and responsibilities regarding the implementation of the local content activities under Component 3 of the project.

73. **A high-level Review Committee (RC)** will steer the project to facilitate sustainability and ensure proper mainstreaming of its activities into the relevant ministries, departments, and agencies. The RC will be responsible for overall strategic planning, program development, coordination to ensure coherence in interrelated activities, and monitoring of progress. The RC will be chaired by the General Secretary of the MINEFID or a designated representative, vice chaired by the General Secretary of the MEMC or a designated representative, and composed of representatives of the MEEVCC, and relevant entities implementing key activities (including DGI, DGFOMR, IGB, ANPTIC, ANEEMAS, BUMIGEB, Chambers of Mines and Commerce, the General Directorate for Urbanism and Land Operations (*Direction Générale de l'Urbanisme et des Travaux Fonciers*) of the Ministry of Urbanism and Housing, the Ministry of Territorial Administration and Decentralization, and representatives of civil society and municipalities, among others) as needed, according to Burkina Faso legislation. The RC will meet twice a year to review project execution, approve implementation plans and financial statements, and make recommendations for improvement. It may hold additional meetings as useful for project implementation. The national coordinator will serve as the secretariat of the RC.

74. **Project Implementation Team (PIT).** Two dedicated PITs including an existing one under the MEMC and one to be established under MINEFID will manage the mining and land components respectively. Each of the PITs will have a project leader and a core of specialists in the areas of procurement, financial management, accounting, M&E, environmental management, and social development. In addition, each PIT will hire other relevant technical specialists and mobilize advisory services to support implementation as needed. All mining activities will be led through the central PIT, while for the land activities, four regional PITs will be established to support the implementation and coordination of land activities in the four regions and selected municipalities covered by the project. Regional management of the DGI and GUF will be appointed as the head of regional PITs (composed of civil servants) and assume coordination and monitoring functions of project activities.⁵⁰ Based on the implementation of the MDSP and its lessons learned, technical advisory support is envisioned for the activities related to mining, environmental management, geoscience, community, and livelihood development to ensure the required quality.

⁵⁰ The responsibility of the Head of Region is assumed by the Directors of the One-Stop Land Offices in the Central and Hauts-Bassins regions, and by the Regional Directors of Taxation in the Boucle du Mouhoun and Central-West regions.



75. **A Technical Monitoring Committee** composed of focal point representatives of key co-implementing agencies will also be established and be responsible for coordination/information sharing with their agencies to ensure proper technical leadership, activities supervision, and quality assurance of deliverables. The focal points will meet monthly to strengthen synergies and address challenges impacting the achievement of project objectives.

Bursaries, Cash transfers, and Micro grants

76. **Bursaries.** The project will provide bursaries for 100 female students involved in land and earth sciences related studies. The recipients will be selected using existing criteria for scholarships allocation in Burkina Faso, adjusted to ensure that the recipients are women. The payments will be done primarily through electronic means including banking, mobile money transfers but in no circumstances through direct cash transfers, all through the PITs of the land and mining subcomponents. The cash transfer and micro grant manual will specify the details of the eligibility criteria as well as the payment modalities.

77. **Cash transfer to incentivize children to leave artisanal mines.** The project will provide conditional cash transfers for children under the age of 18 involved in artisanal mining in sites under the control of the Government to incentivize them to go to school or get vocational training. The identification of the children will be done through a combination of geographical, socio-economic profiles, and community-based criteria defined in a specific dedicated manual for cash transfers, and considering lessons learned from children and artisanal mining as well as social safety net programs. Some 200 unaccompanied children in ASM sites, children with their parent or under the custody of identified adults but falling under the poor category under Burkina Faso legislation will be targeted each year starting from year 2 of project implementation.

78. Payment will be made periodically (monthly or quarterly) through preferably an electronic transfer system (Mobile money or equivalent) to cover the equivalent of approximately 20 percent of the basic consumption needs for a household⁵¹ which based on the application of social safety net programs in Africa is sufficient to allow households to improve their consumption yet is low enough not to create any work disincentives. The project will directly support the potential school fees, didactic material, and other related expenses for enrolled children. The cash transfer will learn from and build on the cash transfer tools and lessons learnt from the Burkina Faso Social Safety Net Project (P124015).

79. **Micro grants for women cooperatives.** The project will provide micro grants to women cooperatives involved in alternative income generation activities primarily in artisanal mining areas under the supervision of the government to finance jobs and income generating activities. The grant may be extended to mining communities hosting industrial mines especially when partnerships with private companies are identified to advance women income and job creation activities. The criteria and modus operandi will be specific in a dedicated manual for micro grants.

80. For both cash transfers and micro grants, a service provider (or multiple as useful with one for the subgrants and another for transfers to ASM children families) will be selected, according to World Bank procurement rules, to support implementation. The provider will be required to have proven practical experience with supporting income generation activities and children development focus programs. The service provider will be under the direct supervision of the Women in Mining in Burkina (NGO), overall coordination by ANEEMAS, with the fiduciary management done by the Mining PIT.

81. Operationally, in addition to direct electronic and mobile phone-based payment services, beneficiary may

⁵¹ For instance in cash transfer programs in Cameroon, Kenya, Mozambique, Swaziland and Zambia (V. Monchuk. 2013. "Reducing Poverty and Investing in People: The New Role of Safety Nets in Africa".)



receive cash payments through financial agencies (as specified under dedicated manuals for cash transfers and micro grant) under a list that may be provided by the service provider or the PITs. The transfers will be provided to beneficiaries based on the presentation of an ID card. The payment system will in all cases be based on a centrally managed database by the service provider, and payments will be made by fixed or mobile branches of the agencies selected for the operation. The selection of these agencies will be based on an assessment to be made to locate agencies with proven record and having geographical presence of proximity to ASM sites.

82. **Counterpart funding** will be sought to address the need for resources needed for project implementation but are ineligible for World Bank funding. A dedicated treasury account will be opened for this purpose.

83. **No land acquisition or compensation** will be paid from project funds.

84. **A tailored spatial deployment of project activities is planned** with activities initially implemented in the low to medium intensity conflict areas. The project is not anticipating deployment in high intensity conflict areas until the security situation improves to align them with at least the current conditions in medium conflict areas.

85. The project will be developed in cooperation with and outsourced as appropriate with international organizations after an evaluation of experiences undertaken in Burkina Faso as well as a cost-benefit analysis for their intervention on their core areas of competence including gender and children in artisanal mining; or to enable alternative supervision and third-party monitoring of activities especially in areas of high security risks which are all anticipated to use alternative supervision mechanisms. These may include, but are not limited to, the following organizations currently working on mining issues in Burkina Faso: UNIDO for technologies aimed at eliminating the use of mercury; UNICEF to make local development plans around mines children friendly; and Terre des Hommes Lausanne for the monitoring of children and gender violence in selected ASM sites. Collaboration is anticipated with the Swiss Cooperation in Burkina Faso for ASM regulatory and inclusion activities, and several local and international NGOs working on gender, children, and alternative livelihood development in relation with both large mines and ASM in Burkina Faso. Where determined appropriate complementary activities may be deployed to sustain or expand ongoing initiatives on ASM and local economic development projects.

B. Results Monitoring and Evaluation Arrangements

86. A comprehensive Planning, Monitoring and Evaluation (PM&E) system to capture and report outcomes and results is a core element of the project design. The PITs will maintain a M&E system to report quarterly or on demand on project progress and provide timely information for decision-making. The PIT will be responsible for the PM&E system, which will support project management, reporting and evaluation needs. Independent evaluations will be conducted at the beginning, mid-term, and end of the project to get feedback directly from project beneficiaries. These evaluations will be tendered on a competitive basis in accordance with the ToR agreed with International Development Association (IDA). A baseline customer survey will be carried out during the first months of implementation of the project. Information on project beneficiaries will help to understand project impacts in a disaggregated manner. Data collection will support the establishment of a database for future financial and economic analysis. The PIT will be responsible for collecting and reporting data as agreed in the PM&E section included in the PIM and reflected in the Results Framework. The Geo-Enabling initiative for Monitoring and Supervision and kobo toolbox may be used by the PITs for project monitoring given the context of insecurity in the country.

C. Sustainability

87. The project is designed to build capacity at different levels to deliver timely land administration services as part of a programmatic approach. Medium to long-term sustainability for the land component will require availability of well-trained staff to deliver the services, at both central and local levels, including the ability to



maintain and provide access to land information to the Government, the private sector and local communities. To achieve this purpose, the project will support extensive capacity building, as well as the development of training modules and a new specialized curriculum in cooperation with relevant academic institutions, whose capacity can also be strengthened for training and professional development. By promoting access to the land information system and the technical infrastructure, especially at the decentralized level, the project will significantly enhance sustainability of the land services. Innovative and decentralized approaches to identifying, documenting, and maintaining land rights data, including at the local level, will be explored during implementation as part of a long-term strategy to ensure the sustainability of systematic registration. Specific attention will be paid to the longer-term sustainability of decentralized structures, especially SFR, in terms of both financing and retention of trained staff. To avoid municipalities bearing the full operating costs of an SFR from the outset, some municipalities will initially share the services of a common SFR following the case of a pilot arrangement recently introduced in a project supported by the German Agency for International Cooperation (*Deutsche Gesellschaft für Internationale Zusammenarbeit*, GIZ) where three municipalities are served by the same SFR. On the financial side, a more efficient land regularization process will reduce costs and a potential expansion of the tax base, coupled with more efficient valuation based on close to market values, will enhance cost recovery.

88. In the 2015-2020 PNDES, the Government identified the mining sector as an engine of growth with a strong emphasis on the need for greater inclusiveness of the sector to improve the socio-economic conditions in the country. Implementation of the proposed activities is very important for the sustainability of the reform agenda in the sector and for economic growth in general. The Government's commitment was highly visible in the MDSP.

89. The activities provided for under the project will improve resilience of land and mineral sector management, including at the local level, consolidate Burkina Faso's image and attractiveness to investors, potentially diversify mined commodities, and enhance shared prosperity from the mining operations. In addition, the local content activities are part of commitments and will be driven by the Chamber of Commerce – an entity with established financial and institutional capacities to support SMEs. At the community level, sustainability will be supported by enhancing conflict resolution and participation in registration activities, positive changes fostered by supporting women's participation in the mining and land sector and benefit from it, and women and youth in community activities in mining regions. By supporting the efforts of the Government to improve ASM formalization, the project is expected to contribute to the promotion of sustainable livelihoods.

IV. PROJECT APPRAISAL SUMMARY

A. Technical, Economic and Financial Analysis

90. **Technical analysis.** The project design reflects good international practices, while considering the context of the country regarding the need for capacity building and adaptation of technology. The project will leverage the newest and most appropriate technologies for the national context at both central and municipal levels. The proposed mining activities are in line with established practices of World Bank technical assistance projects and mostly not new to Burkina Faso. The emphasis or scope have been tailored to current circumstances and needs, especially regarding ASM and local content which will address drivers of conflict in the country. Advisory services are provided to support Burkina Faso in dealing with newer or technically more challenging tasks. Lessons learned from the World Bank and IFC regarding local content and support to community development are factored in the project design and anticipated IFC's close collaboration/implementation support of the implementation of the



local content subcomponent from their office in Ouagadougou will help project implementation.

91. The completion of the Continuously Operating Reference Stations (CORS) stations network will improve the geodetic coverage of Burkina Faso in support of the NSDI strategy. The acquisition of images will take into account the precision relevant for the objectives pursued and the adoption of LIDAR technology to produce orthophotos using drone technology for the capture of the information, as well as satellite images of Very High Resolution for covering larger surfaces and wider uses. These geospatial data will enable the development of geospatial information useful to many sectors of the economy. Systematic cadastre and registration procedures will be adopted to improve processing and managing costs. Considering the conflict-prone situation of the country, social inclusion aspects of land survey and registration will have an important weight to ensure that technical processes and field activities are well informed by, and integrated with, the population awareness and participation. The methodology for systematic registration, to be developed with project support leveraging the best practices of similar projects from other countries, will be based on fit-for-purpose approaches that allow the systematic capture of appropriate spatial and alpha-numeric data to be collected in a transparent, inclusive and cost-effective manner, with extensive community preparation and consultation. The capacity of the country will be developed and international expertise will be brought in, as needed, for supporting systematic cadastral and registration activities, as well as the design and implementation of ICT systems, including the LIS. The project will build on the existing land information systems and will adopt a cautious, incremental approach to its development, gradually intensifying the use of modern information technologies towards a system based on a centralized architecture. The LIS will be designed based on international standards including the Land Administration Domain Model and its development will adhere to a process known as System Development Life Cycle. A feasibility study will determine the most suitable technical design for telecommunications, ICT network and data center.

92. **Project Area.** Support to mining operations will cover municipalities throughout the country where mining activities are taking place and where insecurity is not of high intensity. For land sector activities, the project will cover selected municipalities in four regions: Central, Central-West, Boucle du Mouhoun and Hauts-Bassins (Annex 4), with a focus on 20 municipalities for core project activities (four regional capitals (including Ouagadougou and Bobo-Dioulasso), eight provincial capitals, (*chefs-lieux*), and eight selected rural/peri-urban municipalities). These four regions have benefited from several previous initiatives. Land activities will be carried out in municipalities with high population density, high incidence of real estate development, rapid urbanization, and informal transactions. In rural areas, activities will target areas with land disputes stemming from the competition for the exploitation of natural resources. Security concerns will also drive the selection of municipalities. Systematic land registration activities will be carried out in the core 20 municipalities, 19 of which already have a functional land service, and 33 SFRs will be established and shared in selected municipalities in the four regions.

93. **Economic and financial analysis.** It is estimated that the project will contribute to economic benefits in the form of increased revenue to landholders and operational efficiency from the application of systematic registration that will generate savings for society. Benefits to individual landholders are expected to accrue over the long term and are mainly the result of three processes: (a) an increase in land-based investments for rural households; (b) an increase in credit access for urban households; and (c) a reduction in land conflicts for rural and urban households. The shift from sporadic to systematic registration is also expected to result in a reduction in the cost of offering titling services. These savings represent resources that can be allocated to other productive uses, and thus constitute an economic benefit for society. Finally, the project is expected to bring financial benefits from incremental land market transactions and an expanded tax base that will generate revenue for government agencies.

94. The cost-benefit analysis considers the materialization of these economic and financial benefits during



the period of project implementation (6 years) and a subsequent operational period (14 years). Economic benefits will start to accrue over time as the beneficiaries modify their behavior and reach their full state in Year 20th. The analysis assumes a 10 percent opportunity cost of capital. As a result, it is expected that the project will generate a Net Present Value (NPV) of US\$17.97 million, an Internal Rate of Return (IRR) of 26 percent, and a benefit-cost ratio of 2.19. The calculation of net financial benefits results in a NPV of US\$13.47 million, an IRR of 18 percent, and a benefit-cost ratio of 1.19. A sensitivity analysis is carried out to evaluate net benefits under alternative scenarios. Although the stream of net economic benefits has a lower NPV than the stream of financial benefits, it is less sensitive to a reduction in benefits and an increase in costs. Also, the calculation of economic benefits is deemed to be conservative, which means that the project's real economic impact may be larger than expected. Meanwhile, the financial analysis suggests a more sensitive relationship between the expected increase in revenue from fees, taxes, services, and total project costs (investment and recurrent). Increasing fees and taxes may not be a desirable alternative considering the limited payment capacity of the population. Higher fees and taxes are also likely to continue encouraging informality in land transactions. For this reason, a more sensible alternative is to ensure cost effectiveness both during the investment and operational period.

95. Mining sector technical assistance operations do not lend themselves to the calculation of a net present value, economic internal rate of return or a financial rate of return. Nevertheless, the project is expected to lead to several positive outcomes for the Burkina Faso economy as well as mitigate some negative outcomes. This project's predecessor, MDSP, resulted in substantially increased investments, improved government oversight of the sector, and greater revenue streams generated by the sector and accountability in its management. The proposed project will continue to support the improvements in all three areas.

96. Better governance and increased transparency, including easier access to information, will make the Burkina Faso mining sector more attractive to investors, thus increasing the fiscal and export revenues generated by the sector and its contribution to the national and local economies. They will strengthen the capacity of the Government to improve tax collection, thus increasing the sector's contribution to government revenues; and a more beneficial deployment of the funds earmarked for mining communities through the MFLD. The project is expected to result in an FDI of four times or more the size of the funding of the mining component of this project.

97. The project will improve the environmental performance of the mining sector by more and better monitoring and control over industrial mines, exclusion of classified forest areas from mining licensing, formalization, and the use of improved technologies by the ASM sector.

98. New livelihoods and incomes will be generated through better economic inclusion due to increased local content of goods and services to mining operations and activities undertaken through the MFLD.

99. **With respect to costs**, even when undertaken using international standards, mining will result in some negative environmental impacts. Strengthening of the MEEVCC in general and BUNEE (the EIA agency) more specifically will help mitigate these impacts. Nevertheless, there will always be some stakeholders that do not benefit or do not perceive that they are receiving sufficient benefits. By strengthening both environmental and social oversight and supporting improved community development and local content, the project will contribute to improving the overall mineral sector impacts.

B. Fiduciary

(i) Financial Management

100. The project FM residual risk is assessed as Substantial. Measures have been agreed with MINEFID and



MEMC to mitigate the risk and strengthen the FM capacity. The Substantial risk rate is due to: (a) the PIT of the MINEFID not yet created; (b) MINEFID has no direct experience previous experience in managing a World Bank-funded Investment Project Financing; and (c) limited number of staff trained in World Bank's FM procedures. As described in Annex 1, the MINEFID PIT and MEMC PIT would be in a position to manage World Bank's funds once the following measures are implemented before and after the project effectiveness: (a) hire or appoint on a competitive basis, a finance officer, an accountant and an accounting assistant for each PIT, solely dedicated to the project, with qualifications and experiences satisfactory to the World Bank; (b) draft the PIM, including detailed FM procedures manual approved by the stakeholders involved in the project (PITs, regional directors, local governments) and the World Bank (before effectiveness); (c) acquire and install an accounting software acceptable to the World Bank (within three months after effectiveness); (d) hire or appoint an internal auditor (within three months after effectiveness); and (e) recruit an external auditor with experience and qualifications acceptable to the World Bank (within six months after effectiveness).

Specific covenants for Bursaries, Cash transfers and Micro grants

101. Prior to payments of **bursaries**, MENEFID and MEMC: (i) will recruit or appoint qualified payment agencies widely represented in the targeted regions to make the bursaries payment for 100 females student involved in land and earth sciences related studies, and (ii) prepare a Manual of bursaries which should be approved by the stakeholders involved in the project (line ministries, PITs and other relevant actors), and the World Bank.

102. Prior to payments of **cash transfer**, MEMC will: (i) recruit or appoint qualified payment agencies widely represented in the targeted regions to make cash transfer to the selected beneficiary households, and (ii) prepare a Manual of cash transfer which should be approved by the stakeholders involved in the project (line ministry, MEMC PIT, and other relevant actors), and the World Bank.

103. Prior to payments of **Micro-Grants**, MEMC will: (i) recruit or appoint qualified payment agencies widely represented in the targeted regions to make Grant payments to the selected women cooperatives, and (ii) prepare a Micro-Grants Manual which should be approved by the stakeholders involved in the project (MEMC, MEMC PIT, and other relevant actors), and the World Bank, and (iii) sign a financing agreement with the selected women cooperatives.

(ii) Procurement

104. For the two implementing agencies, procurement under the proposed project will be carried out in accordance with WBG procedures: (a) the World Bank Procurement Regulations (PR) for IPF Borrowers, dated November 2020; b) "Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by International Bank for Reconstruction and Development (IBRD) Loans and International Development Association (IDA) Credits and Grants," dated October 15, 2006 and revised January 2011 and as of July 1, 2016; and (c) other provisions stipulated in the FA, using the Standard Procurement Documents (SPDs) accompanying the Regulations.

105. Procurement under Component 5 will be carried out based on provisions on an Emergency Response Manual to be agreed between the World Bank and Government of Burkina Faso.

106. All procuring entities, bidders, and service providers (suppliers, contractors, and consultants) shall observe the highest standard of ethics during the procurement and execution of contracts financed under the project, in accordance with paragraph 3.32 and Annex IV of the PR. When procurement is done in the national market, as agreed in the Procurement Plan, the country's own procurement procedures may be used with the requirements set forth or referred to in paragraphs 5.3–5.6 related to National Procurement Procedures. For all works contracts, procurements that apply SPDs will adopt WBG provisions related to environmental, social (including SEA/SH and



GBV), health, and safety risks and impacts, including codes of conduct that prohibit sexual harassment and sexual abuse.

107. **Project Procurement Strategy for Development (PPSD) and Procurement Plan.** The PSD has been prepared by the Government of Burkina Faso, and reviewed and cleared by the World Bank. The procurement plan for the first 18 months have also been reviewed and cleared by the World Bank. During implementation, the Procurement Plans will be updated as required and at least annually, to reflect actual program implementation needs and improvements in institutional capacity. A summary of the PSD are in Annex 1.

108. **Special procurement considerations.** Given that insecurity and fragility affect considerable areas in Burkina Faso where the project will operate, the project will use flexibility and simplification in procurement. These procurement arrangements will draw on the World Bank Guidance on Procurement Procedures in Situations of Urgent Need of Assistance or Capacity Constraints (July 1, 2016 revised on March 7, 2019). These measures include use of the Borrower's national procurement, provided the arrangements are consistent with WBG Core Procurement Principles. Other key measures to fast-track procurement include: (a) use of UN agencies, NGOs, Direct Selection and/or Limited Competition, and Request for Quotations with identified manufacturers and suppliers for other urgent items; and (b) an increased threshold for Request for Quotations to US\$0.5 million for goods and US\$1 million for works. Bid Securing Declaration may be used instead of the bid security. Advance payment may be increased to 40 percent, while secured with the advance payment guarantee. The time for submission of bids/proposal can be shortened to 15 days in competitive national and international procedures, and to 3 days for the Request for Quotations, although if bidders request an extension, it should be granted. The simplified procurement arrangements will be detailed in the procurement section of the PIM.

109. **Procurement capacity assessments.** Consistent with the above procurement arrangements, procurement assessments were done for the two implementing agencies of the project by the World Bank Procurement Specialist during preparation, in accordance with the WBG Procurement Risk Assessment and Management System. The procurement capacity assessment was carried out as required for any implementing agency for an IPF. Annex 1 contains a full summary of the completed procurement assessments and suggested measures to address the inadequacies and risks identified. Overall procurement risk is **Substantial** but after implementation of the proposed mitigation measures, the risk will be **Moderate**.

110. **Systematic Tracking of Exchanges in Procurement (STEP).** The project will be implemented using STEP, a planning and tracking system, in accordance with clause 5.9 of the PR. Procurement Plans, their updates, and requests for prior review will be sent to the World Bank for clearance through STEP. Procurement activities not requiring World Bank prior review will be recorded in STEP as well.

C. Legal Operational Policies

	Triggered?
Projects on International Waterways OP 7.50	No
Projects in Disputed Areas OP 7.60	No

D. Environmental and Social

111. The overall environmental and social risk is Substantial due to the country current context regarding land issues,



internal displacements, management of the urban's non-cadastral areas, access to land, access to credit, tax collection and reducing land related conflicts, some civil works and geodata collection through sampling.

112. **Environment.** The environment risk of the project is considered Moderate. The Environmental Assessment reviewed potential risks and benefits that the project is likely to have during implementation. Project overall activities would lead to more secure land tenure and is not expected to have significant impact on the environment. Indirect environmental impacts may generally be positive as land ownership promotes good environmental stewardship. The security of tenure that results from the issuance of titles is expected to encourage beneficiaries to engage in sustainable land management practices and invest in permanent structures. As part of the registration process, a screening will take place to identify any overlap in the current land use with forest and other natural resources. It is not expected that civil works under Components 1 and 2 will have a negative impact in the environment nor adverse impacts on biodiversity and habitats⁵². An Environmental and Social Management Framework (ESMF) was prepared by the Borrower and disclosed on June 5, 2021 in-country⁵³ and on the World Bank's external website⁵⁴ on May 20, 2021. The Environmental and Social Commitment Plan (ESCP) was disclosed in-country⁵⁵ and on the World Bank website⁵⁶ on June 4, 2021. In 2014, Burkina Faso prepared a SESA to assess risks and impacts of mining policies, regulations and management before making recommendations to improve mining governance and management in the country. Some of the SESA's recommendations were implemented. An assessment of progress of the SESA implementation was carried out by the MEEVC and will inform project activities. Some recommendations of the SESA that were successfully implemented by the MEEVC are but not limited to (i) the study abroad and capacity reinforcement of the Ministry on the process of mines sites rehabilitation; (ii) the equipment of a laboratory for geochemistry analysis; and (iii) awareness campaign raising and training on the method for reducing the environmental risks of Mercury and Cyanide and the HIV-AIDS risk among health actors and local communities around mining sites.

113. The SESA will be updated to reflect changes and evolutions in the sector since 2014 and take into account all the requirements under the Environmental and Social Framework (ESF) regarding risks and impacts of mining policies and projects. The update will be completed by June 30, 2023.

114. **Social.** The social risk of the project is considered Substantial due to the risk of the exclusion of vulnerable groups (for women, youth, illiterate persons, and rural communities) in consultation processes and their risks of lack of access to project benefits; the risk of child labor, particularly in artisanal mining activities; negative impacts on livelihoods or the potential loss of land or assets; and the potential for project activities exacerbating conflicts. Such risks often result from weak institutional capacities and non-inclusive consultation mechanisms, non-functional grievance mechanisms, or the lack of correct information. Gender and youth dynamics are important in both the land and mining sectors, given that women and youth find work in subsistence agriculture and herding as well as in artisanal and small-scale mining activities, which are essential for the resilience of community livelihoods.

⁵² ESS6 is relevant and appropriate mitigation measures are outlined in the ESMF to ensure proper management of potential risks and impacts.

⁵³ ESMF disclosure in Burkina Faso: <http://www.finances.gov.bf>.

⁵⁴ ESMF disclosure in World Bank website:

https://wbdocs.worldbank.org/wbdocs/component/drl?objectId=090224b0886a4469&Reload=1623160395238&__dmfClientId=1623160395238&__dmfTzoff=240

⁵⁵ Burkina Faso disclosure of ESCP: <https://bit.ly/3ioz5xF>

⁵⁶ World Bank disclosure of ESCP: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/408411622830409706/environmental-and-social-commitment-plan-escp-support-to-land-and-mining-management-strengthening-p169267>



115. Overall, insecurity in Burkina Faso and conflicts related to land and mining sectors present an additional layer of risks. However, project activities will be of a technical nature and not directly involve mining operations, which lower specific security risks for the project.

116. Under Component 2, there may be some small-scale land acquisition for new CORS stations. Therefore, since the rehabilitation sites have not yet been identified, an RPF has been prepared and disclosed in-country on May 17, 2021⁵⁷ and on the World Bank's website on May 20, 2021⁵⁸ will guide the preparation of any Resettlement Action Plans that might be necessary during project implementation to address impacts related to land acquisition. There may be situations where individual households or small groups whose livelihoods are based on livestock rearing (like pastoralists) could be affected by the land regularization activities, or other vulnerable groups or women. The latter would be mainly due to social norms related to gender and to attendant cultural reasons of how customary structures and land ownership have been established historically. Definitions of the status of land tenure are part of the inventory and assessment that need to be conducted as part of systematic land registration. that might be necessary during project implementation to address impacts related to land acquisition. There may be situations where individual households or small groups whose livelihoods are based on livestock rearing (like pastoralists) could be affected by the land regularization activities, or other vulnerable groups or women. The latter would be mainly due to social norms related to gender and to attendant cultural reasons of how customary structures and land ownership have been established historically. Definitions of the status of land tenure are part of the inventory and assessment that need to be conducted as part of systematic land registration. that might be necessary during project implementation to address impacts related to land acquisition. There may be situations where individual households or small groups whose livelihoods are based on livestock rearing (like pastoralists) could be affected by the land regularization activities, or other vulnerable groups or women. The latter would be mainly due to social norms related to gender and to attendant cultural reasons of how customary structures and land ownership have been established historically. Definitions of the status of land tenure are part of the inventory and assessment that need to be conducted as part of systematic land registration.

117. Stakeholder and civil society engagement is critical for this project. The Borrower consulted key stakeholders during the project preparation phase, mainly during the preparation of the ESMF, RPF and other Environmental and Social instruments. The Borrower has prepared an SEP to guide consultation and engagement with stakeholders and key actors, including members of civil society, women's organizations and groups during project implementation. The SEP includes a mapping of project stakeholders and a description of the GRM that provides guidance to set up a functional GRM, that is transparent and accessible to key stakeholders—mainly vulnerable groups, including referrals to locally available medical, psychosocial and/or legal aid services for any SEA/SH survivor signaling abuse. The SEA/SH Action Plan will be prepared within nine months of project effectiveness. The GRM will be used to receive and resolve project-related complaints; it establishes a systematic approach for consultation and engagement and helps promote an inclusive and participatory approach for stakeholder engagement in addressing any potential risks and negative impact, including SEA/SH issues; promotes and provides means for effective and inclusive engagement of the project's

⁵⁷ RPF disclosure in Burkina Faso: <http://www.dgb.gov.bf>

⁵⁸World Bank disclosure of RPF: <https://documents1.worldbank.org/curated/en/974741621534471324/pdf/Resettlement-Plan-Support-to-Land-and-Mining-Management-Strengthening-P169267.pdf>



affected parties throughout the project life-cycle; and ensures that appropriate program information is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner. The SEP was disclosed both in-country⁵⁹ and on the World Bank's website on May 20, 2021⁶⁰. During the life of the project the borrower will continue to assess the social and environmental risks.

118. The risk of SEA/SH was assessed to be moderate, using the World Bank SEA/SH Screening Tool. Mitigating measures for projects with moderate risks of SEA/SH risks include drafting an action plan, to be prepared within nine months of project effectiveness, for the prevention of and response to SEA/SH, conducting community sensitization campaigns to inform project beneficiaries of the SEA/SH risks, conducting a mapping of GBV services in the area of project implementation to inform the referral of potential survivors of SEA/SH, drafting Codes of Conducts to be signed by all project staff, including PIU members, and ensuring that the GRM is sensitive to the management of child labor and SEA/SH complaints and is informed by a survivor-centered approach. Regular reports shall provide an analysis of the management of complaints, including those related to cases of sexual exploitation, abuse, and harassment and violence against children. Given the limited scope of the expected civil works, an influx of labor is not anticipated. Mitigation measures within the ESMPs will provide safe and confidential venues to report SEA/SH-related complaints. A code of conduct, including measures against SEA/SH for ensuring community health and safety, will be prepared and included in all bidding documents. Contractors will be responsible for ensuring their workers' compliance with the code of conduct. The project GRM will be designed to safely and ethically register complaints and address and properly document complaints and allegations (including SEA/SH) during project implementation. For the cash transfers and micro grants, the project's implementation manual will provide guidelines on beneficiary targeting, to address risks of exclusion from these benefits as well as elite capture. Cash transfers pilots will incentivize removing children from selected sites and their enrolment into education/training. The manual will also lay out the mechanisms of how these transactions will be conducted, considering the potentially insecure environment. However, use of direct electronic transfers and mobile-phone based services instead of cash payments in-person will also contribute to mitigating the security concerns for these activities. An NGO specialized in SEA/SH will be recruited within 6 months of project effectiveness.

119. The Borrower has prepared Labor Management Procedures (LMP) that establish the terms and conditions of employment, as well as non-discrimination and equality of opportunity; the freedom to associate with workers' organizations; exclusion of child or forced labor from project activities; interdiction of sexual exploitation, abuse or harassment; outlining adequate occupational health and safety measures and a labor grievance mechanism. The project will involve workers such as civil servants assigned to the project, consultants hired based on the needs of the PIT, contractors and sub-contractors hired to carry out civil works expected under Components 1 and 2. The Labor Management Procedures include a specific GRM for the workers. Contracts will include codes of conduct which: (a) clearly define SEA/SH and prohibited behaviors; (b) cover actions to prevent SEA/SH; and (c) outline clear sanctions in case of breach of the code. The project's GRM to be set up will include measures to safely and ethically register complaints in line with the key principles of a survivor centered approach, address, and document properly SEA/SH allegations issues during the project implementation. The LMP was disclosed^{61 62} on May 26, 2021. The MINEFID, the

⁵⁹ Burkina Faso disclosure of SEP: http://www.dgb.gov.bf_andhttps://www.dgb.gov.bf/index.php?option=com_content&view=article&id=81&catid=17&Itemid=300

⁶⁰ World Bank disclosure of SEP: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/865241621355715636/stakeholder-engagement-plan-sep-support-to-land-and-mining-management-strengthening-p169267>

⁶¹ Burkina Faso disclosure of LMP: <https://bit.ly/3oMRu8B>

⁶² World Bank disclosure of LMP: <https://documents1.worldbank.org/curated/en/762751622048430990/pdf/Labor-Management-Procedures-Support-to-Land-and-Mining-Management-Strengthening-P169267.pdf>



MEMC and private contractors will be required to sign and abide by a code of conduct for workers that would address community health and safety risks, including risks of gender-based violence and child labor. The project team, including contractors and consultants, will be required to observe a Code of Conduct for workers, which addresses community health and safety risks, including gender-based violence and child labor.

V. GRIEVANCE REDRESS SERVICES

120. Communities and individuals who believe that they are adversely affected by a World Bank supported project may submit complaints to existing project-level GRMs or the World Bank's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of World Bank non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and World Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

VI. KEY RISKS

121. **Overall risk is rated Substantial.** Risks related to Political and Governance, Sector Strategy and Policies, Technical Design, Fiduciary, and Environmental and Social are rated Substantial while Institutional Capacity for Implementation and Sustainability and Fragility, Conflict and Violence (others) are rated High. Macroeconomic and Stakeholders risks are rated moderate.

122. **Political and Governance risk is rated Substantial.** Following the 2014-2015 events, Burkina Faso has undergone a political transition which culminated with a Presidential election in 2015. Burkina Faso held its latest Presidential and Legislative elections in November 2020. Security threats related to terrorism are heightened in the country with the recent terrorist attacks in various part including more prominently in the northern and eastern parts of the country. Security risks could directly affect the attainment of some results in this project (see below on Security and Fragility risks). Also, new recurrent strikes in the civil service could affect the Government's ability to deliver activities in a timely manner, in particular on public procurement side. This risk will be mitigated by capacity strengthening for the PITs which have their relative autonomy.

123. **Fragility, Conflict and Violence (others) risk is rated High.** Insecurity in Burkina Faso has dramatically increased since mid-2018. It poses risks especially in rural areas and will impact the capacity to deploy technical staff in regions and rural areas. The 71 communes selected for implementation of the land component, and the areas of activities for ANEEMAS and BUMIGEB (respectively for ASM, and geoscience) were selected to be outside of the high conflict zones. However, the situation is dynamic and will be closely monitored during implementation. The spatial lens of the fragile areas developed under the Scaling up to deliver in Sahel IDA19 program and updated security information will be used to inform and prioritize areas of project interventions. High intensity conflict areas will not be covered by the project. Insecurity remains the key risk to mining and to prospects for Burkina Faso to attract new investments despite its potential. The project will support investment de-risking activities though geoscientific investigations, strengthened institutional capacities and governance. Based on the



experience developed during the implementation of the MGSP, security conventions will be established between the project and the police and gendarmerie as appropriate to protect project people (staff and consultants) and activities in rural areas including as they relate to land management, ASM and geoscience. The project will finance the public security costs. Alternative resilience building activities will be targeted for both land and mining sectors in the medium intensity conflict areas where potential supervision mechanisms by qualified NGO will be assessed and used as necessary to strengthen inclusivity activities, GBV, and services delivery. The project will invest in prevention in the conflict risks areas through increased information, stimulating citizen participation in land and mining benefit sharing including the MFLD, the ASM management charters, feedback mechanisms, and services delivery as they relate to land and mining.

124. **Sector Strategies and Policies risk is rated Substantial.** An ambiguous legal and policy framework weakens the governance of the land and mining sectors. The project will support the updating, or harmonization of the legal and policy framework for land. It will also support improved mining regulatory framework to complete/complement existing legislations or fill gaps including those related to other sectors having material impacts on mining management such as environment or social management for example. Missing policies/strategies such as those related to gender, low carbon development of the mining sector, and the approach to making assets and anomalies targets available to prospective investors will be drafted. The project will also support improved capacities for the management of land and mining for the public, CSOs, SMEs and private employers regarding inclusivity. The project will support improved inter-sector collaboration and coordination among government agencies, further involvement of the Chambers of Mines, and of commerce, and mining companies and participatory management of land and mining issues in central and rural areas.

125. **Institutional Capacity for Implementation and Sustainability risk is rated High.** The small number of trained professionals in the land sector can derail the plans for modernization. The project will work to strengthen the technical capacity of personnel at the DGI and de-concentrated technical services to manage the new LIS as well as that of the local authorities and the judiciary to manage land conflict resolution. The capacity of partner institutions would also need to be built and strengthened to meet the challenge of establishing a modern land information system. Regarding mining while the capacity of the Government to manage industrial mining has been improved over the past several years, addressing governance, transparency, modern mine closure, and economic inclusion challenges of industrial mines while at the same time taking on ASM needs will present capacity requirements beyond those that are currently available. The ways forward to address capacity risks include the development of skills for land and mining, hiring of the fiduciary staff for this project, mobilization of advisory services to support relevant project activities design and implementation, partnerships with the Chambers of Mines and Commerce, collaboration with NGOs on gender, children and income generation activities around mining, and a better capacitation of the recently created units charged with local content and community development.

126. **Technical Design of Project is rated Substantial.** The technical and project designs are in line with established practices for land and mining. However, limited infrastructure and barriers to technology could affect the implementation of project activities. All stakeholders need to have access to adequate infrastructure and technology to be able to implement the activities. Therefore, the project supports the development of technology to overcome existing limitations. Economic inclusion of the mining sector is challenging in general and even more so in the context of Burkina Faso where SMEs capacity, access to finance, and limited infrastructure development compound the issue. In addition, the political economy of the deployment and efficient use of funds earmarked for communities may be important. Technical design and implementation of these present some risks. The level of cooperation with the Chamber of Mines and Commerce, and good corporate social responsibilities by some



miners in Burkina Faso, and collaboration with IFC on local content mitigate some of these risks, as do attention of CSOs and the EITI processes which will be used to increase reporting over the use of the MFLD and progress with respect to local content performance. Appropriate technical assistance, study tours in countries with successes on economic inclusion and the proposed periodic consultative stock taking/experience sharing by the MEMC, mining companies, communities' representatives, and other stakeholders will be organized to inform project implementation. Advisory services will be mobilized to support the design and implementation of activities related to SMEs, local content, and climate informed community development plans. Existing mining local development or content initiatives by mining companies, NGOs, and beyond will be identified and emulated including through potential partnerships. The project will also tap into the experience and lessons learned from the implementation of the Community Based Rural Development Project (P129688) and lessons learnt and experience of the Chamber of Commerce on SMEs development including in working with the World Bank through the Competitiveness & Enterprise Development Project (P071443).

127. Macroeconomic risk is rated Moderate. The project is aligned with the WBG risk strategy of supporting more efficient public expenditures management. The project would support revenue generation while improving land and mining services. COVID-19 has also resulted in higher gold prices and has yet to have an impact on industrial gold production, and gold prices have stayed in a relatively narrow band over the past several years. COVID-19's impact on overall growth in the country is not expected to materially affect land and mining in Burkina Faso.

128. Stakeholders risk is rated Moderate. International experience of the land reform in fragile states indicates that it is crucial that larger number of stakeholders support the project. Therefore, the borrower will: (a) implement an awareness and dissemination campaign to educate the population of both genders and different ethnic groups in their land rights, procedures, and costs; (b) pilot a program to subsidize first-time land registration; (c) develop a communication strategy to build trust between the communes, municipalities, and the civil society; (d) implement a participatory registration process that includes both genders and all age groups; (e) strengthen the social auditing with the participation of local authorities, community members, and NGOs; (f) promote the use of alternative mechanism of conflict resolution; and (g) help to channel those conflicts that cannot be resolved in the field to the formal system. Stakeholders' expectations from both industrial and ASM are high with respect to inclusive benefits sharing. The project will support inclusive management of the ASM, transparency including for the deployment of the MFLD, and improved capacities of SMEs/ Small and Medium Industries (SMIs) to drive further economic inclusion of the mining sector and of Government agencies managing mining. Extended collaboration with the Chambers of Mines and Commerce, consultative meetings with various actors involved in ASM, periodic stock taking on local content and community development, and feedback mechanisms through the projects and the EITI processes will be used to inform, educate, and adjust as necessary to account for stakeholders interest. These activities will build on and are aligned with the widespread stakeholder buy-in in Burkina Faso to improve the socio-economic and environmental performance of the mining sector beyond export and fiscal revenues.

129. Fiduciary is rated Substantial. Although MINEFID will implement its first World Bank-financed IPF, it will do so in coordination with the MEMC which has extensive experience of successful implementation of mining and energy TAs. The mining PIT has implemented the MGSP with a satisfactory outcome rating evaluated by Independent Evaluation Group, and will play a positive role in the fiduciary management of the project as a whole, through its interactions and common overall coordination mechanisms. The mobilization of experienced fiduciary management personnel for both PITs, as well as additional training and sustained implementation support by



World Bank fiduciary team will mitigate fiduciary risks. The PITs will maintain qualified personnel in procurement and financial management for the duration of the project.

130. **Environmental and Social risk is rated Substantial.** This is because of the potential risk of exclusion of vulnerable groups (women, youth, illiterate persons, and rural communities) in consultation processes and their risks of lack of access to project benefits; the risk of child labor, particularly in artisanal mining activities; negative impacts on livelihoods or the potential loss of land or assets; and the potential for project activities exacerbating conflicts. There are also risks associated with the civil works. Borrower has prepared ESF instruments to mitigate the risks and impacts.



VII. RESULTS FRAMEWORK AND MONITORING

Results Framework

COUNTRY: Burkina Faso

Support to Land and Mining Management Strengthening Project

Project Development Objectives(s)

The Project Development Objective is to improve national land and mining administration services, register land rights in selected municipalities and foster inclusive benefits sharing from the mining sector

Project Development Objective Indicators

Indicator Name	PBC	Baseline	End Target
To improve national land and mining administration services			
Time to register land certificates and titles reduced (Days)		180.00	90.00
Time to register urban occupancy certificates reduced (Days)		14.00	6.00
Policy for making mining assets and anomalies discovered during geoscientific investigations accessible to prospective investors is approved (Yes/No)		No	Yes
An online platform matching the demand and supply for goods and services is established (Yes/No)		No	Yes
To register land rights in selected municipalities			
Titles and certificates of occupancy issued (Number)		0.00	329,500.00
Rural land possession certificates issued (Number)		0.00	25,000.00
Urban occupancy certificates issued (Number)		0.00	300,000.00



Indicator Name	PBC	Baseline	End Target
Land titles issued on demand (Number)		0.00	4,500.00
Women who receive a titles and/or certificate of occupancy in their name or jointly (Percentage)		0.00	30.00
To foster inclusive benefit sharing from the mining sector			
30 ASM Management Charters established. (Number)		2.00	30.00

Intermediate Results Indicators by Components

Indicator Name	PBC	Baseline	End Target
Strengthening of the Legal Framework and Institutional Development			
Adopted mining sector related policies, laws, regulations, guides developed including a policy, low carbon development strategy and a mine closure guide (Number)		0.00	10.00
Draft land-related legal texts reviewed and harmonized and/or submitted for approval to the Council of Ministers (Number)		0.00	12.00
Decentralized ANEEMAS Offices Established (Number)		10.00	20.00
Number of ASM Cards or property certificates issued by ANEEMAS (Number)		1,000.00	10,000.00
Web-based monitoring system for gender based violence and children presence in ASM sites established (Yes/No)		No	Yes
Land and mining civil servants trained by the project including 30% of women (Number)		0.00	1,000.00
Land and mining civil servants (females) trained by the project (Number)		0.00	300.00



Indicator Name	PBC	Baseline	End Target
Students benefiting from direct interventions to enhance learning (CRI, Number)		0.00	100.00
Students benefiting from direct interventions to enhance learning - Female (CRI, Number)		0.00	100.00
CORS stations established (Number)		13.00	24.00
Web-based data exchange system between Ministries in charge of land, mines and environment excluding classified forests from mining licensing (Square kilometer(km2))		0.00	671,000.00
Annual environmental control and monitoring of industrial mine closure plans (Percentage)		0.00	100.00
Strengthening of Land and Mining Information Management and Improving Land Tenure Security			
Land offices with existing land documents and records fully digitized and integrated in the LIS (Percentage)		0.00	80.00
Local rural land administration structures established and equipped (Number)		0.00	33.00
Number of days to process exploration titles (Days)		180.00	30.00
Number of 1 50 000 maps established (Number)		1.00	20.00
Women participating in the consultation process for systematic registration (Percentage)		0.00	40.00
The land information system (LIS) is designed, implemented, operational, including a Web Portal that enables public access to the national land cadastre data. (Percentage)		0.00	100.00
Fostering Socio-Economic Inclusion and Community Development			
Identified land conflicts addressed within the established conflict resolution mechanism and GRM (Percentage)		0.00	80.00
Climate Change informed land use and economic development plans supported including through the MFLD (Number)		0.00	30.00
Properties covered by mass property valuation (Number)		0.00	200,000.00



Indicator Name	PBC	Baseline	End Target
EITI reports produced (Number)		6.00	10.00
SMEs/SMI benefiting from capacity strengthening to enable their supply of goods and services to mining companies (Number)		0.00	1,000.00
Consultation sessions, advocacy, training, and awareness extended to NGOs, citizens, women, community leaders, and ASM on environment, transparency, participation, benefits regarding land and mining (Number)		8,050.00	30,000.00

Monitoring & Evaluation Plan: PDO Indicators

Indicator Name	Definition/Description	Frequency	Datasource	Methodology for Data Collection	Responsibility for Data Collection
Time to register land certificates and titles reduced	This indicator measures the number of days needed to register both rural land possession certificates and land titles on demand, beginning with the application submitted by the occupant to the land registration offices (SFR, RDPF, GUF) or the beginning of the systematic registration process, until the issuance and registration in the LIS of the	Semi Annual	Project progress reports	Data from LIS and field activities reports	MINEFID/PIT



	certificate (APFR) or land title (titre foncier).				
Time to register urban occupancy certificates reduced	This indicator measures the number of days needed to register a urban occupancy certificate, beginning with the application submitted by the occupant to the land registration offices (RDPF, GUF) or the beginning of the systematic registration process, until the issuance and registration in the LIS of the certificate.	Semi Annual	Project progress reports	Data from LIS and field activities reports	MINEFID/PIT
Policy for making mining assets and anomalies discovered during geoscientific investigations accessible to prospective investors is approved	A policy for making mining assets and anomaly targets discovered during geoscientific investigations accessible to prospective investors is developed and approved by a decree or an Arrêté.	Annual	Decree or Arrete adopting the said policy.	Report on the development of the policy.	Ministry of Mines, PIT.
An online platform matching the demand and supply for goods and services is established	The indicator will measure the establishment of an online platform matching the demand and supply of good and services between mining companies and Burkina registered enterprises	Annual	Chamber of Commerce, Chamber of Mines, Online Platform for local content (Bourse des Achats)	Online platform (Bourse des Achats) accessible online.	Chamber of Commerce, PIT



Titles and certificates of occupancy issued	This indicator measures the number of formal land rights documents issued as a result of the systematic registration, as well as land titles issued on demand and registered in the LIS. It is estimated that on average each household has six people, thus the project would benefit a total of 1,977,000.	Semi Annual	Project progress reports	Data will be obtained through the LIS and field activities reports.	MINEFID/PIT
Rural land possession certificates issued	This indicator measures the number of rural land possession certificates (APFRs) issued as a result of systematic registration and registered in the LIS.	Semi Annual	Project progress reports	Data from LIS and field activities reports	MINEFID/PIT
Urban occupancy certificates issued	This indicator measures the number of urban occupancy certificates issued as a result of systematic registration and registered in the LIS.	Semi Annual	Project progress reports	Data from LIS and field activities reports	MINEFID/PIT
Land titles issued on demand	This sub-indicator measures the number of land titles issues on demand and registered in the LIS.	Semi Annual	Project progress reports	Data from LIS and field activities reports.	MINEFID/PIT
Women who receive a titles and/or certificate of occupancy in their name or jointly	This indicator measures the percentage of women who will formally receive a	Semi Annual	Project progress reports	M&E reports and LIS.	MINEFID/PIT



	certificate and/or title in their name (either alone or jointly) and obtain in this way formal recognition of their tenure rights.				
30 ASM Management Charters established.	will incentivize the establishment of 30 ASM Management Charters composed of representatives from various administrations on the local level including officials from various departments, traditional leaders, CSOs and other stakeholders of ASM to enable inclusive management of the ASM, a wider sharing of its benefits and the management of conflicts drivers around the activity.	Annual	ANEEMAS, PMU, Ministry of Energy, Mines and Quarries	Reports	ANEEMAS,PMU

Monitoring & Evaluation Plan: Intermediate Results Indicators

Indicator Name	Definition/Description	Frequency	Datasource	Methodology for Data Collection	Responsibility for Data Collection
Adopted mining sector related policies, laws, regulations, guides developed including a policy, low carbon development strategy and a mine closure	Mining sector related laws, regulations, guides and standards developed to address gaps and	Annual	Report on mining sector related policies,	Reports, assessments, Arretés, Decrees, etc.	MEMC, MEEVC, PIU, etc. .



guide	constraints for industrial and ASM mining management including technical, environmental, financial, fiscal and social, including a gender policy, a low carbon development strategy and a closure guide		laws, regulations, guides and standards developed with support from the project.		
Draft land-related legal texts reviewed and harmonized and/or submitted for approval to the Council of Ministers	This indicators measures the number of draft legal text related to the administration and management of land that have been reviewed and harmonized and/or submitted for approval to the Council of Ministers. These texts include among others the introduction of digital signature, sharing of land and geospatial digital data, procedures for land registration, functioning of land agencies, long-term leases on state and municipal lands, assessment and collection of property taxes, draft revised law on Agrarian and Land Reform (RAF), and draft decrees on territorial management.	Annual	Project progress reports.	Draft legal texts and project reports	MINEFID/PIT



Decentralized ANEEMAS Offices Established	The number of decentralized ANEEMAS offices created with each having at least four staff.	Annual	ANEEMAS hiring and payroll.	Reports	ANEEMAS, MEMC, PIT.
Number of ASM Cards or property certificates issued by ANEEMAS	Number of cards required by Burkina regulations that each artisanal miners should have to be able to legally operate in ASM	Annual	Reports, card issues registry, etc.	Report, assessments of registries/database of card issuance.	ANEEMAS,
Web-based monitoring system for gender based violence and children presence in ASM sites established	This indicator measures gender-based violence and child labor in artisanal mining sites under the supervision of ANEEMAS.	Monthly	ANEEMAS Website and reports	ANEEMAS Website and reports	MEMC/ANEEMAS/PIT
Land and mining civil servants trained by the project including 30% of women	Individuals that complete training workshops, study tours, exchanges and other capacity building activities.	Quarterly	Project Activity Report	Project Activity Report	Project Coordination Unit
Land and mining civil servants (females) trained by the project	This indicator measures the number of female civil servants that complete training workshops, study tours, exchanges and other capacity building activities.	Quarterly	Project Progress Reports	Reports and minutes of training events.	MINEFID/PIT; MEMC/PIT
Students benefiting from direct interventions to enhance learning		Annual	Bursaries payment to female students studying land administration and earth sciences	Payment of bursaries, and annual reports on studies progress	MEMQ, PMU



Students benefiting from direct interventions to enhance learning - Female		Annual	PIT, MEMC and MINEFID	Bursaries paid to female students, enrolment and students annual evaluations	MINEFID, MEMC, PITs
CORS stations established	CORS station validated in the field and connected to the network	Annual	Project Activity Reports	Project Activity Reports	Geographic Institute of Burkina and MINEFID/PIT
Web-based data exchange system between Ministries in charge of land, mines and environment excluding classified forests from mining licensing	The databases of the land and mining cadasters and that of forestry are setup to exchange relevant layers of information supporting improved land use planning and the exclusion of forestry areas from mining licensing.	Annual	The land and mining cadasters, and the database of the ministry in charge of environment, are connected; and forestry outlines embedded in mining cadastre for exclusion from licensing	Layers of relevant information on land, mining and forestry inter-exchangeable electronically to enable visualisation of various land uses and inform decisions making	Land and mining cadasters, MEEVC, PMU



Annual environmental control and monitoring of industrial mine closure plans	Control and monitoring of industrial mine closure plans with respect of adequacy of the environmental, social and financial requirements of the law in Burkina Faso.	Annual	MEEVC	Reports.	MEEVC, PIT
Land offices with existing land documents and records fully digitized and integrated in the LIS	This indicator measures the percentage of land offices in the project area (cadastral and registry offices, GUF, and BD) that have all of their existing paper records and documents digitized and integrated in the LIS. There are a total of 75 land offices in the project area: 4 regional cadastral offices (SCTFs), 34 provincial registry offices (RDPFs), 33 municipal Bureaux Domaniaux (BDs), 2 GUFs, and 2 municipal technical services.	Semi Annual	Project progress reports	Field activities reports and project reports	MINEFID/PIT
Local rural land administration structures established and equipped	This indicator measures the number of rural land administration structures established at the local level, including SFRs and CFVs, CCFVs, with trained staff and equipment to function.	Annual	Project Progress Reports	Project progress reports, mayor's resolution.	MINEFID/PIT



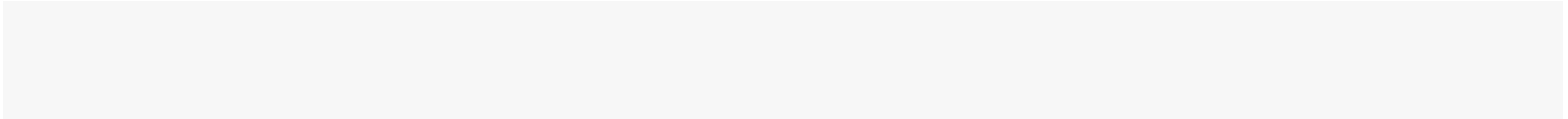
Number of days to process exploration titles	Number of days for the mining cadastre to process exploration titles	Annual	Mining Cadastre	Average days for the processing of exploration titles by the mining cadastre.	Mining cadastre and PIT
Number of 1 50 000 maps established	Number of 1 50 000 maps with notices established with various degree carré and in terms of "feuilles".	Annual	Reports, maps, notices	New maps of "feuilles" in degree carré of Burkina Faso established	
Women participating in the consultation process for systematic registration	This indicator measures the level of participation of women during the consultation process, before the start of, and during, the systematic registration process.	Semi Annual	Project progress reports	Consultation minutes, field activities reports	MINEFID/PIT
The land information system (LIS) is designed, implemented, operational, including a Web Portal that enables public access to the national land cadastre data.	This indicator measures the progress in the development and functionality of the key modules of the LIS: technical review of the existing systems and LIS design, including data exchange model and interoperability (20%); improvement and expansion of Data Center capabilities (20%); implemented and operational LIS system including interoperability	Annual	Project Progress Report and consultants' reports	Evaluation of progress in the completion of LIS based on the completion of 4 system modules	MINEFID/PIT



	capability (40%); designed, implemented and operational WebPortal (20%). The core/integrated system consists of registry, cadastre (geospatial), DMS (document management system), WfMS (workflow management system) and valuation subsystems.				
Identified land conflicts addressed within the established conflict resolution mechanism and GRM	This indicator measures the reliability of the reporting system of conflicts resolution and local grievances mechanism, as well as the share of the cases that are properly addressed.	Semi Annual	Social Monitoring Reports, project progress reports	GRM system	MINEFID/PIT
Climate Change informed land use and economic development plans supported including through the MFLD	This indicator measures the number of land use plans and territorial plans (at regional and municipal level) developed under the project and or stimulated through the project for financing by the MFLD.	Annual	Project Activity Reports, MEMC, PIT	Project Activity Reports, MEMC reports, PIT	PITs
Properties covered by mass property valuation	This indicator measures the number of properties within the four main cities in the project area that are covered by mass property valuation activities, with a	Annual	Project progress reports	LIS	MINEFID/PIT



	cadastral value (close to market value) determined.				
EITI reports produced	EITI reports showing annual mining sector information and socio-economic performance	Annual	EITI website	Annual EITI report produced	EITI Secretariat of Burkina Faso
SMEs/SMI benefiting from capacity strengthening to enable their supply of goods and services to mining companies	Technical, financial, and management capacity strengthening for Burkina registered enterprises to meet the demands goods and services for the mining sector with the required standards, and to enable them to be listed on the online platform for local content to be established.	Annual	Chambers of Commerce and PIT	Reports, participation lists, certificates, etc.	Chamber of commerce, PIT
Consultation sessions, advocacy, training, and awareness extended to NGOs, citizens, women, community leaders, and ASM on environment, transparency, participation, benefits regarding land and mining	This indicator will target training, advocacy, awareness for or by CSO, women in mining, community and local leaders, artisanal and small scale miners to enhance transparency, participation, good environmental practices understanding and access to benefits from mining and land sectors in Burkina.	Quarterly.	Women in mining, PMU, CSO.	Reports, Attendance sheets, etc.	EITI Secretariat, PIT





ANNEX 1: Implementation Arrangements and Support Plan

COUNTRY: Burkina Faso **Support to Land and Mining Management Strengthening**

Project Institutional and Implementation Arrangements

131. Development partners sponsored projects in Burkina Faso are now managed through the provisions of Decree 2018-0092 PRES/PM/MINEFID of February 2018. Based on this decree, and the lessons learned from the MDSP (P124648), the management of the project will take place in the “033 Resource Mobilization” budget program of MINEFID and a MBP of the MEMC under the overall coordination of MINEFID. A national project coordinator based in MINEFID and appointed by the Government will be responsible for overall coordination of activities and for liaising with the national processes and systems. The project will be implemented under the leadership of MINEFID⁶³ and MEMC, with technical oversight to be provided by their relevant competent Directorates (on the MINEFID side, the DGI, the DGD, the DGAIE, the AJE, the ANDFOP, and the ENAREF; on the MEMC side, ANEEMAS, BUMIGEB). Technical oversight will also be provided by the relevant Directorate of the MoA (DGFOMR), responsible for supporting capacity building of local actors involved in land registration activities; the MoI (IGB), responsible for the establishment and management of the geodetic network; the MoDDEP (ANPTIC), responsible for the development of the telecommunication network; and the municipalities, responsible for land registration in rural and urban areas and the management of land services.

132. A MoU will be signed between MINEFID and the Mayor of selected municipalities, as well as with the General Secretaries of the Ministries of the departments involved (DGFOMR, IGB, ANPTIC, MEEVCC) and will establish the roles and responsibilities of each entity for the implementation of relevant field activities. A MoU will also be signed between the MEMC and the Chamber of Commerce setting out roles and responsibilities for the implementation of local content related activities of the project.

133. **ARC** will steer the project to facilitate sustainability and ensure proper mainstreaming of its activities into the relevant ministries, departments, and agencies. The RC will be responsible for overall strategic planning, program development, coordination to ensure coherence in interrelated activities, and monitoring of progress. The RC will be chaired by the General Secretary of the MINEFID or a designated representative, vice chaired by the General Secretary of the MEMC or a designated representative, and composed of representatives from the MEEVCC and relevant entities implementing key activities (DGI, DGFOMR, IGB, ANPTIC, ANEEMAS, BUMIGEB, Chambers of Mines and Commerce, the DGUTF of the Ministry of Urbanism and Housing, the Ministry of Territorial Administration and Decentralization, and representatives of civil society and municipalities, among others) as needed, according to Burkina Faso legislation. The RC will meet twice a year to review project execution, approve implementation plans and financial statements, and make recommendations for improvement. It may hold additional meetings as required for project implementation. The national coordinator will serve as the secretariat of the RC.

134. **Project Implementation.** Two PITs - one to be established under the MINEFID and an existing one under the MEMC – will manage the land and mining components respectively. Each PIT will have a project leader managing a core of specialists in the areas of procurement, financial management, accounting, monitoring and

⁶³ MINEFID, through the Directorate General for Taxation (DGI) is responsible for property registration, cadastre maintenance, and property taxation.

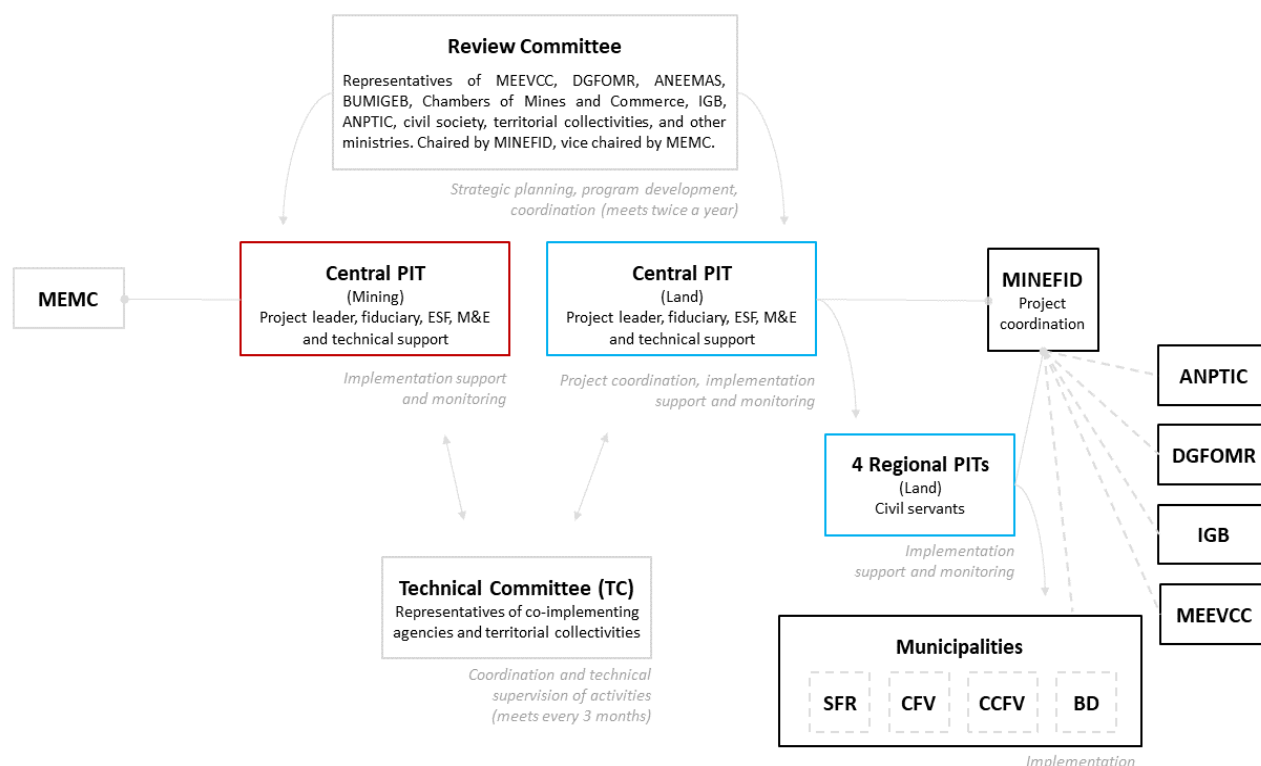


evaluation, environmental management, and social development. In addition, the PITs will hire other relevant technical specialists and mobilize advisory services to support implementation, as needed. All mining activities will be led through the central PIT, while for the land activities, four regional PITs (with a small number of civil servants for technical and administrative support) will be established to support activities to be implemented in the four regions and selected communes. Regional management of the DGI and the GUF will be appointed as the head of region and assume coordination and monitoring functions of project activities. Based on the implementation of the MDSP and its lessons learned, technical advisory support is envisioned for the activities related to mining environmental management, geoscience, community, and livelihood development to ensure the required quality.

135. **Technical Monitoring Committee.** The TC is a technical body composed of representatives of key co-implementing agencies responsible for coordination/information sharing with their agencies to ensure proper technical leadership, activities supervision and quality assurance of deliverables. The TCs will meet monthly to drive intersectoral convergence/coordination.

136. **A tailored spatial deployment of project activities is planned** with activities initially implemented in the low to medium intensity conflict areas. The project is not anticipating deployment in high intensity conflict areas until the security situation improves to align them with current conditions in medium intensity conflict areas. In addition, when relevant, as determined in a security assessment, alternative supervision of the project activities will be completed by qualified NGOs.

Figure 2: Implementation Arrangement





Financial Management

137. In line with the guidelines stated in the Financial Management Manual for World Bank IPF Operations of March 1, 2010 and last revised on February 10, 2017, a FM assessment was conducted within the MINEFID and the MEMC. It was agreed that MINEFID will be responsible for project overall implementation. MINEFID will assume the role of overall project coordination and institutional leadership and implement the project through two PITs having large flexibility and operational autonomy for each of the sectors. The PIT for the land sector will be under MINEFID and the PIT for the mining sector under the MEMC. Each of the PITs will be responsible for the technical, fiduciary, and monitoring functions in each of their sectors. The assessment of the FM capacity of MINEFID and MEMC was conducted by the Burkina Faso Country Office financial management specialist. The objectives of the assessment were to determine the following: (a) whether the two entities have adequate FM arrangements in place (planning, budgeting, accounting, internal control, funds flow, financial reporting, and auditing arrangements) to ensure that project funds will be used for purposes they are intended for and in an efficient and economical way; (b) that project financial reports will be prepared in an accurate, reliable and timely manner; and (c) the project's assets will be safeguarded.

138. The main finding arising from this assessment is that MINEFID has never directly managed a World Bank-funded project or funds from other donors with similar arrangements. In addition, no acceptable FM arrangement is in place. The PIT which will manage the project is not yet operational. However, MINEFID has managed, through external PIUs, two World Bank-funded projects, namely the Economic Governance and Citizen Engagement Project (P155121) and the Emergency and Recurring Cost Financing Project (P169486). The FM assessment of the two projects conducted in May 2019 concluded that the FM performance was Satisfactory for the Economic Governance and Citizen Engagement Project (P155121), and Moderately Satisfactory for the Emergency and Recurring Cost Financing Project (P169486). The FM arrangements for the proposed project will be like those two above-mentioned projects. On the other hand, MEMC is familiar with World Bank procedures. MEMC has managed the MDSP (P124648), which closed in June 2018 with a disbursement rate of over 99 percent. PADSEM 2017 audit report received in June 2018 concluded with an unqualified opinion on annual financial statements and did not reveal any significant weaknesses with respect to the internal control system. Last MDSP FM implementation support mission conducted in October 2018 concluded that the project FM was Satisfactory, and the FM risk was Moderate. The overall FM risk for the MEMC PIT before mitigation measures is rated High because MEMC has never directly managed a World Bank-funded project. Consequently, additional measures will be incorporated into the design of the project FM arrangements to mitigate the overall FM risk by: (a) strengthening the FM capacity and the internal control environment of the MEMC PIT; and (b) maintaining a continuous timeliness and reliability of information produced by the MEMC PIT. For this project, the MEMC PIT will hire: (a) a Finance Officer, and accountant and an assistant accountant, with qualifications and experiences satisfactory to the World Bank, fully dedicated to the accounting and disbursements tasks of the proposed project; and (b) an internal auditor with experience and qualifications acceptable to the World Bank.

Specific covenants for Bursaries, Cash transfers and Micro grants

139. Prior to payments of **bursaries**, MINEFID and MEMC: (i) will recruit or appoint qualified payment agencies widely represented in the targeted regions to make the bursaries payment for 100 females student involved in land and earth sciences related studies, and (ii) prepare a Manual of bursaries which should be approved by the stakeholders involved in the project (line ministries, PITs and other relevant actors), and the World Bank.

140. Prior to payments of **cash transfer**, MEMC will: (i) recruit or appoint qualified payment agencies widely represented in the targeted regions to make cash transfer to the selected beneficiary households, and (ii) prepare a Manual of cash transfer which should be approved by the stakeholders involved in the project (line ministry,



MEMC PIT, and other relevant actors), and the World Bank.

141. Prior to payments of **Micro-Grants**, MEMC will: (i) recruit or appoint qualified payment agencies widely represented in the targeted regions to make Grant payments to the selected women cooperatives, and (ii) prepare a Micro-Grants Manual which should be approved by the stakeholders involved in the project (MEMC, MEMC PIT, and other relevant actors), and the World Bank, and (iii) sign a financing agreement with the selected women cooperatives.

142. The overall FM residual risk for MINEFID and MEMC is rated **Substantial**, mainly because the PIT for MINEFID is not yet in place. The conclusion of the assessment was that both the MINEFID PIT and MEMC would be in a position to manage World Bank's funds once the following measures are implemented before and after the project effectiveness, for each of the two PITs: (a) hire or appoint on a competitive basis, before effectiveness, a Finance Officer, an accountant, and an accounting assistant solely dedicated to the project, with qualifications and experiences satisfactory to the World Bank; (b) prepare the PIM including detailed FM procedures manual, approved by the stakeholders involved in the project (PIT, regional directors, local governments) and the World Bank, before effectiveness; (c) acquire and install, within three months after effectiveness, an accounting software acceptable to the World Bank; (d) hire or appoint an internal auditor, within three months after effectiveness; and (e) recruit an external auditor with experience and qualifications acceptable to the World Bank, within six months after effectiveness.

Planning and Budgeting Arrangements

143. The budgeting process from elaboration to execution and control will be clearly defined in the PIM, including FM arrangements, and the budget will be reviewed and adopted by the Project Review Committee before the beginning of its execution. The consolidated annual draft budget will be submitted by MINEFID to the World Bank non-objection before adoption and implementation, and no later than November 30 of each year. Periodic monitoring of budget execution and variance analysis will be prepared by the PITs and included in the semi-annual unaudited Interim Financial Reports (IFRs).

Accounting Arrangements

144. **Financial Management Manual.** A PIM will be prepared and adopted by the MINEFID and MEMC in form and substance satisfactory to the World Bank before the project effectiveness date. The PIM shall contain, inter alia, detailed arrangements and procedures for: (a) implementation arrangements; (b) administrative aspects; (c) procurement; (d) environmental and social aspects; (e) financial management and accounting; (f) cash transfers and stipend handbook setting forth the detailed criteria, processes, methods and procedures for the cash transfers under the project; (g) a scholarships handbook setting forth the detailed criteria, processes, methods and procedures for the scholarships under the project; (h) a detailed description of the policies and procedures for the selection and financing of sub-projects through the micro grants (i) monitoring and evaluation (including performance indicators, and related targets); (j) grievance redress mechanism; and (k) such other technical, administrative, fiduciary or coordination arrangements as may be necessary.

145. **Accounting staff.** The MEMC's current FM staff who managed the closed MDSP (P124648) is comprised of one Finance Officer, one Accountant, and one Accounting Assistant. Thus, no additional FM staff would be needed for MEMC PIT. MINEFID does not have an FM team in place, since MINEFID has never directly managed a World Bank funded project or funds from other donors with similar arrangements. Therefore, for the purpose of this project, the MINEFID PIT will hire, within three months after project effectiveness date: an accountant and an accounting assistant, with qualifications and experiences satisfactory to the World Bank, fully dedicated to the accounting and disbursements tasks of the proposed project, based on ToRs satisfactory to the World Bank. The



MEMC's FM team will handle the FM activities for the project's activities implemented by MINEFID until then, based on a partnership agreement to be signed between MEMC and MINEFID prior to effectiveness date.

146. Accounting information systems. A computerized financial management system is in place within MEMC, which parameters would be migrated within three months after project effectiveness, to take into consideration the specificity of the new project. For this project, MINEFID will acquire and install its computerized financial management system within three months after the project effectiveness date. The project FM teams within MINEFID and MEMC will keep records on Excel spreadsheet until then. Any new FM and accounting staff recruited for the proposed project will be trained to be conversant with the accounting software. The accounting software to be procured would include the following modules to be integrated: budgeting, general accounting, cost accounting, reporting, M&E, fixed assets management, preparation of withdrawal applications, and tracking of disbursements by donors.

147. Accounting standards. The MINEFID PIT and MEMC PIT will use SYSCOHADA⁶⁴ accounting standards which are commonly used among West and Central African Francophone countries. The chart of accounts will be prepared to reflect various project components to facilitate the preparation of relevant monthly, quarterly, semi-annual, and annual financial statements. Annual financial statements will be prepared in accordance with SYSCOHADA accounting standards and relevant International Public-Sector Accounting Standards using a computerized accounting system.

Internal Control and Internal Auditing

148. Manuals. Financial Procedures will be detailed in the PIM to be elaborated and adopted in form and substance satisfactory to the World Bank prior to the project effectiveness date. The financial procedures will cover at least the following aspects: institutional arrangements, budget and budgetary control, disbursement procedures and banking arrangements, receipt of goods and payment of invoices, internal control procedures, accounting system and transaction records, reporting requirements, and audit arrangements. The financial procedures will also include guidance for handling project funds by any relevant entity involved in the project activities implementation, as well as annexes with template forms and reports such as asset control form and register, budget formats, monthly, quarterly, and semi-annual reports, annual financial statements, etc.

149. Internal audit functions. The MINEFID PIT and MEMC PIT will recruit or appoint a qualified and experienced internal auditor based on ToRs acceptable to the World Bank. The internal auditors will be recruited within three months following effectiveness date.

150. The project internal auditors will advise on the adequacy of project systems of internal controls and will conduct reviews of the implementation of project's activities. The role of project internal auditors will also include following up on implementation of appropriate actions to improve effectiveness of risk management, control, and governance processes at all levels and training of project's staff. The internal auditors will be trained on risk-based audit. Additional trainings will be recommended as part of continuing professional education.

Funds Flow and Disbursement Arrangements

151. Disbursement arrangements and use of funds. Proceeds of the financing will follow the standard World Bank procedures for IPF, for use by the Borrower for eligible expenditures as defined in the Financing Agreement. The project will finance 100 percent of eligible expenditures inclusive of taxes.

⁶⁴ Accounting system of the Organization for the Harmonization of Corporate Law in Africa (*Système Comptable de l'Organisation pour l'harmonisation en Afrique du droit des affaires*)



152. The proposed operation is estimated at US\$150 million to be allocated to the Borrower in the form of IDA credit and grant. Proceeds of the financing will be used by the project for payments of eligible expenditures as defined in the Financing Agreement and further detailed in the Annual Work Plans and Budgets and Procurement Plans. Disbursement arrangements have been designed in consultation with the Borrower after considering the assessment of the Implementing Agency's FM capacities and anticipated cash flow needs of the operation.

153. Disbursements for the overall categories of expenditures for the project will be made against submission of statements of expenditures (SOE) reporting on the use of the initial/previous advance. The option to disburse against submission of unaudited IFRs (also known as report-based disbursements) could be considered, as soon as the project meets the criteria. Other methods of disbursing the funds (reimbursement, direct payment, and special commitment) will also be available to the project. The minimum value of applications for these methods is stated in the Disbursement and Financial Information Letter (DFIL). The project will sign and submit Withdrawal Applications electronically using the eSignatures module accessible from the World Bank's Client Connection website. The World Bank will disburse loan proceeds to the PITs into a Designated Account (DA) denominated in Franc CFA of West Africa Central Bank (*Banque Centrale des États de l'Afrique de l'Ouest*, BCEAO), opened by each of the two PMUS, and maintained at the central Bank (BCEAO). Overall disbursement arrangements will follow standard disbursement policies and procedures established in the Disbursement Guidelines for IPF dated February 2017, and in the Disbursement and Financial Information Letter of the project. The diagram below depicts the funds flow mechanism that will be deployed.

Table A1.1: Disbursements per Expenditure Category

Category	Amount of the Credit Allocated (expressed in EUR)	Amount of the Grant Allocated (expressed in SDR)	Percentage of Expenditures to be Financed (inclusive of Taxes)
(1) Goods, works, non-consulting services, and consulting services Training and Operating Costs for the Project, (except for Cash Transfers Scholarships, and Micro-grants) Part 1.1.1; 1.2.1; 1.3.1(a)(b)(d)(e)(g)(h);1.3.2(a)(i); 2.2; 2.3; 3.1.1; 3.3; 4(1)	29,075,000	24,544,000	100%
(2) Goods, works, non-consulting services, and consulting services Training and Operating Costs for the Project, except for Cash Transfers Scholarships, and Micro-grants Part 1.1.2; 1.2.2; 1.3.1(c)(f); 1.3.2(a)(ii);1.3.2(b);2.1; 3.1.2; 3.2;4(2)	29,712,000	25,081,000	100%
(3) Cash Transfers	246,000	208,000	100%



(4) Scholarships			100%
(a) Scholarships for Excellence for Female Students in Land Administration	82,000	69,350	
(b) Scholarships for Female Students in Earth Sciences	82,000	69,350	
(5) Micro-grants	103,000	87,000	100%
(6) Refund of Preparation Advance IDA V3140 and Preparation Advance IDA V2510	1,068,000	901,300	Amount payable pursuant to Section 2.07 (a) of the General Conditions
(7) Refund of Preparation Advance IDA V3270	1,232,000	1,040,000	Amount payable pursuant to Section 2.07 (a) of the General Conditions
(8) Emergency Expenditures under Part 5 of the Project	0	0	100%
TOTAL AMOUNT	61,600,000	52,000,000	

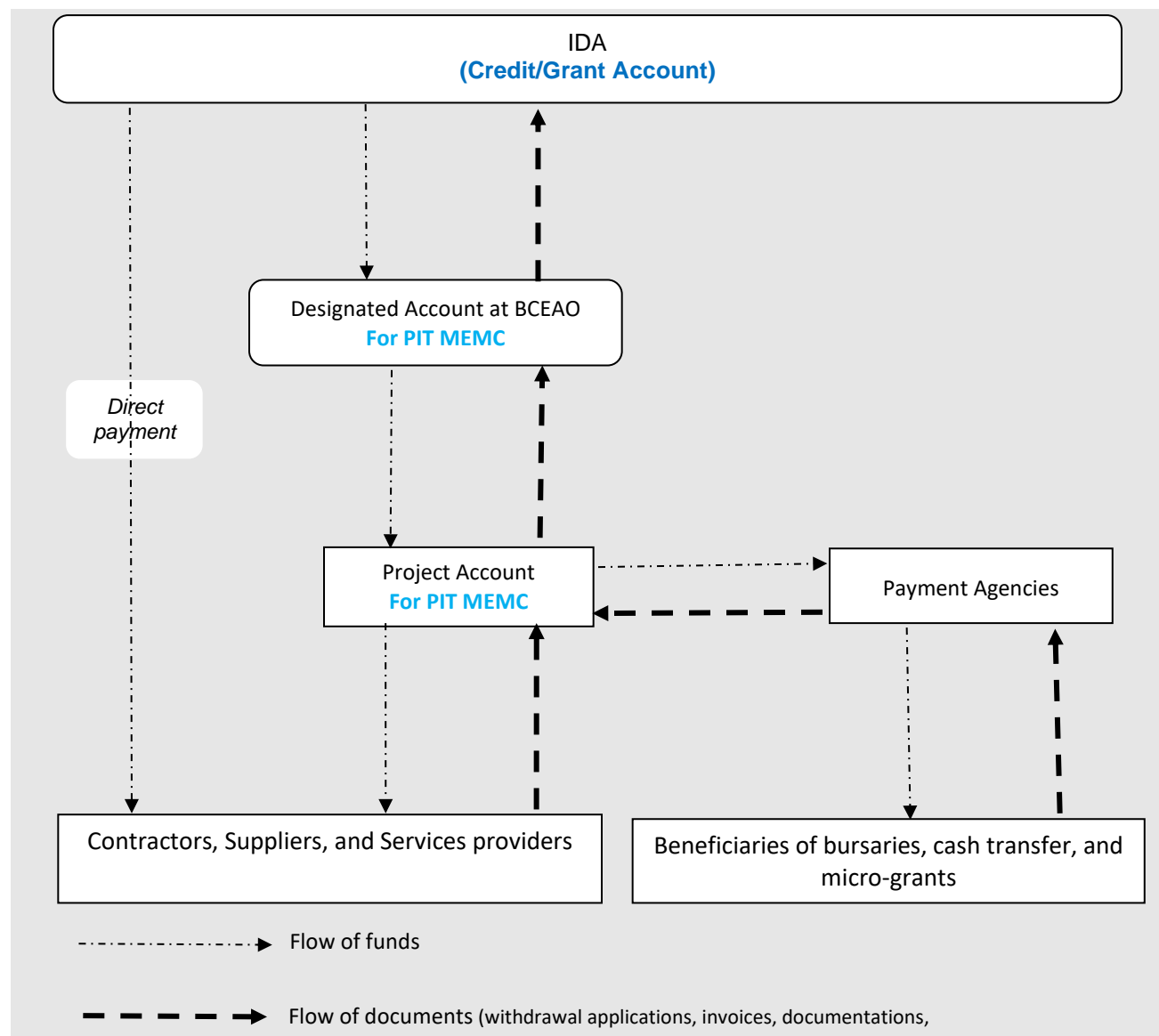
154. If ineligible expenditures are found to have been made from the respective Designated Accounts, the Recipient will be obligated to refund the amount in question, and IDA will have the right to suspend disbursement of the funds if reporting requirements are not complied with as provided for in the Financing Agreement. The World Bank's FM team will periodically assess the adequacy of the FM systems and this will form the basis of any change in disbursement methods. The authorized signatories of each of the two PITs will sign and submit withdrawal applications electronically through the World Bank's Client Connection website.

155. Further details about disbursements to the project will be included in the disbursement procedures described in the DFIL and the financial procedures included in the project implementation manual.



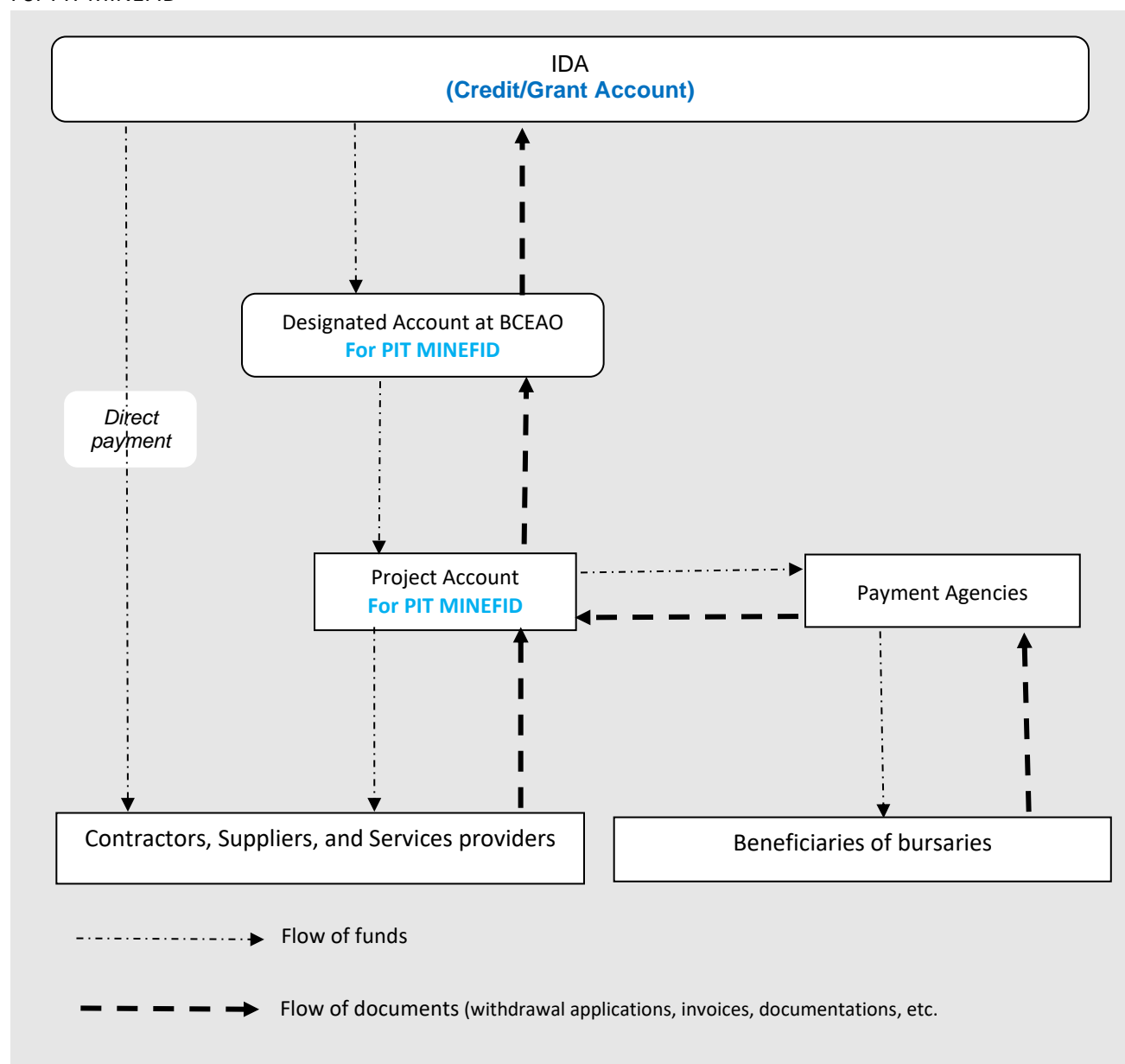
Figure A1.2: Flow of Funds

For PIT MEMC





For PIT MINEFID



Specific funds flow arrangements for Bursaries, Cash transfers and Micro grants

156. Contracts will be signed between the PITs under the oversight of the MENEFID and MEMC and the payment agencies for distributing funds to bursaries, cash transfer, and micro-grants beneficiaries. Funds will be transmitted from the project's accounts managed by each PIT to the payment agencies, and thereafter the payment agencies will make the payments directly to approved females student involved in land and earth sciences related studies, the beneficiary households, and the women cooperatives under bursaries, cash transfer, and micro-grants activities or subcomponents. Further details about disbursements under bursaries, cash transfer



and micro-grants to the respective beneficiaries will be included in the disbursement procedures described in the DFIL and the specific manuals to be prepared and adopted prior the first related disbursements.

Financial Reporting Arrangements

157. In line with the World Bank's FM guidelines, MINEFID PIT and MEMC PIT will be required to prepare and submit semi-annual unaudited IFRs to account for activities funded under their respective activities of the project. The project FMSs and Accountants within the two PITs are responsible for preparing and submitting acceptable IFRs to the World Bank, no later than 45 days after the end of the calendar semester. The IFRs will be designed to provide relevant and timely information to the project's management on all project related activities implemented by MINEFID and MEMC through their respective PITs. The formats and contents of the IFRs will be agreed on between the World Bank and MINEFID and MEMC during negotiations. These reports will as a minimum include:

- (a) a statement of sources and uses of funds and opening and closing balances for the semester and cumulative;
- (b) a statement of uses of fund that shows actual expenditures appropriately classified by main project activities (categories, sub-components) as per the Project Appraisal Document (PAD), including comparison with budget for the semester and cumulative;
- (c) a statement on movements (inflows and outflows) of the project DA including opening and closing balances;
- (d) a statement of expenditure forecast for the next semester together with the cash requirement;
- (e) notes and explanations; and
- (f) any other report that shall be required to provide further and relevant information on project expenditure.

Auditing arrangements

158. Project Financial Statements (PFSs) will be audited by an external auditor acceptable to the World Bank following International Standards for Auditing issued by the International Federation of Accountants, and specific terms of reference acceptable to the World Bank. Annual audits will cover all project funding and expenditures. Audit reports together with management letters must be submitted to the World Bank within six months after the end of the government's fiscal year. In accordance with World Bank Policy on Access to Information, the Borrower is required to make its audited financial statements publicly available in a manner acceptable to the World Bank. Following the World Bank's formal receipt of these statements from the borrower, the WB also makes them available to the public. The scope of audit will be detailed in the ToRs. Opinions will be required on: Designated Account; SOEs, PFSs; compliance and internal controls. It is required that the firm is recruited in line with World Bank Procurement Guidelines to ensure competitive selection. In this regard, the ToRs will be reviewed and cleared by the World Bank. External auditors will be appointed by MINEFID within six months after project effectiveness. The external auditors will also prepare specific opinions on bursaries, cash transfers, micro-grants activities and a Management Letter giving observations, comments, and providing recommendations for improvements in the bursaries, cash transfer, and micro-grants mechanisms, accounting records, systems, controls and compliance with financial covenants in the Financing Agreement.



Table A1.3: Audit Reports

Audit Report	Due Date
<i>PFS and management letter</i> to be submitted by MINEFID and MEMC through their PITs.	Submitted within six months after the end of each financial year.

Financial Management Action Plan

159. Following on from the FM Assessment for MINEFID and MEMC which identified some challenges and areas of improvement, the below FM Management Action Plan is recommended as a means of mitigating any risk and helping to improve the fiduciary environment during implementation.

Table A1.4: Financial Management Action Plan

<i>Issue/Topic</i>	<i>Action recommended</i>	<i>Responsible Body/Person</i>	<i>Completion Status/Date</i>
MINEFID and MEMC			
Partnership agreement	Signing a partnership agreement to define the FM arrangements within MINEFID until the MINEFID FM team is on board	MINEFID/MEMC	Before effectiveness
Specific Manuals	Prepare and adopt PIM including FM procedures	MINEFID/MEMC	Before effectiveness
	Draft and adopt Scholarships Manual	MINEFID/MEMC	Before disbursement under Bursaries subcomponent
Internal Auditing	Recruit or appoint an international auditor	MINEFID/MEMC	Within three (3) months of effectiveness
Payment Agencies	Recruit qualified Payment Agencies	MINEFID/MEMC	Before disbursement under Bursaries, cash transfer, and micro-grant subcomponents
Specific			
MINEFID			
Staffing	Recruit and appoint an Accountant and an Accounting Assistant	MINEFID	Within three (3) months of effectiveness
Information system accounting software	Acquisition and installation of an accounting software	MINEFID	Within three (3) months of effectiveness
External Auditing	Recruit or appoint an external auditor to audit project's financial statements for the 2 PITs	MINEFID	Within six (6) months of effectiveness
MEMC			
Information system accounting software	Migrate the existing accounting software's parameters to take into consideration the specificity of the new project	MEMC	Within three (3) months of effectiveness
	Draft and adopt Cash transfer Manual	MEMC	Before disbursement under Cash transfer



<i>Issue/Topic</i>	<i>Action recommended</i>	<i>Responsible Body/Person</i>	<i>Completion Status/Date</i>
Specific Manuals	Draft and adopt Micro-Grants Manual	MEMC	subcomponent Before disbursement under Micro-Grant subcomponent

160. **Financial Covenants.** Financial covenants related to standard FM requirements are covered under Section 5.09 of the IDA General Conditions and specific FM aspects are included in the DFIL. Further, additional covenants will be added to the FAs to reflect actions outlined in the FM Action Plan.

161. **Conclusion of the FM Assessment** . A description of the project's FM arrangements as documented in the preceding paragraphs indicates that they satisfy the World Bank's minimum requirements according to World Bank Policy. Overall, the FM residual risk is assessed and rated as **Substantial**. The substantial risk rating is because of inherent risk associated with the design, including amongst others: (a) MINEFID does not have an FM team in place, since MINEFID has never managed directly a World Bank funded-project or funds from other donors with similar arrangements; and (b) possible challenges with multiple sectors involving in the project's activities implementation.

162. **Implementation Support Plan.** Based on the risk rating of the project and the current FM arrangements, it is expected that in the first year of implementation, there will be four quarterly onsite visits to ascertain adequacy of systems and supplemented by desk reviews of IFRs and audit reports. The FM implementation support mission's objectives will include ensuring that adequate FM systems are maintained for the project throughout project life. In adopting a risk-based approach to FM implementation support, the key risk areas of focus will include assessing the accuracy and reasonableness of budgets, their predictability and budget execution, compliance with payment and fund disbursement arrangements and the ability of the systems to generate reliable financial reports.

Table A1.5: Implementation support plan

FM Activity	Frequency
<u>Desk reviews</u>	
Interim financial reports review	Semi-annual
Audit report review of the program	Annually
Interim internal audit reports	Bi-annual
Review of other relevant information	Continuous as they become available
<u>On site visits</u>	
Review of overall operation of the FM system	Annual (two missions/year)
Monitoring of actions taken on issues highlighted in audit reports, auditors' management letters, internal audit and other reports	As needed
Transaction reviews	As needed
<u>Capacity building support</u>	
FM training sessions	During implementation and when needed.



Procurement

163. Procurement will be carried out in accordance with all relevant policies and procedures: (a) the World Bank PR for IPF Borrowers, dated November 2020; (b) “Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants,” dated October 15, 2006 and revised January 2011 and as of July 1, 2016; and (c) other provisions stipulated in the Financing Agreement, using the SPDs accompanying the Regulation. STEP will be the platform for preparing, submitting, reviewing, and clearing Procurement Plan and prior review procurement activities. STEP will also be used for uploading the documents and evaluation reports for post review contracts. The PIM will detail the procurement procedures, SPDs, and model contracts associated with the market approaches and selection methods for various procurement categories. Details of the Procurement Plans are in STEP.

Procurement Capacity Assessment Summary

164. MINEFID and the MEMC will be responsible for project implementation. MINEFID will assume the role of overall coordination and institutional leadership and implement the project through two Project Management Units (PITs) having large flexibility and operational autonomy for each of the sectors. The PIT for the land sector will be under the MINEFID and the PIT for the mining sector under the MEMC.

165. **PIT/MINEFID.** The PIT is responsible to carry out all procurement activities of the project through Public Procurement Directorate (*Direction des Marchés Publics*, DMP) of MINEFID, which is responsible to supervise the implementation of the procurement activities of all projects under the administrative supervision of the ministry. DMP/MINEFID is divided into five sub departments and is staffed with eight procurement specialists. The unit is led by a civil servant who has a master’s degree and five years of experience in the country system. The assessment conducted by the World Bank team found that the unit is well-organized but must manage an important workload. In addition, the staff has limited experience in World Bank procedures and has no access to any capacity-building program. The main risks identified are the following: (a) the improper implementation of procurement activities under the project (in terms of efficiency, competition, transparency); (b) the delays during implementation and poor quality of contract deliverables; (c) delay to project processing and implementation due to lack of proper planning; (d) technical specifications/terms of references are vague or restrictive to few bidders/firms; and (e) many iterations resulting in delay and loss of good bids. The risk is evaluated to be **Substantial**.

166. **PIT/MEMC.** A procurement assessment provides evidence that: (a) the DMP at the MEMC has recently recruited new staff including a procurement specialist for the PIT that has implemented the World Bank-financed project MDSP under the procurement directives and is implementing the Project Preparation Advance of this project; (b) both the existing and new staff have limited qualifications, insufficient procurement skills, and inadequate experience in World Bank PR; (c) DMP is located in a small office space, with limited office furniture and equipment; (d) tender committee members are not trained in World Bank PR; (e) there are significant time delays in the procurement process; and (f) the filing system in place is inadequate. The assessment has rated the procurement risk as **Moderate**.

167. The overall procurement risk for the project is rated **Substantial** and will become **Moderate** after implementing the proposed mitigation measures.



Table A1.6: Procurement mitigation measures for PIT/MINEFID and PIT/MEMC

Action to be Undertaken	Time Frame	Responsible
(1) Prepare the administrative, procurement and financial part of the PIM to ensure appropriate implementation of activities in line with the World Bank's general framework related to the project. The manual should describe procurement rules applicable to the project and a clear accountability system and responsibilities for decisions making and describe streamlined procurement procedure when applicable.	Ongoing with Project Preparation Advance	PACT and MINEFID
(2) Put in place a proper procurement planning system (working with focal point and beneficiaries) based on the production of the technical documents	During the life of the project	PIT/MINEFID and PIT/MEMC
(3) Involve technical expertise during all the procurement processes	During the life of the project	PIT/MINEFID and PIT/MEMC
(4) Improve the recording system: (a) Include as part of the project funding to improve safe keeping of records; (b) clearly describe what records should be kept in the contract file, preferably in the PIM	During the life of the project	PIT/MINEFID and PIT/MEMC
(5) Train contract staff on the PR (online and/or in person) and the STEP, which will be used to manage all contract transactions and related documents. Ensure timely archiving of all procurement documents and complaints in STEP.	During the life of the project	PIT/MINEFID and PIT/MEMC/Word Bank
(6) Adopt World Bank provisions related to environmental, social (including sexual exploitation and abuse and gender-based violence), health and safety risks and impacts, including codes of conduct that include prohibitions against sexual harassment and sexual abuse to all works procurements that apply SPDs.	During the life of the project	PIT/MINEFID and PIT/MEMC/Word Bank

168. **Procurement documents.** For international competitive procurement of works, goods, non-consulting services, and consulting services, the Borrower shall use the World Bank SPDs with minimum changes, acceptable to the World Bank, as necessary to address any project-specific conditions.

169. **Procurement information and documentation—filing and database.** Procurement information will be recorded and reported as follows:

- a) Complete procurement documentation for each contract, including bidding documents, advertisements, bids received, bid evaluations, letters of acceptance, contract agreements, securities, and related correspondence will be maintained at the level of respective ministries in an orderly manner, readily available for audit.
- b) Contract award information will be promptly recorded and contract rosters, as agreed, will be maintained.



- c) Comprehensive quarterly reports will be prepared indicating: (i) revised cost estimates, where applicable, for each contract; (ii) status of ongoing procurement, including a comparison of originally planned and actual dates of the procurement actions, preparation of bidding documents, advertising, bidding, evaluation, contract award, and completion time for each contract; and (iii) updated Procurement Plans, including revised dates, where applicable, for all procurement actions.

170. **General Procurement Notice, Specific Procurement Notices, Requests for Expression of Interest, and results of the evaluation and contracts award** should be published in accordance with advertising provisions in the PR. For request for bids and request for proposals that involve international bidders/consultants, the contract awards shall be published in the UN Development Business in line with the provisions of the PR.

171. **Training, workshops, study tours, and conferences.** Training (including training materials and support), workshops, conference attendance (based on individual needs as well as group requirements), and on-the-job training will be carried out based on an approved annual training and workshop/conference plan that will identify the general framework of training activities for the year. A detailed plan and ToR providing the nature of training/workshop, number of trainees/participants, duration, staff months, timing, and estimated cost will be submitted to IDA for review and approval before initiating the process. The appropriate methods of selection will be derived from the detailed schedule. After the training, each beneficiary will be requested to submit a brief report indicating what skills have been acquired and how these skills will contribute to enhance his/her performance and contribute to the attainment of the PDO. Reports by the trainees, including completion certificate/diploma upon completion of training, shall be provided to the Project Coordinator, will be kept as parts of the records, and will be shared with the World Bank if required.

172. **Procurement Manual.** Procurement arrangements, roles and responsibilities, methods, and requirements for carrying out procurement shall be elaborated in detail in the Procurement Manual, which will be a section of the PIM. The context of fragility and the capacity constraints in project countries will be considered, and simplified procurement arrangements will be designed accordingly. The PIM shall be prepared by the Recipients and agreed with the World Bank before effectiveness.

173. **Operating costs.** Operating costs financed by the project are incremental expenses, incurred by PIT as approved by the World Bank, on account of project implementation, management, and M&E, including utilities; office space rental; office supplies; bank charges; vehicle operation, maintenance, and insurance; maintenance of equipment and buildings; communication costs; travel and supervision costs (that is, transport, accommodation, and per diem); and salaries of contracted and temporary staff. They will be procured using the procedures specified in the project manual of administrative, financial, accounting, and procurement procedures, accepted and approved by the World Bank.

174. **Procurement Procedures.** When approaching the national market, the country's own procurement procedures may be used with the requirements set forth or referred to in paragraphs 5.3–5.6 related to National Procurement Procedures and subject to certain requirements for national open competitive procurement. Other national procurement arrangements (other than national open competitive procurement) that may be applied by the Recipients (such as Limited/Restricted Competitive Bidding, Request for Quotation, Shopping, Local Bidding, and Direct Contracting), shall be consistent with World Bank core procurement principles and ensure that World Bank Anticorruption Guidelines and Sanctions Framework and contractual remedies set out in the World Bank Legal Agreement apply.

175. **Frequency of procurement implementation support.** In addition to the prior review which will be carried out by the World Bank, semi-annual implementation support missions are recommended. Annual World Bank



procurement post review will be conducted in the respective countries by the World Bank procurement specialists. The sample size will be based on the procurement risk rating for the implementing agencies in each country. The prior review procurements will be reviewed and cleared in STEP by the respective country's World Bank procurement specialist.

176. **Procurement prior review.** The procurement risk is rated **Substantial**. Table A1.7 summarizes the procurement prior review for Substantial risk. These prior review thresholds can evolve according to the variation in procurement risk during the life of the project.

Table A1.7: Procurement prior review thresholds (US\$) based on the risk

Contract category	Risk level			
	High	Substantial	Moderate	Low
Works, turn-key contracts and Public–Private Partnership	5,000,000	10,000,000	15,000,000	20,000,000
Goods including Information systems and non-consulting services	1,500,000	2,000,000	4,000,000	6,000,000
Consulting services (firms)	500,000	1,000,000	2,000,000	4,000,000
Individual consultants	200,000	300,000	400,000	500,000

177. **Contract management and administration.** For all prior review contracts, contract management plans (in line with the provisions of the PR Annex XI) will be developed during contract creation and completed at the time contracts are signed.

178. **Summary of the PPSD.**

179. The total value of the contracts to be financed is US\$132.0 million and represents 88 percent of the amount of the financing of the project which is US\$150.0 million. The project will finance contracts for goods, works, consulting services and Services other than Consulting Services. The repartition by contract categories of the amount of project financing likely to be allocated to the contracts to be awarded is as follows: Consulting services 50 percent, Services other than Consulting services 17 percent, Good contracts 16 percent, and contracts of Works 18 percent. Contracts for consultants and non-consulting services are studies and information system on land, cadastres and coordination and management of the project; Good contracts will focus on computer equipment, various mining equipment and materials, and rolling stock. The works contracts are construction, rehabilitation of buildings and the strengthening of communication and information networks. It appears from the market that Burkina Faso has potential bidders for most of the identified activities except for complex activities related to geodesy, cartography, and LIS for which past experiences show recourse to international firms. On the basis of the lessons learned from the previous project on the capacities of conducting specialized consultants in the field of mines, it emerges a lack of competences at the national level and a weak interest for the international



consultants in view of the estimated cost. To do this, an appropriate grouping of activities will be carried out and wide publicity at national and international level of Expression of interests or, where appropriate, at the invitation of well-known, highly qualified consultants. However, the local market is provided with national bidders who have strengths in terms of experience and capacity to carry out the planned supplies and works contracts.

Safeguards

180. See safeguard section in the PAD.

Planning, Monitoring and Evaluation

181. A comprehensive PM&E system to capture and report outcomes and results is a core element of the project design. The PIT will maintain a M&E system to report quarterly or on demand on project progress and provide timely information for decision-making. The PIT will be responsible for the PM&E system, which will support project management, reporting and evaluation needs. Monitor will focus on regular performance of project results and Mid-Term and Final project evaluations. These evaluations will provide independent input on the project and will be a critical tool for getting feedback directly from project beneficiaries in a systematic manner. These evaluations will be tendered on a competitive basis in accordance with ToRs agreed with IDA. A baseline customer survey will be carried out during the first months of implementation of the project. Information on project beneficiaries will help to understand project impacts in a disaggregated manner. Data collection will support the establishment of a database for future financial and economic analysis. The PIT will be responsible for collecting and reporting data as agreed in the PM&E Section included in the PIM and reflected in the Results Framework.

182. The PIT will be responsible for implementing the Management Information System in cooperation with the respective regional/technical units in the selected regions. The data and information collection, processing and analysis system will be designed for a country-wide application. In response to the need for adequate information to develop a detailed economic and financial analysis of the project, data collection will also include:

- (a) registration cost of tenure documents (costs of producing a land title and/or other land tenure records or rights documents);
- (b) time required for a property transaction (ownership transfer lease of public land, time to produce a land title);
- (c) property valuation (changes in market values of properties with different land tenure rights);
- (d) difference in productivity of land with different types of tenure security attached to them (farmland, customary, formalized tenure security, and urban and potentially commercial land);
- (e) differences in investments in land with different types of security linked to them (irrigation investment in titled land vs other, choice of land for commercial investments); and
- (f) use of tenure documents to access credit and loans.

183. Implementation Support Plan (Strategy and Approach for Implementation Support)

184. The strategy for Project Implementation Support by the World Bank reflects the nature of the project and its risk profile. The strategy aims at making the Government more efficient while remaining focused on implementation of the risk mitigation measures identified. The strategy is also an indicative and flexible instrument which will be revisited during project implementation and as part of the Implementation Status and



Results Report reviews and adjusted based on emerging project challenges and field conditions. The country's security situation will also be taken into consideration as project implementation advances.

185. **Overall Project Implementation.** Project implementation support will cover the following critical areas: (a) fiduciary capacity to ensure adequate internal control systems and overall governance; (b) technical expertise on cadastral surveying, regularization, titling and registration, dispute resolution, ICT and LIS development, and other land administration functions to support further adoption of good practices and cost-effectiveness; (c) management of environmental and social factors in the project's selected areas; (d) communication campaigns to keep stakeholders informed and engaged; and (e) gender strategy to ensure that project benefits are gender inclusive.

186. **Fiduciary aspects.** The World Bank will: (a) provide implementation support and training as necessary; (b) follow up on the project's financial management system and its adherence to the PIM, including but not limited to accounting, reporting and internal controls; (c) provide guidance on the PR to the PIT; (d) review procurement documents and provide timely feedback to the PIT; and (e) help monitor procurement progress against the Procurement Plan. The World Bank will ensure proper support is provided to MINEFID on procurement, including specialized IT procurement capacity as needed, either from World Bank staff or experienced consultants

187. **Environmental and Social aspects.** The World Bank will emphasize opportunities for social development and environmental sustainability provided by the project, as well as adequate attention to gender equity issues. Within this framework, the World Bank will help to monitor the implementation of activities and of safeguard instruments. World Bank social and environmental specialists will be available to provide timely guidance to MINEFID and ensure compliance with the applicable safeguards policies.

188. **Information and Communication.** A communications strategy will support the implementation of the project in its different areas of intervention. The strategy will also seek to support implementation of consultative and accountability processes, including a GRM.

189. **Implementation Support Plan and Resource Requirements:** Task team leadership and technical aspects will be managed from the World Bank's office in Washington, DC, in close collaboration with the Country Office in Burkina Faso. Implementation support for project financial management will be carried out from the Ouagadougou office. International and national consultants will be hired to provide advisory services in specialized land administration issues. Formal implementation support and field visits will be carried out semi-annually or as needed to help promote satisfactory project implementation. The main focus of implementation support is summarized below.

Table A1. 8: Implementation support plan and resource requirements

Time Period	Focus	Skills Needed	Resource Estimate
0-12 months	Start-up of large consultant support contracts, and review of bidding documents; M&E arrangements/ defining baselines; Support with implementation of institutional capacity	Team Leader	8 weeks
		Cadastral Survey Specialist	4 weeks
		Procurement Specialist	4 weeks
		FM specialist	4 weeks
		Social Specialist	5 weeks



	building, including project management, social, environment, and gender and communication/information	Gender Specialist	2 weeks
		Environment Specialist	5 weeks
		Operations Specialist	4 weeks
		Land Administration Specialist	4 weeks
13 – 48 months	Cadastral surveying; ICT development; Social and Environmental Sustainability and Safeguards; Financial Management; Disbursement; Procurement; Project Management; Communication / Information	Team Leader	8 weeks
		Cadastral Survey Specialist	4 weeks
		Procurement Specialist	3 weeks
		FM specialist	4 weeks
		Social Specialist	4 weeks
		Gender Specialist	3 weeks
		Environment Specialist	4 weeks
		Operations Specialist	4 weeks
		Land Administration Specialist	6 weeks
		ICT specialist	4 weeks
		M&E Specialist	3 Weeks

190. Skills Mix Required

Table A.1.9: Skills mix required

Skills	Staff Weeks / year	No. of trips / year
Task Team Leader	20 weeks	4
Land Administration Specialist	6 weeks	3
ICT Specialist	4 weeks	3
Procurement Specialist	6 weeks	4
FM Specialist	6 weeks	3
Social Specialist	4 weeks	2
Gender Specialist	4 weeks	2
Environmental Specialist	4 weeks	2
Communications Specialist	6 weeks	3
Operations Specialist	3 weeks	1
M&E Specialist	3 weeks	1



ANNEX 2: Adjustment to the Country Program in Response to COVID-19

COUNTRY: Burkina Faso

Support to Land and Mining Management Strengthening Project

Impact of the COVID-19 pandemic and government response

191. The COVID-19 pandemic has significantly impacted the economic stance of Burkina Faso, which is already facing unprecedented security challenges: In 2020, the pandemic and associated containment and mitigation measures plunged the country into an economic crisis and increased budgetary pressures. As a result of both the global slowdown and the domestic COVID-19 outbreak, the economy is estimated to have contracted by two percent in 2020 (compared to a projected growth rate of six percent). This translated into a five-percent contraction in per capita terms. Public debt increased to 42.7 percent of GDP in 2019 and is estimated to reach over 47 percent of GDP in 2020. Burkina Faso benefited from the G20's Debt Service Suspension Initiative, which is estimated to have yielded about US\$25 million (0.2 percent of GDP) of fiscal savings in 2020. According to the Joint World Bank/International Monetary Fund Debt Sustainability Analysis of October 2020, Burkina Faso exhibits a moderate risk of overall and external debt distress with substantial space to absorb shocks.

192. **The pandemic, the related economic shutdown and border closures reversed recent achievements in reducing poverty:** Poverty remains widespread and has almost certainly increased with the surge in the number of Internally Displaced Persons and the COVID-19 impact. Micro-macro simulations suggest that the international poverty rate has increased by at least two percentage points in 2020 due to the COVID-19, which corresponds to an additional 400,000 people being plunged into poverty. Beyond the monetary dimension, the COVID-19 crisis is also expected to have lasting effects on the non-monetary dimensions of wellbeing, such as education, health, and food security. In addition, sexual exploitation, child marriage and intimate partner violence are reported to have increased during the COVID-19 response and this period of restrictive measures. The United Nations Population Fund estimates that 238,000 persons need protection against targeted GBV incidents due to increased insecurity.

193. **The COVID-19 pandemic impacted negatively the Burkina private sector.** Preliminary results from a recent pulse survey of 549 firms, undertaken in October and November 2020 in the secondary and tertiary sectors, suggested that 76 percent of firms reported a drop in sales over the last 30 days before their interview, compared to 2019. Tourism and transport/logistics seem to have been especially hit (84-87 percent of firms reported a decline in sales). Early data show – not surprisingly – that larger firms seem to have weathered the shock better than smaller ones.

194. **In response to the health crisis, the Government of Burkina Faso rapidly put in place containment measures.** The first case was identified in the country on March 9, 2020 whereas the first death was reported on March 18, 2020. The country is currently in the middle of a second and stronger wave of new infections. Over the past three months, more than two-thirds of all infections since March 2020 have been recorded. As of February 16, 2021, there were 11,630 confirmed cases and 138 deaths; 10,979 patients have recovered, leaving 651 active cases. The Government of Burkina Faso took early and decisive actions to contain and mitigate the spread of the virus. A national Emergency Response Plan was unveiled in early-April 2020 that covered health, social and fiscal measures. Health measures included free lab testing of suspected cases, isolation and monitoring of at-risk cases in hosting facilities, and contact-tracing. Social relief measures included full or partial coverage of electricity and water bills, price controls, food distribution and cash transfers to the most vulnerable population. Finally, fiscal



measures included a targeted suspension and deferment of corporate, social security, and individual taxes. All cities with confirmed COVID-19 cases, including the capital Ouagadougou, were quarantined and commercial flights suspended. In addition, land borders were closed except for freight and humanitarian traffic. Schools and universities were also closed, and an overnight national curfew was established in addition to prohibiting all demonstrations and gatherings of people in the capital region. Most of those containment measures are now over. The Government of Burkina Faso has recently received budget support for key structural policy reforms, including under the FY21 Sustainable Development Finance Policy (on debt transparency and fiscal sustainability).

World Bank Group Response and Adjustment to the Country Program

195. **Remaining within the broad parameters of the WBG CPF for Burkina Faso for the period FY18-FY23⁶⁵, the WBG program was adjusted to support the Government of Burkina Faso's response to the COVID-19 crisis.** These adjustments were aligned with the priorities of the WBG COVID-19 Response Framework Approach Paper *"Saving Lives, Scaling-up Impact and Getting Back on Track"*. The World Bank rapidly deployed and re-purposed IDA resources in the FY20-21 pipeline and active portfolio and leveraged trust fund resources to support the country's COVID-19 Preparation and Response Plan. The adjustments to the program are presented below.

196. **Saving Lives.** The World Bank has disbursed the COVID-19 Crisis-Response Development Policy Financing (P174315) of US\$100 million to mitigate the unexpected impact of the pandemic on the economic and social fronts in FY21. To do so, US\$50 million from the Agriculture Resilience and Competitiveness Project (PP167945) has been cancelled/re-committed for this operation. Support in health was provided by a new COVID-19 Burkina Faso COVID-19 Preparedness and Response Project (P173858; Multi-Phase Programmatic Approach) and the existing operations. The new operation (US\$21.15 million) has disbursed 35 percent as of mid-May 2021 and has large contracts in the pipeline to accelerate its progress. The Health Services Reinforcement Project (P164696) reprogrammed and acquired US\$4 million in consumables and support including vehicles for contact-tracing teams. The regional operation Sahel Women's Empowerment and Demographics Project-SWEDD (P150080) has provided support through a platform to respond to socio-economic challenges faced by girls and women.

197. **Scaling-up Impact and Getting Back on Track.** The World Bank has restructured existing governance operations⁶⁶ through new activities including (i) provision of essential kits to the internally displaced population estimated to 765,517 in the municipalities, (ii) distribution of 30,000 tons of cereals to vulnerable populations, (iii) distribution of COVID-19 kits to 330 municipalities, (iv) financing of recurrent costs in the health and education sectors in conflict-affected regions, (v) digitalization of core services such as civil service admission tests (about 14,412 candidates took online exams on August 2020), and (vi) support to the business continuity of core functions by setting up home-based work technology in the 13 regional directorates of the Ministry of Civil Service and 2 directorates of the Ministry of Finance.

198. **The Burkina Faso Water Supply and Sanitation Program (P164345) has also contributed to provide access to improved water supply and sanitation to, respectively, 1,150,000 and 1,350,000 people in both rural and urban areas as a response to COVID-19 in Burkina Faso.** In addition, the financial situation of the National office for water and sanitation (ONEA-, *Office National de l'Eau et Assainissement*) was being severely affected by the COVID-19 crisis, especially by the social measures announced by the President on April 2, 2020, representing lost revenues and costs amounting to US\$12 million per quarter. As a consequence, ONEA was facing a cash

⁶⁵ Report No. 123712-BF; discussed by the Board of Executive Directors on July 5, 2018.

⁶⁶ Local Government Support, COVID-19 and Resilience Response Project (P120517); Economic Governance and Citizen Engagement Project (P155121); Burkina Faso Emergency Local Development and Resilience Project (P175382).



shortfall without strong support from the Government and partners that could eventually lead to service interruptions. In that respect, the Program for Results operation was restructured in May 2020, in order to accelerate the disbursement of US\$8 million, enabling the ONEA to secure through a cash advance, the stock of water treatment chemicals for US\$1.5 million.

199. **The Social Safety Net Project (P124015) has just adapted its cash transfer program to redirect them towards vulnerable households (26,076) hit by the COVID-19 pandemic.** Households directly affected by the crisis and women working in food markets are the main beneficiaries of these monthly transfers which began in May 2020. The safety net project could also benefit from additional financing from the Sahel Adaptive Social Protection Program-SASPP (P124015) to strengthen the government interventions to mitigate the impacts of the pandemic. The Financial Inclusion Support Project (P164786) will be restructured to establish a new crisis window under the existing partial portfolio credit guarantee (PPCG) set up under the project. The new risk-sharing instrument will crowd-in private capital from the financial sector by extending the PPCG coverage to restructured loans and new working capital loans to Micro, Small, and Medium Enterprises (MSMEs) affected by the COVID-19 pandemic.

Selectivity, Complementarity, Partnerships

200. **New activities were implemented in the governance sector as part of the response program and were designed to complement other donors' operations.** In addition, the Governance Global Practice is leading in close collaboration with European Union and International Monetary Fund, the technical assistance on the crisis response governance framework. The Social Protection Global Practice is coordinating interventions with partners, notably the World Food Program, the German Cooperation (*Kreditanstalt für Wiederaufbau*- KfW) and the AFD to support the government in strengthening national systems in response to shocks and for a sustainable systemic approach on social protection in Burkina Faso. Health Services Reinforcement Project (P164696) is planned to be restructured and the World Bank is working with USAID, Centers for Disease Control and Prevention, and the Agriculture Global Practice to develop a plan aiming to support the One Health initiative. The WBG also participates in the One Health Technical Secretariat meetings. As part of the Financial Inclusion Support Project (P164786) restructuring, government counterparts and the private sector were consulted extensively on adding a new crisis window within the existing credit guarantee fund to cover restructured loans and working capital loans for MSMEs adversely impacted by the COVID-19 pandemic. On the development partners side, the Danish Cooperation, which finances an individual guarantee scheme to support increasing rural enterprises' access to finance, expressed strong interest in supporting the PPCG windows.



ANNEX 3: Legal and Institutional Framework of the Land Sector

COUNTRY: Burkina Faso

Support to Land and Mining Management Strengthening Project

201. **Legal** Law No. 034-2012 establishes that land in Burkina Faso can be owned by the State, the territorial collectivities, and private individuals. The 2012 revision to the Agrarian and Land (*Réorganisation Agraire et Foncière*, RAF) moves in a new direction with the adoption of a new definition of the National Land Domain (*Domaine foncier national*), composed of the State property (*Domaine foncier de l'Etat*), Local Collectivities' property (*Domaine foncier des collectivités territoriales*) and the Private Actors property (*Patrimoine foncier des particuliers*), in line with the 2007 Rural Land Policy and the provisions of the 2009 rural land tenure law. Land owned by the State and the territorial collectivities can be classified as public or private. Land under the public domain (*Domaine public*) of the State and territorial collectivities is considered inalienable, imprescriptible and exempt from seizure. Land in the private domain, however, can be earmarked for public use and can be transferred to private individuals. The State's private domain is managed by each ministry according to their competencies or by a territorial collectivity via a decree taken in a ministerial council. The private domain of a territorial collectivity is managed by their council. Territorial collectivities do not yet have full jurisdiction over lands in their domain in that the procedures that would allow them to register their lands have not yet been established. Furthermore, the private domains of the State and territorial collectivities can be classified as urban or rural, which determines the applicable legal framework overseeing management. Urban lands are managed by the Urban Planning and Building Code, whereas rural lands are managed according to Law No. 034-2009. For the purpose of Law No. 034-2009, rural lands are those intended for production and conservation activities located in the rural communities and villages attached to urban municipalities. The provisions of Law No. 034-2012 apply to the management of all other types of land located in rural areas that do not meet the definition of Law No. 034-2009.

202. **The legal framework recognizes several conditions for the exercise of real property rights and allows for different types of land titles that cover a spectrum of land rights.** Article 209 of Law No. 034-2012 defines the following real property rights: ownership, surface right, usufruct, emphyteutic lease, right of use and habitation, easements, charges (antichresis, liens and mortgage) and rural land possession. Land publicity through registration in the land register allows the public to be informed of the existence of land rights. The 1991 Constitution protects gender equity in the right to property and the Law No. 034-2012 stipulates that gender must be considered in all activities concerning the registration of ownership or land use rights but enforcement of this principle suffers due to legal pluralism in land management and allocation. Full ownership rights are recognized in the form of property titles (*titres fonciers*) that must be registered in the land book. The registration procedure involves a long administrative process that encompasses a minimum of 22 steps. The process involves different examinations and controls by 10 different institutions and requires the final validation of the Ministry of Finance. In addition to ownership rights, other forms of land occupation are recognized. Law No. 034-2012 authorizes the transfer of land from the private domain of the State and territorial collectivities to private individuals in different types of land occupancy titles (*titres de jouissance*). Some of these land use titles offer precarious and revocable rights to the holders (i.e., occupation permits) whereas others offer more stable rights (i.e., rural possession certificates, urban habitation permits, rural farming permits, disposal orders, and the emphyteutic leases). The transfer of land from the State and territorial collectivities to private individuals is based on specific conditions of occupation or land use, such as real estate development. These transfers are subject to



approval by an inter-institutional commission and require the payment of fees and taxes.

203. One of the major innovations of Law No. 034-2009 was to recognize land rights in rural areas on the basis of customary occupation. The law permitted the issuance of APFR following the proposal made in the 2007 National Rural Land Tenure Security Policy. Law No. 034-2009 recognized rural land possession on the basis of: (a) attestation of the local population, especially neighbors and customary authorities, on the *de facto* quality of ownership of a rural plot by a person or a family; and (b) continuous and peaceful improvement of the land for agricultural production for at least 30 years. The APFR is an administrative act with the value of a land use title. It grants a real transmissible and assignable right under the conditions laid down in the law. It can also be used as collateral for a loan. The APFR is recorded at the commune level and can be transformed into an ownership title. The APFR serves as an important tool to recognize the land rights of the rural population based on customary arrangements. The law allows the issuance of APFRs both to an individual or to a group. In theory, a collective certificate would allow for the flexibility required to adapt to the particularities of customary land tenure arrangements. In practice, there have been limitations in the attempt to use APFRs to formalize customary land tenure arrangements. Part of the problem is that projects that have supported land tenure reforms have favored the issuance of individual APFRs.⁶⁷ The modality of collective APFR continues to be less known among the population.

204. The coverage of APFRs remains limited despite their potential for improving conditions of land tenure security for the rural population. APFRs are issued on a demand basis, and their uptake is susceptible to people requesting this form of legal documentation. As mentioned above, there is little awareness about the option of obtaining a collective APFR, which may turn people away out of fear that secondary rights would be lost. In other cases, local chiefs have refused to approve the requests for APFRs made by non-natives. Another well-documented reason behind their low uptake is the high cost associated with their issuance. There is a flat fee for boundary demarcation and registration, but territorial collectivities impose other taxes and fees which end up raising the financial burden. The revenue is expected to cover the administrative cost of registration activities and help finance the maintenance of the local offices, but the accrued cost can exceed the financial capacity of the rural population. The cost varies depending on whether the land is in a rural or urban municipality and whether or not it is a first registration or a subsequent transaction. Additionally, fees for mapping and delineating parcels on the ground are very high, which doubles the cost of the documents. The current situation favors the provision of APFRs to those who can afford the costs, undermining the intent of increasing land tenure security in rural areas. There has been a higher demand for APFRs in peri-urban areas where the population is better informed about this instrument and land markets are more dynamic. Territorial collectivities in these peri-urban areas often have problems processing the requests for APFRs in an expeditious manner.

205. The Urbanism and Construction Code specifies the regulations and tools related to urban development complementing the provisions in Law No. 034-2012. The urban planning tools include the Master Plan for Urban Development (*Schéma Directeur d'Aménagement et d'Urbanisme*, SDAU) and a Land Occupation Plan (*Plan d'Occupation des Sols*, POS). All urban communes must have a SDAU and a POS, whereas rural communes require only a POS. If the commune does not have a POS, the Urbanism and Construction Code establishes the general principles of urbanism. Many people find themselves in a precarious situation as a result of the numerous difficulties linked to the complex procedures and high costs necessary to obtain use and ownership titles. The PUH is a permanent land use title and one of the most common forms in which households access land. PUHs are issued by the territorial collectivities to natural or legal persons for occupying land designated for residential use with the possibility of transfer. The PUH can also be transformed into ownership titles. Procedures to obtain

⁶⁷ World Bank, *Land Sector Review in Burkina Faso*, 2020.



a PUH were facilitated with the establishment of the One-Stop Land Office. In addition, the 2017 Finance Law specified a special land regularization operation that introduced a low-cost flat fee. This initiative was highly successful, increasing significantly GUFs revenues but it was not continued.

206. Conservation areas represent from 15 to 20 percent of the national territory. They may be either in the public domain (classified forests or protected areas), or in the private domain (forests belonging to territorial collectivities, sacred woods and community-managed forests). Local stakeholders have an important role to play in the identification, delimitation, and management of conservation areas. The Rural Land Tenure Law permitted the establishment of local land charter that would allow communities to protect and manage land and natural resources according to local customs. The land charters offer an instrument for communities to regulate land access, use, and conservation of common areas as well as to manage land loans, establish measures to protect vulnerable populations, and set up institutions and procedures for conciliation.

207. A new law on expropriation in the public interest (Law No. 009-2018) was approved in 2018 to facilitate infrastructure development in the country. This law concerns processes of expropriation for public interest and payment of compensation for the population affected by projects developed in the public interest. The provisions in the law have not yet been widely applied, and its content remains little known even among those public officials in charge of its application.

208. Territorial Management requires an inter-sectoral approach and the coordination of multiple stakeholders in the public sector, civil society, and the private sector. In an effort to improve policy effectiveness and coordination mechanisms, the Government approved the Law for the Orientation of Territorial Planning and Sustainable Development (No. 024-2018). This law establishes the main principles to ensure equitable, integrated and harmonious development, as well as to promote investments that can contribute to poverty reduction and sustainable natural resources management. The law intends to create a structure for stakeholders to be able to better coordinate actions in the territory.

Institutional Framework

209. Land management impacts different sectors and involves a large number of stakeholders. More than 10 ministries have competencies over land management.⁶⁸ Sometimes their jurisdictions overlap or there are no mechanisms for coordination, which contributes to cumbersome procedures, higher costs, and sometimes tensions. These problems are notorious in procedures involving the management of rural lands, which concerns both the Ministry of Agriculture and the Directorate General for Taxation (DGI), and in processes of subdivisions, which involves the Ministry of Urbanism and the DGI. The Government created the National Rural Land Security Committee and the Inter-Ministerial Modernization and Deconcentration Plan (PIIMD) to improve coordination mechanisms, but these mechanisms have not been effective. Part of the problem is that they require the mobilization of a large number of commissions representing a significant cost. The harmonization of the legal framework and the establishment of a Land Information System should facilitate a more orderly process with clear procedures and platforms to share information.

210. Land registration and cadastral functions are overseen by the DGI within the Ministry of Finance,

⁶⁸ Ministry of the Economy, Finance and Development; Ministry of Agriculture and Hydraulic Facilities; Ministry of Land Planning and Decentralization; Ministry of Territorial Administration and Internal Security; Ministry of Justice and Human Rights; Ministry of Housing and Urbanism; Ministry of the Environment and Sustainable Development; Ministry of Animal and Fisheries Resources; Ministry of Women and Gender; Ministry of Water; Ministry of Infrastructure, Transport and Access.



Economy, and Development (MINEFID). The DGI has a Directorate of Property and Land Affairs and a Directorate of the Cadastre at the central level that are responsible for the management of the registry and cadastre respectively. At the deconcentrated level, services are offered through the Property Revenue and Land Publicity Office (RDPF) and the SCTF. The RDPF handles the registration of property rights on the land domains of the State, territorial collectivities, and individuals. Property titles and land use titles are registered in the land book. The SCTF is responsible for establishing and maintaining the cadastral map, supervising land surveying activities, and managing requests for subdivisions. The SCTF and the Regional Tax Department share responsibilities for property assessments. The plot is the basic spatial unit of the cadastre, and a unique plot number is assigned based on the administrative division. This indexation has not yet been done systematically in rural municipalities. In 2019, only nine regions had a functional SCTF. The services offered by the RDPF and the SCTF are only offered at the regional level, but the Government is considering extending them the level of the communes as well.

211. The Rural Land Service (SFR) and the Domains Office (BD) play an important role in the decentralization of land management. They are both under the responsibility of the mayor, but they have not yet been created in most territorial collectivities. The SFR is responsible for maintaining the inventory of parcels and the registration of rights in rural lands based on the provisions of Law No. 034-2009. The SFR is the office that handles the requests and registration of the APFRs and the land charters. The BD is responsible for the management of all other non-agricultural lands. They intervene when a plot changes its designation from agricultural to residential use. The SFR is supported by DGFOMR, which provides them with advisory support, and is accompanied by several structures that bring together local stakeholders for a more inclusive land governance including (a) the Village Development Councils (CVD), involved in the conformation of and management of land charters; (b) the CFV, a sub-commission of the CVD which participates in procedures to establish APFRs; and (c) the CCFV, presided over by the customary land authority and in charge of facilitating the settlement of rural land conflicts. The absence of SFR and BD offices in the commune represents a problem for accessing registration services and complying with procedures. The absence of these services at the commune level encourages informality and contributes to land tenure insecurity. The State's deconcentrated technical services, such as the SCTF, are responsible for providing the assistance for the strengthening of these local bodies.

212. Decentralization of land management in rural communes also depends on other structures that bring together local stakeholders for a more participatory governance of land. The Village Development Councils (CVD) has, in addition to its normal functions related to local development, some land-related competencies. They are involved in the conformation and management of land charters. The CFV is a sub-commission of the CVD presided over by a customary leader and integrated by a wide range of local representatives, including traditional and religious authorities, producers' associations, women and youth organizations, and the regional Chamber of Agriculture. The CFV oversees land registration activities in the commune in coordination with the SFR and the mayor's office. The CCFV was created to facilitate the settlement of rural land conflicts and is independent from the CVD. These local land institutions require the mobilization of a large number of people, which is one of the reasons why they are not in operation in most communes.

213. The modality of the GUF was introduced to permit users to access multiple services in one place under simplified procedures. By centralizing the reception of documents, the GUF reduces the cost and time required to conduct land transactions, which include the registration and assessment of real property. The only GUFs that are operational are located in Ouagadougou and Bobo-Dioulasso, the two largest cities in the country. The GUF functions as a front-office that helps to direct applications to the appropriate competent administrative office and monitors their progress. The GUF, however, does not have a back-office, meaning that each office is still responsible for carrying their own procedures. The GUF has no power to exert pressure on these other offices in the event of a lack of progress or of errors in the handling of an application.



214. **Land in rural areas is held under customary tenure arrangements that vary by region.** Traditionally, the Land Chief is the keeper of customary secrets linked to the land. He authorizes access to land and natural resources: farming, settlement, burial, etc. He ensures the lineage-based management of the land and is assumed to guarantee the preservation and the transfer of collective land holdings from one generation to the next. In this capacity, he assigns land to newcomers, arbitrates land conflicts within the community and with neighboring villages, and ensures the management of common resources. These arrangements vary by region depending on the structure of political chiefdoms. In some regions, the functions of Village Chief and Land Chief represent two distinct roles and in others they are vested on the same individual.



ANNEX 4: Project Implementation Area

COUNTRY: Burkina Faso Support to Land and Mining Management Strengthening Project

Map 1. Common Land and Mining Activities Areas

Legend

- Authorization for Artisanal Mining
- Mining Permits
- Quarries
- Municipalities
- Regions



Source: Government of Burkina Faso
LB, SAWU1, World Bank, June 1, 2021



Map 2. Land and Mining Activities Areas with Fatalities Occurrences

