

# REPUBLIC OF RWANDA



MINISTRY OF INFRASTRUCTURE

RWANDA TRANSPORT DEVELOPMENT AGENCY (RTDA)

UPDATED RESETTLEMENT ACTION PLAN (RAP) FOR

LAKE VICTORIA TRANSPORT PROGRAM:

UPGRADING OF KIBUGABUGA - SHINGA - GASORO ROAD

*(66.55km)*

*May 2020*

## EXECUTIVE SUMMARY

The proposed road links the Central Corridor to the Republic of Burundi and Democratic Republic of Congo through the Eastern and Southern Provinces of Rwanda. It is part of the corridor of the Ngoma - Nyanza national road of about total 130 km distance.

The Ngoma-Nyanza corridor upgrading project aims at promoting the efficient and safe movement of goods and people along the regional corridor from Tanzania to Rwanda and other neighboring countries, particularly through the border crossing at the Rwanda-Tanzanian border, Rusumo. The Central Corridor, through Tanzania, extends 2,170 km and connects Uganda, Rwanda, Burundi and Democratic Republic of Congo with Dar es Salaam and its Port.

At the time of project preparation, The Rwanda Transport Development Agency (RTDA) prepared a Resettlement Action Plan (RAP) for the entire Ngoma-Nyanza corridor, that was cleared by the World Bank on March 10, 2017 and disclosed in Rwanda on March 21, 2017 and in the World Bank InfoShop on March 23, 2017.

In parallel-financing, the project is divided into two road sections (Ngoma – Ramiro (52.8 km) and Kibugabuga – Gasoro (66.55 km), each of which is separately funded and administrated by the Japan International Cooperation Agency (JICA) and International Development Association (IDA) under the Lake Victoria Transport program (LVTP-SOP1) respectively.

The financing agreement signed between the Government of Rwanda (GoR) and the IDA for the LVTP-SOP1, includes a specific covenant requiring the GoR to cause the JICA funded section to be implemented in accordance with ESIA and RAP acceptable by the World Bank. It is in that regards that, the RTDA hired the consultant (JV of PADECO Co., Ltd, NIPPON ENGINEERING CONSULTANTS CO. LTD., Oriental Consultants Global Co. Ltd., Ltd., HYCOGEC Consultant Ltd., and Core Concept Consultants) to develop the ESIA and RAP for Ngoma-ramiro road section.

The above said Resettlement Action Plan (RAP) covers 52.8 km from Ngoma to Ramiro, and it has been prepared in conformity with, Government of Rwanda legal framework governing resettlement issues, the World Bank and JICA Environmental and Social Standards, and the Project Resettlement Policy Framework (RPF) that was discussed and approved by the JICA prior to the project approval. The RAP for the Ngoma-Ramiro road section is under preparation and will be shared with the World Bank in the coming days for review and clearance.

This document is an updated Resettlement Action Plan (RAP) for the proposed upgrading road of Kibugabuga-Shinga-Gasoroa unpaved with a total of 66.55km

which is funded by the IDA and implemented by the RTDA. As the road upgrading follows the DBM (Design Build and Maintain) type of contracting for construction and maintenance, the final road design was completed by the Contracting Entity with subsequent necessary updates, as needed, to the disclosed RAP. The updated RAP shall be cleared by the World Bank and re-disclosed for compensation prior to start of any civil works.

The final Kibugabuga-Gasoro road designs were completed and approved hence the need to update the Resettlement Action Plan accordingly. The updated socio-economic survey was carried out in a manner that is consistent with the World Bank and the Government of Rwanda's policies, procedures, relevant laws, and regulations. The update socio-economic Survey, which was the basis of having to update RAP, was completed for the road section Kibugabuga-Gasoro road on 31<sup>st</sup> October 2019 following the approval of the geometric design done by the contractor and approved by the Monitoring and Supervising consultant.

The nature of implementation of the proposed project will trigger environment impacts, displacement of assets and livelihoods. Therefore, the contractor prepared an environmental, social management plans (C-ESMP) to mitigate the identified potential project environmental impacts. To mitigate, the likely displacement and other related impacts, this RAP has been prepared in conformity with the World Bank Environmental and Social policies, the Resettlement Policy Framework (RPF) that was approved prior to the project approval, and Government of Rwanda legal framework governing resettlement and expropriation issues.

In accordance to the principles of the WB Environmental and Social safeguards policies, Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, a socio-economic survey of the PAPs was undertaken and PAP affected assets registers were prepared. Several consultation meetings with the project stakeholders and valuation of the affected assets and livelihoods were held in order to update this final report and a compensation package is proposed herein, a detailed report on consultation meetings is included under the consultation section in the report. The RAP proposes the settlement of compensation and resettlement assistance before demolishing PAPs properties and commencement of any project site works.

The socio-economic survey revealed that from Kamabuye PK 73+000 up Gasoro/Nyanza 351 Household PAPs shall be displaced and 171 Vulnerable PAHs. A total number of **12,960 PAPs** from **2880 PAHs** will be affected by the project works.

Out of 2,880 PAHs, over 2,529 are largely losing partial/small size land (1-4m<sup>2</sup>) and the PAHs are staying in the same plot of land and preferred cash as a form of compensation.

**Physical relocation/Displacement/loss of houses:** The project will physically relocate over 351 households and of which 171 are vulnerable household. Among these households that will lose their houses, there are those who who have requested for self-relocation. These are households that are losing houses but will remain with a viable plot of land in the same place and during consultation requested to self-relocate in the same plot. Other households have second house or alternative plots elsewhere and need cash as the preferred form of compensation to relocate to these houses or other plots. The PAHs who will construct houses on their own (self-relocation), the project will provide them with support in terms of waiver of land title transfer charges, disturbance allowance 5%, and acquiring construction permits from the local authority.

The last group of households are those that require to be facilitated to relocate. These are households that have lost everything (land and houses), or the remaining land parcel becomes unviable, the project will facilitate the full relocation of these PAHs to other areas or find alternative land in the same community and facilitate the house construction and also provide livelihood restoration measures to the vulnerable members. Those who want to stay within the neighborhood, the project will facilitate them in collaboration with the local authority through construction linked disbursement to ensure that they have new houses, help them to find alternative land in the area, facilitate them in acquisition of construction permits.

The project will also work with the local authorities (District) to relocate those who cannot find alternative land in the same neighbor to move to the group settlements already designated by the District.

The project will prepare a detailed livelihood restoration and strengthening plan (LRSP) to support the 171 vulnerable houses to restore their livelihoods.

Households that have lost crops, compensation for crops both perennial and seasonal will be done at mark for crops and replacement cost for lost homes. The New Rwanda Expropriation Law (Law No 32/2015 relating to expropriation in the public interest) requires that RTDA as the Executing Agency of the road upgrading project applies the expropriation of the affected property in public interest and ensures that the respective districts crossed by the road diligently value the affected property, and duly compensates and facilitates the resettlement process of the PAPs. In the updated law, a 5% of the total value of their affected properties will be added to their fair compensation for disruption caused by the expropriation as per the requirement of the expropriation law.

The Respective districts crossed by the road will be obliged to follow up with the PAPs and support the restoration of their livelihoods to a better level or at least to the initial livelihood standard of the PAPs prior to their displacement. The livelihood and income

restoration for Individual PAPs will involve (i) direct and indirect jobs/employment opportunities for the PAPs and members of their households in the project activities, Prompt Compensation, (ii) Referral to Credit and Micro-credit Facilities through third party providers and Government Sponsored initiatives like Umurenge sacco, (iii) Linkage of the vulnerable PAPs to the different schemes and interventions in the social protection sector developed by the government as part of the Rwanda Economic Development and Poverty Reduction Strategy (eg: the Vision 2020 Umurenge Programme (VUP), the Ubudehe programme, the Fund for the Support and Assistance to the Survivors of the Tutsi Genocide and Other Crimes against Humanity, the Rwanda Demobilization and Reintegration Commission, etc).

The WB safeguards policies OP 4:12 requires that a Resettlement Action Plan (RAP) be prepared to guide the process of acquisition of the land, valuation and compensation for the land and property thereon, and resettlement of the displaced persons; and in the monitoring of the resettled persons to ensure that their livelihoods are at minimum at level equivalent to the level prior to being expropriated or more.

The overall RAP budget is estimated at **FRW 2,648,283,949**. This cost includes:

- The total cost of the RAP implementation for this road upgrading project after valuation is equivalent to two billion four hundred and seven million, five hundred and thirty thousand, eight hundred sixty-three Rwandan Francs (FRW 2,407,530,863). This cost includes compensation for properties including the land, and offer of disturbance allowance, and of resettlement actions and resettled persons, monitoring of PAPs livelihood and the entire RAP implementation.
- An additional estimated cost equivalent to FRW 240,753,086 which will be used for the implementation of the Livelihood restoration plans. It has also been budgeted as part of the overall RAP budget. A detailed LRSP will be prepared to support the vulnerable 171 PAHs and implemented. The project will also leverage other vulnerable support programs in the Districts to benefit the project affected vulnerable houses. This will be achieved through working with the respective Districts.

A Grievance Redress Mechanism (GRM) have been established in accordance to the Resettlement Policy Framework, the Rwanda expropriation Law and WB OP4.12 guidelines. A total number of twenty-one (21) GRCs were established alongside the road to receive, handle, and resolve project related complaints.

The upgrading of this road will greatly improve the living conditions of the inhabitants in respective project areas. With the implementation of mitigation measures such as this RAP, the overall negative social impacts of the project will be minimal. The project

will also offer significant socio-economic opportunities for communities and the population living around the project intervention area. This RAP update is prepared to be a reference for RTDA regarding the expropriation of lost properties by PAPs as well as their resettlement process.

**BASIC DATA ON RAP**

S/N <sup>o</sup>	Description	Impacts in Quantity
1.	Districts	Bugesera and Nyanza
2.	Province	Eastern - Southern Province
3.	Planned activity	Upgrading of Kibugabuga-Gasoro (66.55km) Under Design, Build and Maintenance Based on Performance of Level of Service (LOS) Contract
4.	Contract number	(Contract No: RW-RTDA – 67903-CW-RFB) lot 2
5.	Length of Roads in Km	66,55 km
6.	Average additional width for 17.4 m RoW in meters	11.4 m
7.	Average additional width for 10.3. road width in meters	6.3 m
8.	Total Number of households to be affected (PAHs)	2880
9.	Number of PAPs	12,960
10.	Number of households to be displaced/relocated	351
11.	Number of households whose properties are partially affected	2,529
12.	Number of community structures partially affected (Churches, schools, and health centres)	11
13.	Number of institutional buildings affected fully	0
14.	Loss of Crops in ha	42.15 Ha
15.	Total number of affected Land	42.15 Ha
16.	Loss of trees in numbers	12,007
17.	Water valve chambers	67
18.	Water Taps	31
19.	Number of affected electrical poles	26
20.	Number of GRCs established	21
21.	Number of vulnerable people identified	171
22.	Estimated budget for the RAP impenetation (Frw)	FRW 2,407,530,863
23.	Estimated budget (10% of RAP cost) for the implementation of the Livelihood restoration plans.	FRW 240,753,086.30
24.	Total budget	FRW 2,648,283,949

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## LIST OF ABBREVIATIONS

<b>DBM:</b>	Design Build and Maintain
<b>DLBs:</b>	District Land Bureaus
<b>EAC:</b>	East Africa Community
<b>ESHS:</b>	Environmental Social Health and Safety
<b>ESIA:</b>	Environmental and Social Impact Assessment
<b>ESMF:</b>	Environmental and Social Management Framework
<b>ESMP:</b>	Environmental and Social Management Plan
<b>ESS5:</b>	Environmental and Social Standard
<b>GoR:</b>	Government of Rwanda
<b>GPS:</b>	Global Position System
<b>GRM:</b>	Grievance Redress Mechanism
<b>HAPs:</b>	Household Affected by the Project
<b>HNRB:</b>	Hunan Road and Bridge Construction Group Company Ltd
<b>KSG:</b>	Kibugabuga-Shinga-Gasoro road
<b>LOS:</b>	Level of Service
<b>LRSP:</b>	Livelihoods Restoration and Strengthening Program
<b>MINECOFIN:</b>	Ministry of Finance and Economic Planning
<b>MININFRA:</b>	Ministry of Infrastructure
<b>MMC:</b>	Multipartite Monitoring Committee/ Commission
<b>NGOs:</b>	Non-Government Organizations
<b>NISR:</b>	National Institute of Statistics in Rwanda
<b>NST 1:</b>	National Strategy for Transformation
<b>PAHs:</b>	Project Affected Households
<b>PAPs:</b>	Project Affected Persons
<b>RAP:</b>	Resettlement Action Plan

<b>RDB:</b>	Rwanda Development Board
<b>REMA:</b>	Rwanda Environmental Management Authority
<b>ROW:</b>	Right of Way
<b>RPF:</b>	Resettlement Policy Frameworks
<b>RTDA:</b>	Rwanda Transport Development Agency
<b>SEA:</b>	Social Environmental Assessment
<b>WB:</b>	World Bank

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## DEFINITIONS OF TERMS

This report is made of technical terms that need to be explained to ease its reading by the reader. In this regard, these terms mean the following:

- i. **Affected people** refers to people who are directly affected socially and economically by World Bank- - assisted investment projects caused by:
  - a. Relocation or loss of shelter
  - b. Loss of assets or access to assets loss of income sources or means of livelihood, whether the affected persons must move to another location; or
  - c. The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.
- ii. **Associated projects** mean any subprojects or activities, which are directly related to the planned infrastructure development.
- iii. **Project affected persons (PAPs)** means all persons losing assets or use of resources as a direct result of the project, therefore who need compensation or other form of assistance.
- iv. **Census** means a field survey carried out to identify and determine the number of Project Affected Persons (PAP), their assets, and potential impacts, in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement, and other measures, emanating from consultations with affected communities and the Local Leaders.
- v. **Environmental and Social Management Framework (ESMF)** is a safeguard instrument (document) which will set out a mechanism to determine and assess future potential environmental and social impacts of the project funded activities in the infrastructure development program and other activities associated with this project regardless of funding agency. The framework will set out mitigation, monitoring and institutional measures to be taken during design, implementation, and operation of the project activities to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. This instrument will be prepared as a separate and stand-alone document to be used in conjunction with this Resettlement Policy Framework (RPF).
- vi. **Compensation** means the payment in kind, cash or other assets given in exchange for the taking of land, or loss of other assets, including fixed assets thereon, in part or whole.



- vii. ***Cut-off date*** is the date of commencement of the census of PAPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation. The World Bank accepts the date of the baseline survey as the cutoff date for eligibility: For those in the area before the census of affected assets are eligible for compensation and assistance, as relevant and to those who arrive after the cut off date are not. This date is agreed on together with the PAPs during the second consultation meeting.
- viii. ***Involuntary Displacement*** means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by:
- a. Loss of benefits from use of such land;
  - b. Relocation or loss of shelter;
  - c. Loss of assets or access to assets; or
  - d. Loss of income sources or means of livelihood, whether the project affected person has moved to another location.
- ix. ***Involuntary Land Acquisition*** is the taking of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.
- x. ***Land*** refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.
- xi. ***Land acquisition*** means the taking of or alienation of land, buildings, or other assets thereon for purposes of the Project.
- xii. ***Rehabilitation Assistance*** means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.
- xiii. ***Resettlement and Compensation Plan*** also known as a “*Resettlement Action Plan (RAP)*” or “*Resettlement Plan*” - is a resettlement instrument (document) to be prepared when subproject locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial, or restriction of access to economic resources. RAPs are prepared by the party impacting on the people and their livelihoods. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

- xiv. **Replacement cost** means replacement of assets with an amount enough to cover full replacement cost of lost assets and related transaction costs. In terms of land, this may be categorized as follows;
- xv. **Replacement cost for agricultural land** means the pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of:
- a. Preparing the land to levels similar to those of the affected land;
  - b. Any registration, transfer taxes and other associated fees;
- xvi. **Replacement cost for houses and other structures** means the prevailing cost of replacing affected structures of the quality like or better than that of the affected structures, in  
RAP. Such costs shall include:
- a. Building materials
  - b. Transporting building materials to the construction site;
  - c. Any labor and contractors' fees; and d) any registration costs.
- xvii. **Resettlement Assistance** means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation.
- xviii. **The RPF** is being prepared as an instrument to be used throughout the planned infrastructure development program implementation. The RPF will be publicly disclosed in impacted areas to set out the resettlement and compensation policy, organizational arrangements, and design criteria to be applied to meet the needs of the people who may be affected by the program. The Resettlement Action Plans ("RAPs") for the infrastructure development will be prepared consistent with the provisions of this RPF.
- xix. **Resettlement Action Plan:** see Resettlement and Compensation Plan above,
- xx. **Vulnerable Groups** refers to:
- a. Widows, divorcees and very old aged persons;
  - b. Child-headed households
  - c. Disabled persons

## **Chapter 1. INTRODUCTION**

### **1.1 Background**

The Government of Rwanda, in accordance with the national development objectives contained in Rwanda Vision 2020, and National Strategy for Transformation (NST1: 2017-2024), assigns fundamental importance to the development of the economic infrastructure of the country, and to road transportation. The development of the road infrastructure constitutes one of the economic development strategies for the reduction of poverty and for stimulating social-economic growth: facilitating access to domestic/international markets and ensuring favorable conditions for provision and distribution of imported products within the country, it increases internal production and, in general, economic welfare.

The upgrading project of the Kibugabuga-Nshinga-Gasoro (66.55 Km) unpaved road will largely promote the socio-economic development of the area, by improving the road infrastructure, favoring the public transport, opening a new door to tourism, and, being an import-export corridor, promoting large scale agricultural development. The Government of Republic of Rwanda (GoR), through the Rwanda Transport Development Agency (RTDA), which operates under the Ministry of Infrastructure, intends to implement the upgrading and construction of the Kibugabuga-Shinga-Gasoro unpaved road to Asphalt road.

The proposed road links the Central Corridor to the Republic of Burundi and Democratic Republic of Congo through the Eastern and Southern Provinces of Rwanda. It crosses a high agricultural productive zone and passes near the proposed New Bugesera International Airport site situated at approximately 25 km from the Nemba border with Burundi.

The existing road is very slippery (clay) and muddy in the rainy season and is partly situated on deep rolling and hilly terrain, causing steady erosion.

## 1.2 Project location

The proposed Kibugabuga-Shinga-Gasoro unpaved road Project traverses Bugesera and Nyanza Districts of Eastern Province and Southern Province, respectively.

It traverses one main river: Akanyaru River between Bugesera District and Nyanza District at Rwabusoro bridge (PK 98+500)

The Kibugabuga-Shinga-Gasoro unpaved road to be upgraded to asphalted road with engineered standard road is 66.55 km in length. The width of the existing roads is between 6 m and 4 m, in some sections, as densely populated areas and close work of water supply along the route, the width reduces to below 4 meters.



Figure 1: National road network and location of the proposed Kibugabuga-Gasoro road project



**Figure 2: Localisation of the proposed Kibugabuga-Gasoro Unpaved Road Project in different sectors**

This road traverses 8 sectors located in Bugesera and Nyanza Districts as presented in table below. The road starts at the junction with the national road Nemba boarder-Kigali (Pk 62+104), reaches Rwabusoro Bridge up (PK 98+500) to the junction with the national road Huye-Kigali (Gasoro) (PK 130). The total length of the road is 66.55Km

**Table 1: Sectors crossed by the proposed road section length**

District	Sector	Road length (Km)
Bugesera	Mayange	5.29
	Kamabuye	8.73
	Ngeruka	3.39
	Ruhuha	8.11
	Nyarugenge	10.36
Nyanza	Kigoma	6
	Muhira	12.67
	Busoro	12
<b>Total</b>		<b>66.55</b>
<b>Km</b>		

### **1.3 Project Justification**

The Kibugabuga-Gasoro road upgrading project is an important undertaking that aims at improving accessibility between Eastern Province and Southern Province. These two destinations are important economic hubs, which are currently connected by an earth road that is not in a condition to support transportation of goods and services. This road will be improved to stimulate development in the in eastern and southern part of Rwanda and to reduce the travel time and cost from Rusumo Border Post to Southern Province and DRC.

The road will be instrumental in facilitating trade, tourism, agriculture, health, education, and other sectors of the economy. The development of Nyamata City and other development project predicted in Bugesera District like the Construction of International Airport further enhanced the importance of the road in that economic engine. This road will, therefore, play a key role in connecting the Airport to the East, South and Western Part of Rwanda.

### **1.4 Review and updating the RAP**

The main objective of the updated RAP is to assist the Ministry of infrastructure, Government of Rwanda (GOR) to review and update the resettlement action plan (RAP) and provide a resettlement and compensation framework that will enable the KSG road project to minimize negative impacts and the improvement of livelihoods of project affected person.

The RAP was initially developed by RTDA and was cleared by the World Bank on March 10, 2017 and disclosed on RTDA website on March 21, 2017 and in the World Bank InfoShop on March 23, 2017.

#### **1.4.1 Need for Review and Update of the RAP**

The reasons for review arose from the contract approach used in the road construction, which is Design, Build and Maintain based on OPRC. Therefore, there was potential change in alignment and geometric design which resulted in change of impact to properties located within the right of way.

The updating was necessary to verify issues related with resettlement impacts such as land acquisition and loss of property, while any other Social and Environmental impacts arising from the project have been covered in the contractor's environmental and social management plans (C-ESMPs).

#### **1.4.2 Objectives and Scope of the RAP review**

This RAP defines the procedures related to the requirements and procedures of the WB O.P 4.12 operational safeguard related to involuntary resettlement: Land acquisition, population displacement and compensation and national laws of Rwanda, to be entitled to compensation payable to people affected by expropriation and / or moved out of their day to day business because of the project. In reference to the Rwandan Resettlement Policy Framework and the policy provisions of the World Bank as related to Policy on Involuntary Resettlement, 2003 among others), a RAP is compulsory for all projects that anticipate displacement of people, their shelter, belongings and businesses livelihood and associated impacts. In this context, this RAP presents an inventory (register) of people likely to be affected by the upgrading of Kibugabuga-Shinga-Gasoro road and the proposed compensation and resettlement packages.

In view of the foregoing, the main objectives of this RAP are:

- To clearly define steps and actions to be taken by the PIU/RTDA in response to adverse impacts of the proposed project activities on (i) loss of property for project affected persons (land, assets, etc), (ii) public infrastructures, and (iii) social and economic livelihood of the project affected people;
- To design appropriate strategies for restoration and improvement of the income and livelihood of the Project Affected People, special support measures for vulnerable groups,
- To determine task assignments, resource allocation (budgeting) and implementation schedules for measures against adverse impacts of the project; and
- To prepare documented mechanisms for monitoring and evaluation of progress and performance in implementation of Resettlement Action Plan.

The RAP will set the parameters and establish entitlements for project affected people (PAP), the institutional framework, mechanisms for consultation and grievance resolution, the time schedule, and the budget, and propose a monitoring and evaluation system.

Therefore, to achieve the objectives of the RAP, activities were limited to the following:

- i. Identification of persons affected by the project on the sides of the road to be upgraded;
- ii. Consultation with project affected people (PAP). The consultations sought to involve PAPs in formulating ideal compensation strategies;
- iii. Identification of options for compensation of PAPs;

- iv. Review of Rwandan legislation and guidelines on land acquisition, compensation and development of infrastructure projects;
- v. Census of property owners to be affected by the project and property valuation;
- vi. Socio-economic survey of all PAPs on the roadside in districts of Bugesera and Nyanza to obtain a social profile of affected persons. The survey aimed at establishing a baseline against which effectiveness of resettlement assistance could be measured. It was based on a comprehensive socio-data questionnaire and covered Information on family/ household members, Household land holdings and assets, Livelihood in affected households, Health & vulnerability; Welfare indicators; and Expenditure patterns.
- vii. Preparation of a resettlement action plan (RAP) comprising of an entitlement matrix. Compensation and assistance for resettlement were based on the premise that lives of the affected people should not be worse than before displacement;
- viii. Arrangements for implementation providing guidance on proper implementation of the RAP including institutional arrangements, implementation timeframe and compensation budget derived from property valuation;
- ix. Consultation and participation of affected communities were undertaken throughout preparation of the RAP and their feedback incorporated in designing resettlement strategies;
  - x. Developing a grievance redress mechanism; and
  - xi. Developing a monitoring, evaluation, and completion audit framework.

#### **1.4.3 Approach and Methodology of the RAP review**

- The study covered all sections of the Kibugabuga-Shinga-Gasoro unpaved road that might potentially lead to resettlement/land acquisition and involved public consultation with different stakeholders.

The RAP for this Project will address the impacts of the upgrading of Kibugabuga-Shinga-Gasoro unpaved road project on communities and individuals in the project area. This RAP refers to the WB O.P. 4.12 operational safeguard principles and to the national legislative and regulatory frameworks for expropriation and compensation in Rwanda regarding the policies and procedures for involuntary resettlement.

- Data Collection Method and Analysis



A socioeconomic survey of all PAPs was conducted. In this regard, a total of 220 PAPs from all districts were selected and a questionnaire was administered to them for the purpose of this RAP. Besides, one consultation meeting was conducted at district level and regrouped district’s officials together with important stakeholders. Among stakeholders, representatives of RTDA, Private Sector, local leaders, mainly executive secretaries of sectors for entities connected to the road in each district, NGOs and civil society attended the consultation meetings.

In summary, the table 2 below shows where in the RAP various methodologies for identifying impacted persons and assessing impacts are detailed and discussed.

**Table 2: Impact Assessment Methodologies in RAP**

<b>Methodology for Assessing Impacts</b>	<b>Where in the RAP</b>
Mapping and Photography	Section 5: Baseline Data Gathering & Analysis
Building and Infrastructure Surveys	
Socio-Economic Surveys	
Analysis of Surveys	
<b>Consultation with Affected Populations</b>	<b>Section 11: Public Participation</b>

- Data collection methods

Primary and secondary data were collected for this Resettlement Action Plan. Primary data involved mainly the documentation related to the project.

This Resettlement Action Plan (RAP) has been prepared in reference to the framework of the project Resettlement Policy Framework (RPF) and Environmental and Social Impact Assessment (ESIA), which include the documentation on issues below:

- Information on measures that are necessary to address displacement impacts related to the upgrading of the Kibugabuga-Gasoro unpaved road construction,
- A detailed description of the baseline socio-economic situation prevailing in the Project area at the time of undertaking the RAP field study,

A Social Management Action Plan, which provides an assessment of social and economic impacts, a description of proposed mitigation measures and an action

plan, which presents the organizational and other arrangements proposed by RTDA to implement the social and economic mitigation measures.

Secondary data were gathered through various consultations with relevant stakeholders and a structured questionnaire for the socioeconomic household survey.

Both qualitative and quantitative data collection techniques were applied throughout the collection of the data related to the Resettlement Action Plan elaboration. It is in this regard that the following techniques were subsequently applied.

- i. **Assets Inventory Techniques, Use of Maps and GPS:** Was used to identify the PAPS along the road sections, intensity of impact (losses of all kind), and existing sites of cultural significance throughout the road route. The consultant used the survey maps availed by Contractor's GPS to identify the proposed road realignment maps and People Affected by the Project.
  - ii. **Socio-Economic Survey:** comprising detailed census (questionnaire) about PAPS and their households' socio-economic characteristics and plausible losses to be incurred to People to be affected by the Project.
  - iii. The questionnaire captured the following information:
    - a. Household Bio data (Demographic information)
    - b. Status of the PAHs Livelihood.
    - c. Infrastructure inventories including land, common properties, Houses, fences, trees, commercial properties, and social services infrastructure existing in the area.
  - iv. **Public Community engagement meetings** were conducted as part of participatory approach at the village's level and the PAP's informed of the project and they raised issues that they would like covered to ensure smooth resettlement.
- Scoping and Update of the Resettlement Impacts

At the initiation of the project the contractor undertook a field visit in September 2019 to map the road realignment indicators. The field visit was also used to

identify plausible PAPs as well as their assets and properties to be affected by the project in the road right of way (ROW).

At this in-depth study the baseline level, Geographical Positions System (GPS) data for the optimized road line route was collected and reviewed with the aim of understanding the household and community character of the PAPs. Based on the baseline data, the socio-economic data of the entire road RoW was established. This baseline data covered the demographic and socioeconomic characteristics of residents, cultural issues, administrative boundaries, existing feeder road networks leading to nearest agriculture farms.

Affected assets (land, crop, trees) have been surveyed and the respective costs have been estimated using the compensation rate for land, crop and trees as promulgated in the official gazettes No 51 of 21/12/2009 and No 19 of 10/05/2010 as amended by the Law No. 31/2015 of 05/06/2015 in and out of Kigali city respectively and the asset valuation law of 1996.

- Data Analysis and Report writing

At the end of data collection, collected quantitative data for socioeconomic survey was entered and analyzed. Likewise, a summary report of public engagement meetings with communities to be affected by the project and focus group a discussion about the project was also written and entails a brief presentation of issues raised as well as key strategies discussed by key informants and local residents.

### **1.5 Structure of the Draft Updated RAP Report**

The report is comprised of the following major sections: Executive Summary, Introduction, the Approach and methodology of the RAP, Project Description, Social economic impact of the project, Participation and Public Consultation, Policy and Legal Framework, Eligibility Criteria, Potential Project Impacts an Entitlement Matrix, Valuation Criteria, Grievance Redress Mechanism, institutional framework and organizational responsibility in project implementation, RAP Implementation RAP monitoring and evaluation, References and Annexes.

### **1.6 RAP Approval and Disclosure**

The RAP will be approved/cleared by the Government of Rwanda and the World Bank prior to its disclosure. Disclosure should be made with translation in to local language and in a culturally appropriate manner. It will also be disclosed in the World Bank

external website. For any changes made to the RAP, the same approval and disclosure protocols will be followed.

## **Chapter 2. PROJECT DESCRIPTION**

### **2.1 Project background**

The Government of Rwanda, in accordance with the national development objectives contained in Rwanda Vision 2020, and Economic Development and Poverty Reduction Strategy 1-2 (EDPRS), assigns fundamental importance to the development of the economic infrastructure of the country, and to road transportation. The development of the road infrastructure constitutes one of the economic development strategies for the reduction of poverty and for stimulating social-economic growth: facilitating access to domestic/international markets and ensuring favorable conditions for provision and distribution of imported products within the country, it increases internal production and, in general, economic welfare.

The Government of Rwanda (GOR) has received a credit from the International Development Association (IDA) under the Lake Victoria Transport program (LVTP-SOP1). The project is the first in a Series of Projects (SOP) comprising the Lake Victoria Transport Program (LVTP) which, in turn, aims to support key elements of the Integrated Corridor Development.

The World Bank's financing was sought for the upgrading of the proposed road section, paved to bitumen standards under Lot 2: Kibugabuga- Shinga - Gasoro (66.55/km), and it includes five-year maintenance based on OPRC.

The project beneficiaries will include the pastoralist communities, farmers and businesses alongside the road corridor, road users (passengers and freight), tradable sectors of the economy, agriculture, tourism and ultimately, consumers and producers both inside and outside Rwanda. The end target of direct project beneficiaries is 500,000 number (Ref. PAD).

### **2.2 Project Activities for LVTP-SOP1 Rwanda**

The components, the constituent activities, and provisional costs for SOP1 in Rwanda are:

Component 1: Improving the physical infrastructure, which includes the upgrading Ngoma-Nyanza road Lot 2: Kibugabuga-Shinga - Gasoro (66.55 km), and the Implementation of the Resettlement Action Plans (RAPs)

Component 2: Improving the institutional infrastructure and implementation assistance; which will provide support to strengthen and harmonize the institutional

framework to ensure safe and efficient operation of private and public transport including cargo and transit traffic, and capacity building and assistance to support implementation of the project.

### **2.3 Scope of civil works**

The Contract includes all physical works, activities and services necessary to improve, maintain and manage the Project Road. The Contract scope shall mean and include, during the Contracting Period, the following major components:

(a) Design and construction/upgrading of the Project Road: consisting of a set of specific improvements, detailed in these BDs, to add new characteristics to the Project Road. The works typically involve upgrading of unpaved road sections to bitumen standard surfacing, geometric improvement, widening of the existing pavement, construction and repair of drainage structures, construction of bridges and road ancillary works.

(b) Operation and maintenance of the Project Road: consisting of all interventions on the Project Road to be carried out in order to achieve and maintain the Service Levels described in the BDs. Management activities will include regular patrolling, reporting of road crashes and emergency situations, continual self-assessment and regular reporting. Maintenance activities will include carriageway, shoulder and drainage maintenance, bridge and minor structure routine maintenance, sign maintenance, pavement marking maintenance, vegetation control, rubbish and litter removal, and accident damage reporting and emergency works in accordance with the provisions of the Bidding Documents (BDs).

Accurate control of line and level shall be provided by the Contractor at all stages of construction. In respect of the road itself, control shall be at 20 m intervals, or such closer intervals as may be directed on horizontal and vertical curves. Wherever necessary, but particularly on completion of the sub-grade and the base, the Contractor shall re-establish stake line pegs at sufficiently close intervals to determine accurately the edges of the base, surfacing and other road elements permanently exposed to the eye.

Land acquisition related to right of the way will be the responsibility of the Government of Rwanda. Before handing over the site or portions of the site to the Contractor, the Employer (RTDA/PIU) shall be responsible for land acquisition by compensating any kind of properties to be affected while The Contractor is responsible for demolition of structure after client completion of compensation.

Land that may be required by the Contractor for opening of borrow pits and for the construction of temporary works will be purchased by of the contractor and he shall include the cost in his bid, but the approval of the Employer's representative must be sought before entry upon the land. The same applies to quarry sites for use in relation to the Works. All lands so purchased shall be the property of the Employer at the end of the project.

In all cases, the Contractor shall be required to make all necessary arrangements with local authorities and owners or legal occupants of the land and to pay the cost of compensation on behalf of the Employer. For this purpose, the Contractor will liaise with the regional administration or the appropriate authority and advice of the intention to commence work of any kind.

The Construction/Improvement Works shall consist of furnishing all design plans, documentation, equipment, materials, labour, and incidentals necessary to successfully complete the project in compliance with the contract provisions. The Contractor for this project shall perform, as minimum, the items of work listed below. This list is not all-inclusive, and the Contractor shall be responsible for identifying all items of work and executing them according to the design and specifications to meet the Employer's Requirements.

The Construction/Improvement Works comprise:

- Verify surveys and materials/geotechnical investigations.
- Design and construction of the roadway to adopted standards, with associated ditches and drainage systems.
- Constructing/Upgrading to paved road standards the existing road, for the given and projected traffic loading.
- Structural and hydraulic capacity assessments of all existing structures and rehabilitation/ strengthening measures necessary to ensure their compliance with loading and design life requirements.
- Demolishing, removal, and replacement of obsolete and substandard existing structures.
- Constructing bridges and culverts.
- Carrying out river training and erosion protection works.
- Constructing geotechnical mitigation and slope protection measures.
- Constructing retaining walls.
- Providing pavement markings, signage, marker posts and guardrails as required.
- Providing pedestrian and vehicle accesses to properties along the road.
- Other necessary works to meet the Employer's requirements.

*Updated Resettlement Action Plan (RAP)/ Upgrading project of Kibugabuga-Shinga-Gasoro  
Road 66.55Km*

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- Specific safety enhancement measure

	<b>Activity</b>	<b>Possible impact</b>	<b>Measures</b>	<b>Responsibility</b>
1.	Vegetation clearance for road widening where the feeder road is narrow to have the 10.5 ROW.	Loss of land. Loss of crops. Loss of houses and any other properties.	<ul style="list-style-type: none"> <li>- Compensation of properties to be affected</li> <li>- Implementation of restoration plan including tree planting</li> </ul>	<ul style="list-style-type: none"> <li>- RTDA will oversee compensating all the affected PAPs during the road widening prior to project works.</li> <li>- RTDA will also submit to the World Bank a compensation completion report.</li> </ul>
2.	Trenching, Soil Excavation and digging for road widening.	Loss of land Loss of crops Loss of houses.	<p>Compensation of properties to be affected.</p> <p>The topsoil will be used during rehabilitation of the burrow pit areas.</p>	<ul style="list-style-type: none"> <li>- RTDA will oversee compensating all the affected PAPs and assets during the road widening prior to any project works.</li> </ul>
3.	Construction of culverts and bridges.  Construction of proper cross drainage works on the road alignments	Loss of land Loss of crops Erosion caused by water discharge from the constructed structures Culverts and bridge	<ul style="list-style-type: none"> <li>- Compensation of properties to be affected.</li> <li>- Construction of water channel up to downstream to minimize water impacts on the surrounding areas and erosion.</li> </ul>	<ul style="list-style-type: none"> <li>- The contractor will oversee compensating any affected assists/ properties affected by running water from the infrastructures.</li> <li>- The contractor will prepare and submit a compensation completion report approved by the local authorities and the client.</li> <li>- This has been captured in the contractor's contract indicating his responsibility to compensate for any</li> </ul>



*Updated Resettlement Action Plan (RAP)/ Upgrading project of Kibugabuga-Shinga-Gasoro Road 66.55Km*

	<b>Activity</b>	<b>Possible impact</b>	<b>Measures</b>	<b>Responsibility</b>
				affected assets downstream affected by water discharge from the pipe culverts.
4.	Acquisition of camp site, storage site, dumping site and borrow pit areas.,	Temporally	<ul style="list-style-type: none"> <li>- The contractor will compensate for the land as per rent/lease agreement with the owner The contractor will hand over the land to the owner after its environmental rehabilitation in accordance with the rehabilitation plan</li> <li>- Proper implementation of the restoration plan prepared by the contractor and approved by the consultant.</li> </ul>	<ul style="list-style-type: none"> <li>- The contractor will prepare and submit a compensation completion report approved by the local authorities and the client.</li> <li>- The contractor will share with the client the agreement signed between the contractor and the landowner indicating the period of use and the rehabilitation plan.</li> <li>- As indicated in the contractor's contract, the contractor can only acquire this for land temporary for the purpose of the project and within the project period only.</li> </ul>
5.	Acquisition of camp site, storage site, dumping site and borrow pit areas.,	Permanent loss of land	<ul style="list-style-type: none"> <li>- The contractor will compensate fully to the landowner in case his land is acquired permanently. The land title will be transferred to the</li> </ul>	<ul style="list-style-type: none"> <li>- The valuation of properties and land will be done by the certified valuers to be hired by the districts. RTDA and local authorities will check and certify</li> </ul>

	Activity	Possible impact	Measures	Responsibility
			<p>Government assets registry.</p> <ul style="list-style-type: none"> <li>- Proper implementation of the restoration plan prepared by the contractor and approved by the consultant.</li> </ul>	<p>the valuation reports.</p> <ul style="list-style-type: none"> <li>- Compensation of properties and resettlement cost will be the responsibility of the contractor.</li> <li>- The contractor will prepare and submit a compensation completion report approved by the local authorities and the client.</li> <li>- As indicated in the contractor's contract, the contractor can only acquire this for land temporary for the purpose of the project and within the project period only.</li> </ul>
6.	Operation of construction equipment's.	Air pollution, safety issues and accident	<ul style="list-style-type: none"> <li>- Proper implementation of OSHS plan prepared by the contractor and approved by the consultant</li> <li>- Sensitization workshop.</li> <li>- Preparation of Management Implementation Strategy Plans (MISPs).</li> </ul>	<ul style="list-style-type: none"> <li>- The contractor will prepare the required plans to indicate the impacts caused by the operation of construction equipment's and how they will be minimized. The MISPs will be approved by the consultant.</li> </ul>

**2.4 Potential Impacts of the Project and People Affected by the Project (PAPs)**

The upgrading of Kibugabuga-Shinga-Gasoro road will actively contribute to:

- Initiate the development of trade across the EAC region.
- Encourage economic activity as commercial, agricultural (volume of commercial agricultural production), industrial (food) and tourism.
- Improve the economic conditions and the wellbeing of populations along the concerned route sections.
- Improving traffic conditions and the safety of users of the road and reduce travel time and transport costs.
- Tourism activities will also be facilitated because of the existence of functional infrastructure. The cultural exchanges will be facilitated through the functional road. Promising niches will be opened on the development of ecotourism and hunting tourism. Overall, the impact on tourism and cultural activities is indirect, positive, and moderately important.

However, the project will have some minor negative impacts including people being resettled and properties and services relocated especially to those who are located on the edge of the road.

People affected by the project are subdivided into two main categories. The first is made of 365 structures that are at risk of being removed following the Kibugabuga-Shinga-Gasoro road vertical and horizontal alignment. These structures include 351 residential houses and 14 social structures, which include 4 schools, 6 churches, 1 Health center and 3 cooperatives, which will be partly or completely affected. Details of these structures including owners, location (sector and cell) can be found in table in appendix. This project will also relocate 351(PAHs) households with a total of 2,200 PAPs.

### Chapter 3. SOCIO-ECONOMIC IMPACT OF THE THE PROJECT

#### 3.1 Socioeconomic impact of the project in concerned districts

The upgrading project of the Kibugabuga-Shinga-Gasoro road 66.55Km will largely promote the socio-economic development of the area, by improving the road infrastructure, favoring the public transport, opening a new door to tourism, and, being an import-export corridor, promoting large scale agricultural development. The proposed road links the Central Corridor to the Republic of Burundi and Democratic Republic of Congo through the Eastern and Southern Provinces of Rwanda. It crosses a high agricultural productive zone and passes near the proposed New Bugesera International Airport site situated at approximately 25 km from the Nemba border with Burundi. However, aside from positive impact, the table below summarizes the negative socioeconomic effect of the project along its right of way.

**Table 3: Assessed impact of the project implementation in Bugesera and Nyanza area**

<b>Item</b>	<b>Unit</b>
Affected District	Bugesera and Nyanza
Affected Sector	Bugesera, Busoro, Kamabuye, Muyira, Ngeruka, Nyarugenge, Ruhuha, Kigoma
<b>A) Losing houses and assets</b>	
Houses – living quarters	351
Commercial premises/ formal and informal	3
Churches <sup>1</sup>	6
Schools	4
Health center	1
Tree or crop	2880
<b>B) Land</b>	
loosing lands or partially effected fences	12
Total area of affected land	42.15 Ha

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<sup>1</sup> Chruches and schools will be partially affected. Fences only will need to be relocated outside the right of way. Not entire structures.

C) Impact on live lihoods	
Number of vulnerable peoples whose livelihood need restoration	171
PAPs who will temporarily lose access to their business activities (business disruption)	3

Source: HNRB Nov 2019

### 3.2 Gender Analysis for Kibugabuga-Shinga-Gasoro Road upgrading project

#### Preamble

In a bid to promote a sustainable and equitable development as a subsequent impact of road construction projects, gender needs to be mainstreamed into transport implementation initiatives. This is important for the design and implementation of transport systems that are responsive to the practical needs of women, households, and to those of communities in general.

#### Gender status in districts crossed by Kibugabuga-Gasoro unpaved road

Table 4: Population distribution by gender in districts crossed by the road

District	Both sexes	PAPs	Male	Female	% of Male	% Female
Rwanda	10,515,973	N/A	5,064,868	5,451,105	48.2	51.8
<b>1. PUBLIC CONSULTATION</b>						
Nyanza	107	N/A	61	46	57%	43%
Bugesera	532	N/A	192	340	36%	64%
<b>Total</b>	<b>639</b>		<b>253</b>	<b>386</b>	<b>46.5%</b>	<b>53.5</b>
<b>2. HOUSEHOLD QUESTIONNAIRE</b>						
Nyanza	323719	115	78	37	67.8	32.2
Bugesera	361914	105	59	46	56.2	43.8
<b>Total</b>	<b>685,633</b>	<b>220</b>	<b>137</b>	<b>83</b>	<b>62</b>	<b>38</b>

Source: HNRB, September 2019 & Rwanda 4th Population and Housing Census, 2012(NISR)

As the above table entails, 53.5% of women participated in Public engagement talks about the compensation of properties to lose because of the road upgrading. In household surveys conducted in districts of Nyanza and Bugesera this percentage

significantly increases 53.5% of women responding on behalf of their families. This clearly explains that the role of gender equality in rural area was well understood by the people living there due to regular Tuesday local people meeting known as “Inteko y’abaturage” and many other gender equality trainings and awareness at cell level.

At National level, the female population constitutes a slightly higher proportion in the entire Rwanda with 51.8%. In districts to be crossed by the kibugabuga-Gasoro road Bugesera has the highest proportion of women with 64% while Nyanza has only 43% of female population relative to the male population. The population density is also here related to the level of urbanization. In the entire Rwanda, population density goes up to 415 inhabitants/km<sup>2</sup>. In districts to be crossed by the road, Nyanza is the most densely populated district with 482 inhabitants/km<sup>2</sup> while Bugesera has a population density 280.

In regard to the road construction and the improvement of the socioeconomic welfare of the population in general and that of women in particular, initiatives to be undertaken to improve the livelihoods are to benefit not only the entire population, but also women in particular provided their ratio among the existing population in the area crossed by the road. As per Kibugabuga-Gasoro road, several aspects will also be of paramount relevance for the empowerment of women and all residents in general and particularly the poor, by addressing their strategic needs such as access to socio-economic opportunities. This project will benefit women in many ways:

First, if women’s population is around 4% higher than that of men and given that they are the most running businesses aside the road, the latter will benefit from the road upgrading in many ways. Second, one would expect that less skilled jobs are to be given to local population without forgetting women who currently are found in many jobs such as masonry, assistant masonry, carpentry etc. as a result of the gender promotion policy in Rwanda. In this way, a need to provide the training of women in construction to facilitate their employment along the road construction process and on the other hand, their training in entrepreneurship and trade skills useful for the creation and the management of small and medium trades. However, the demographic and health surveys (DHS 2000, 2005 and 2010) conducted in Rwanda clearly show that violence against women is not only due to insecurity situations: women, regardless of their social class, are still the main targets. This violence is also a reflection of the status of women in society and their status is lower than that of the man inside the household. In rural areas, the workload of women is still considerably great: collecting firewood, fetching water, preparing food, in charge of reproduction and child-rearing, then agricultural labor.

It is important to consider gender issues because, despite new legislations that give men and women equal rights to land, succession and inheritance rights, women still face inequalities because of customary and cultural practices that are prejudicial to women. Women's rights exist, national legislation bearing progressively a significant number of more provisions that are favorable for women, but those rights will gradually be applied. It is particularly important to consider gender issues in the context of the implementation of the compensation process.

Based on the UN's definition of Gender-Based Violence, the Rwandan National Policy on Gender Based-Violence illustrates the categories of GBV as economic violence, physical violence, sexual violence, and psychological violence. Therefore, gender-based violence should be physical, sexual, emotional, or social harm or abuse directed against a person because of his or her gender role in each society. The policy helps counteract GBV through legislation and awareness.

There are concerns that the Kibugabuga-Shinga-Gasoro road construction project can increase the risk of Gender-Based Violence (GBV), and, Sexual Exploitation and Abuse (SEA). Road upgrading projects can create a power differential between those who are engaged in civil works and the project-affected communities, which can increase the opportunities for the members of the project-affected communities to be sexually exploited and abused. The risk of incidents of sex between laborers and minors, both girls and boys, can also increase. Besides the risks of SEA, incidents of Sexual Harassment (SH) can occur within project related entities. Perpetrators could be fellow workers and supervisors, or armed forces and civilians in the project site. High incidents of SH are observed particularly in contexts dominated by a male workforce, or where the rule of law is weak or non-existent. Finally, economic corridor projects with influx of workers can increase the risk of sex-trafficking.

It is in the above context that the RTDA via civil works contract shall develop an effective and inclusive protection mechanisms that promote a coherent, comprehensive and coordinated approach to the fight against GBV in emergency situations at field level, with regard to prevention, services, support, recovery, and works to hold perpetrators of GBV accountable for their actions.

Therefore, the contractor will sign agreements with different GBV related services providers in the area to support the Project in preventing and responding to the Project-induced GBV risks. The service providers will (i) develop a GBV action plan for identifying and implementing appropriate GBV prevention and mitigation measures, and (ii) to Support the Kibugabuga-Shinga-Gasoro road upgrading project in responding to any identified GBV incidents, ensure that effective monitoring and

evaluation mechanisms are in place to report on such incidents and incorporate lessons into the approach, as appropriate.

### **3.3 Poverty and vulnerability**

#### **Vulnerable PAPs**

Groups that are considered particularly vulnerable by the Government of Rwanda are children under five years old, elderly people aged 60 and over and people with disabilities. In development projects requiring the relocation of PAPs, some more groups of people fall in the category of vulnerable people. These include widows and divorced people who might face difficulties in moving with children with a need to cater for them. The table below presents categories of vulnerable PAPs in the area to be crossed by Kibugabuga-Gasoro road.

**Table 5: Vulnerable PAPs**

<b>Vulnerability/District</b>	<b>Bugesera</b>	<b>Nyanza</b>	<b>Totals</b>
<b>Widowhood</b>	34	17	51
<b>Divorced</b>	27	19	46
<b>Young</b>	14	12	26
<b>Eldery</b>	31	17	48
<b>Total</b>	<b>106</b>	<b>65</b>	<b>171</b>

*Source: Primary data, HNRB Nov 2019*

As the table above shows, vulnerable PAPs are mostly located in Bugesera district, comparing to Nyanza District. Vulnerable PAPs are predominantly widows or divorcees (n=97) with 56.7 % of all vulnerable PAPs in the road neighborhoods. The second category of vulnerable PAPs is that of orphan children of less than 18 years who head their households or elderly persons who are aged between 60 years and beyond and constitute 43.3% of all vulnerable respondents.

The local community members pointed out that both the Formal National and County Administration is important in the organization and provision of the needs of members of the society who are identified as vulnerables. The formal institutions equally play an active role in providing solutions to local challenges. The following provides the list of local social and cultural institutions in the Project area:

- The Vision 2020 Umurenge Programme (VUP),
- The Ubudehe programme,
- The Fund for the Support and Assistance to the Survivors of the Tutsi Genocide and Other Crimes against Humanity,



- the Rwanda Demobilization and Reintegration Commission, etc  
The project will work with the local authority to leverage these opportunities the benefit the vulnebrable PAHs as an addition to the LRSP.

### 3.4 Key Socio-demographic characteristics of the PAPs

#### 3.4.1. Households’ demographic Indicators

Key demographic indicators of the household members provide a picture of members of each visited household in terms of age of the head of the household as well as the total number of people living in the visited household. The reason for this is that not only it gives information about the age distribution of the head of the household, members of the household, which has implications on the income, expenses and savings but also provides a flash idea about promiscuity in the dwelling place, which more likely affects the health status of people living in that specific household.

##### 3.4.1.1 Household Members

**Table 6: Households’ members’ distribution per district (PAPs)**

District	<=3 mbers	4 to 6 mbers	>=7 mbers	Total
Nyanza	39	56	20	115
Bugesera	24	53	28	105
<b>Total</b>	63	109	48	220
%	28.6%	49.5%	21.9%	100

**Source:** HNRB, November 2019

As the table above entails, the majority (49.5%) of PAPs have household members between 4 and 6. Aside of this, 28.6% of respondents have only 3 members while only 21.9% have 7 or more members

##### 3.4.1.2 Age of the head of the household

**Table 7: Age of heads of households**

Age group/District	Nyanza	Bugesera	Total
Lowest thru 20	4	3	7
21 thru 59	89	79	168
60 thru high	22	23	45
<b>Total</b>	115	105	220
<b>Tot/%</b>	52.3%	47.7%	100%

**Source:** Primary data, HNRB Nov 2019

From figures in the table above, it can be observed that the age of PAPs is distributed in the following order: the majority of PAPs are aged between 21 and 59 years (76.4%), followed by those aged beyond 60 years (20.45%) and those aged under 20 years old (3.18%).

### 3.4.2 Marital status of the PAPs

**Table 8: PAPs distribution by marital status**

<i>Marital status</i>	<i>N</i>	<i>%</i>
<b>Single</b>	11	5
<b>Married</b>	112	<b>51</b>
<b>Divorced</b>	34	15.4
<b>Widow</b>	63	28.6
<b>Total</b>	220	100

**Source:** Primary data, HNRB Nov 2019

Table 8 shows that more than half of respondents are married, 51%, 28% of widows (which and only 5% are single while divorced respondents were 15%

### 3.4.2 Household's Social indicators

Key social indicators include the level of education of the head of the household and access to the nearest primary school.

#### 3.4.2.1 Education level of the head of the household

**Table 9: Education of the Head of the Household**

<b>District</b>	<b>Education of the Head of the Household</b>					<b>Total</b>
	None	Primary	Secondary	TVETs	University	
Nyanza	47	55	8	5	0	115
Bugesera	43	52	9	1	0	105
<b>Total</b>	90	107	17	6	0	220
<b>Percentage</b>	41%	49%	8%	2%	0%	100

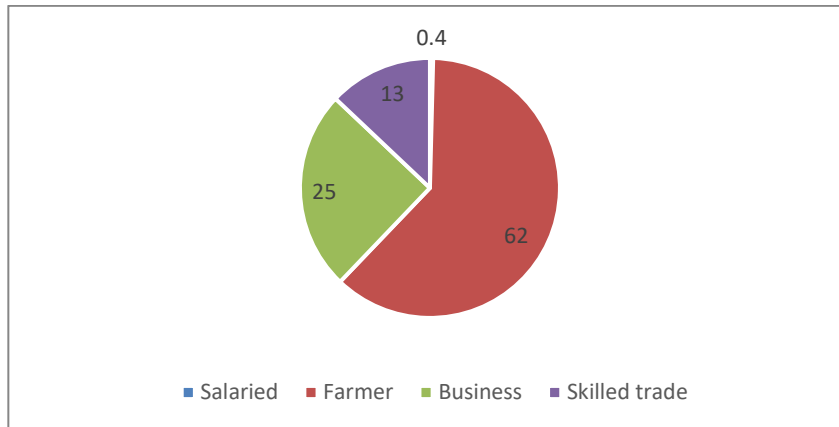
**Source:** HNRB- Nov 2019

Forty-one percent (41%) of respondents have never been to school while 49% have only attended primary school. Less than 2% of respondents have benefited a vocational training course. This presents a not bad pattern for most heads of the households in rural areas where the main income generating activity is agriculture, or kettle rearing.

### 3.4.3 Household's economic indicators

#### 3.4.3.1 Occupation head of the Household

Figure3: Main and other Occupation of the head of the family



Source: Primary data, HNRB Nov 2019

As the figure above explains, some diversification of activities for heads of household is observed within people living on the shore of Kibugabuga-Shinga-Gasoro unpaved road. However, given the rural setting in which they live, the xmajority of respondents are occupied with farming (62%), followed by business and skills related activities namely trade, carpentry, masonry, weaver, electricity works etc. Only 0.4% of respondents are salaried employees. This means that, not only vocational training planning and courses need to be availed in the areas of this study, but mostly business activities should be given a priority. This will require encouragement of small-scale businessmen/women by providing them with necessary entrepreneurial knowledge. The same will be applied to vocational training education programs, which might bring an input to the development of skilled labor force in the areas targeted by this study.

## **Chapter 4. PARTICIPATION AND PUBLIC CONSULTATIONS**

### **4.1 Introduction**

Project Consultation meetings need to be meaningful and inclusive of all groups and gender as according the WB OP.412 polices. It is through consultation meetings that the project can identify project related stakeholders build and maintain a relationship with project affected communities. Involving the project affected persons and other stakeholders for a successful project implementation, resettlement, and to also ensure the documented views of the stakeholders during the consultations are intergrated into the resettlement measures and strategies.

Consultation meetings at the Cell level were held at the Sector offices. Different people from governmental units, local leaders attended these meetings as it appears on the attendance lists in the annexes. The overall intention of these consultation meetings was to prepare the Environmental and Social Impact Assessment (ESIA) of the project and Resettlement Action Plan (RAP) along the road and to collect stakeholders' concerns and views about the project. The meetings equally were conducted in a bit to collect information and suggestions at the Sector level. More sensibly, the meetings granted an opportunity to the local population to have a word on the implementation of the project of construction of Kibugabuga-Shinga-Gasoro road.

Discussions involved stakeholder representatives from the following institutions and communities in the project areas.

<b>Stakeholder</b>	<b>Role in the project implementation</b>
Nicholas O'Dwyer	Monitoring and supervision consultant (the Project manager)
Hunan Road & Bridge Corporation Ltd.	The contractor
RTDA (Rwanda Transport Development Agency)	The Project Implementing Agency
RTDA social and Environmental safeguards team.	
WASAC (Water and Sanitation Corporation)	Utilities owner
REG (Rwanda Energy Group)	Utilities owner
Rwanda National Police	Laws enforcement
Districts representatives (Bugesera and Nyanza)	Project beneficiary

District social and Environmental workers	
Leaders at sector, cell and village levels	Project beneficiaries
Youth and women committees	Project beneficiaries and PAPs
Religious organs	Project beneficiaries and PAPs
Established Grievance committees	
Community members and farmers expected to be affected by the project	Project beneficiaries and PAPs

The objectives of the consultation meetings with the stakeholders are;

1. To present to the stakeholder's information regarding the Project.
2. Engage with the interested and affected members of the community about the project benefits, challenges and how they can be solved.
3. Identification of vulnerable people within the project intervention areas.
4. Discuss the entitlement matrix for the PAHs
5. Identify common community assets likely to be affected.
6. Establishment of a grievance redress mechanism.
7. Communicate and discuss the different compensation measures in place.
8. Communicate to the stakeholders the benefits of the project.

The Project safeguards team together with the local authorities and the contractor conducted intensive public consultation meetings in different areas of the project intervention areas to ensure that all stakeholder concerns regarding the project impacts are discussed openly.

#### ***4.2 A Summary of anticipated negative and positive impacts***

Participants to the meeting identified several environmental and social impacts both positive and negative to be issued by the activities of construction of the road.

As much as stakeholders appreciated the Project, they expressed concern on a few issues associated with the Project. Some of the issues raised and discussed included the following:

- a. Participants raised the concerns of delays in paying the expropriated properties. Participants wanted to understand the difference between Resettlement Plan and Expropriation.
- b. The stakeholders observed that the construction activities would bring about disturbances of noise and destruction of some properties.

- c. The participants inquired about the starting time of the project since the Project Affected Parties are not allowed to use their land for any long-term project
- d. They also wanted to know the starting time for the valuation census exercise
- e. The Project affected persons (PAPs) also expressed their concern about the properties, which will be damaged during the road construction works and yet they are not subject to expropriation.
- f. . The participants suggested that the local materials should be sourced from within the area.
- g. The local leaders requested to always be updated on the progress and results of the project.

#### **4.2.1 The following is a summary of anticipated positive impacts**

- a. Creation of employment to the local population.
- b. Increased infrastructure.
- c. Creation of income generating projects
- d. Generally, Kibugabuga-Shinga-Gasoro road is needed and will increase the trade in Rwanda and especially in the three Districts.

#### **4.2.2 The following is a summary of anticipated negative impacts**

- a. Noise and vibration by construction machinery
- b. Loss of Land, crops, and other assets.
- c. Cutting of the trees; especially in Bugesera District which is a dry land
- d. Risk of accidents from the project related works and by construction machinery
- e. Damage of people's properties
- f. The road construction works may also lead to increases cases of sexually transmitted due to influx of workmen who are associated with irresponsible behaviors.
- g. Increased soil erosion due to excavation works along the road alignment as well as improper drainage of runoff from the road to lower catchment areas.  
This is likely to be of high magnitude in the steep areas.

#### **4.3 Detailed issues rose during consultation meetings**

Several issues were raised from the participants. Considering that the local population warmly welcomed the project, the impacts were perceived to be relatively small. Table 1 in annex presents a summary of main issues/questions that were raised during consultation meetings.

HNRB representative recalled that this meeting is to determine the potential positive and negative environmental and social impacts that could arise during Project implementation, but more so to come up with an Environmental and Social Management Plan (ESMP) to enhance the positive impacts; and prevent, reduce and or mitigate the negative impacts.

Table 1 in the Annex points up a few issues/questions raised, and response provided during public consultation meetings.

Along these discussions, the PAPs seem to share several Issues/ problems to the project as it is demonstrating in the above table. Seemingly, mitigation procedures appear to be similar in all ways.

#### ***4.4 Findings from Public Consultation Meetings***

- It was requested to local leaders to ensure their people fulfill the requirements (including the registration of their land properties in due time) for the compensation process to be effective and efficient and to not provide land properties to the people still building in the way leave of the road.
- Local leaders should be involved at all stages of project as far as the population properties are concerned to the extent that they follow up until they help the population on how to profitably utilize the money they get from compensation.
- Local leaders should report on time any inconvenience that requires RTDA or HNRB intervention
- Local leaders were requested to help the youth to profitably utilize the electrical energy by starting small businesses.
- Women should get involved in all the economic activities meant to develop the area and the country.
- Local leaders should help in controlling and preventing the population from doing long term projects in the identified roadway leave.

Local leaders' recommendations to concerned organs

- They wished that all that will be damaged by access road should be counted, priced, and paid for.
- Participants suggested that the government should oblige the contractors of the project to give jobs to the local population.
- There should be given campaigns about roads and sexual awareness.
- It was also suggested that there should be a special case in Bugeseras where when constructing the road, they leave space for the Bikes since this region uses bikes a lot.

- It was suggested that the road would match or blend in with existing Bridges. Eg: Rwabusororo Bridge in Nyanza District

#### **4.5 Outcomes of the consultative meetings**

The concerns and wishes raised during the consultation meeting were well noted and will have taken them into consideration.

The community members and local leaders embraced the proposed project as it was envisaged that it would bring a lot of positive impacts. Stakeholders, however, urged the project-affected persons not to start new construction projects in anticipation for added compensation as this might lead to their loss if discovered or would increase the budget for compensation whereas such money can be used for other developmental activities.

The participants have however proposed adequate mitigation measures to make sure that impacts resulted from the project are addressed through an adequate Environmental Management Plan and a Monitoring Framework.

**Table 10 Summary of the discussions and complaints raised during the public consultations**

<b>S/N</b>	<b>Gender</b>	<b>Category of issues and opinions by the community are related to:</b>	<b>Feedback from the project</b>
1	Men	Loss of properties like land, trees, crops, houses, and other structures like water tap.	Those will be full compensation in cash through their bank accounts and other structure will be relocated accordingly.
2		Problem of water management and conservation during road construction	Water will safely be channeled up to exit, for conservation District authority will manage it.
3		How will you facilitate people that do not have Land titles and bank account?  Can I receive my compensation money without having it go through the bank?	Those people will open the bank account with their Umurenge Sacco's and for those without land titles the district will prepare the land week and they can get it soon
4	Women	Worry on how disabilities people and other vulnerable people will get Job opportunities.	During the project implementation, all the vulnerable people regardless the number of household's members will be given priority



*Updated Resettlement Action Plan (RAP)/ Upgrading project of Kibugabuga-Shinga-Gasoro Road 66.55Km*

S/N	Gender	Category of issues and opinions by the community are related to:	Feedback from the project
		Can two or three people from the same household be allowed to work on the project road?	in the project job opportunities.
5	Women	GBV handling as there will a big number of workers walking from home to job everyday	There will be a service provider to raise the awareness on GBV and control mechanism by introducing the workers GRCs and the network with local leaders will be strengthened in project are.
6		the plans for family graves that will be affected	Graves will be moved and relocated to the Government graveyards. Compensation will be done.
7		Incase of complaints related to not receiving our compensation on time, who shall we report too?	The district authorities will oversee the respect of compensation business standard and PAPs will always approach local authorities for follow up to RTDA in case of delay and related compensation will be applied.
8		What assets exactly will be compensated for?	Any affected asset be a tree, house, land, crops.all these will be compensated no matter the size of the land or house or plant being affected, and this will be done before commencement of any project works.

*Source: Primary data generated through public consultation, August, and September 2019*

**During public consultations, compensation and employment have been raised as participants' prime concerns. Based on RAP requirements, the Consultant provided responses to the best satisfaction of participants.**

During public consultation following points have emerged as their recommendations:

- The PAPs and other stakeholders consulted are in favor of the project.

- The PAPs will prefer financial compensation for houses and other properties likely to be affected.
- Most of the PAPs are looking forward to getting employed by the project and hope the project implementation to start soon.
- Detailed minutes of public consultation meetings, some of signed attendance list of people who participated in public consultation and photos are presented in appendices of this report.

## **Chapter 5. POLICY AND LEGAL FRAMEWORK**

### **5.1 National legislation and texts**

A deliberately synthetic presentation of the legal framework is made in the following paragraphs. We limit ourselves here to mention the various relevant texts in the project activities and RAP.

Land tenures:

According to the national law No 43/2013 of 16th June 2013 governing land in Rwanda. Land tenure system in Rwanda describes the system by which land is held, its rights, responsibilities and restrictions that are attached to the land holder.

The following are the types of land tenure that exist in Rwanda:

- a) Donation: A transfer from one person to another of a full right over a land property of which belonged to the transferer.
- b) Escheat Land: A piece of land with no heir. Such land is succeeded by the state and falls into its private domain.
- c) Vacant land: A piece of land abandoned by the owner.
- d) Free hold: Type of land tenure granting full and indefinite rights over the land.
- e) Local authorities: Decentralised administrative authorities of the country with legal personality.
- f) Land assignment: A temporary transfer by the state of the right to use land to a third party when the lessee or owner has failed to fulfil land use directives and obligations.

The land in Rwanda is titled to individuals that clearly indicates the full ownership of land and in any case of Government program or projects, the government is obliged to full expropriation and compensation of the affected land in accordance with the national expropriation law (*Article 26 of the Expropriation Law N° 32/2015 of 11/06/2015*) and the World Bank requirements under OP 4:12.

In Rwanda there is no customary ownership of land, every landowner has a land title provided by the Rwanda land management and use authority. For this project all affected landowners have land titles and will be fully compensated for their affected land.

Land tenure is governed by formal written law (basic and supplementary provisions), but many provisions still obey the rules and practices of customary law. Therefore, if

the law takes precedence over formal customs, there is always a certain legal duality that characterizes the property rights of individuals.

The basic texts (in chronological order):

- Law no. 22/99 of 12/11/1999 completing the first book of the Civil Code and establishing the fifth part relating to matrimonial regimes, gifts, and inheritance (inheritance law).
- Rwandan Constitution of 4 June 2003.
- National Land Policy (National Land Policy), February 2004.
- Organic Law No. 04/2005 of 08/04/2005, which defines the modalities of protection, conservation, and promotion of environment in Rwanda.
- Organic Law No. 43/2013 of 16/06/2013 determining the land in Rwanda (Land Law)

The law shall determine the use and management of land in Rwanda and establishes principles for rights on all lands within the national territory (Article 1).

It includes an efficient use of land and the consolidation of landholdings for their operating plan, the sale and lease of land by the State and the Land Registry, all in order to create security of tenure through individual securities and recorded, representing some marketable value, and ultimately, for the purposes of commercial and economically viable land use.

We cite below the most important provisions for the RAP.

The law prohibits the subdivision of land for agriculture and livestock with an area of one hectare or less, while the fragmentation of those less than or equal to 5 hectares requires the permission of the local Land Commission (art. 20, paragraph 3). The State reserves also the right to order the consolidation of parcels of land for better and efficient use to make it much more productive (art. 20).

Land registration is required (Article 30) and a condition for obtaining a title. The owner is obliged to pay land tax (art. 68). The land on which no one has exclusive rights to land is considered vacant land belonging to the state. The owner acquires the right to use his land, including the right to transmit (inheritance, gift, lease, exchange, sale, and mortgage). The owner of the land is the owner of all buildings, crops and structures located thereon. The final surrender of property rights requires the consent of all members of the family with whom he shares these rights.

Once obtained the official title, the law (Articles 61-65) requires the owner of the land to protect against erosion, maintain soil fertility and operate continuously or, in other words, to use it in line with the master plan, and land use pattern.

In Rwanda there is no customary ownership of land, every landowner has a land title provided by the Rwanda land management and use authority. For this project all affected landowners have land titles and will be fully compensated for their affected land.

Land tenure is governed by formal written law (basic and supplementary provisions), but many provisions still obey the rules and practices of customary law. Therefore, if the law takes precedence over formal customs, there is always a certain legal duality that characterizes the property rights of individuals.

### **National policy on child labor**

Labour law No 51/2001 of 30/12/2011 article 61 and 65

Less than sixteen years old child is not allowed to contract for employment in any company, even for apprenticeship, except by exception enacted by the Minister having Labour in his/her attributions after considering circumstances

In 2018, Rwanda made a significant advancement in efforts to eliminate the worst forms of child labor. The government adopted several new laws to strengthen protections for children, including a revised Labor Law, a comprehensive anti trafficking law, a law imposing heightened penalties for the use of children in armed conflict or illicit activities, and the Law on Child Protection that supplements the existing 2012 law.

### **Additional texts**

- Decree of April 2008 laying down detailed rules for land registration.
- Note: "Article 4: The private ownership of land and the long lease are legally established by a Certificate of Registration as recognized or licensed by the state."

It should be noted that the land registration process has been completed in Rwanda, and apart from some issues raising related to family land conflicts, each lot of land is registered under an owner.

## **Customary law**

Custom and local customs governed the land until the adoption of the land laws of the new land law No. 43/2013 of 16/06/2013.

Depending on the analysis of various authors, it appears that the custom is widespread in the management of land conflicts in Rwanda, certainly with significant regional differences. This is particularly the case for disputes over rights of succession and inheritance, including men's rights versus women's rights.

## **Other relevant laws related to protection of vulnerable individuals and gender-based violence**

Ministerial (MIFOTRA) Guidelines N° 02 of 10/05/2016 on child labour, the Law No.59/2008 on the Prevention and Punishment of Gender-Based Violence (GBV) : Prevents and punishes Gender Based Violence Crimes in all of its forms, the Law N° 43/2013 of 16/06/2013 governing land in Rwanda : Guarantees equal rights for men and women on land access, ownership and utilization, the Law N°68/2018 of 30/08/2018 determining offences and penalties in general: Penalizes crimes related to child defilement; adultery; physical and sexual violence on his/ her spouse; concubinage; bigamy or officiating at bigamy; playing a role in forced cohabitation; harassment of a spouse; sexual harassment; fraudulent use of family property and denial, on grounds of marriage, of freedom to practice family planning .

Finally, the National Gender Policy, July 2010 that highlights principal guidelines on which sectoral policies and programmes will base to integrate gender issues in their respective social, cultural, economic, and political planning and programming.

## **5.2 International Legislation**

### **5.2.1 World Bank Policies**

The World Bank safeguard policy OP 4.12 aims at ensuring that the implementation of the project has considered all alternatives and ways to avoid or minimize assignments, travel, or relocation of people. However, if necessary, the OP is to provide procedures for assistance to displaced persons, to enable them to restore their income and living standards, and ideally to improve them. This OP is normally triggered by:

- Expropriation of land or other assets.
- Access restrictions to physical property (pastures, water, forest products).
- Under this OP and in this context, this RAP aims at:

- Minimizing the expropriations and actions of involuntary resettlement.
- Ensuring that those affected are consulted and involved in the process of implementation of the clearing system.
- Ensuring that the compensations are determined in relation to the impacts suffered.
- Providing any assistance that after the compensation operation, the PAPs register an improvement in their livelihoods and living standards, or at least, they see them restored to their previous level.

The policy is described in generic terms that must be adapted to each project case. First, the OP 4.12 requires full information and community participation. Special efforts should be made to involve them, ensuring the inclusion of the poor, vulnerable and /or marginalized. Indeed, the disadvantaged segments of the community may not be concerned or not confident enough to participate.

From the point of view of land acquisition and evaluation of income, OP 4.12 emphasizes the importance of a timely compensation and which corresponds to the cost of full replacement of the lost property. The OP4.12 states that Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets - involuntary resettlement should be avoided.

Another important requirement of the OP 4.12 policy is to restore, at least, the living standards of the people affected by the project and preferably to improve them. The basic principle here is, again, to ensure that those who lose their land, their homes, and their socio-economic activities are assisted as fully as possible to restore their livelihoods, to maintain or improve their standards of living.

The OP 4.12 requires the establishment of an evaluation to monitor the progress of the project to ensure effective compliance with the principles set out above.

### **5.2.2 Eligibility criteria**

The article 3 of the Law N° 32/2015 of 11/06/2015 relating to Expropriation in the Public interest, stipulates that he or she should receive just compensation for it. This entitlement is based on the figure arrived at by the independent valuer. Through mutual arrangement, both parties can determine the mode of payment. Land acquisition and compensation will be undertaken according to national legislation with reference to the Law on Expropriation for Reasons of Public Use. The eligibility criteria applicable to this project are based on the three criteria given in Clause 15 of the World Bank's Operational Policy 4.12:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country).
- Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan.
- Those who have no recognizable legal rights or claim to the land they are occupying.

### **5.2.3 Similarities and differences between the legislations and OP 4.12**

The differences between the national policy and the World Bank OP 4.12, possible gaps and proposals with respect to these deficiencies are summarized below.

#### **Focal points**

The points of convergence between national legislations and the backup policy of the World Bank OP 4.12 are:

- Those eligible for compensation,
- The date of eligibility (cut-off date), and
- The type of payment.

#### **Points of difference**

A relatively clear discrepancy is found:

- Irregular occupants are not supported by both national laws.
- Procedures for monitoring and evaluation do not exist in national legislation.
- Valuation at full replacement cost of the assets is not provided in the expropriation process of the rural land:
- Economic rehabilitation is not provided.
- The cost of relocation is not supported.
- The PAP relocation is not expected.
- The dispute resolutions are less flexible than in the texts of the World Bank.
- Vulnerable groups are not mentioned.
- People's participation is less considered as in comparison to the texts of the OP 4.12 and alternative compensations are not provided.

In case of discrepancies/conflicts between national laws and OP 4.12, the latter will prevail



For example, taking charge of illegal occupants, if it is not prescribed in the Rwandan law does not mean impossible. As for the settlement of disputes, the key is that in the event of failure, the alternatives proposed in accordance with OP 4.12 do not prohibit pursuing the process through official channels of litigation.

For recovery of lost assets, administrative practices rely on the use of scales of which rates may be lower than that recommended in the OP 4.12. Indeed, the next full replacement cost according to the OP 4.12 means the valuation of assets without due allowance for the depreciation (amortization), calculated on the basis of the most favorable price on the local market for the expropriated, taking into account the loss income due to the waiting time until recovery of the initial capital.

For vulnerable groups, they are not considered by the two legislations. The laws of Rwanda should address these new issues. Generally, women, youth and possibly indigenous peoples are, in the context of any resettlement operation, the target groups that should not be ignored.

Finally, the national law does, not prohibit the participatory aspect highlighted in the resettlement process of the World Bank. In general, even if the law of the World Bank is more complete (economic rehabilitation, relocation costs, alternative compensation, monitoring and evaluation), nothing prevents the government to be inspired.

To ensure harmonization therefore, it is necessary at first to apply the Rwandan law on expropriation in all its components, and to take into account the additional requirements of OP 4.12 in the implementation procedures for compensation, the principles relating to the calculation of the rate of compensation, protection of vulnerable groups; monitoring and evaluation.

The WB policy provided for land for land compensation but the National Policy does not stipulate preference for land for land. In the Rwanda expropriation law Cash compensation is the preferred mode of compensation.

The RAP provides for effective, prompt compensation at full replacement cost. However, all resettlement will be based on agreements with PAPs and Development assistance recommended in this RAP.

**Table11: Comparison of Rwandan and World Bank Policies on Resettlement and Compensation**

<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
Landowners (loss of land)	<p>According to the National Land Policy, all Rwandese enjoy the same rights of access to land, implying no discrimination against women. All land should be registered for security. The title is tradable, but not if it fragments plots below 1 hectare. Every landowner should have a land title for the land they own.</p> <p>Compensation for non-transferable property based upon market value and at the replacement value.</p> <p>Landowners, under Rwandese Law, received cash compensation based upon market value.</p>	<p>Identification of PAPs is done through census and socio-economic surveys of the affected population, PAPs with land titles as well as PAPs who do not have a formal title but have customary and traditional right recognized under Rwandan law or who have a recognized claim to the land at time the census begins - are entitled to full compensation for land that they lose (besides other assistance) in cash.</p> <p>The compensation in cash is the preferred option; compensation is to be based on replacement cost.</p>	<p>The Constitution provides for land-based resettlement. Although its provisions could be interpreted as implying a preference for land-based strategies for displaced persons whose livelihoods are land-based, there is no specific legislative or regulatory provision made for this preference. However, it was agreed with the PAPs during consultation meetings and according to</p>

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Category of PAPs/ Type of Lost Assets	Rwandan Law	World Bank OP 4.12	Gaps filling measures
			<p>the national laws, compensation for land will be done in cash for the PAHs losing small portion of land and the the remaining portion of the land viable for continued use. The payments will made to the PAPs respective bank accounts before commencement of works. For PAHs lose all the land or the remaining land deemed unviable, the PAHs will be facilitated to relocate to another site through inkind compensation.</p>
Land Squatters (i.e. those who have no	Rwandan legislations entitle only those who are "landholders" with	Must be compensated for houses and other structures whatever the legal recognition	Consider all forms of tenancy

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
recognizable legal right of	legal possession of property	of their occupancy (see below).	based on formal or informal rights/ agreements between
Claim to the land that they are occupying	Land tenants, under Rwandese Law, are entitled to compensation based upon the amount of rights they hold upon land under relevant laws. The Organic Land Law (land law No. 43/2013 of 16/06/2013) recognizes existing rights, whether written or unwritten, under both civil law and customary practices through new national land tenure arrangements. Efforts are being made under the Law (Article 7) to formalize land ownership, especially those acquired through customary means. For instance, rural populations with customary/indigenous land rights are being	Entitled to compensation for loss of crops, and assistance for relocation and assistance for restoration of livelihoods (see below)	The landowner and tenants as well as those not legally recognized if they assist - will be compensated as per the principles of OP4.12.

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
	<p>encouraged to register their land through decentralized land institutions like the District Land Bureau, Sector Land Committees and Cell Land Committees (Ministerial Order N° 001/2006 of 26/09/2006 determining the structure of Land Registers, the responsibilities and the functioning of the District Land Bureau).</p>		
<p>Land Users/ Land Sharecroppers / Tenants (These include family members, and/or tenants or any other persons using the land to grow crops).</p>	<p>Land users, in some cases, have some form of secured tenure extended to them under new laws. In other cases, land users are not entitled to compensation for land, entitled to compensation for crops and any other economic assets. Land users are entitled to compensation for crops and any other economic assets.</p>	<p>No specific provisions to land compensation. Entitled to compensation for crops, entitled to relocation assistance and income must be restored to at least pre-project levels (see below).</p>	<p>Will be compensated for their movable properties and activities present on the expropriated land or property</p>

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
Owners of non-permanent	Owners of “non-permanent” buildings are entitled to cash compensation.	OP 4.12 gives preference to land based resettlement strategies for displaced persons whose livelihoods are land-based as compared to monetary compensation	Cash compensation is the preferred mode of compensation by government because of lack of available free land for replacement.  The compensation will be at replacement value without depreciation and they will be allowed to salvage materials.
Affected buildings	compensation based on market value at replacement value or entitled to new housing on authorized land under government (state or local) housing programs.	Compensation at full replacement cost including labor. Recommends resettlement assistance	Compensation to be fully done for all affected buildings.
Owners of permanent buildings	Owners of “permanent” buildings are entitled to cash compensation based on market value	Entitled to in-kind compensation or cash compensation at full replacement cost including	Follow the World Bank and National laws on compensation.

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
	and at the replacement value.	labor and relocation expenses, prior to displacement	Compensation in form of replacement value. The vulnerable will be facilitated to relocate to the alternative sites
Perennial and annual Crops	Perennial crops are compensated with cash based upon rate calculated as an average net agricultural income.	Market value at replacement value for lost crops. Income restoration assistance (such as land preparation, credit facilities, training etc). Land for land compensation allows people to re-establish annual crops immediately.	Adopt replacement value method of valuation.
Seasonal crops		Market value at replacement value for lost crops when arrangements cannot be made to harvest.	Adopt replacement value method of valuation.
Livelihood restoration and development assistance	There are no explicit provisions on livelihood restoration.	Livelihoods and living standards are to be restored in real terms to pre-displacement levels or better offer support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living (for ex. Land	Application of OP 4.12 to enhance livelihood improvement of PAPs to pre-displacement status or even better.  A detailed LRSP will be

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
		preparation, jobs, credits facilities);	prepared and implemented
Timing of compensation payments.	Resettlement must take place only when PAPs have been fully compensated and before commencement of any project works. Compensation must be completed within 120 days after submission of the final valuation report.	Implement all relevant resettlement plans before project completion and provide resettlement entitlement before displacement or restriction of access.	Follow the OP. 4.12
Compensation payments	Only when PAPs have been fully and compensated, and compensation must be completed within 120 days after the valuation report is submitted and decision taken by the expropriator.	Resettlement plans before project completion and provide resettlement entitlements before displacement or restriction of access. For projects involving restrictions of access, impose the restrictions in accordance with the timetable in the plan of actions.	The RAP provides for effective, prompt compensation at full replacement cost.  Preference should be given to land-based resettlement and land-based livelihood



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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
			<p>restoration for the PAPs whose livelihoods are land based.</p> <p>- Give land compensation only in cases where land taken is a small fraction of the affected assets</p> <p>- Provide effective and prompt compensation</p>
<p>Consultation and disclosure</p>	<p>The Expropriation Law governs the specifics of land acquisition. The law provides for public dissemination on the importance of the project to be established and the need for expropriation. In addition to dissemination, the Expropriation Law requires prior consultative meetings and examination of the project proposal</p>	<p>Consult project-affected persons, host communities and local NGOs, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing</p>	<p>Follow the OP. 4.12 guidelines and principles</p>

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
	<p>involving expropriation, with a view to avoid eventual prejudice on the person or entity subject to expropriation. Normally, a consultative meeting is held within 30 days after receipt of the application for expropriation. Based on these consultations, the relevant Land Commission or Committee (from the Cell level to the National level) takes a decision to approve the project within a period of 15 days.</p>	<p>appropriate and accessible grievance mechanisms.</p>	
<p>Relocation assistance and resettlement assistance</p>	<p>The person to be expropriated is defined to mean any person or legal entity who is to have his or her private property transferred due to public interest, in which case they shall be legally entitled to payment of compensation.</p>	<p>Avoid or minimize involuntary resettlement and, where this is not feasible, assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. Moving allowances</p>	<p>Resettlement facilitation and support to follow WB policies</p>

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Category of PAPs/ Type of Lost Assets	Rwandan Law	World Bank OP 4.12	Gaps filling measures
		will be given to PAPs for facilitation of the moving cost	
Participation and consultation	The Rwandan Organic law on expropriation simply stipulates that the affected people are fully informed on the project and expropriation measures in place. The law also conflicts the very purpose of consultation and involvement by prohibit any opposition to the expropriation program if considered to be under the pre-text of self-centered justification which might not be the case.	WB OP 4:12 requires that persons to be displaced should be actively consulted and should have equal opportunities to participate planning and design of resettlement programs. Consultation need to be meaningful and inclusive of all groups and gender.	Adopt OP 4:12 methods of participation.
Grievance mechanism and dispute resolution	The Expropriation Law Article 233&34 stipulate the process and procedures for contesting the valuation by individuals dissatisfied with the value of their compensation. The Law stipulates that the dissatisfied person has a period of 30 days after the project approval	Establish appropriate and accessible grievance mechanisms	Chapter 11 of this RAP provides for GRM in detail.  Adopt Rwanda Expropriation Law which establishes the GRM formed by the District (sector/cell) authority, PAP representative

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Category of PAPs/ Type of Lost Assets	Rwandan Law	World Bank OP 4.12	Gaps filling measures
	decision has been taken to appeal (Article 19).		s and Project Social Safeguard Expert are part of the GRM that will be established.  The requirements of OP 4:12 will also be incorporated.
Displacement	The notification period under national legislation requires that property must be handed over 120 days after financial compensation has been paid	Requires that displacement must not occur until all necessary measures for resettlement are in place	
Overall strategy	The expropriation law on procedures provides for the process to show how the sub projects fits into the land master plan of the area in question	Under OP 4:12 its not necessary to prove that the project fits within overall land master plan.	In terms of projects in the master plan of the area only.
Disclosure of information	According the National expropriation Law, the decision provided under article 15 of the expropriation law shall announced on atleast one the radio stations	The World Bank OP 4:12 Once the bank accepts the instruments as providing an adequate basis for project appraisal, the Bnak makes it available to the public through its infoShop. After	All project information and safeguards instruments will be

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
	<p>with the wide audience in Rwanda and in at least one the Rwanda based new papers with a wide readership in order for the relevant parties to the informed there of.</p> <p>If necessary, any other means of communication shall be used.</p>	<p>the Bank has approved the final resettlement instrument, the Bnk and the borrower disclose it again in the same manner.</p>	<p>disclosed to all PAPs and stakeholders in an appropriate manner.</p>
<p>Definition of cut-off date</p>	<p>The National law are silent on the cut-off date</p>	<p>All affected persons are provided with resettlement assistance in lieu of compensation for their land and any other affected assets. Any assistance necessary should be provided to the affected and displaced persons to achieve the objectives set out in the OP 4:12 that is if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the bank. Persons who encroach on the area after the cut-off date are entitled to compensation or any other form of resettlement assistance.</p>	<p>RTDA to adopt the bank policies on the cut – off date.</p>

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
Treatment of vulnerable groups.	<p>Every disabled/ vulnerable person shall be entitled to equal rights with other persons before the law. He or she shall be respected and be entitled to human dignity.</p> <p><i>(Law No 1/2007 of 20<sup>th</sup>/01/2007 relating to protection of disabled persons)</i></p>	The World Bank policy requires attention to be paid to vulnerable groups among those displaced.	Both national laws and World Bank policies to be adopted when it comes to treatment of vulnerable groups within the project intervention areas.
Eligibility	<p>Article 18 of the law requires the person who owns land intended for expropriation to provide evidence of ownership or rights on that land and presents a certificate to that effect Expropriation law is silent on provision of alternative land and resettlement of those to the pre-displaced status</p>	<p>OP 4.12 criteria for include even those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan and those who have no recognizable legal right or claim to the land they are occupying It also includes title holder landowners OP 4.12 requires and prefers resettlement of displaced persons. It also includes the title holder landowners.</p>	<p>OP 4.12 will apply for determining eligibility because many of those who farm the lands do not own it, although they may have depended on farming on such lands for their livelihood, and as such, Should be assisted to at least maintain their pre-project level of welfare. (especially for assets)</p>

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<b>Category of PAPs/ Type of Lost Assets</b>	<b>Rwandan Law</b>	<b>World Bank OP 4.12</b>	<b>Gaps filling measures</b>
			Apply World Bank OP 4.12 During the upgrading of the road, some resettlement will be required

In case of conflict between the laws of Rwanda and World Bank operation policies, the latter will apply.

## **Chapter 6. ELIGIBILITY CRITERIA AND CUT-OFF DATE**

This chapter addresses two critical issues in terms of people affected by the project: the "eligibility criteria" for determining the persons and property that will be eligible for various compensatory measures, the date of eligibility or "deadline", which should discourage inflows and establishment of ineligible persons in the project expropriation.

### **6.1 Eligibility criteria**

According to the WB OP 4.12, eligible for resettlement are the people affected by the project (PAP). It defines the people affected by the project (PAP) as follows:

Any person adversely affected by the project. These are people who, because of the Project lose rights of ownership, use or other rights of a building or other real or personal property, in whole or in part, permanently or temporarily.

Eligible persons belonging to one of the following three categories:

- Holders of a formal right to land: Rwandan Constitution of 2003, the National Land Policy of 2004, and the Organic Land Law of 2005 all incorporated land ownership and gave it a formal legal basis. The Land Tenure Regularization (LTR) programme was established to register and administer land ownership in Rwanda. The titling began officially in 2009. The land registration process successfully completed the recording of 10.4 million parcels of land into the national land registry by 2012. The land titles provide for full equal rights to both wife and husband, through the systematic land registration process. Article 20 of the law governing land in Rwanda which was enacted in June 2013 states that registering land is mandatory for anyone (who owns it).

In any case of Government program or projects, the government is obliged to full expropriation and compensation of the affected land in accordance with the national expropriation law (Article 26 of the Expropriation Law N° 32/2015 of 11/06/2015) and the World Bank requirements under OP 4:12.

In Rwanda there is no customary ownership of land, every landowner has a land title provided by the Rwanda land management and use authority (RLMA). For this project all affected landowners have land titles and will be fully compensated for their affected land.

- Those who do not have formal legal rights to land at the time the census begins but have property or other securities - provided that such securities are recognized by



the laws of the country or may be under a process identified in the resettlement plan;

- Those that have no formal right or title to be recognized on the land they occupy.

Persons under the first two categories are compensated for the land they lose and everything they have on it, and benefit from any other assistance under the World Bank OS 2 to enable them to recover and improve their previous livelihoods.

Persons within the latter category receive resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, in order to achieve the objectives of the policy, provided that they have occupied the land in the project area before the deadline.

Persons in these areas after that date are not entitled to any compensation or other form of resettlement assistance.

The eligible criteria for resettlement and compensation are presented in table of entitlement matrix.

## **6.2 Categories of eligible PAPs**

### **6.2.1 Application of Criteria**

Considering the occupation status of the land to be affected and identified at the date of eligibility should be considered the following two categories of PAPs that ought to be eligible for compensation: the owners and tenants. It is worth noting that these two categories have been considered in the census of the Consultant.

#### **The owners of the land**

They constitute 97% of the PAPs. There are those who have formal land titles for the land they occupy and those who did not have formal land titles at the time of census. They all have both customary and formal rights to the land to be requisitioned. The Rwandan law recognizes customary land rights in addition to formal land rights. Law n° 43/2013 of 16/06/2013 governing land in Rwanda.

#### **Tenants of land**

Tenants will be paid disturbance allowance cash for unexpired portion of the lease if paid in advance to the owner. The tenants do not hold any rights to the land or the trees that are there and there may not grow perennial crops.

#### **Case of buildings**

The same categories of PAPs - owners and tenants - will apply for lost buildings for residential use or business activity. Most of these PAPs are in commercial centres alongside Kibugabuga-Gasoro road project.

### **6.2.2 Other concerns on the eligibility**

#### **Nationality**

All the PAPs identified have the Rwandan nationality. They are all therefore eligible for compensation for their requisitioned assets, land, buildings, and crops.

#### **Owners absent or unknown**

No case of absentees or unknown landowner was recorded.

#### **Individuals, households/family land or asset**

Almost all PAPs identified are households with spouses (monogamous or polygamous) and children; the head of the household is a man or a woman. Some 11 single individuals (not married) were identified.

In a few cases, land was reported to be a common property of siblings whose parents deceased before land was formally subdivided and redistributed to them as inheritance. The census registered this land under the name of the family representative. But it will be necessary that all family members be informed on the compensation process for sharing arrangements.

### **6.3 Eligible assets and activities**

#### **6.3.1 Background on the legal framework**

The Expropriation Act (2015) specifies properties, which may be expropriated for public purposes and for which there should be a fair compensation for expropriation: that is, Art. 21 - "the land; work that has been done in the land such as the various crops, forests, buildings of any kind or any other activities for a better management of the land or its rational exploitation."

The eligibility of international resettlement policies (WB OP4.12) criteria is more inclusive than the national legislation: indeed, they include in addition to the real estate, commercial activities, crafts, services and various other things conducted by the PAPs on the land or in buildings affected by the project. It is therefore to compensate for the loss of income resulting from the cessation of activity, time for the expropriated individuals to restore their initial livelihoods enabling them to carry on their activities again.

### **6.3.2 Assets and eligible activities**

In summary, the PAPs assets and activities that will be affected by the project and eligible for compensation in this Action Plan and Resettlement are:

#### **Assets:**

##### Land

- The structures that are constructed: residential (home) or non-residential (buildings, kitchens, latrines, fences, and a hutch.
- Food crops: perennial and seasonal
- The trees planted or not
- Other wood resources planted and cultivated or uncultivated

#### **Activities**

- Income from commercial activities, etc conducted by the PAPs on the ground or in the affected structure.

### **6.3.3 Matrix of assets and eligible PAPs and their compensation package per category**

The vast majority of PAPs fall into the second category (loss of undeveloped land, cultivated and planted) with some variations (not all lose all active at the same time). The land tenants and lassoers emerge from categories 3 and 6.

These three categories gather almost all the numbers of people affected by the project (in bold black on the table).

**Table12: PAPs eligibility criteria and compensation package**

Category of PAP	Eligibility Criteria	Compensation Package
<p><b>A: Permanent residents, also customary holders a structure</b></p>	<p>Be recognized by local authorities and the relevant resettlement committee as a permanent resident and a customary holder of agricultural land located in the Project Affected Area at the cut-off date</p>	<ul style="list-style-type: none"> <li>- Resettlement house of similar or better quality on a resettlement plot (best practice) AND or cash compensation of the lost house at full replacement value</li> <li>- Cash compensation of all immovable developments such as structures, soil improvement, etc...</li> <li>- Cash compensation of standing perennial crops at replacement value and of non-perennial crops at market value at replacement value</li> <li>- Moving allowance if the household vacates the Project Affected Area at a given date</li> <li>- Livelihood restoration package to benefit the vulnerable households.</li> </ul>
<p><b>B: Permanent residents and tenants of agricultural land</b></p>	<p>Be recognized by local authorities as a no permanent resident in the Project-Affected Area and as a customary tenant or sharecropper of agricultural land located in the Project-Affected Area before the cut-off date</p>	<ul style="list-style-type: none"> <li>- Cash compensation of the lost non-permanent house at full replacement value</li> <li>- Replacement of lost land by agricultural land of similar potential under similar customary tenure arrangements anywhere in the Area</li> <li>- Cash compensation of all immovable developments on the affected agricultural land, such as structures, soil improvement, etc...</li> <li>- Cash compensation of standing perennial crops at replacement value and of non perennial crops at market value at replacement value</li> </ul>

		<ul style="list-style-type: none"> <li>- Moving allowance if the household vacates the Project-Affected Area at a given date</li> <li>- Livelihood restoration package</li> </ul>
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## **6.4 Eligibility deadline**

### **6.4.1 Introduction: the need for a deadline**

The main purpose of the official declaration of a date of eligibility termination is to determine the expropriated persons who have a legitimate right in the framework of a project to compensation and indemnity, thus, to prevent people from the outside areas motivated by speculative aims to come and settle there in order to claim the benefits of the project resettlement strategy.

This step is strictly regulated in national legislation. The goal of legislators is to ensure the rights of the expropriated especially requiring the expropriating to meet a tight calendar between the expropriation notification, the census, the deadline, and the payment of compensation to the expropriated.

Experience from other RAP also highlights the risk entailed in setting a deadline early in the process of expropriation while the project is not yet defined in all its components. Once the census completed, the cases in which the PAPs remain in the greater uncertainty about the exact start date of the project work and the final terms of their compensation are unfortunately common. This strongly undermines the PAPs.

### **6.4.2 Risk of later settlements**

The risk of later establishments fuelled by speculative settlements ends is considered exceptionally low for the area. People have been warned against building a new house in the area, and the local authorities are very watchful of this. It was clearly stated to farmers identified they could continue to cultivate freely, especially seasonal crops.

### **6.4.3 Deciding the official deadline**

#### **Legal framework**

The Rwandan legislation (2015) defines the steps and the following schedule:

1. A phase of the Declaration of Public Utility Project justifying the legality of the expropriation: it includes a survey of public utility (which is based on extensive information and consultation of residents and local authorities in the project area) and the File utility project compilation.

This first phase ends with a decision of the authorities as to the utility of the project (Art. 12 Rwanda, Act 2015).

2. A survey stage, i.e. the identification of properties to be expropriated. This phase was completed on 31<sup>st</sup> October 2019 and the date of the starting point is the legal deadline for compensation eligibility. Once the census is complete, each expropriated is informed of the amount of their compensation.
3. After the publication of the final decision on expropriation for public utility, the competent authority shall draw up an exhaustive list of owners or land rightful owners and work assigned to the fund (Art. 13, Law 2015).
4. Between this decision and the payment of compensation then extends a period not exceeding four months or 120 days (Art. 17 and 24, Rwanda, Law 2015). During this period comes the phase of administrative appeal and if it does not meet the expropriated satisfaction, then comes the judicial phase.
5. In all cases, regardless of the proceedings, it is given 90 (ninety) days (3 months) to the expropriated once the compensation has been paid to leave - "time for relocation." Art.24, Act 2015.
6. **Cut-off Date:** The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land areas. Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx. The cut-off date on Kibugabuga-Shinga-Gasoro was communicated and agreed upon during the consultation meetings that were held between the PAPs, Project staff, contractors and the local authorities, the agreed cut-off date was 31<sup>st</sup> October 2019 with both contractors in working on Kibugabuga-Shinga-Gasoro because they are the one to do census together with the certified valuer and their contracts started in July 2019 for preparation of the detailed desing of the roads.

### **Duration of the process**

According to the legal framework, it should not take more than seven months between the decision of public utility and the relocation of the expropriated marking the end of the expropriation process. This period must also include the additional inventory, notification of the amount of compensation and the payment thereof.

The WB Resettlement Policy in turn, the physical movement of PAPs and therefore the start of the project work can only occur when the compensation has been paid, and as for the monetary compensation this complies with the national legislative requirements. Finally, note that before any physical movement of PAPs and/or requisition of land, the project proponent shall have, if necessary:

- Acquired the land for compensation in kind (land against land) and the resettlement of PAPs.
- Completed arrangements for future resettlement sites.

## **Chapter 7. POTENTIAL IMPACTS OF THE PROJECT AND MEASURES TO MINIMIZE RESETTLEMENT IN THE PROJECT AREA**

The key initial task in planning resettlement is to identify Kibugabuga-Shinga-Gasoro project's adverse impacts and the populations that will be affected.

### **7.1 Categories of Impacts**

This section provides a detail of categories of impacts and census of PAPs and assets that will lead to economic loss and/or physical displacement and resettlement. The section also provides a conclusion with a summary of the total magnitude of loss identified through the PAP census and the valuation exercise.

The final disclosed RAP will identify all people affected by the project and all adverse impacts on their livelihoods associated with the project's land acquisition.

Projected effects include:

- Loss of dwellings (Residential structures)
- Loss of institutional buildings/public facilities
- Loss of agricultural land, trees, and standing crops
- Impeded or lost access to community resources including forest and woodland
- Loss of business income during transition
- Reduced income resulting from these losses

#### **7.1.1 Loss of Structures (residential structures)**

There will be a significant impact of loss of structures that will be caused by the proposed project mainly in the road widening areas, which is likely to have a major impact to the livelihood of the PAPs, if not well compensated.

For the purposes of designing the resettlement program, a distinction is drawn between physically displaced households and economically displaced households in the Project Area, defined as follows:

**Physically displaced**, or resident households, are those inhabitants occupying a house in Kibugabuga-Gasoro Road Project widening Area, built on or before the Entitlement Cut-off Date, as the primary or sole residence. These households will have to move from the Project Area (physical displacement) and will almost always have their livelihoods impacted by the Project (economic displacement).



Out of 2,880 PAHs, over 2,529 are largely losing partial/small size land (1-4m<sup>2</sup>) and the PAHs are staying in the same plot of land and preferred cash as a form of compensation.

**Physical relocation/Displacement/loss of houses:** The project will physically relocate over 351 households of which 171 are vulnerable household. Among these households that will lose their houses, there are those who who have requested for self-relocation. These are households that losing houses but remain with viable land in the same plot and decided to self-relocate in the same plot. Other households have second houses/alternative plots elsewhere and need cash to relocate to these houses or other plots is the most preferred form of compensation requested by those PAHs. The PAHs who will construct houses on their own (self-relocation), support will be provided to them in terms of waver of land tittle transfer charges, disturbance allowance 5%.

The last group of Seven (7) households are those that require to be facilitated to relocate. These are households that have lost everything (land and houses), or the remaining land parcel becomes unviable, the project will facilitate the full relocation of these PAHs to other areas or find alternative land in the same community and facilitate the house construction and also provide livelihood restoration measures to the vulnerable members. Those who want to stay within the neighborhood, will be facilitated by the project and local authority through construction linked disbursement to ensure that they have new houses. The remaining 346 households will self-locate after compensation.

The project will also work with the local authorities (District) to relocate those who cannot find alternative land in the same neighbor to move to the group settlements already designated by the District.

The project will prepare a detailed Livelihoods Restoration and Strengthening Program (LRSP) to support the 171 vulnerable houses to restore their livelihoods.

**Table13: Total number of PAPs to be physically displaced**

District	Sector	HHS	Size_HH
Bugesera	Nyarugenge	46	271
	Ruhuha	31	198
	Ngeruka	68	412
	Kamabuye	16	123
	Mayange	9	72
Nyanza	Kigoma	33	201
	Muyira	46	322
	Busoro	102	601
<b>Total</b>		<b>351</b>	<b>2200</b>

For the impact of residential structures, they are mainly of three types that include those used as residents for the owner of the house, those used with tenants and therefore a source of income for the owner and other residential structures that combine both residents for the property owner sharing with tenants. PAPs losing residential structures are entitled to the following compensation:

- Compensation of the residential structures according to the type of structure and market value.
- Compensation of land according to the market value at replacement value if the PAPs own the land.

### **7.1.2 Commercial Structures/Economically displaced PAPs**

It has been revealed that the project will have a major impact on structures that are used for commercial purposes that include renting houses or renting part of the houses for other type of business such as shops. There are also two main categories of business in the area i.e. those that are registered and therefore have records with their business and those that have no records of which most are petty business. Besides, PAPs that are likely to lose structures in which both barn and swine activities are run will also have to be taken into consideration.

Therefore, **economically displaced** households are those whose livelihoods are impacted by Kibugabuga-Gasoro Road Project. This can include both resident households, and people living outside the Project Area but having non-residential but commercial structures, businesses, or various usage rights there.

Therefore, entitlements for PAPs losing commercial structures under this RAP will be categorized as follows:

### **Compensation-Entitlement for Commercial Structures/Economically displaced P**

PAPs losing commercial structures will be compensated the following:

- Compensation of the commercial structures according to the type of structure and market value.
- Compensation of land where the commercial structure is according to the market value at replacement value if the PAPs own the land.

### 7.1.3 Other structures (annex, kitchen, veranda, fences, toilets etc.)

Demolition of outer structures and services such as fences, stores, toilets and kitchens will result in loss of PAPs basic services that individuals, family or enterprises depend upon for sanitation, security and general well-being, however, this will not necessitate physical relocation of PAPs or loss of business. Annexed structures in this RAP are counted separately from the main buildings.

**Table14: Other structures**

District	Sector	Cell	Description	Number	
	Kamabuye	Kampeka	Annex	5	
			Barza	1	
			Shop	3	
			Fence	2	
			Kitchen	3	
			House	8	
			Toilet	3	
	Ngeruka	Murama	House	2	
	Nyarugenge	Gihinga		Annex	1
				Bungalow	5
				Kitchen	4
				House	25
				Swine	3
				Toilet	2
		Kabuye		Barza	4
				Bungalow	3
				Fence	2
Kitchen				1	
		Barn	3		
		House	12		
Toilet	2				

District	Sector	Cell	Description	Number	
		Ngenda	Annex	2	
			Barza	3	
			Shop	2	
			Bungalow	8	
			Kitchen	4	
			House	32	
		Toilet	4		
		Rugando	House	1	
			Barza	2	
	Ruhuha	Kindama	House	3	
			Barza	2	
		Ruhuha	Fence	3	
			Kitchen	2	
			septic pit	1	
			House	1	
Toilet			1		
Nyanza		Masangano	Annex	3	
			Barza	2	
			Bungalow	1	
			Fence	1	
			Kitchen	1	
			Barn	2	
			House	18	
			Toilet	3	
		Busoro	Munyinya	Annex	4
				Barza	5
				Kitchen	2
	House			4	

District	Sector	Cell	Description	Number	
		Rukingiro	Toilet	2	
			Barza	3	
			Kitchen	5	
			Barn	4	
			House	16	
			Toilet	3	
	Kigoma	Butara	Barza	2	
			Annex	3	
			Kitchen	1	
			Barn	1	
			House	10	
			Bungalow	1	
		Gasoro	Annex	2	
			Fence	1	
			Kitchen	1	
			Barn	2	
			House	2	
		Mutende	House	1	
			Annex	1	
		Muyira	Gati	Annex	2
				Barza	1
	Fence			1	
	House			9	
Nyamiyaga	Annex		3		
	Barza		1		
	Kitchen		4		
	Barn		2		
	House		6		

District	Sector	Cell	Description	Number
			Toilet	4
		Nyundo	Annex	7
			Barza	3
			Shop	1
			Bungalow	4
			Fence	2
			Kitchen	7
			Barn	2
			House	18
			Toilet	2
Total				351

## **7.2 Compensation-Entitlement for Annex Structures**

For this RAP Annexed structures will be entitled to the following compensation:

- Compensation of the annex structures according to the type of structure and market value.
- Compensation of land where the annex structure is according to the market value at replacement value if the PAPs own the land.

### **7.2.1 Loss of Social and Public Structures**

The public/community properties include structures and land that are publicly owned, used or controlled, example by a government authority, such as a school, health center or sports field; and those that are actually private, but serving a community purpose, such as a place of worship, a private clinic or a private school. The proposed project community structure used for various activities, though the demolition of community entities will not lead to any relocation of individuals but is likely to disrupt community services and social networks. Public facilities located in the Kibugabuga-Gasoro Road widening areas include. These public facilities will be physically displaced by the Project and include schools, churches, hospitals, and market as the table below presents.

**Table15: Social and Public Structures that will be partially affected.**

S#	Type and Name of the social infrastructure	Location (district, sector, and cell)	Part of the social structure affected
<b>A. Schools</b>			
1.	GS Rango	Nyanza, Muyira, Nyundo	A fence and 2 classrooms to be affected
2.	APADEM	Nyanza, Busoro, Masangano	2 Security houses and a fence (made in cypress) affected
3.	GS NYAKAYAGA	Bugesera, Kamabuye, Kampeka	Only toilet and a fence (made in bushy hedges) affected
4.	GS NYAKAYAGA (UEBR)	Bugesera, Kamabuye Kampeka	Only a fence will be affected
<b>B. Churches</b>			
1.	Archidiocese Catholic de Kigali/Paroisse Ruhuha	Bugesera, Ruhuha, Gatanga	Only a fence in lattice affected
2.	ADEPR Gasoro	Nyanza, Gasoro	Only fence will be affected
3.	Adventist church	Bugesera, Kamabuye, Kampeka	Only fence will be affected
4.	EAR	Nyanza, Gasoro	The fence made of bricks will be affected
5.	Congress de temoin de Jehovah Kindama	Bugesera, Ruhuha	Fence will be affected
6.	ADEPR	Bugesera, Ruhuha	A fence will be affected
<b>C. Health care Centers/Hospitals</b>			
1.	Centre de Santé de Ruhuha	Bugesera, Ruhuha,	A fence of cypress and 2 gates affected
<b>D. Cooperatives</b>			
1.	Cooperative Kundubuzima Busoro	Nyanza, Busoro	Fence will be affected

2	Cooperative Zirakamwa Butara	Nyanza, Kigoma	Totally affected
3	Cooperative ejo heza Muyira	Nyanza, Muyira	Totally affected

Source: HNRB Nov 2019

### **7.2.2 Compensation-Entitlement for Social and Public Structures**

The compensation for public and private community properties will be provided according to preference of owner. For this project, the PAPs representatives may opt for in-kind compensation to enable the project proponent constructs another structure or the owners opt for cash compensation to enable them to decide on how they would want to relocate the structures. This RAP ensured the property has been evaluated and shall be compensated. The relevant local authorities will identify a preferred location for relocating the affected community asset.

For in-kind compensation, the proponent will have to replace a better structure or equivalent to the one affected while for those opting for cash compensation the properties will be entitled for the following compensation.

- Compensation of public structure according to the type of structure and market value.
- Compensation of land where the public structure is according to the market value at replacement value if the PAPs own the land.

### **7.3 Clearing of perennial Crops and Trees (Individual PAP)**

Perennial crops include those that take more than a year to reach full maturity and can be harvested over a long period of time. These include banana, coffee trees and fruit trees. PAPs with standing crops that include trees on their plots within the defined project area are entitled to compensation. Each tree is counted and compensated according to its market value at replacement value and age of maturity; for instance, a mango tree that is fully matured and producing is compensated 100% of the compensation rate of the tree. PAPs losing permanent crops are entitled to the following compensation:

- Compensation of value of each crop/tree according to the market value at replacement value and level of maturity.
- Compensation of the land where crops are grown according to the market value at replacement value if the land is under the ownership of the PAPs.



#### **7.4 Impact on Seasonal Crops**

Seasonal crops are mainly those that take less than six months to reach total maturity that allows them to be fully harvested and the land cleared, they include maize, cassava, beans, vegetables, sweet potatoes, manioc etc. Considering that the project is being implemented in rural and urban areas, and the size of plots within the project affected area, there are PAPs who are likely to grow seasonal crops.

PAPs with seasonal crops will not be compensated for the loss these assets, however, in order to prevent any financial impact or loss of harvest that mainly includes food crops, notice must be provided to all PAPs with seasonal crops within the Right-of-Way to alert on when to stop cultivating once they have been compensated for loss of land. If they have already cultivated, they must be allowed to harvest their crops prior to start of construction.

PAPs losing seasonal crops are entitled to the following compensation:

- Compensation of land where the seasonal crops are grown according to the market value at replacement value if PAP owns the land.

#### **7.5 Impact on Vulnerable Groups**

The socio-economic survey and subsequent analysis indicate that there are PAPs who are particularly vulnerable and are at greater risk of further impoverishment because of the implementation of the project. Old age, widowhood and divorce hood is considered as a vulnerable for this project. Table 5 of this RAP provides that 171 PAPs are particularly vulnerable too young/old agehood and to widow/divorcehood. The identified vulnerable household heads will therefore get special treatment during the resettlement process.

#### **7.6 Measures to minimize resettlement impact**

During Project development, consideration has been given to minimizing the scope of physical and economic displacement associated with the Kibugabuga-Gasoro Road Project through:

- Design of Project Infrastructure
- Approaches to Land Access & Management

In terms of design of project infrastructure, careful attention has been given to minimize the physical displacement of existing infrastructures.

### 7.7 Entitlement Matrix

To mitigate the above mentioned, impacts, an entitlement matrix was established as follows:

Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
Property Owners	Loss of land	Cash compensation for the lost structure and or replacement with new structure at new site	Land replacement at new site, plus land clearing by project. Compensation in cash will be considered if the lost land is below 20% of total land and the remaining land is viable	Options for integration in existing similar livelihood options elsewhere in the Sector, and retooling where appropriate into new livelihood options	Moving allowance calculate as part of the 5% disturbance allowance provided for in the Rwanda Expropriation Law	Disturbance allowance of 5% will be applicable Job oppurtunities and capacity building of serving. A LRSP will be prepared to provide extrat support to the vulnerable PAHs
	Temporal loss of land	Cash compensation for the lost structure and or replacement with new structure at new site	Contractor will rent the land to be given to the owner after well rehabirataion	Land use by project for more than a period of three months, even if not lost, will be compensated	If moving of the PAP is involved, disturbance allowance is issued	PAPs to be ompansated and the information on temporally alternatives will be provided

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Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
<i>Property lease holders/Tenant</i>	Loss of structure/ houses	Compensation at full replacement value does not depreciate, considering market values for structures and materials at replacement value.	Compensation in cash on market value at replacement value	For lost rental income Lump sum cash payment of 6 months' rent per tenant	Coverage of full cost for total transport expenses	Disturbance Allowance of 5% Job opprotunities, capacity buildidig. RTDA will assist in getting update or new land titles, and construction perimts for displaced PAPs through districts land bureau.
	Loss of crops and tress			Cash compensation based on the type, age and market value at replacement value of the mature crop in the scarce season, whichever is greater		Job opprotunities and another tress will be planted to replace the affected one.
<i>Loss of livelihood business</i>	Loss of income due to economic displaceme nt	Shops along the roads, street vendors		Compensation will be paid for the lost income and production during the transition period (the time between losing the business and re-		Capacity building in business and provision of startup. The businesspeople will be sensitized to come for construction jobs. RTDA will assist in getting

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Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
				establishment). This will be estimated based on the daily or monthly income of the affected.		update or new land titles, and construction permits where necessary through district land bureau.
<i>Vulnerable groups</i>	Any losses incurred by the Vulnerable and due to construction works	Cash compensation at replacement value to the owner.  With the support of concerned districts, the vulnerable will be included in government programs for building 'model villages for poor' as part of the latest efforts to	Cash compensation at replacement value to the owner.  Include vulnerables in government programs for building 'model villages' as part of the latest efforts to modernize rural settlements.	N/A	Coverage of full cost for total transport expenses	<ul style="list-style-type: none"> <li>• Eligible to participate in livelihood restoration programmes by local government institutions.</li> <li>• Employment priority in project-related jobs.</li> <li>• Counseling of the households so that they can understand the short-term support and longer term options.</li> <li>• Support to ensure that they maintain their social networks of family and friends and that they can access social services.</li> </ul>

Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
		<p>modernize rural settlements.</p> <p>Under Ubudehe, households are categorized according to one of six classifications, from extremely poor to the money rich. According to the needs of the community, the Government, via decentralized levels, organize the construction of houses under "model villages". Construction of these houses for the most vulnerable and extremely poor</p>				<ul style="list-style-type: none"> <li>• Where illness is ascertained medical subsidies, food, temporary accommodation, employment referrals to members of the family to be considered.</li> <li>• RTDA will assist in getting update or new land titles, and construction permits for displaced PAPs through districts land bureau.</li> </ul>

*Resettlement Action Plan (RAP)/ Upgrading project of Kibugabuga-Gasoro Road 66.55Km*

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Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
		people can be done by the population through a participatory process or during Umuganda (community works), which takes place once a month or through annual organized series of socio-economic activities by the Rwanda Ministry of Defense or by the National Police, dubbed as "special army week" and "special policy week" respectively.				

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Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
<i>Loss of Public Utilities</i>	<i>Losses due to contractor's construction works Loss of assets such as water pipes/valves, pipelines, Fiber Optic cable</i>	Relocation/replacement cost to be covered by the contractor.				Physical relocation and reinstatement of access by utilities owners following agreement with the contractor.
<i>Community as owners and users (eg. religious infrastructure/gaves)</i>		Cash compensation at full replacement cost using rates approved by property valuers.	Cash compensation at replacement value to the owner.	Physical relocation and reinstatement of access by relevant authorities.		Disturbance Allowance of 5% Job opprotunities, capacity buildidig
<i>All PAPs (whether owner, tenant or informal dweller)</i>	Loss of assets due to temporary	Cash compensation for any assets affected (e.g. houses, fences		For lost rental income, Lump sum cash payment of 6 months' rent per tenant.	Coverage of full cost for total transport expenses	Right to salvage materials without deduction from compensation,

*Resettlement Action Plan (RAP)/ Upgrading project of Kibugabuga-Gasoro Road 66.55Km*

Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
	land acquisition	removed, trees removed), relocation and construction of new public water taps, water tanks, construction of, etc				<p>Relocation assistance (coverage of costs of public water taps construction, market centres etc)</p> <p>Assistance of vulnerable poor people for livelihood reestablishment (ie Provision of tree seedlings, , job opportunities and facilitation for health insurance and other government support, etc).</p> <p>RTDA will assist in getting update or new land titles, and construction perimts for displaced PAPs through districts land bureau.</p>



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Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
<i>Business affected (small or big vendors)</i>	Loss of Income due to economic displacement	Shops along the roads, vendors		Compensation will be paid for the lost income and production during the transition period (the time between losing the business and re-establishment) This will be estimated based on the monthly income of the affected parties	Help with relocation and cover all the cost of moving the PAP	<p>Provide additional targeted assistance (for example job opportunities) and opportunities to improve or at least restore their income-earning capacity, production levels, and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected.</p> <p>Promptly compensate economically displaced persons for loss of assets or access to assets at full replacement cost</p>

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Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
						Capacity Building in business. The businesspeople will be sensitized to come for construction opportunities such as provision of construction materials
<i>Community assets</i>	Partially affected structures such as church, school, and health centre fences. Affected assets and properties affected by the burrow pits	The consultation with the concerned community on relocation of the social infrastructure, for graves case the laws number law n°11/2013of11/03 /2013 determining the organization and use of cemeteries stipulates art 16 A dead body can be				The infrastructure will be compensated, and the project and local leaders will facilitate to get a plot not far from the initial church. For grace case the project will exhume the dead bodies and transport the approved cemetery in use.

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Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance
		exhumed upon the authorization issued by the Civil status Registrar of the area where the dead body is buried on request by the relatives of the deceased or as ordered by the authorities of the area and the details where the dead body is buried				
<i>Works impact on assets</i>	Loss due to the contractor's construction works.	The compensation will be given by the contractor and will present to the client the proof of compensation through the bank account.		The contractor will calculate the monthly income and pay the lost income.	The contractor will cover the moving allowances.	The works insurance policies will apply.



## **Chapter 8. VALUATION CRITERIA**

### **8.1 Compensation and Entitlements**

Projects that are likely to lead to inconveniences to the society within its location requires adequate economic rehabilitation of the PAPs with due vetting of their entitlements. In this perspective, the key determinant for compensation is based on a pre-project census during which all residents are identified. Replacement costs have been categorized separately from houses, structures, crops, and trees. Resettlement will not necessarily require (except by the choice of the PAP) relocation to another village or area. In most cases the PAPs will chose to step back within their land. The totally relocating PAPs can be compensated in three forms be allocated alternative sites if available and/or given materials to replace their structures affected by the project or paid for such replacements in cash. The PAPs were informed of the different options available during the disclosure process and most well indicated that they would prefer cash compensation. Among the PAPs, the most vulnerable PAPs (widows, orphans, handicapped etc.) will receive special assistance in establishing their replacement land and structures.

Compensation and entitlements will be triggered by and specific impacts resulting from the project. Using a holistic approach, these general impacts emanating from the project shall include losses at household and community level (public assets, commercial assets, and communal assets). Losses will mainly fall into the beneath categories:

- Loss of land,
- Loss of assets (structures and agricultural land),
- Loss of livelihood
- Loss due to severance

The project proponent has established transparent methods for the valuation of all assets affected by the project as required under the laws of the land. These methods included consultation with the affected individuals together with their representatives, to assess the adequacy and acceptability of the proposed compensation and to ensure the economic rehabilitation of all the affected people.

### **8.2 Compensation Rates and Packages for PAPs**

The relocation or restoration strategies applied by the proponent to ensure income restorations to the affected communities are as discussed below which rather revolves round compensation. The overall objective of the adopted strategies is to ensure no negative change in the livelihood of the affected persons and their respective activity.

The strategies aim at livelihood promotion through various economic incentives to the affected and these are focused on either Land, trees, and crops-based Compensation or Cash Compensation. In this case most of the people affected preferred cash compensation. Adequate compensation rates have been drawn by the proponent based on the prevailing market rates of the affected facility in the RAP document. The established compensation rates have been applied throughout the project components with consistency in the respective project phases with allowances for adjustment for a case of the staggered compensation payments.

### **8.3 Cash compensation**

The term 'cash' is used in this RAP to denote payments in currency. Experience in other project requiring compensation indicates a high-risk potential with large, lump-sum cash payments to parties who have little experience with money management. While the present project shall provide compensation in cash consistent local law requirements, RTDA will be required to work closely with the local authorities in the compensation process and agreeing on modalities to avoid the misuse of the compensated cash. For the compensation of other assets rather than land, the PAPs will be advised to open account in local saving and credit cooperatives (Umurenge SACCO) where their compensation will be disbursed to minimize the risk related to cash payment.

### **8.4 Structures compensation**

#### **8.4.1 Compensation for Residential to be partially and removed**

This type of compensation relates to both households that will be relocated from their residence because of the road project upgrading, to commercial centres, to social infrastructures (including schools, churches etc.) that will be affected by the project. The following table presents a summary of residential houses that will be removed because of the road realignment.

**Table 16: Distribution of Houses to be removed by location district**

District	Households
Lot2 (Kibugabuga- Gasoro)	351

*Source: HNRB 2019*

Each house among these will be compensated to its actual value as given as per the expropriation law

### 8.4.2 Compensation for social structures to be partially and removed

Social structures differ from residential houses regarding the size, construction material and value. In this regard for example, most of these houses are constructed in concrete structures, fired bricks with cement and roofed with iron sheets. However, in case of Kibugabuga-Gasoro road construction, most of these social infrastructures will be partially affected while some few of them will be removed. The following table summarizes the types of social infrastructures and parts of them to be partially or fully removed.

**Table 17: Distribution of Schools to be affected in the road's right of way**

S#	Type and Name of the social infrastructure	Location (district, sector, and cell)	Part of the social structure affected	Tentative (rough) Costing FRW
<b>A. Schools</b>				
1.	GS Rango	Nyanza, Muyira, Nyundo	A fence and 2 classrooms to be affected	28,000,000
2.	APADEM	Nyanza, Busoro, Masangano	2 Security houses and a fence (made in cypress) affected	18,000,000
3.	GS NYAKAYAGA	Bugesera, Kamabuye, Kampeka	Only toilet and a fence (made in bushy hedges) affected	6,000,000
4.	GS NYAKAYAGA (UEBR)	Bugesera, Kamabuye Kampeka	Only a fence will be affected	3,500,000
<b>Total</b>				<b>55,500,000</b>

Source: HNRB 2019

**Table 18: Distribution of Churches to be affected in the road's right of way**

S#	Type and Name of the social infrastructure	Location (district, sector, and cell)	Part of the social structure affected	Tentative (rough) Costing FRW
<b>B. Churches</b>				
1.	Archidiocese Catholic de	Bugesera, Ruhuha, Gatanga	Only a fence in lattice affected	18,000,000

S#	Type and Name of the social infrastructure	Location (district, sector, and cell)	Part of the social structure affected	Tentative (rough) Costing FRW
	Kigali/Paroisse Ruhuha			
2	ADEPR Gasoro	Nyanza, Gasoro	Only fence will be affected	7,700,000
3	Adventist church	Bugesera, Kamabuye, Kampeka	Only fence will be affected	12,500,000
4	EAR	Nyanza, Gasoro	The fence made of bricks will be affected	4,300,000
5	Congress de temoin de Jehovah Kindama	Bugesera, Ruhuha	Fence will be affected	2,450,000
6	ADEPR	Bugesera, Ruhuha	A fence will be affected	1,300,000
	<b>Total</b>			<b>46,250,000</b>

Source: HNRB 2019

**Table 19: Distribution of Hospitals and Health centers to be affected in the road's right of way**

S#	Type and Name of the social infrastructure	Location (district, sector, and cell)	Part of the social structure affected	Tentative (rough) Costing FRW
<b>C.</b>	<b>Health care Centers/Hospitals</b>			
1.	Centre de Santé de Ruhuha	Bugesera, Ruhuha,	A fence of cypress and 2 gates affected	7,900,000
	<b>Total</b>			<b>7,900,000</b>

Source: HNRB 2016

**Table 20: Distribution of cooperatives to be affected in the road's right of way**

S#	Type and Name of the social infrastructure	Location (district, sector, and cell)	Part of the social structure affected	Tentative (rough) Costing FRW
<b>D.</b>	<b>Cooperatives</b>			



1.	Cooperative Kundubuzima Busoro	Nyanza, Busoro	Fence will be affected	2,300,000
2.	Cooperative Zirakamwa Butara	Nyanza, Kigoma	Totally affected	9,500,000
3.	Cooperative ejo heza Muyira	Nyanza, Muyira	Totally affected	12,450,000
	<b>Total</b>			<b>24,250,000</b>

### Summary

About this project, 351 residential houses and 14 social structures, which include 4 schools, 6 churches, 1 Health center and 3 cooperatives, will be partially or totally affected by the project. The table beneath summarizes the estimated cost for each category of the above-mentioned structures, about actual value recently calculated by certified valuers subcontracted by HNRB

**Table 21: : Indicative price estimation for residential and Social structures**

Description	Numbers	Estimated cost in Frw
<b>Total cost-All structures</b>	365	1,614,708,352
<b>Houses to be affected by category</b>		
<b>Residential structures</b>	351	1,480,808,352
<b>Social structures</b>	14	133,900,000

Source: HNRB Nov 2019

The total compensation value for Residential and Social infrastructures amounts **FRW 1,614,708,352** (say, one billion, six hundred fourteen thousand, seven hundred and eight thousand three hundred fifty-two Rwandan Francs).

#### 8.4.3 Land and trees Compensation value

Compensation for crops both perennial and seasonal will be done based on the requirements of Rwandan law and the guidance of RTDA compensation guidelines. Under this law, landowners and leaseholders are entitled to be compensated at market value at replacement value for land; tenants for crops and property on the land that they rented; property owners for the value of any property on expropriated land. Some districts have set specific rates for compensation based on local market surveys. In case where the

district has not set the crop compensation rates, the compensation rates which have been set by the Government will be used to calculate the compensation value of the crops/trees to be affected by the project.

A total number of trees or crops to be compensated are estimated to **Frw 400,298,684** (Say, Four hundred million, two hundred ninety-eight thousand six hundred eighty-four Rwandan Francs).

We should note that the calculation of the full replacement value by the government considers not only of the product of the crop over one year, but also the cost of re-establishing the crop (seedlings, soil preparation, fertilizers, others), as well as the lost income during the period needed to re-establish the crop. In all instances, farmers will be given enough notice to be able to harvest their mature crops prior to occupation by the project.

#### **8.4.4 Land Compensation**

This will be done in cash as noted above but will cover only plots on which both compensated houses are located, together with areas where Sub-stations are planned to be constructed. According to the WB, compensation for land is primarily land for land i.e. the project must look for a similar piece of land under similar conditions and similar size when compensation the loss of land. In case this is to be taken into consideration, RTDA and concerned Districts will arrange convenient relocation area for residents whose land was traversed by the deviation road line. In other words, while the figures presented here below are estimative value, the real value of the land related to the crossed area, compensation will base on the existing market land rates. The total amount to be compensated for loss of land is **277,879,500 Frw** for a total of **42.15ha**.

#### **8.4.7 Evaluation of compensation costs by asset categories**

**Table 22: Compensation costs by categories of assets**

<b>Categories of assets</b>	<b>Quantity</b>	<b>Amount /FRW</b>
<b>Residential and social structures</b>	365	1,614,708,352
<b>Crops and trees</b>	8567	400,298,684
<b>Land</b>	42.15 Ha	277,879,500
<b>Sub-Total</b>		2,292,886,536
<b>2Contingencies</b>	5%	114,644,327
<b>Grand Total</b>		2,407,530,863

Primary data HNRB Nov 2019

## **Chapter 9. GRIEVANCE MANAGEMENT AND REDRESS MECHANISMS**

### **9.1 Introduction**

Dissatisfactions may arise through the process of compensation for a variety of reasons, including disagreement on the compensation value during valuation for assets, controversial issue on property ownership etc. To address the problem of PAPs during implementation of compensation, a Grievance Redress Committee has been established in project-affected areas. The composition of the grievances handling committees is proposed as indicated in section

Further to this the Expropriation law will be used as the supreme guide in matters that relate to grievance handling if they cannot be handled at the committee level. Article 26 of the Expropriation Law N° 32/2015 of 11/06/2015 provides complaints procedures for individuals dissatisfied with the value of their compensation. The Law stipulates that the dissatisfied person has a period of 30 days after the project approval decision has been taken to appeal (Article 19). The first step of redress is to inform those to be expropriated of their rights during the expropriation process. Articles 17-20 of the Expropriation Law obliges the representative government authority (that which is implementing the project requiring expropriation) to inform affected people of their rights at each stage of the process.

According to article 26, all the grievances concerning non-compliance with the provisions of the contract, the value or timing of compensation or seizure of land assets without compensation shall be addressed to the Land Commission at the level at which the issue is based. The aggrieved party is provided with a legal expert in the matters of Land Law or any other survey expert with value verification skills, who will proceed to recalculate the value of compensation due.

If the new value is rejected by the Land Commission hearing the complaint, the aggrieved party may appeal to the immediate higher Land Commission within 15 working days which must then deliver its verdict within 30 days. If the aggrieved party is still dissatisfied with the decision, their final resort shall be to file the case to the competent Court of Law. According to article 26, filing a case in courts of law does not stop expropriation process to be affected.

To ensure that the affected parties are fully aware and to reduce possible backlog of complaints, it should be noted in advance that most members of the rural communities take time to decide to complain when aggrieved and as a result, may miss the 30 days' period required to file their complaints. As per international standards, grievances logged outside this timeframe may still be valid and legitimate. Customarily, the government expropriation authorities ensure that all affected people are fully informed and will issue

warnings about the consequences of failure to lodge their complaints in time. Within this customary procedure, affected people are informed of the procedures before their assets are taken.

The grievance redress mechanism should be designed with the objective of solving disputes at the earliest possible time. This will be in the interest of all parties concerned, and it implicitly discourages referring such matters to a court of law for resolution. The procedures for complaints and redress should ideally be made in the simplest language and media/ format that are easily accessible to, and understood by, every local inhabitant. They should also provide enough detail to be meaningful.

The Expropriation Law (article 6) assumes that the only grievances likely to arise are those related to monetary compensation. This article has not provided a procedure for complaint about other aspects of expropriation. This may create some confusion on how to approach land authorities and this may result in delay in petitions to the land commission within the legal timeframe. As far as possible, land expropriation grievances are encouraged to be resolved through Cell Land Adjudication Committees where possible, where systematic land registration is available and where the committees are currently in operation. If the grievance is not resolved in this way, local courts (ABUNZI) should be used.

## **9.2 Common likely types of grievances and disputes in resettlement process**

In practice, grievances and disputes that are most likely during the implementation of a resettlement program are the following:

- Misidentification of assets or mistakes in valuing them
- Disputes over plot limits, either between the affected person and the Project, or between two neighbors.
- Dispute over the ownership of a given asset (two individuals claim to be the owner of this asset); e.g. due Recent change of asset ownership
- Disagreement over the valuation of a plot or other asset.
- Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset.
- Disagreement over resettlement measures, for instance on the location of the resettlement site, on the type or standing of the proposed housing, or over the characteristics of the resettlement plot; and
- Disputed ownership of a business (for instance where the owner and the operator are different persons), which gives rise to conflicts over the compensation sharing arrangements.

## **9.3 Management Mechanism**

### **9.3.1 Overview**

The experience has shown that many grievances derive from misunderstandings of the Project policy, or result from neighbor conflicts, which can usually be solved through adequate mediation using customary rules. Most grievances can be settled with additional explanation efforts and some mediation using customary disputes settlement mechanisms:

- Through explanations (for instance explain in detail how the Project calculated the complainant's compensation and that the same rules apply to all); or
- Through arbitration, resorting to elders or individuals well-regarded by the community and external to it.

In contrast, resorting to the judicial system often results in long delays before a case is processed, may result in significant expenses to the complainant, and requires a complex mechanism, involving experts and lawyers, which can fall well beyond the complainant's control, and be counterproductive to him/her. Also, courts may declare themselves not competent for matters related to informally owned property. Therefore, the Project will put in place an extra-judicial mechanism (as indicated in 8.3.2) for managing grievances and disputes arising from the resettlement process based on explanation and mediation by third parties. Each of the affected persons will be able to trigger this mechanism, while still being able to resort to the judicial system. Procedures relevant to this amicable mechanism are detailed below. It will include three different levels.

- Registration of the complaint, grievance, or dispute case by RTDA in collaboration with local authorities (Sector level).
- Processing of the grievance or dispute until closure is established based on evidence that acceptable action was taken by RTDA; and
- In the event where the complainant is not satisfied with action taken by RTDA because of the complaint, an amicable mediation can be triggered involving the Grievance redress mechanism. .

### **9.3.2 Friendly Resolution Mechanism**

#### *Grievance Redress Mechanisms*

Grievance redress mechanisms will be required to ensure that project affected people (PAPs) are able to raise complaints or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. The procedures also ensure that the entitlements are effectively transferred to the intended beneficiaries. All stakeholders will

be informed of the intention to implement the grievance mechanism, and the procedure will be communicated before the starting of civil works.

The Grievance redress mechanism is one of the strategies that are put in place to monitor and resolve complaints that may arise during or after the Project implementation by the affected people but those committees are limited to handle GBV,SEA/SH cases they can only report to the competent service providers who have the signed MoU with the contactor or Isange One Stop Center ; this means that the service provider will be responsible of doing awareness campaign, sensitization and giving trainings program to GRCs to be able to handle sensitive cases of GBV,SEA/SH smoothly and easily , it should be noted that sensitive cases will not be recorded in the grievance logbook it should be kept confidential ; therefore after recruitment of workers the GRC will be established separate from the one of PAPs already established to ensure grievances are addressed and resolved to avoid escalated conflicts among workers .

The Grievance Redress Mechanism (GRM) ensures that complaints are received, reviewed, and addressed by the elected Grievance redress committee.

The Grievance committee was elected by the Project affected people during the second consultation meeting to be held between the District officials, Project representative and the project affected people. The elected committee is based at the cell level and is made up of at least 8 members. The PAPs select and vote for 3 candidates (President, Vice president and women and vulnerable representative); the Village leader is selected by the cell executive secretary and the PAPs, the social and environmental officers from the Contractor, client, and supervising company are also part of the elected committee

All grievances concerning non-fulfillment of contracts, levels of compensation, or seizure of assets without compensation shall be addressed to the subproject GRC and resolved in coordination with the District Administration.

The identified PAPs will each be issued with a Letter of Award (see Annex viii) for their acceptance or otherwise before payment is made. In case of any grievance, RTDA will issue a Grievance Form, (see Annex ix) to be filled by the aggrieved persons to reach a settlement within a period of two weeks maximum if it reaches at the highest level while it take only 4 days at cell level. Constructions would not commence until public grievances are settled. The Grievance committee will meet as needed, depending on registered complaints and disputes.

### 9.3.4 Grievance & Dispute Handling Mechanism

At all levels, regular progress monitoring of grievances filed, their status and actions taken, and recommendations/ resolution will be constantly undertaken. All the levels will follow the following:

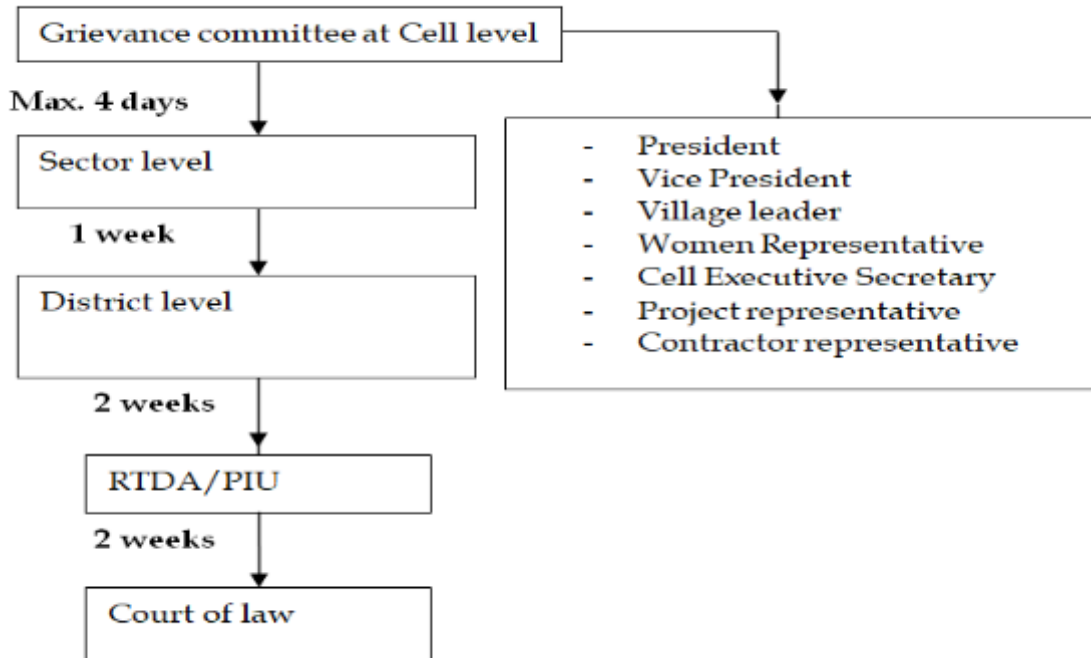


Figure 3 Grievance redresses Mechanism Structure

### 9.3.5 Processing

After a complaint or dispute has been registered, RTDA will prepare the technical background to the complaint (for instance, the proposed compensation amount, the list of meetings and interviews with the complainant, a description of the exact reason of the dispute, etc.) for consideration by the mediation committee. The complainant(s) will be invited before the mediation committee, which will mediate and attempt to propose a solution acceptable to both parties (RTDA and complainant). If need be, other meetings will be held and the committee may resort to one of its members to arbitrate in a less formal framework than meetings, if appropriate.

If reached, the agreement will be sanctioned by a settlement agreement signed by the parties, and the Grievance committee will be responsible for monitoring the implementation of this agreement, which will include all references to the applicable local law provisions.

Grievances resolution are encouraged to be resolved at Cell level, as they are aware of and involved in the whole process. If the grievance is not resolved in this way, local courts (ABUNZI) should be used. If not resolved, then the high court or court of appeal of Rwanda remains an avenue for voicing and resolving these complaints.

On the Annex 4, there is a standard form to be used to receive and record comments by the GRCs.



## **Chapter 10. INSTITUTIONAL FRAMEWORK AND ORGANIZATIONAL RESPONSIBILITY IN PROJECT IMPLEMENTATION**

### **10.1 Role of the Contractor**

The contractor should be undertaking the major role of respecting the terms of the RAP as well as those of ESMP are followed to the detail. In actual period of upgrading of the road, the contractor should be undertaking regular monitoring of all the activities occurring in the project site to ensure compliance to the RAP by respecting the boundaries of plots to be expropriated and to ensure safety of the remaining properties in the course of the road upgrading. The contractor will bear all the costs related to monitoring activities or damaged properties during the construction or upgrading phase of the road.

### **10.2 RTDA/MININFRA**

Monitoring will be the responsibility of the Rwanda Transport Development Authority. The choice of sampling sites, institutions and sample analysis conditions and use of their results, the frequency of analysis, the definition of standards and thresholds that will trigger the requirements for the implementation of the corrective actions are its responsibility. For example, the Resettlement Actions Plan for the 66.55 km road Kibugabuga-Gasoro unpaved road could include the monitoring the PAPs; the valuation of their properties, the compensation/expropriation and their relocation will be closely monitored by RTDA.

### **10.3 Role of Rwanda Environment Management Authority (REMA)**

As the lead agency responsible for the protection of environment in Rwanda, REMA will play the leading role of monitoring the activities of the project according to the Organic Law establishing REMA and its functions. In terms of the RAP, REMA will invigilate whether environmental principles are catered for along the PAPs relocation and resettlement.

### **10.4 Local Government authorities**

#### **10.4.1 District leadership**

The District authorities in the project area are the coordinating body for any resettlement activities at the district level. It oversees, coordinate, and facilitate the implementation process of resettlement activities across local governments under its jurisdiction. The District-level departments (infrastructure, water and energy officers in case of this RAP) in collaboration with grassroots administrative officials (Sectors and Cells' executive secretaries) provide a

review and monitoring role and provide political and administrative support for the implementation of the Resettlement Action Plan.

#### **10.4.2 District Land Bureaus**

The District Land Bureaus (DLBs) is the executive body responsible for ensuring activities undertaken complies with the National and District Level Land Use Master Plans. They assess the validity of land tenure rights of affected persons and eventually provide the land use permit for the new activity proposed.

In addition, they are responsible for ensuring effective grievance mechanisms are in place. They are also used in the design of the RAP as much as possible to reduce disputes or grievances. The District Land Bureaus will play a major role in RAP implementation by establishing the sub-project level Resettlement and Compensation Committees at Sector/ Cell level; by clarifying the policies and operational guidelines of these Resettlement and Compensation Committees; and coordinating and supervising RAP implementation by Resettlement and Compensation Committees.

#### **10.4.3 Ministry of Economic and Planning (MINECOFIN)**

The MINECOFIN will be responsible of the compensation payments and the RTDA shall ensure that funds for compensation are included in the national annual budget, and that they are allocated accordingly.

#### **10.4.4 Village Level Land Committees**

At the village/Umudugudu level, there are in place village-level mediators (abunzi) whose work is to hear disputes, especially social-based including land disputes. The abunzi, or mediation committees, have mandatory jurisdiction over land disputes involving amounts less than three million FRW, which means over most land disputes. The Abunzi also have mandatory jurisdiction over succession and boundary disputes involving less than three million FRW. The abunzi will be useful in this project as the first stop for resolving disputes and grievances following land acquisition. They will be involved in the compensation process from the beginning to the end.

**Table 23 Implementing Institutions and their responsibility**

<b>Implementing Institution</b>	<b>Responsibility</b>	<b>Deliverables</b>	<b>Frequesncy</b>
RTDA/MININFRA	Overall monitoring of the activities occurring in the project site to	Monthly and quarterly reports.	Monthly

	ensure compliance to the RAP		
REMA	<ul style="list-style-type: none"> <li>Monitoring the activities of the project for the protection of environment</li> </ul>	Environmental audit report	Twice in a year
<b>Local Government authorities (District, Sector, cell)</b>	<ul style="list-style-type: none"> <li>Identification of affected vulnerable families and land asset inventory of the Project Affected People (PAPs)</li> <li>Compensation Agreements Payments</li> </ul>	<ul style="list-style-type: none"> <li>RAP beneficiaries list</li> <li>Land and assets valuation reports.</li> </ul>	Before start of RAP implementation
MINECOFIN	Guidance in accounting and Budget allocation to RTDA for compensation of PAPs' assets	<ul style="list-style-type: none"> <li>Annual Public Budget</li> </ul>	Once in a year (June) with reallocation possibility in each December.
<b>Villages and Grievances Committee and Court</b>	Grievances management	<ul style="list-style-type: none"> <li>Grievances reports</li> </ul>	As required.

### **10.5 Institutional arrangement for RAP Implementation**

The following organogram for institutional arrangements showing the different institutions and the inter-relationship between them for the different activities.

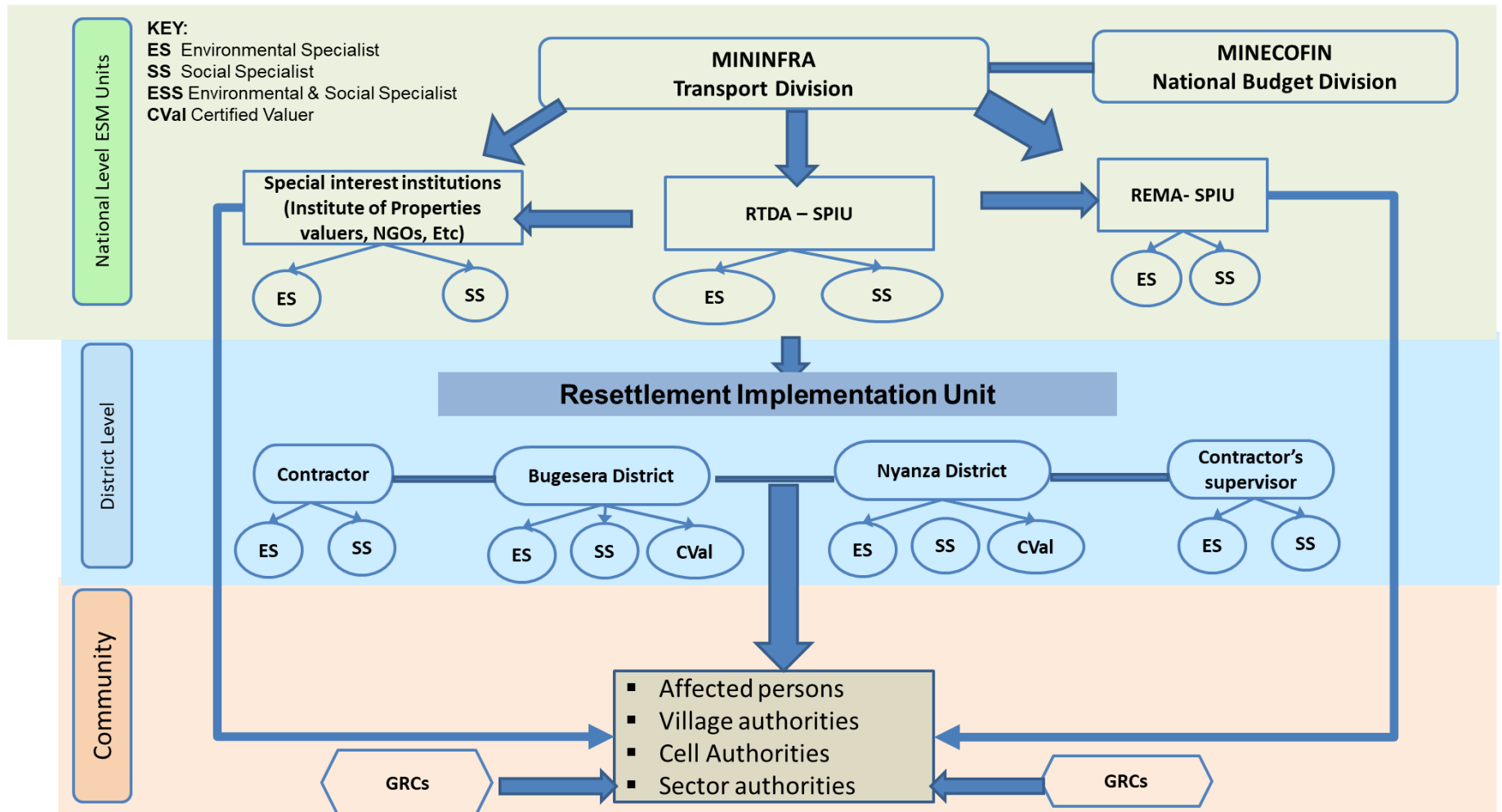


Figure 4 organogram for institutional arrangements

## **Chapter 11. RAP IMPLEMENTATION**

### **11.1 Introduction**

The RAP anticipates that the project implementation schedule will consist of three phases namely preparation, implementation, and post implementation. It mainly will include works such as clearing roads the way of leave (routes), cutting trees and removing properties including demolishing any compensated property in the line of the road deviation route. The resettlement schedule for land acquisition, house demolishment and relocation will be coordinated with RTDA. Briefly speaking, the RAP process will follow the following steps.

### **11.2 RAP Implementation Schedule**

#### **11.2.1 Preparation and Surveying**

During the RAP preparation, the first activity was the operationalization of the Kibugabuga-Gasoro road survey. In this regard, HNRB the contractor of Kibugabuga-Gasoro surveying team develop the tracing and identification of the Right of Way (ROW) routing. HNRB used a team of valuers and social safeguard specialist to investigate on the number of PAPs, their socioeconomic conditions and their properties located in the road's right of way "ROW". All stakeholders (local administrative and community representatives at sector, cell, and village level,) have been invited to play a role in determining the Livelihoods Restoration and Strengthening Program (LRSP).

#### **11.2.3 Constituting and operationalization of Resettlement administrative committees**

The administration of this RAP will require a close collaboration between different actors. On one hand, the MININFRA/RTDA will be overall in coordinating, approving, and monitoring of activities related to the construction and upgrading Kibugabuga-Gasoro road. In this regard, all reports either technical or implementation wise will be handed over and first be approved by RTDA. Other agencies including RDB, REMA etc. will have to monitor whether, along the implementation, the contractor respects aspects related to environmental protection. Need is for all these other agencies to cooperate with RTDA for a common monitoring of every step of the project implementation. At grassroots level or at the sites, district engineers will play a day to day management of the implementation and district engineers will work with the contractor in assuring a smooth project implementation, to assure that residents and their properties are not victimized by the road upgrading activities.

#### **11.2.4 Awareness campaign**

Awareness campaigns will be of paramount relevance in informing residents about the project to be undertaken, the RAP and the compensation process and the cutoff date. It will also present messages intended to prevent accidents on the road and to preserve the lives of the population living on the side or using the road under upgrading. This campaign will consist of putting in place communication panels related to the road usage and relevant dangers, to HIV/AIDS and other transmitted diseases provided that areas crossed by the road under upgrading will be cohabitating with foreigners who are road engineers, road construction machines drivers and therefore, the need for local residents to be cautioned.

#### **11.2.5 RAP verification and follow up**

After the RAP dissemination with specific number of PAPs and their properties likely to be affected by the project, RAP verification will be conducted by district engineers in collaboration with grassroots level leaders (sector, cell and village) and village committees. Districts will thereby send a succinct report to RTDA for comparison of the PAPs and their properties presented in the RAP report. RTDA will therefore approve and recommend the move to the next course of action if the reports of Engineers match with that of the RAP. If a difference is observed in the two reports, then claims of the complainants will be taken care of by community committees (mediators, local land bureau committees, village level committees etc.).

#### **11.2.6 Agreement with the PAPs, compensation and cutoff date for the relocation from the RoW**

The RTDA in collaboration with respective districts will, after identification of PAPs and their properties to be damaged by the road upgrading and widening, sign an agreement with them related to the compensation. This agreement will be related not only to the compensation but also to the cutoff date where the cutoff date given is 31<sup>st</sup> October 2019 for related claims and the relocation of PAPs from the Right of Way (RoW).

#### **11.2.7 PAPs relocation and settlement process**

After the agreement with PAPs and their compensation, the next step will be the relocation of PAPs. This action is to be taken care of by respective districts, and special attention will be paid to vulnerable people among the PAPs. For example, districts will make sure elderly and widow PAPs have been properly settled by the time of the start of the project. PAPs who are in the first and second category of the Ubudehe classification scheme but who are physically fit will be given priority in the road construction job allocation.

### 11.2.7 RAP Implementation Schedule

The RAP Implementation Schedule is Shown in the table below.

**Table 24 RAP Implementation schedule**

Schedule of activities:	Feb-2020	Mar-2020	Apr-2020	May-2020	Jun-2020	Jul-2020	Aug-2020	Sep-2020	Oct-2020	Nov-2020	Dec-2020	Jan-2021	Feb-2021	Mar-2021	Apr-2021	May-2021	June-2021	July-2021	Aug-2021	Sep-2021	Dec-2023	
Signaturte of contracts with the GBV service providers.																						
Preparation of the GBV action plan																						
Public Consultation and Sensitization of PAPs on HIV, GBV, SEA among others by service providers																						
Review and Approval of final RAP																						
Disclosure of RAP on RTDA websites																						
Sensitization of PAPS on RAP through Information Disclosure																						
Kamabuye, Ngeruka and Ruhuha sectors in Bugesera District																						
Nyarugenge sector in Bugesera District																						
Busoro, Muyira, Kigoma sectors in Nyanza District																						
Signing or fingerprinting approved fair compensation report by PAPS																						
Three Months' Notice to PAPS as per Rwandan Laws																						
Compensation payment																						
(20.23 km) Kamabuye, Ngeruka and Ruhuha sectors in Bugesera District																						

*Resettlement Action Plan (RAP)/ Upgrading project of Kibugabuga-Gasoro Road 66.55Km*

Schedule of activities:	Feb-2020	Mar-2020	Apr-2020	May-2020	Jun-2020	Jul-2020	Aug-2020	Sep-2020	Oct-2020	Nov-2020	Dec-2020	Jan-2021	Feb-2021	Mar-2021	Apr-2021	May-2021	June-2021	July-2021	Aug-2021	Sep-2021	Dec-2023	
Compensation of the 5 km in Nyarugenge sector in Bugesera District;																						
Compensation of the 5.36 km in Nyarugenge sector in Bugesera District;																						
Compensation of the 6 km in Busoro sector in Nyanza District;																						
Compensation of the 6 km in Muyira sector in Nyanza District;																						
Compensation of the 6.67 km in Muyira sector in Nyanza District;																						
Compensation of the 6 km in Kigoma sector in Nyanza District;																						
Compensation of the last 6 km in Kigoma sector in Nyanza District;																						
Clearance of Road Reserve, and progress of works																						
Grievance Management																						
Livelihood restoration																						
RAP monitoring																						
RAP Completion and Audit (to be done at end of project cycle.)																						

PAPs compensation will be made in phases and by road sections as indicated in the RAP Implementation Schedule. This will depend on budget availability. Consequently, the land will be handed over to the contractor after compensation.



## **Chapter 12. RAP MONITORING AND EVALUATION**

### **12.1 Principles**

Arrangements for monitoring and evaluation are to ensure, firstly, that the proposed actions are implemented in the manner and within the time limits, and, secondly, that the expected results are achieved. When deficiencies or difficulties are observed, monitoring and evaluation are used to initiate appropriate corrective action.

The main objective of the Resettlement Action Plan is to ensure to PAPs living standards and conditions equivalent or better life that they knew before the project. Thus, monitoring and evaluation of the actions proposed in the Resettlement Action Plan should focus primarily on achieving this goal. We distinguish the internal evaluation monitoring to be conducted by the Social Environmental Assessment (SEA) and the external evaluation that will be carried out by the Environmental and Social Monitoring Mission (described in the ESIA report). Monitoring / evaluation of the resettlement action plan will target the following three objectives:

### **12.2 Supervision**

Check that, especially at the start of the RAP, its detailed specifications are designed and that its implementation is carried out in accordance with the RAP validated.

### **12.3 Monitoring**

Check that the ongoing RAP work program and budget are executed according to plan.

- Check continuously if the quality and quantity of the expected results are obtained in a timely manner.
- Identify any factors and unanticipated changes that may affect the RAP organization, the definition of its measures to reduce the effectiveness or present opportunities to develop.
- Send in a timely manner to the responsible concerned authorities, corrective measures under ordinary or exceptional programming procedures.

### **12.4 Evaluation**

- Establish and interpret the reference situation of the affected population before the start of the project in terms of the socio-economic and health conditions (the census conducted in the framework of this mandate has developed baseline).
- Define, at regular intervals, some, or all the above parameters to assess and understand the changes.

- Establish at the end of the project, a new baseline for assessing the RAP impacts in socio-economic and health terms.
- Analyze, programmatically or in response to the findings of monitoring / evaluation, some elements of the human environment and measures to improve the RAP effectiveness.

## **12.5 Internal evaluation monitoring**

### **Principles**

Internal monitoring of the RAP implementation is a responsibility of the RTDA, and respective districts crossed by the road. It is to continuously ensure that the actions included in the work programs are executed on time and on budget.

The internal monitoring will be determined by the work programs of the SEA and by the contracts of subcontracting providers. These documents define the tracking objects of qualitative, temporal, quantitative, budgetary performance indicators used for such monitoring. Indicators for each RAP phase (preparatory phase before displacement, implementation phase of displacement and resettlement phase, post-resettlement phase) should be discussed with the stakeholders and relevant institutions.

The views of PAPs and their representatives will be part of the monitoring system. They will attract the attention of the SEA on the validity and especially the acceptability of proposed measures in the context of the project area.

An expert in monitoring and evaluation will be recruited to develop the internal monitoring program to the SEA.

### **Monitoring indicators**

The proposed monitoring indicators are provided in the table below.

**Table 25 Monitoring indicators**

<b>Parameter</b>	<b>Indicators</b>	<b>Frequency</b>	<b>Methodology</b>
Compensation to PAPs	No. of PAPs paid out Amount of money paid out to PAPs	Quarterly	Project progress report by RTDA
Livelihoods restoration	No. of PAPs with restored assets/activities Community facilities	Quarterly	Project progress report by RTDA

	restored No. of vulnerable PAPs assisted		
Public participation & Engagement	No of consultative meetings held No. & Categories of Local leadership engaged/involved No of civil society groups engaged	Quarterly	Project progress report by RTDA
Grievance redress & management	No of complaints received No of grievances addressed/ resolved promptly No of unresolved/ outstanding grievances	Quarterly	Project progress report by RTDA

:

### **External evaluation monitoring of the RAP implementation**

This evaluation will follow both the RAP as well as the ESMP implementation. It will be provided by two organizations, described in detail in the ESIA report:

### **The Environmental monitoring missions**

Environmental monitoring (or monitoring) consists in observing the evolution of the components of natural and human environments potentially affected by the project to ensure that the measures taken are effective. This monitoring will be based on a scientific, quantitative, and qualitative approach; the elements of monitoring must be measurable by recognized methods.

The monitoring mission must be free of any conflict of interest. It is therefore recommended that the mission is technically liable to the services in the ministries for environment and socially to the local political authorities (deputation / parliament) and civil society.

This mission will be entrusted to a consultancy bureau located in the area and recruited by tender. It will include experts with different profiles depending on the themes to be assessed. The monitoring mission will take place from the start of the work and its duration will extend to the entire construction phase duration, and two years after, convening twice per year.

The reports issued at the end of these missions will be for local authorities, civil society, the central environmental authorities and members of the MMC whom this mission will report to (all recipients actors are members of the commission, but the information must be known at the directorate level and not only to the members of the commission due to the geographical distribution of these institutions).

### **Multipartite Monitoring Commission (MMC)**

Multipartite Monitoring Committee (MMC) will be composed of ten members from the entities involved in the project, representatives of local authorities, representatives of relevant ministries, representatives of people and representatives of NGOs and civil society.

Multipartite Monitoring Committee will meet twice a year to monitor the implementation of the ESMP and RAP. It will have quarterly access to the environmental and social monitoring reports of the monitoring mission and may summon special meetings when necessary. The commission may also provide support for the effective management of potential conflicts of interest between the various project stakeholders.

### **12.6 Participation of the PAPs in monitoring and evaluation**

The PAPs will participate in monitoring / evaluation in different ways:

- Collection of simple data concerning their activity.
- Participation of representatives of PAPs meetings on programming, monitoring and evaluation, including through their local PAPs Committee.
- Participation of the PAPs Committee in meetings from the development of work programs and the evaluation of the previous program.
- Inquiry of the SEA, of the Mission of Environmental and Social Monitoring in case of dissatisfaction vis-à-vis the implementation of the RAP and methods for the operator intervention.
- Participation of PAPs representatives to the reception of investments concerning them.
- Opinion surveys in the evaluations.

A program of participatory monitoring and evaluation will also be developed by the expert based on monitoring data. This program will complement more the quantitative monitoring program mentioned above.

This program has the immense advantage of PAPs integrally involved as key actors in their assessment, the development of indicators relevant for them and collecting data. This type of participatory monitoring and evaluation is essential to the PAPs capacity building and their organizations tool. It is also key tools to help them identify their measures that are the most appropriate for the restoration of their living conditions and to improve them.

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**ANNEXES**

**Annex 1: A summary of issues/questions raised during public engagement consultations at sector level and responses provided.**

<b>Organized consultative meetings</b>	
<b>Bugesera District</b>	<b>22/11/2019 14h00 - 16h30 Kamabuye sector office</b>
<b>Nyanza District</b>	<b>23/11/2019 14h00 - 17h00 Muyira Sector</b>
<b>Main issue</b>	<b>How the issue will be addressed</b>
1. Will the constructing company give jobs to the local population?	Mr. Sebastien, NICHOLAS social safeguard specialist ensured to the participants that the local population is priority to get jobs. It was suggested that where qualification is not required, those affected by the project be employed first.
2. What will happen to properties that are not subject to expropriation but will be damaged by project related work?	It was responded that the expropriation is done in three phases: 1. Properties that are directly affected by the projects are paid before construction starts. 2. Properties that are damaged during construction are also identified and paid. 3. At the completion of the project (before provisional handover) RTDA, Local leaders, Security organs, and concerned population conduct a survey of other issues that are related to project and they are also paid. Therefore, any property damaged due to the implementation of the project will be compensated either in the right of way or outside (e.g. damage caused by vibration might be outside the road by still be compensated).
3. What can the project affected person do in case there is a delay in paying the expropriated properties?	As stipulated by the Law, the GoR makes sure that construction works start after expropriation issues are cleared and a mobile line of an RTDA staff in charge of expropriation was given to them by him.

<p>4. It was asked to who it belongs the properties after they are paid for expropriation</p>	<p>HNRB representative explained that they belong to the GoR but that negotiations can be made, and the properties serve the community if needed. Selling the expropriated properties is not allowed, he said.</p>
<p>5. What will happen to graveyards especially those of genocide memorial sites that will be affected by the project?</p>	<p>RTDA and the districts will study the case. The projects shall avoid to the extent possible the negative impact to graveyards, Genocide memorial sites, and tombs. But, particularly for individual tombs, if the impact can not be avoided, they can be relocated to a public graveyard.</p>
<p>7. What will happen if the compensation amount is inadequate?</p>	<p>Grievance redress mechanism will be established with PAPs representative as part of the committee and they will handle complaints arising from compensation.</p>
<p>8. What will happen to people whose land will be fully affected by the project works.</p>	<p>RTDA team informed the PAPs that all affected land will be fully compensated for.</p>
<p>9. When will compensation be done?</p>	<p>Compensation of the affected assets will be done before commencement of all the affected assets. PAPs will be informed in advance on when compensation transfers will be done.</p>



**Annex 2: List of PAPs and their affected assets.**



Summary  
VALUATION Data KSC

Annex 3: Attendance list for the public engagement consultation meeting

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PAPs Focus Group Discussion attendance list 22/11/2019

No.	Name	Position	Signature
62	MUGEMANYI Levenien	Umuhinzi	
63	NTIRENANGA S. Bosco	Umuhinzi	
64	YANKURAJE Franine	Umuhinzi	
65	HABIRAYO Sylvester	Umuhinzi	07867490100
66	NYIRAMBIBI Veneranda	Umuhinzi	078511998 001
67	HAKIZIMANA EUG	Umuhinzi	
68	UWIZYIMANA Elisabeth	Umuhinzi	07867-2323 11
69	NIENGIYUMVA Pascal	Umuhinzi	0785689533
70	SEBANANI JUSTI	Umuhinzi	0789026440
71	MUKAMUYENZI Goriage	Umuhinzi	1195970016284058
72	IRIBUKA Justin	Umuhinzi	23999800948760
72	HAKIZIMANA Samuel	Umuhinzi	0782854846
73	NBANYIRAGISE Eugene	Umuhinzi	078
74	MUNYA GITHVU Justin	Umuhinzi	1105080021670011
75	REBEKAH Atanael	Umuhinzi	0781233922
76	NKUNDIRIMANA Innocent	Umuhinzi	0784934456
77	UWINEZA Godelyme	Umuhinzi	0782702776
78	NYONGIRA Jeanette	Umuhinzi	0786578493
79	NSENGIMANA Emmanuel	Umuhinzi	0782587345
80	UWAYEZU J. Claude	Umuhinzi	0785652661

UPGRADING OF KIBUGABUGA-SHINGA-GASORO ROAD 66.55KM

PAPs Focus Group Discussion attendance list

22/11/2019








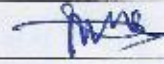





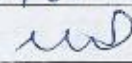
No.	Name	Position	Signature
42	UWAYISABA J. Claude	Umuhinzi	0787986963
43	MUCYESTIMANA Rachel	Umuhinzi	umy
44	MURUKA TETE Betty	Umuhinzi	0785953242
45	HABANA BASHAKA Samuel	Umuhinzi	0789076813
46	HABYARI MANA Laurent	Umuhinzi	
47	UZARAMA Augustin	Umuhinzi	0725044538
48	KUBWIMANA Jacques	Umuhinzi	0726366112
49	NSENGIYA REMYE David	Umuhinzi	
50	NYIRANSA BIMANA Mitigali		07826884380
51	BIZIMANA Augustin	Umuhinzi	0783416189
52	ASHIMIYIMANA Innocent	Umuhinzi	
53	NZABAMWIZA Laurent	Umuhinzi	0787095119
54	NKURUNZIZA J. Claude	Umuhinzi	0781651158
55	MUSABYIMANA Vestine	Umuhinzi	0786683836
56	NYABYENSA Alexandre	Umuhinzi	0784102067
57	NBURURUTSE Servais	Umuhinzi	
58	KUNYENTWALI Joseph	Umuhinzi	07263669112
59	ASHIMIYIMANA Samuel	Umuhinzi	0783777927
60	RUKUNSO HARUGA Daniel	Umuhinzi	
61	UNAMBASTIMANA Claude	Umuhinzi	



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PAPs Focus Group Discussion attendance list

22/11/2019

No.	Name	Position	Signature
22	HITAMUNGU Gilbert	Umuhinzi	0789098703 
23	NYIRABWANZA Leonie	Umuhinzi	0784451186 
24	SIBOMANA Emmanuel	Umufundi	0784480149 
25	NSAHIMANA Edward	Umufundi	0782985838 
26	BIKORIMANA Fabrice	Umuhinzi	0788615282 
27	MUSABYIMANA Clementine	Umuhinzi	
28	GASASIRA S. damascène	Umufundi	0787551819 
29	NTAWUKURIBAYAYO Gilbert		
30	HITIMANA Innocent	Umuhinzi	
31	SIBOMANA Vicent	Umuhinzi	0784036265 
32	BENINZITA Philbert	Umuhinzi	0780626258 
33	BAGIRIWAZO Petronille	Umuhinzi	
34	HITABATUMA Jeannette	Umuhinzi	0782966081 
35	HAVUGIYAREMYE Anonias	Umuhinzi	
36	KANYAMAHANGA Anastase	Umuhinzi	0789926132 
37	ITANGISHAKA Crenie		
38	GAKURU sept	Umuhinzi	0737295146 
39	BUSABIMANA Danalle		
40	NIYONSENZA Samour	Umuhinzi	0785889957
41	MUKAMANA TABITA	Umuhinzi	



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PAPs Focus Group Discussion attendance list

22/11/2019

No.	Name /AMAZINA	Position /I cyo uruho	Signature
01.	BABAZIYA ROBERTA	Umukotanyi	0788964...
02	HABINZA J.M.V	Umuhinzi	078523316
03	BUTINDA Gypore	Cultivateur	
04	NTABUHUNGU Daniel	Umuhinzi	078074450
05	MUCYESHIMANA Jeannette	Umuhinzi	0785523204
06	VUGANEZA Theogene	Umufunzwe	078383407
07	MUKARUBAYIZA Donata	Umukotanyi	0786933220
08	KANAKUZE Placide	Umuhinzi	
09	BIHOYIKI Xavier	Umuhinzi	0784831415
10	KUBWIMANA Theresie	Umukotanyi	0781454061
11	KSENGIMANA Evaliste	Umukotanyi	0786027002
12	NYIRARUKUNA Jenerove	Umuhinzi	0782174665
13	NTAKIRUTIMANA Josephine	Umukotanyi	0784455055
15	MUKAMANA Dative	Umuhinzi	0785302605
16	HAWINDINWAKI Innocent	Umuhinzi	07 1414
17	HABIMANA Veruste	Umuhinzi	0784350932
18	NIYOMUGABO Emmanuel	Umuhinzi	078805078580554
19.	UMICO NDE Josephine	Umuhinzi	0789110678
20	NTAWURUHUNGA Baptiste	Umuhinzi	19648007614080
21	KSHIMUYIMANA Emmanuel	Umuhinzi	07



105 Nkundabanyanga Bevottha	Himzi	
106 Ndayiragize Eugenie	umufunoli	AM
107 Niyitegeka pascasia	Himzi	
108. NIRAguze Beatrice	Himzi	
109. Gatoya J. Pierre	Himzi	
110. Nyironsalimana Mozu	Himzi	
111. Uwazeyimana Theogene	Himzi	
112 NTibazumungu Immacent	Himzi	
113 Nzemugyamba J. Dieudé	Himzi	
114 Nyabwanda Charles	umufunoli	
115 Mbarushimana Dieudonné	Himzi	
115' Dufutamekiza simmy	Himzi	0783595923
116 Macumi samuel	umufunoli	0717766817
117 Nizeyimana Metusel	Himzi	<del>0783595923</del> 0737224970
118 Kabagwira Stephonie	Himzi	0784857345
119 Uwamuhoro dementine	Himzi	0788752984
120 Uwayezu davidine	Himzi	0781530062
121. Mukayiranga comsole	Himzi	0789455676



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PAPs Focus Group Discussion attendance list

22/11/2019

No.	Name	Position	Signature
81	Nshimiyimana Samuel	Himzi	
82	Nshimiyimana Teophile	Himzi	
83	Shumbesho Evaliste	Umufundi	
84	Munyoya Kayanza Jean	Himzi	
85	Uwimana Marceline	Himzi	
86	Oubuwimana Elvise	Himzi	0782854346
87	Mukamuranyi Sempu	Himzi	
88	Nshimiyimana Samuel	Himzi	
89	Musabyemungu Jean	Umufundi	
90	Bangomimana Evaliste	Himzi	
91	Nzindukiyimana J. Basko	Himzi	
92	Nshimiyimana Pascal	Himzi	
93	Kakezimuami Eliakim	Himzi	
94	Akumamuntu Leonard	Himzi	
95	Banzubaze J. Marie	Umufundi	
96	Besitumukiyo J.	Umufundi	
97	Ntawunguru Shamabaho	Himzi	
98	Nzuzimana Emiry	Himzi	
99	Mbonza bugabo	Himzi	
100	Nyurambizi Veronique	Himzi	
101	Mbonzahuye J. Claude	Himzi	
102	Nyuransengimana Liberite	Himzi	
103	Mukarubaga Esperance	Himzi	
104	Hatezimana Karigoye	Himzi	
105	Barashukama Vedaste	Himzi	



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PAPs Focus Group Discussion attendance list

22/11/2019

No.	Name	Position	Signature
61	Nsahimano Celestin	Himzi	
62	Denshimiyimana H Frools	Himzi	
63	Buchumiyamkaka Jean	Himzi	
64	Mukamano Franse	Himzi	
65	Tuyizese Amabwata	Himzi	
66	Murimola bisgwa	umukundi	
67	Nyenda Shimama Donath	Himzi	
68	Mamishimwe Francois Sakwa	Himzi	
69	Mukankase umungu	Himzi	
70	Mukankase Sa Mediatrice	Himzi	
71	Mukamurigo Jean	Himzi	
72	Ndayumungu theophile	Himzi	
73	Mukazekundo Teodete	Himzi	
74	Bememuyimana Emery	umukundi	
75	Muyimamungu guonvo Calleto	Himzi	
76	Ntaturungu ariza odense	Himzi	
77	Nyenda Shimama Jean	Himzi	
78	Kubemamano Laurent	Himzi	
79	Nsam Zamam Alex	Himzi	
80	Baquerubwano Patrick patrick	Himzi	



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PAPs Focus Group Discussion attendance list

22/11/2019

No.	Name	Position	Signature
41	NIZEYIMANA Rompina	HIMZI	
42	NREISHUMPATSE Sean	HIMZI	
43	Ndayambaze smmy	HIMZI	
44	MUKAMUNYEMANA Alphonse	HIMZI	
45	Uwizeyimana J	HIMZI	
46	Mubabarenkore Fabrice	umufundi	
47	Dyucusemge samelle	HIMZI	
48	Nturu Shwca Athanas	HIMZI	
49	Hertzgekennomo Valerite	HIMZI	
50	MUKAMUNYEMANA Monthe	HIMZI	
51	Ayamkanyeye cherlotte	HIMZI	
52	Ndaya shimeye Gilbert	umufundi	
53	HUKIZAMANA Samuel	HIMZI	0782354846
54	MUKWANA shujaka Samuel	umufundi	
55	Ngerageze Veruska	HIMZI	
56	NSAMUNYEMANA Innocent	HIMZI	
57	Mubera indimola Momozi	HIMZI	
58	Nturu Shwca Samuel	HIMZI	
59	MUKWANA shujaka Congole	HIMZI	07-
60	MUKWANA shujaka Thomas	HIMZI	



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PAPs Focus Group Discussion attendance list

22/11/2019




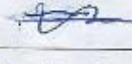
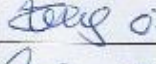

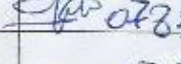
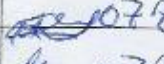
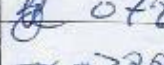
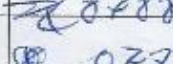
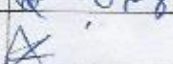
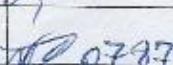
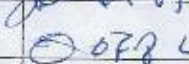
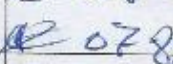
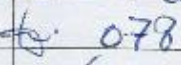


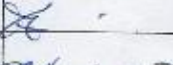

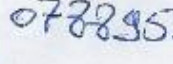

No.	Name	Position	Signature
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22	Ruhompyankaka Jean	Himzi	8
23	yamobogwiryo Franline	Himzi	8
24	Mukansanga Pauline	Himzi	078 10 88480
25	Uwiringiye Christine	Himzi	078 140 9332
26	Nsamizimana Jeremie	Himzi	078
27	Nsamizimana Elyse	Himzi	8
28	BIZIMANA Elyse	Himzi	
29	MIMAZI Imolant	Himzi	8
30	NKAZABERA Zoluciel	Himzi	8
31	MUKAMUTIMANA Mause	Himzi	AMP
32	MAREMYUSHA Bosco	Himzi	8
33	MUKAMBUNGA Marguerite	Himzi	8
34	BIZIMANA Amelise	Himzi	8
35	Uwiringiye Julienne	Himzi	8
36	NZAYISENGA J. Domasene	Himzi	8
37	RUBANUKA Romozan	Himzi	8
38	NKESHUMU GASHA Gashu	Himzi	8
39	NTERAMANA J. Claude	Himzi	8
40	DUSABUMBE Remigie Imolant	Himzi	078 7760 239



UPGRADING OF KIBUGABUGA-SHINGA-GASORO ROAD 66.55KM

PAPs Focus Group Discussion attendance list

22/11/2019

No.	Name	Position	Signature
1	Bukungata Emadho	umu fundi	 0788287300
2	Mbabajende J M U	umu fundi	 0784306870
3	SIBO BVBINGO Pascal	Himzi	 0788999337
4	BUTARA Emmanuel	Himzi	
5	YAMBARAHAYI Sereedre	HIMZI	 0786517231
6	HISHAMUNBA Emmy	umu fundi	 0789294828
7	NIYOMUGABO Vincent	HIMZI	 0783962200
8	MUKAMUKAMUKA	HIMZI	 0787135699
9	HISHAMUNBA Mushoza	HIMZI	 078409328
10	NSHEMUKAMUKA S. Pierre	HIMZI	 0788468685
11	UWARO GUYE CHRISTINE	HIMZI	 07878109332
12	KARANGWA CELESTIN	HIMZI	
13	NSHEKAMUKA MARCELLO	HIMZI	 0787982984
14	MUZATSUMBA EMMABLE	HIMZI	 0784413026
15	MUSHIMUKAMUKA MAPHILIFE	HIMZI	 0785311919
16	NIYOMUKAMUKA	HIMZI	 078 -
17	BANIBUTSA Emmy	HIMZI	 078 -
18	NIYOMUKAMUKA APATA	HIMZI	 0780919058
19	KARANGWA ATHOMAS	HIMZI	
20	AGUMUKAMUKA DOMATA	HIMZI	 078 -
21	NIYOMUKAMUKA FELIX	umu fundi	 0788952194



## UPGRADING OF KIBUGABUGA-SHINGA-GASORO ROAD 66.55KM

PAPs Focus Group Discussion attendance list

22/11/2019

No.	Name	Position	Signature
81	BIZIMANA Joseph	Umuhinzi	078717495
82	BUCINGO Francois	Umuhinzi	
83	KWASHIMYIMANA Pade	Umuhinzi	0786214610
84	BIZIMANA Silive	Umuhinzi	0782683071
85	NSHIMYIMFIRA Valens	Umuhinzi	0785509972
86	SIBOMANA Elisa	Umuhinzi	0784033128
87	NZABAMWITA Samuel	Umuhinzi	
88	NSENGIYUMVA Vicent	Umuhinzi	
89	NSHIMYUMUKIZA Francois	Umuhinzi	0785247364
90	HATEBERKIMANA Innocent	Umuhinzi	1199080497061012
91	NTAWUKURIRYAGO Innocent	Umuhinzi	0783117286
92	UBARUBUKAZE Evalote	Umuhinzi	0782193623
93	BIZUMWAEMYI Athase	Umuhinzi	
94	RUTABURUNBOGATICHEL	Umuhinzi	0789576419
95	BENIMANA Clementine	Umuhinzi	
96	KWIMVANEZA Alfred	Umuhinzi	
97	NYIRABAZUNENTHERO	Umuhinzi	
98	NZEYIMANA Calxte	Umuhinzi	0783667764
99	HAKIZIMANA Emmanuel	Umuhinzi	0785348542
100	NSANZIMANA S. Baptiste	Umuhinzi	
101	KABASIRE Fred	Umuhinzi	0785540496

**Annex 4: Grievance complaint form**

**IFISHI YO KWAKIRIRAHO IBIBAZO MU GIHE HASHYIRWA MU BIKORWA UMUSHINGA WA FRDP/  
COMPLAINT FORM TO BE USED DURING FRDP IMPLEMENTATION**

N°	Amazina/Names	Itariki ikibazo cyakiriwe -ho/ date when complaint was received	Uburyo cyatanze/ means of which complaint was received	Aho ikibazo cyakiririwe/ place where the complaint was received	Ubwoko bw' ikibazo/type of complaint: Ubusabe, request Impungenge, concern Ikirego: court case	Incamake y'ikibazo/summary of complaint raised	Icyiciro/category: Kwimurwa/relocation by client - Rwiyemeza-mirimo/ contractor	Icyakozwe/How the complaint was addressed	Igihe cyakorewe/ date on which the complaint was addressed	Aho bigeze + iminsi 30/ progress beyond 30+	Aho bigeze + iminsi 60 progress beyond 60+	Aho bigeze + iminsi 90 progress beyond 90+

**Annex 5 minutes of consultation meetings held**

**MINUTES OF THE JOINT SITE VISIT (GAKO MILITARY ACADEMY, BUGESERA DISTRICT, RTDA, CONSULTANT, CONTRACT OF KSG ROAD PROJECT 66.55KM)**

**1. Participants to the joint site visits**

No	Name	Position	Representing	Phone number
01	Major Karegeya	Ag Co.	Bugesera Army	0788760980
02	LT Adolph NDIYUNZE	LT	Bugesera Army	0788352543
03	LT Joseph KABERA	LT	Bugesera Army	0788464855
04	Umurerwa Aliane	Social safeguard specialist	RTDA	0788428549
04	Paul Rushton	Project Manager	NOD	+255762856601
05.	Stephen Parkin	Team Leader	NOD	0788717481
06	TASFA	Highway engineer	NOD	0788652972
07	SEBASTIEN SEBAGABO	Social safeguard	NOD	0783843173
08	EMILE Mukunzi	Natural resources specialist	Bugesera District	07885131177
09	Vedast MUHIRWA	Road Development and Maintenance Engineer	Bugesera District	0788422602
10	SILVIE Uwacu	Environmentalist	Bugesera District	0788548377
11	William ZHANG	Commercial manager	HNRB	0788316236
12	Landry NKIRIYUMWAMI	Health and safety specialist	HNRB	0788430403

**Dates: 08 – 9<sup>th</sup> October 2019**

This site visit was for two days. The main purpose was to visit the borrow pits and dumping sites within Gako forest to get the authorization to use them from the District as well as from Gako Military Camp. In this area, the contractor has identified two dumping sites and three borrow pits which will be used during the construction of the first starting 11Km from Km 62+104 up to Km 73+000

On the side of the army the main purpose was to observe if the places identified by the contractor are safe with no hazardous equipments since Gako forest is used as military training area.

The role of the District staff was to identify if the location chosen for borrow pits and dumping sites are environmentally friendly.

On the first day, the meeting started in Nyamata Army camp at 9:30Am, where the attendees started the meeting by introducing themselves, after the introduction the MSC/TL, Mr. Stephen Parkin, explained to the army the purpose of the site visit that the contractor needs to make sure that the working area is safe and that no hazardous material can be found in the working area as per the WB mission recommendations of 16 September 2019. After this discussion the following step was to go for the site for visit. The first dump site and borrow pit at Km 67+380 and Km 67+480 consecutively were taken as the sample for the remaining sites

The second visit was held on the following day and the recommendations given by the district are summarized below.

**Remarks, Decision made as well as the recommendations are proposed below**

S/N	CHANAIGE	IDENTIFICATION	OBSERVATION	DECISION MADE	RECOMMENDATIONS
1	Km 67+380RHS within 30m offset	Dumping site	The dumping site is in the suitable place to the environment. However, the contractor is recommended to rehabilitate this site after dumping.	<b>Confirmed</b>	The contractor is recommended to strip and stockpiling the topsoil before using this dumping site. Proper dumping is recommended and dump in a way that prevent the creation of slope at this place.

S/N	CHANAIGE	IDENTIFICATION	OBSERVATION	DECISION MADE	RECOMMENDATIONS
2	Km 67+480 LHS within 30m offset	Borrow pit	This borrow pit is also located in a good place suitable to the environment. Proper rehabilitation is recommended after using this site	<b>Confirmed</b>	Proper extraction of litterite material is recommended. The contractor is recommended to start extract material at the distance equal to 30m from the project road. The pit that will be created during exploitation has to be backfilled during the rehabilitation process.
3	Km 69+940 RHS	Borrow pit	The borrow pit is well located. Proper reinstatement is recommended after extracting material at this place.	<b>Confirmed</b>	This site is located at the place suitable to the environment, gentle slope, however the contractor is recommended to drain the water properly to avoid erosion during exploitation of this borrow pit. The rehabilitation of this place is recommended after using it
4	Km 70+000LHS	Dumping site	This spoil site was found to be located in the farmland. Therefore, the contractor will not use this site.	<b>Rejected</b>	This dumping site will not be used since is located in the farmland. Therefore, the team has decided to reject this proposed dumping site
5.	Km 71+200 RHS	Borrow pit and Dumping site	This site is suitable for borrow pit and dumping site. The dumping site will be located in	<b>Confirmed</b>	The proper exploitation of borrow pit and proper dumping are recommended. during the rehabilitation period the contractor is



S/N	CHANAIGE	IDENTIFICATION	OBSERVATION	DECISION MADE	RECOMMENDATIONS
			near the borrow pit. During the rehabilitation phase, this spoil site will fill the hole created during extraction of borrow pit.		recommended to fill the pit created by this dumping site located at the same place with the borrow pit

### MINUTES FOR THE SITE VISIT AND MEETING WITH GRM COMMITTEE IN RUHUHA SECTOR

1. **Venue / Destination:** Bugesera District
2. **Date and duration:** 7<sup>th</sup> December 2017
3. **Objective of the mission**
  - *Visiting the road project*
  - *Meeting the established Grievance Resolution Mechanism (GRM) committees*
4. **Mission in detail**

On 7<sup>th</sup> December 2017, a team composed by RTDA and the World Bank visited the project Kibugabuga-Gasoro and also met one of the recently established Grievance Resolution Mechanism Committees. The meeting was held at RUHUHA Sector of Bugesera District where the RTDA and WB team met and discussed with the Ruhuha GRM committee members.

The following persons were in the meeting:

Name	Institution	Function
Aurelio DEMENDEZ	WB	Practice Manager
Muhammad ZURFIQAR AHMED	WB	Task Team Leader
Emmanuel TABAN	WB	Team Leader
Guy M. KALISA	RTDA	DG
Leon MUGWIZA	RTDA	Project Engineer

Celestin HAKORIMANA	RTDA	Social Scientist Specialist
Cyprien NDAYISABA	RTDA	Environmental Specialist
Emmanuel NTAGENGERWA		Representative of RUHUHA Sector to the District Council
Claire UMULISA	RUHUHA Sector	Executive Secretary
NTAGANZWA Jean Claude	RUHUHA Sector	Chair of the Sector Council
MASENGESHO Theogene	RUHUHA Sector	Land Manager
KAREMERA Juvenal	KINDAMA	GRMC
RWAGATORE Venant	GIKUNDAMVURA	GRMC
MUKANYANDWI Judith	GIKUNDAMVURA	GRMC
NGARAMBE Felix		
UWERA Cleophas	GATANGA	Cell Executive Secretary
BANA Emmanuel	GATANGA	GRMC
MUKASINE	GATANGA	GRMC
ITURUSHIMBABAZI Aimable		GRMC
UWERA Leoncie	KINDAMA	GRMC
MUKANTWALI Immaculee	RUHUHA	GRMC
GATWARE Benoit	RUHUHA	GRMC
DUSHIMIRIMANA Alphonse	RUHUHA	Cell ES

In her opening remarks, the ES of Ruhuha Sector presented the profile of the Sector with regards to the road project. She said that the Sector has 5 Cells among which 4 are crossed by the road Kibugabuga-Gasoro. She added that people are very happy of the project as it will stimulate their development and improve their socio-economic conditions. To this she said that beneficiaries and particularly women will tell the delegation about the awaited benefits from the project. She added that the population is much curious about the project commencement.

In his remarks, the Director General of RTDA indicated that the project will start in less than 6 months (civil works). He took the opportunity to request everybody present to introduce him/herself so that the discussion could continue smoothly. Then the

Executive Secretary of RUHUHA Sector invited whoever had a point to share with the meeting.

MUKANTWALI Immaculee started by thanking the God, saying that Bugesera District was excited for the starting of the project. He added that the former government (before Genocide) used to promise water, electricity, etc. but this was never given. Therefore, she thanked His Excellence the President of the Republic of Rwanda who is committed to make them happy particularly his pledge of the road Ngoma-Nyanza and she also was grateful to the donors (WB) who are assisting to bring the presidential pledge into action. Mrs Immaculee indicated that apart poor riding condition of the road, dust was a big issue and with the project, it will be solved. She added that visiting family relatives and friends in Nyanza District was costly (5000 Frw by motorcycle) and time consuming, but with the coming asphalt road, travel time and cost will be significantly reduced.

NTAGANZWA Jean Claude, the chair of the Sector Council expressed his gratitude to His Excellence the President of the Republic of Rwanda and he requested the meeting to clap for him. In addition, he also thanked the delegation adding that if the community would new about the visit, the whole village would be around (only GRM Committee members were invited). He then thank the delegation for choosing to visit the GRM Committee of Ruhuha Sector, expressing that the project will boost development. However, he also expressed his worry about properties that will be damaged by civil works and he therefore, wanted to know about the proposed mitigations measures.

To respond to the question asked by Mr. NTAGANDA Jean Claude, Mr. Celestin HAKORIMANA, RTDA Social Scientist replied that every property to be damaged by the project implementation will be compensated fairly according to the expropriation law 32/2015 of 11/06/2015 and WB guidelines which has also provision for claim if the PAP does not agree with the valuation report. He took the opportunity to remind the expropriation phases as follows:

### **Expropriation phases**

- *Before works:* based on project design, properties to be affected are identified, valued and paid in consultation with PAP before civil works.
- *During works:* properties not counted within the road boundaries may also be damaged following civil works, e.g. due to compaction vibrations. In this case, the property is also compensated and in case of a residential house, the family will be rented a house until the payment becomes effective.

- *After works:* A multi-stakeholder team (RTDA, Rwanda National Police, Rwanda Defense Forces, and Local Authorities) will make a tour along the whole road, identifying other properties that may need to be compensated (e.g. with high risk or with major cracks) the these properties if decided to be compensated or repaired, are valuated and compensated.

After explaining the expropriation phases, he promised that nobody will lose his properties without fair compensation. He added that the established committees will also help to identify any issues related to the project (including expropriation) so that it can be solved on time or reported to higher organ if not solved by the GRM Committee.

Mr. NTAGENGERWA Emmanuel, the representative of RUHUHA Sector in District Council highlighted that the road project will contribute to agriculture development, particularly access to the market will be ensured. He therefore thanked the Government of Rwanda and the WB for the road project Ngoma-Nyanza, for Feeder roads and the public light to be provided as part of the project. Mr. Emmanuel continued by asking if the cycling lane will be provided as part of the project. Mr. Leon from RTDA replied that Non-Motorized Transport will be provided particularly in urban sections, including cycling lanes as bikes are widely used in Bugesera District.

According to BANA Emmanuel, a GRM Committee member from Gatanga Cell and a farmer as profession, the road was seen as a dream, since their harvest was given low value due to poor road condition and therefore, a limited access to market. Thanks to the project, he thanked the Government of Rwanda as well as the WB for making their dream a reality.

MUKASINA Marie Gorette a GRM Committee member from GATANGA Cell raised his voice to express her gratitude to His Excellence the President of Rwanda and the World Bank for the road project as, particularly for women, the road will help not only for development, but also for women to easily reach health centers and hospitals, especially pregnant women during delivery.

Mr. Aurelio MENENDEZ from the WB team expressed his concern about labour influx, safety, sexual harassment, sexual abuse, children abuse, drugs and crimes, prostitution etc. To this concern, the Executive Secretary of RUHUHA Sector indicated that mobilization will be done not only for local community but also for workers and followers. She added that, the people trust their leaders that no issue will be left behind without a proper solution.

In addition, it was reminded that the GRM committees will also help to identify issues related to breach of code of conduct and solve related issued or report them for proper action. This is where the Director General of RTDA clarified that the GRM committees will not work alone, but hand in hand with other government institutions to solve any issue that may emerge during project implementation.

MASENGESHO Theogene, Land Manager at RUUHUA Sector and member of the committee also expressed his thanks to the Government of Rwanda and to the World Bank for the road project. He added that the project will not only profit Bugesera District, but also increase the connection between Rwanda and bordering countries (Tanzania, Uganda, Burundi, and DRC).

Mr. RWAGATORE Venant, GRM committee member gave thanks to the President of Rwanda and the WB for the project adding that he will enlighten the community about the benefits of the roads. He stated that with the project, public transport will be improved because good buses are not much used in the region because of poor road condition. With the project, good buses will come and they will have easy access to market, to hospitals, to schools, etc. with fair cost.

The last question was from Mr. Emmanuel NTAGENGERWA who requested that local community be given priority for employment during project implementation and the setting out of the road to be done as soon as possible so as to know its extent. The DG of RTDA replied that employing local community is in line with Government policy, therefore a follow up will be made to advocate for hiring among local community, particularly PAP where possible. This is possible particularly for non-skilled jobs. Regarding the setting out of the road, he informed that this will be done by May 2018.

## **5. Conclusion and way forward**

To conclude, the WB team and RTDA and local authorities promised a continuous collaboration for the success of the project.

**Prepared by**

**Cyprien Ndayisaba , Environmental Specialist**

## Minutes Citizen engagement and establishment of Grievance Resolution Mechanism Committees along the road Kibugabuga-Gasoro

1. **Objective of the mission:** Citizen engagement and establishment of Grievance Resolution Mechanism Committees along the road Kibugabuga-Gasoro
2. **Venue / Destination:** BUGESERA and NYANZA Districts
3. **Date and duration:** 27/11/2017-02/12/2017, 6 days
4. **Mission activities in detail**

### 4.1 Citizen engagement

During the mission, PAP and other beneficiaries were explained about the road project, its benefits, both positive and negative impacts and their mitigation/enhancement measures, etc. Then, they were given time to express their views, concerns/questions and recommendations to maximize the profitability of the project.

- **Highlighted positive impacts:** stimulation development (trade, social interaction), easy movement of people and goods as well as reduction of travel cost and time, easy transport of agriculture products, job and business opportunity, etc.
- **Highlighted negative impacts:** Accident, damage of properties, transmission of communicable diseases including HIV-AIDS, the project may leave some adjacent houses / family at high risk, traffic impairment, robbery, prostitution, etc.

Mitigations measures for negative impacts were discussed as also described in the Environmental and Social Impact Assessment (ESIA), and particularly for the damage to properties, more discussion was held with PAP. The RTDA delegates explained the procedure for fair compensation and the requirement for compensation as follows.

### Expropriation process

- *Before works:* based on project design, properties to be affected are identified, valuated and paid in consultation with PAP before civil works.

- *During works:* properties not counted within the road boundaries may also be damaged following civil works, e.g. due to compaction vibrations. In this case, the property is also compensated and in case of a residential house, the family will be rented a house until the payment becomes effective.
- *After works:* A multi-stakeholder team (RTDA, Rwanda National Police, Rwanda Defense Forces, and Local Authorities) will make a tour along the whole road, identifying other properties that may need to be compensated (e.g. with high risk or with major cracks) the these properties if decided to be compensated or repaired, are valuated and compensated.

**Requirements to be paid:** the following documents were indicated to be mandatory

- Finger print
- Land title or property certificate
- Bank account
- Copy of national identity (both wife and husband in case of a property shared by a family / legally married couple)

Furthermore, PAP were also informed about the procedure for complaining/claiming in case the PAP does not agree with the value given to his properties and this procedure is in line with the current expropriation law no 32/2015 of 11/06/2015 relating to the expropriation in the public interest.

**Questions:** Most of the questions were focusing on the land title issues as land document is one of the condition for compensation. This was discussed and PAPs were advised to start solving this issues helped by local authorities. Where the land title cannot be acquired by the time of payment, local authorities will help PAPs to get the property certificate (Form 33) that can also accepted. This will also apply for PAPs with properties without legal ownership of land. In the case of couple, legally married, both husband and wife will be present during payment process. Local authorities promised to help PAPs to solve all issues related to land papers, transfers, and other irregularities so that compensation will be easier.

PAPs also wanted to know the exact time for works to start and the extent of the road. To this they were informed that the project has already started (mobilization to prepare



expropriation exercise and procurement for contractor and supervising firm). But, the civil works will start next year (last quarter of the current fiscal year).

**Recommendations:** PAPs recommended that payment of expropriated properties shall be done before civil works.

**Grievance resolution:**

- Responsibility: The GRMC will actively participate in the implementation of environmental and social safeguards, identifying, recording and solving issues related to the implementation of the project. Issues above the competency of the GRMC will be reported to higher organs for appropriate actions.
- *Composition and establishment:* GRMC were established at each Sector crossed by the road project and at each Cell, PAP voted two representatives (one man and one woman), voted by PAPs based on their integrity. Then the Executive Secretary of the Cell were automatically entered into the committees. Then, each Sector will be represented by the Land Manager also in charge of infrastructure and the Executive Secretary of the Sector.
- *Working conditions:* GRMC member will work on voluntary basis for the benefit of PAPs and the local community.

**4.2 Establishment of Grievance Resolution Committees**

The modalities of the GRMC establishment were discussed above. Below, GRMC members are listed in each cell.

• **BUGESERA District**

<i>Sector</i>	<i>GRM Committee members</i>		<i>Cell</i>
NYARUGENGE	KAYIRO Venuste	M	GIHINGA
	NNYIRAMUGARURA Charlotte	F	GIHINGA
	RUHUMULIZA Daniel	ES cell	GIHINGA
	GASHEMA Aloys	M	NGENDA
	NYIRAMPAGAZEKUBWAYO Caritas	F	NGENDA



<i>Sector</i>	<i>GRM Committee members</i>		<i>Cell</i>
	MUKARUZIGA Drocella	ES cell	NGENDA
	NIYIRORA Venantie	F	MURAMBI
	HITAYEZU Sylvestre	M	MURAMBI
	NYIRIMANA Antoine	ES cell	MURAMBI
	MAJYAMBERE Emmanuel	M	KABUYE
	MUKANSONEYE Consolee	F	KABUYE
	MUNYEMANA Philemon	ES cell	KABUYE
	NYIRANGIRABABYEYI Floride	F	RUGANDO
	HABAMENSHI Felicien	M	RUGANDO
	IBYIMANIKORA Joy	ES cell	RUGANDO
	TWAGIRAYEZU Jean de Dieu	LM Sector	
	KAGORORA NGOMBWA Leandre	ES Sector	
<i>RUHUHA</i>	RWAGATORE Venant	M	GIKUNDAMVURA
	MUKANYANDWI Judith	F	GIKUNDAMVURA
		ES Cell	GIKUNDAMVURA
	KAREMNERA Juvenal	M	KINDAMA
	KWIZERA Leoncie		KINDAMA
		ES Cell	KINDAMA
	BANA Emmanuel	M	GATANGA
	MUKASINE Marie Goreth	F	GATANGA
		ES Cell	GATANGA
	GATWARE Benoit	M	RUHUHA
	GATOYA Marthe	F	RUHUHA

<i>Sector</i>	<i>GRM Committee members</i>	<i>Cell</i>
NGERUKA		ES RUHUHA Cell
	MASENGESHO Theo	LM
	UMULISA Claire	ES Sector
	MUKAMUGEMA Chantal	F MURAMA
	SHYAKA Wellars	M MURAMA
	MUGENZI Vincent	ES MURAMA Cell
	MUKANTWALI Liberathe	F NYAKAYENZI
	UWAMUKUZA Theophile	M NYAKAYENZI
	BAHEMUKIYUBUZA Bernard	ES NYAKAYENZI Cell
	IMANIRORA Robert	M NGERUKA
	BERINGOHE Eliane	F NGERUKA
	NSENGIYUMVA Laurent	ES NGERUKA cell
		LM
		ES Sector
KAMABUYE	TWAGIRAYEZU	M
	NYIRABAGWIZA Epiphanie	F
		ES Cell
	KALISA	LM
	TWIBABARA Seraphine	ES
	MURWANASHYAKA Oscar	Sector

**Note:** In Nyarugenge Sector the committee will be split into two committees and the Land Manager and the ES of the Sector will be part of both committees. This is because the sector has many cells along the road project.

**NYANZA District**

<b>Sector</b>	<b>GRM Committee members</b>		<b>Cell</b>
<i>BUSORO</i>	MUKANSANGA Florence	F	MASANGANO
	KAYIHURA Alexis	M	MASANGANO
	NZABONIMPA Venantie	ES cell	MASANGANO
	NZAYIRAMBAHO Gloriose	F	MUNYINYA
	NSABIMANA Vincent	M	MUNYINYA
	UMUTESI Sylvie	ES Cell	MUNYINYA
	UMURERWA Chantal	F	MUKINGIRO
	NKURANGA Jean Nepo	M	MUKINGIRO
	BIZIMANA Jean Damascene	ES cell	MUKINGIRO
	HABUMUREMYI Jean de Dieu	LM	
	NSENGUMUREMYI Theoneste	ES Sector	
<i>MUYIRA</i>	HABYARIMANA Silas	M	GATI
	MUKANGANGO Jacqueline	F	GATI
		ES Cell	GATI
	RUYOMBYANA Alexis	M	NYAMIYAGA
	BENIMANA Joseline	F	NYAMIYAGA
		ES Cell	NYAMIYAGA
	KAYITARE	M	NYUNDO
	NIERAGIRE Donatille	F	NYUNDO
		ES Cell	NYUNDO
		LM	
	ES Sector		
<i>KIGOMA</i>	MURWANASHYAKA Jean de Dieu	M	BUTARA
	UWIMANA Rose	F	BUTARA
	TUYISENGE Ernestine	ES Cell	BUTARA
	MUBERA Eliab	M	GASORO
	MUKARUBIBI Germaine	F	GASORO
	HATETUWAYEZU Petronille	ES cell	GASORO
	GAHIZI Eugene	LM	
	NIWEMWANA Immaculee	ES Sector	

**5. Conclusion and Way forward**

During the mission, people to be affected by the project (PAP) were engaged and in discussion about the project. Project benefits and potential negatives impacts were also discussed together with mitigations measures whereby, deep discussion were held on

expropriation procedures and requirements according to the law related to expropriation in the public interest. Furthermore, grievance resolution committees (GRMC) were established in every sector crossed by the road Kibugabuga-Gasoro. Each GRMC was composed by two representatives of PAP (men and woman) in each Cell, Cell Executive Secretary, Land Manager also in charge of infrastructure at Sector level and the Sector Executive Secretary. Members of GRMC will deliver on voluntary basis by solving issues related to project implementation and recording each issues (solved and unsolved). Unsolved issues will be recorded and transmitted to higher organs.

One of these committees will be visited by the World Bank mission planned on 7<sup>th</sup> December 2017 as GRMC are also a requirement of the WB as part of social safeguards.

**Prepared on 4<sup>th</sup> December 2017 by**

Celestin HAKORIMANA, Social Scientist Specialist

Cyprien NDAYISABA, Environmental Specialist