



RWANDA URBAN DEVELOPMENT PROJECT PHASE II



ABBREVIATED RESETTLEMENT ACTION PLAN NYAGATARE SECONDARY CITY

NOVEMBER 2019

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLANS (RAP) FOR RWANDA URBAN DEVELOPMENT PROJECT (RUDP) – PHASE 2.

ARAP REPORT

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DEFINITIONS

Unless the context dictates otherwise, the following terms shall have the following meanings: -

1. “Affected people” refers to people who are directly affected socially and economically by World Bank-assisted investment projects caused by:

- ✓ Relocation or loss of shelter
- ✓ Loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- ✓ The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

2. “Census” means a field survey carried out for purposes of: enumerating and collecting basic information on affected population; registering the affected population by residence or locality; establishing a list of legitimate beneficiaries before the project’s onset that counters spurious claims from those moving into the project area solely in anticipation of benefits; laying a framework for subsequent socioeconomic research needed to establish fair compensation rates and to design, monitor, and evaluate sustainable income restoration or development interventions; and providing a baseline for monitoring and evaluation.

3. “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 in the Nyagatare Upgrading area of Nyarugenge District. 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 RPF.

4. “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.

5. “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.

6. “Project affected persons” (PAPs) means persons who, for reasons of the involuntary taking or voluntary contribution of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not the said Project affected persons physically relocate. These people may have their:

- ✓ Standard of living adversely affected, whether or not the Project Affected Person must

- move to another location;
- ✓ Right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed, temporarily or permanently, adversely affected;
- ✓ Access to productive assets adversely affected, temporarily or permanently; or
- ✓ Business, occupation, work or place of residence or habitat adversely affected.

8. “Involuntary Displacement” means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by:

- ✓ Loss of benefits from use of such land;
- ✓ relocation or loss of shelter;
- ✓ loss of assets or access to assets; or
- ✓ Loss of income sources or means of livelihood, whether or not the project affected person has moved to another location.

9. A fully affected property is where all built structures in one plot/ parcel of land have been affected by the proposed infrastructure in Nyagatare upgrading project. A partially affected property is where all built structures are not fully affected. For example, one of many structures, a fence, plantation or a land is only affected by the proposed infrastructure in Nyagatare district upgrading project.

10. ” 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.

11. “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.

12. ” Land acquisition” means the taking of or alienation of land, buildings or other assets thereon for purposes of the Project.

13. “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.

14. “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.

15. "Replacement cost" means replacement of assets with an amount sufficient to cover full replacement cost of lost assets and related transaction costs. In terms of land, this may be categorized as follows;
16. "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:
 17. preparing the land to levels similar to those of the affected land;
 18. any registration, transfer taxes and other associated fees;
 19. "Replacement cost for houses and other structures" means the prevailing cost of replacing affected structures of the quality similar to or better than that of the affected structures, in an area and. Such costs shall include:
 - ✓ Building materials
 - ✓ Transporting building materials to the construction site;
 - ✓ Any Labour and contractors' fees; and d) any registration costs.
20. "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,
21. "The Resettlement Policy Framework (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.
22. "Resettlement Action Plan": see Resettlement and Compensation Plan above,
23. Child Headed Household: An older child taking care of his/her siblings and other members of the household.
24. "Vulnerable Groups" refers to:
 - ✓ Widows, the disabled, marginalized groups, low income households and informal sector operators;
 - ✓ Incapacitated households – those no one fit to work and;
 - ✓ Child-headed households and street children

- ✓ Including among other things, persons characterized by low nutrition levels, low or no education, lack of employment or revenues, old age, ethnic minority and/or gender bias.
-

ABBREVIATIONS

| | |
|-----------|---|
| ARAP | Abbreviated Resettlement Action Plan |
| CoK | City of Kigali |
| DDC | District Development Committee |
| DLOs | District Land Offices |
| ESIA | Environment and Social Impact Assessment |
| ESMF | Environmental and Social Management Framework |
| FS | Feasibility Studies. |
| GoR | Government of Rwanda |
| GRM | Grievance Redress Mechanism |
| LODA | Local Development Agency of Rwanda |
| M&E | Monitoring and Evaluation |
| MINALOC | Ministry of Local Government |
| MINECOFIN | Ministry of Finance and Economic Planning |
| MINICOM | Ministry of Trade and Industry |
| MININFRA | Ministry of Infrastructure |
| MINIRENA | Ministry of Natural Resources |
| NGO | Non-Governmental Organizations |
| PAPs | Project Affected Persons |
| PAIs | Project affected institutions |
| PAHs | Project affected Households |
| PMU | Project Management Unit |
| RAP | Resettlement Action Plan |
| RUDP | Rwanda Urban Development Project |
| RDB | Rwanda Development Board |
| REMA | Rwanda Environment Management Authority |
| RGB | Rwanda Governance Board |
| RHA | Rwanda Housing Authority |
| RoW | Right of Way |
| RRA | Rwanda Revenue Authority |
| RNL | Rwanda National Legislation |
| RTDA | Rwanda Transport Development Agency |
| RWF | Rwandan Francs |
| SPIU: | Single Project Implementation Unit |
| WASAC | Water and Sanitation Corporation |
| WB | World Bank |
| RTDA | Rwanda Transport Development Agency |
| RTW | Retaining Wall |
| RWF | Rwandan Francs |
| SPIU: | Single Project Implementation Unit |
| VBA | Vision Basic for Application |
| WASAC | Water and Sanitation Corporation |
| WB | World Bank |

EXECUTIVE SUMMARY

Background

Infrastructure development is one of the pillars of Rwanda Vision 2020 in which urban development and transport have been identified as some of the key drivers of the country 'transformation agenda. The Government aims to develop basic infrastructure and upgrading of informal urban settlements to meet the demands of the urban inhabitants and match the accelerating urbanization.

The Government of Rwanda is implementing the programme (RUDP) with financing from the World Bank (WB) through the districts administrations of the six secondary cities under Local Administrative Development Entities Authority (LODA) and the ministry of infrastructure acting as coordination and supervision agencies. The main objective of the RUDP is to provide trunk infrastructure through strategic identification, selection and implementation of the identified investments in six secondary cities; Musanze, Rubavu, Nyagatare, Rusizi, Huye and Muhanga in consultation with respective districts administrations. Development of aforesaid trunk infrastructure would promote urban development in the cities by improving access, mobility and integration of secondary support functions necessary for cohesive urban development.

Nyagatare Secondary City is the District Headquarters of Nyagatare District which is one of the 8 districts that make up the Southern Province of Rwanda. Nyagatare district administration identified the following infrastructure investment priorities for Nyagatare secondary city to be implemented with financing from the World Bank under RUDP phase 2; Upgrading of selected roads (3) to asphalt standards, upgrading of trunk infrastructure including prioritized standalone drains and footpaths.

In terms of administrative location, RUDP Phase 2 is entirely located in Nyagatare Secondary City within larger Nyagatare district.

Authority of the Report

LODA commissioned the consultant (Joint venture between ECMN limited and ECOLEAD Consultants limited) to conduct Environmental and Social Impact Assessment on the Proposed Project. LODA also commissioned the consultant to prepare Abbreviated Resettlement Action Plans (ARAPs) and/or Resettlement Action Plans (RAPs) Study to provide mitigation measures for the envisaged adverse socio-economic impacts. The ESIA Report for RUDP phase 2 is presented as a separate report. The ARAP was prepared in compliance with the applicable laws of Rwanda and WB OP 4.12 - Involuntary Resettlement Policy.

Study Approach and Methodology

The general approach used in the preparation of this ARAP report involved a combination of the following:

- Desktop Studies;
- Site verification and assessment;
- Sensitisation of Project Affected Persons;
- Determination of the Socio-economic Profile of PAPs;
- Land searches;
- Valuation of land and assets.
- Consultations, FGD and Survey.

The Proposed Project

Under RUDP phase 2, Nyagatare District is set to upgrade two key infrastructure components;

- 1) six (6) roads with a cumulative total length of 11.81Km or thereabouts. The roads have unnamed outfall footpaths. Selected project roads under this phase are;
 - i. NR3-EN6-Nyagatare II-UR Playground Road and associated Link Roads to RUDP Phase 1 road (2.42km)
 - ii. EN19-District District Headquarter and associated Link Roads to EN6 (3.30km).
 - iii. Barija Cemetery – Nyagatare Market Asphalt Road and associated Link Roads (2.69km)
 - iv. Barija Settlement – Stadium Asphalt Road (0.98km)
Nyagatare Market – UR Playground (0.64km)
2. One (1) stand-alone drain;
 - i. A stand-alone drain from flooded area near Agakiriro, crossing National Road RII to River Muvumba (I .5km)

A preliminary assessment conducted for purposes of preparing the inception report for this ARAP study (evaluation of detailed designs of proposed infrastructure sub components followed a reconnaissance of the project areas) established that only the road subcomponents would require acquisition of land to pave way for project implementation. Detailed designs for proposed footpaths and stand-alone drains did not require extra land to be expropriated leading to involuntary resettlement. This mainly because the design of the drains and footpaths fit within available natural drainage course ways and walkways respectively. As a result, the scope of prepared ARAP report for Nyagatare city RUDP phase 2 provides assessment of resultant involuntary resettlement impacts for the 6 roads.

Proposed Project Roads

RUDP phase 2 feasibility study proposed 7 road development options for consideration. The options differed in terms of provided carriageway and supportive road trunk infrastructure. Main trunk infrastructure components for the roads in this context includes but not limited to bus bays/bus-stops, curbs, greening space, street lighting, non-motorised transport (NMT) facilities (sidewalks and cycle lanes) drainage facilities, cut/embankment slopes and space for utility services depending on available Right –of-Way. From the 7 road development options proposed in the feasibility study phase, three options (1, 4 & 5) were recommended for implementation under RUDP phase 2 project. From the foregoing, prepared Abbreviated Resettlement Action Plan for Nyagatare city RUDP phase 2 incorporate assessment of the three broad road corridors for implementation herein after referred as: option 1(14m); option 4 (11m) and option 5 (8m); widest to narrowest road corridors respectively. Design of the road options was undertaken during the feasibility study phase while assessment of impacts was undertaken during the preliminary RAP studies. The rationale behind this consideration was to compare the three options in terms of envisaged expropriation costs and resettlement impacts. The three parameters were key in selecting the most appropriate road corridor to be implemented in a given road.

For purposes of selecting road corridors to be implemented in the (6) project roads, a preliminary ARAP study was undertaken to identify probable number of affected land parcels that would be affected by expropriation including assets thereon, extent of affected land parcel that will be acquired (partial or entire land parcel), land use of properties to be expropriation (to determine probable economic impacts including livelihood losses) and estimated cost of expropriation of affected parcels for each road corridor under study. Table 2-1 & 2-2 provides a summary of probable resettlement & expropriation impacts of selected project corridors according to preliminary census and valuation undertaken for proposed road corridors (8m, 11m & 14m) in Nyagatare city. In a nutshell, it was established that if the 14m corridor would be selected for implementation in all the 6 project roads, 131 properties would have to be expropriated while 11m and 8m corridors would see 109 and 55 properties expropriated respectively. In terms of direct expropriation costs without taking consideration for livelihood restoration costs and administrative implementation costs the widest road corridor (14m) has the highest expropriation costs (170,535,910.39 RWF) while the narrowest 8m corridor has the lowest expropriation costs (66,031,998 RWF).

Taking into consideration proposed roads classes in terms of classification, traffic demand forecast, opportunity costs of implementing a given corridor (from a set of available options 8m, 11m or 14m) using probable resettlement impacts and expropriation costs as the yardstick, blanket implementation of one road option for all the roads in the city was not considered viable as selected project roads have different road characteristics. From the foregoing, Nyagatare district administration in consultation with Local Administrative Development Entities Authority (LODA) and the Ministry of Infrastructure acting as coordination and supervision agencies settled

(reasons of selecting the corridors explained in detail in chapter 2 of this report) on two (2) road corridors in terms of design that would be implemented in selected project roads;

1. 14m corridor for NR3-EN6-Nyagatare II-UR Playground Road main road and 11m corridor for its associated Link Roads to RUDP Phase 1 road.
2. 11m corridor for EN19-District District Headquarter and associated Link Roads to EN6.
3. 11m corridor for UR-Nyagatare Asphalt Road
4. 14m corridor for Barija Cemetery – Nyagatare Market Asphalt Road and 11m corridor for its associated Link Roads.
5. 14m corridor for Barija Settlement – Stadium Asphalt Road
6. 14m corridor for Nyagatare Market – UR Playground

Land Requirement for RUDP phase 2 in Nyagatare Secondary City

An aggregate land size of 23,570.60m² which translates to 5.824 acres is earmarked to be acquired in Nyagatare secondary city under RUDP phase 2. Aggregate strip of land that was acquired along EN19-District Headquarter and Associated Link Road to EN6 measures about 1,182.774m² or thereabouts; UR-Nyagatare Asphalt Road - 2,533.58m², 6,503.19m² along UR-Nyagatare Asphalt Road and 9,706m² and 3645.056m² along Barija Cemetery-Nyagatare Market Asphalt Road and NR3-EN6-Nyagatare II UR Playground respectively. To mitigate against loss of land and assets thereon, the entitlement matrix proposes compensation of lost assets at full replacement cost. The table E1 below summarises land acquired per road.

Table E-1: Land Requirement for RUDP phase 2 in Nyagatare Secondary City

| Road Name | Road Length (km) | No. Of land parcels to be Expropriated | Aggregate Size of Land Acquired (M²) |
|--|-------------------------|---|--|
| EN19-District Headquarter and Associated Link Road to EN6 | 3.30 | 4 | 1,182.774 |
| UR-Nyagatare Asphalt Road | 1.78 | 13 | 2,533.58 |
| Nyagatare Market UR-Playground | 0.64 | 2 | 6,503.19 |
| Barija Cemetery-Nyagatare Market Asphalt Road and Barija Settlement-Stadium Asphalt Road | 2.69+0.98= 3.67 | 12 | 9,706 |
| NR3-EN6-Nyagatare II UR Play ground | 2.42 | 8 | 3645.056 |
| TOTAL | 11.81 | 39 | 23,570.60 |

Key Issues and Responses from PAP Engagement

The following stakeholder's engagement forums were conducted at different stages of preparation of the ARAP;

- Sensitization workshop meeting (2),
- Census & Door to Door Interviews during the social economic survey,
- Key informants' workshop with district officers (1)
- Focus Group Discussions (2) - one for women and the other youth
- Validation Workshop (1)

Cut-off Date was based on the dates of the census program. Sensitization on cut-off dates was done during the public meetings. The cut-off date for Nyagatare city was set as 29th May 2019, which marked the end of census for Nyagatare city. Forums used in setting and communicating cut off dates to PAPs including dates when these forums were held is presented in detail in chapter 5 of this report. Similarly, outcomes of these stakeholder engagement are presented in detail in chapter 5. In a nutshell the following issues of concern were raised by the PAPs in these consultation forums;

- The compensation process that would be followed in RUDP phase 2.
- Employment opportunities during the project construction phase. The PAPs wished to be given first priority.
- The PAPs were concerned of some of the negative project impacts especially during the construction phase such as compromise of houses stability due to cracks occasioned by vibration from heavy machinery, dust emissions that may pose health risks.
- The valuation methodology that would be employed under RUDP phase 2. The PAPs were concerned about their crops and trees because they thought that they will not be compensated
- Some PAPs were concerned about their children safety if they are so close to the road's boundaries.

All these questions/concerns were addressed through sensitization and some suggestions were picked up as recommendations to the project proponent or as guidelines for preparing a comprehensive and stakeholder supportive entitlement matrix. Ultimately all raised concerns were addressed to the satisfaction of all PAPs. (Table 5-2: Issue Response Matrix).

Table E-2: Key findings from Census Survey and Baseline Survey the Project.

| 1. INFORMAL BUSINESS TRADERS | | | | |
|---|---|---------------------|---------------------------------------|--|
| Majority of the PAPs (15) were operating along the roads. | | | | |
| Three Categories; | | | | |
| 1st Category; Small scale traders selling fresh farm produce like fruits and vegetables. These traders had no structures of any sort (makeshift or movable), they were mostly selling from large basins, sacks or simply lay their wares on the ground. | | | | |
| 2nd Category: Traders who had easily movable business shelters like large umbrellas and stools for airtime vendors or handcarts. They align themselves strategically along the roads with high Origin-Destination traffic especially pedestrian e.g. to places of worship, schools, market or shopping centres etc. | | | | |
| 3rd Category: located along the project roads and had some form of makeshift structures for daily businesses or somehow operated from the same location even without any business premises every business day | | | | |
| 1. AFFECTED PROPERTIES | | | | |
| Break Down of Affected Assets (Land, Structures and Crops) | | | | |
| Road Name | Road Name | Affected Properties | No. of affected Assets (Land & Crops) | No. Of Property Assets (Land and Structures) |
| (11m corridor) | EN19-District Headquarter and Associated Link Road to EN6 | 17 | 12 | 4 |
| | UR-Nyagatare Asphalt Road | 17 | 8 | 1 |
| (14m corridor) | Nyagatare Market UR-Playground | 1 | 0 | 0 |
| | Barija Cemetery-Nyagatare Market Asphalt Road | 28 | 18 | 8 |

| | | | | |
|--|--|-----------|-----------|-----------|
| | NR3-EN6-Nyagatare II UR Play ground | 28 | 15 | 12 |
| | Total | 91 | 53 | 25 |

2. DISPLACEMENT IMPACTS

Partially Affected Properties & Fully Affected Properties

| Road Corridor | Road Name | Partially Affected Properties (Partial Expropriation) | Fully Affected Properties (Full Expropriation) |
|---------------------|--|--|--|
| 11m corridor | EN19-District Headquarter and Associated Link Road to EN6 | 15 | 2 |
| | UR-Nyagatare Asphalt Road | 17 | 0 |
| 14m corridor | Nyagatare Market UR- Playground | 23 | 2 |
| | Barija Cemetery- Nyagatare Market Asphalt Road | 27 | 1 |
| | NR3-EN6-Nyagatare II UR Play ground | 24 | 4 |
| | Total | 106 | 9 |

3. LAND USE OF AFFECTED PROPERTIES

| Road Corridor | Road Name | Residential | Commercial | Public Purpose and Educational |
|---------------------|--|-------------|------------|-----------------------------------|
| 11m corridor | EN19-District Headquarter and Associated Link Road to EN6 | 4 | 0 | 0 |

| | | | | |
|---------------------|---|-----------|----------|----------|
| | UR-Nyagatare Asphalt Road | 0 | 0 | 0 |
| 14m corridor | Nyagatare Market UR-Playground | 5 | 1 | 0 |
| | Barija Cemetery-Nyagatare Market Asphalt Road | 6 | 2 | 0 |
| | NR3-EN6-Nyagatare II UR Play ground | 7 | 5 | 6 |
| | MTC-Diplomate-Station-Kontiner-BK | 0 | 0 | 0 |
| | Total | 22 | 8 | 6 |

Other findings are as follows;

- ❖ The project will result in the relocation or temporary interferences of some public services/ utilities. Affected public services/ utilities providers in the project include; Telecommunications companies, REG (Rwanda energy group), WASAC (water and sanitation corporation). Towards this end, the project has set aside a budget for relocation and repair of any damaged public service lines or utilities during the implementation phase of this project. (Refer to Table 6-7: Public Utilities and Services Relocation Action Plan)
- ❖ Eight (8) out of fifteen (15) informal business PAPs were women while the three (3) of the eight (8) properties that would expropriate are owned by women or jointly owned by a married couple.
- ❖ Eleven (11) informal PAPs are bound to loss some livelihood as they will lose their trading spaces. (Refer to chapter 4 and 6 for livelihood analysis and livelihood restoration plan respectively).
- ❖ None of the PAPs was identified as vulnerable despite probing all vulnerability indicators in Nyagatare.

Mitigation of Project Implementation Impacts

Based on identified project impacts and PAPs losses, the following entitlements are provided for this project to address the impacts and losses to PAPs.

Table E-3: Entitlement Matrix.

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|--|--|-----------------------|--|
| A. Loss of Residential / Commercial / Institutional Land | | | |
| A1 | Partial loss of land but residual is viable economically enough | Title Holder | <ul style="list-style-type: none"> • Cash compensation at full replacement cost. • A 5% Disturbance allowance |
| | | Tenant / Lease Holder | <ul style="list-style-type: none"> • Advance notice to vacate |
| A2 | Entire loss of land or partial loss where residual is not viable (Acquire all lands if the residual land is not economically viable for the owner.) | Title Holder | <ul style="list-style-type: none"> • Cash compensation for entire land holding at full replacement cost • 5% Disturbance allowance replacement cost |
| | | Tenant / Lease Holder | <ul style="list-style-type: none"> • Advance notice to vacate |
| B. Loss of Residential and Non-Residential Structures (Including “business premises”) | | | |
| B1 | Fully affected / partially affected and remaining structure is non-viable (Owner Built) | Owner | <ul style="list-style-type: none"> • Compensation for the structure at full replacement cost • 5% Disturbance allowance (to cater for demolition, moving fee etc. or economic loss in case of a business premise) • Right to salvage material; • Advance notice to vacate. |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|---------------------------------------|--------------------------|--|---|
| B2 | Loss of occupied portion | Tenant and informal business tenants | <ul style="list-style-type: none"> • Incorporated into formal trading areas • Six (6) months paid rent for the new trading area. • Advance notice to vacate in accordance with the tenancy agreement; • Re-imbursement of remaining worth of deposit on rent and good will |
| C. Loss of Standing Tree Crops | | | |
| C1 | Tree | All Cultivators | <ul style="list-style-type: none"> • Compensation at full replacement cost for any non-food trees, shrubs / permanent grass based on economic value for tree and vegetation. |
| D. Loss of Livelihood | | | |
| D1 | Land based livelihoods; | Agri-business Farmer | <ul style="list-style-type: none"> • Physical preparation of the farm land (clearing, levelling, creating access routes and soil stabilization • Fencing for pasture or crop land • Agricultural inputs (seeds, seedlings, fertilizer) • Government Extension services like veterinary care |
| D2 | Wage based livelihoods | Workers/e employees of affected entities | <ul style="list-style-type: none"> • On-Job-Training and consideration in Nyagatare RUDP phase 2. |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|---|---|--|---|
| | | | <ul style="list-style-type: none"> • Provision made in contracts with project subcontractors for employment of qualified local workers • Link up with local NGOs and government entities providing small-scale credit facilities to finance star up enterprises |
| D3 | Enterprise-based livelihoods | Affected Established and nascent entrepreneurs and artisans | <ul style="list-style-type: none"> • Sponsored entrepreneurship training in business planning, marketing, inventory and quality control) • Procuring goods and services for the project from affected local suppliers. |
| E. Assistance to Vulnerable Groups | | | |
| E1 | Special assistance for vulnerable households or persons | Highly vulnerable households (Elderly living alone, disabled, or Child headed households) Highly vulnerable households (low literacy level and | <ul style="list-style-type: none"> • Assistance to move • Priority consideration for non-skill Labour in Nyagatare RUDP phase 2. |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|--------------------------------------|-------------------------|--|---|
| | | limited ability to qualify for employment and low income) | |
| | | Highly vulnerable households (pre-existing medical condition and low income) | <ul style="list-style-type: none"> • Facilitation of government provided medical services or insurance of free medical cover. |
| F. Impact on Public Utilities | | | |
| F1 | Relocation of utilities | <p>Telecommunications companies</p> <p>REG (Rwanda energy group)</p> <p>WASAC (water and sanitation corporation)</p> | <ul style="list-style-type: none"> • Redesigning, relocation and prompt repair of damaged utilities or service lines infrastructure within project costs as per contractor's terms of service. <ul style="list-style-type: none"> ○ The relocation and repair will be done by the project contractor(s) in collaboration with the service providers progressively depending on how works progress on the ground • Provision of common service ducts on the roads way leaves |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|---------|--|---------------------|---|
| F2 | Temporary Interferences of service provision | | <ul style="list-style-type: none"> • 3 to 4 months' notice to relocate the services • Measures taken to ensure minimum service disruption |

Proposed Implementation Arrangements

The RAP implementation arrangements include:

- A six months (6months) implementation schedule (A/RAP preparation, valuation of affected asserts, disclosure of A/RAP, disbursement of compensation by Nyagatare district administration, and clearance of Right of Way by PAPs/contractor);
- A 3- tier grievance redress mechanism; Socio-economic Surveys- Grievance Resolution Committees, Resettlement and Compensation - Grievance Resolution Committees (access to District Land Committee for arbitration if the committee fails to solve arising dispute(s); if the later fails also access to a competent court for law final decision provided) & Project implementation Grievances Resolution Committee. The main principle of establishing 3- tier grievance redress mechanism is to allow for alternative dispute resolution thus avoiding lengthy litigation processes for the good of the PAPs and the Project.
- A monitoring and evaluation framework that has provisions for both internal and external monitoring processes;
- The ARAP implementation budget and implementation schedule are as indicated in table E4 & E5 overleaf.

Table E-4 : Implementation Budget Costs for Nyagatare Secondary City

| Road Name | No. of land parcels to be expropriated | Value of land (RWF) | Value of crops (RWF) | Buildings Value (RWF) | Total Expropriation at full Replacement Cost | Disturbance allowance. 5% (RWF) | Total Expropriation cost (RWF) |
|--|--|---------------------|----------------------|-----------------------|--|---------------------------------|--------------------------------|
| EN19-District Headquarter and Associated Link Road to EN6 | 4 | 4,731,096 | 530,714 | 563735.11 | 5,825,545 | 505,343.85 | 10,612,221 |
| UR-Nyagatare Asphalt Road | 13 | 10,134,320 | 255,382.7 | 460,500 | 10,850,203 | 542,510.14 | 11,392,713 |
| Nyagatare Market UR-Playground | 2 | 2,320,800 | 0 | 0 | 2,320,800 | 116,040.00 | 2,436,840 |
| Barija Cemetery-Nyagatare Market Asphalt Road | 12 | 38,824,440 | 4667537.32 | 6728334.607 | 50,220,312 | 2,726,735.75 | 57,254,951 |
| NR3-EN6-Nyagatare II UR Play ground | 8 | 8,340,320.00 | 1022604 | 23268628.07 | 32,631,552.07 | 1,631,577.60 | 34,263,129.68 |
| Sub-Total | 39 | 64,350,976 | 6,476,238 | 31021197.79 | 101,848,412 | 5,522,207.34 | 107,370,619 |
| 20% Contingency Budget | | | | | | | 21,474,123.8 |
| Total Expropriation cost | | | | | | | 128,844,742.8 |
| Costs of Restoring Livelihood Loss | | | | | | | 1,587,000 |
| Cost of Relocating Utilities | | | | | | | 166,100,242 |
| GRC Operationalization Budget | | | | | | | 3,340,000 |
| M & E (The proposed M&E mechanism is internal; it will be done by existing staff from LODA SPIU and District) | | | | | | | Nil |
| RAP Implementation Budget | | | | | | | |

Table E-5: Implementation Schedule.

| | Calendar Year | 2019 | | | | | | | | | | 2020 | | | | | | | | | | | |
|----|---|------|------|------|------|-------|---|-------|----|-------|-----|--------|------|--------|------|--------|--------|--------|--------|--------|--------|--------|--|
| | Time in months | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | |
| 1 | Working Group / Task Team Set-up | Blue | Red | | | | | | | | | | | | | | | | | | | | |
| 2 | Road Reserve Confirmation Survey & demarcation | Blue | Red | | | | | | | | | | | | | | | | | | | | |
| 3 | Public Notice of the intention to carry out RAP study | | Blue | Red | | | | | | | | | | | | | | | | | | | |
| 4 | Asset Inventory / Evaluation | | | Blue | | | | | | | | | | | | | | | | | | | |
| 5 | Validation & Agreement with PAPs | | | | Blue | | | | | | | | | | | | | | | | | | |
| 6 | Disclosure of the RAP | | | | | | | | | Blue | Red | | | | | | | | | | | | |
| 7 | Implementation of Compensations & Land Title Transfer | | | | | | | | | | | Blue | Blue | Blue | Blue | Blue | Red | | | | | | |
| 8 | Clearance of Road Reserve (Demolition & Levelling) | | | | | | | | | | | Blue | Blue | Blue | Blue | Blue | Red | | | | | | |
| 9 | Grievance Redress | | | | | | | | | | | Yellow | | Yellow | | Yellow | Yellow | Yellow | Yellow | Yellow | Yellow | Yellow | |
| 10 | Monitoring and Supervision (Quarterly Report to LODA/GoR) | | | | | Brown | | Brown | | Brown | | Brown | | Brown | | Brown | Brown | Brown | Brown | Brown | Brown | Brown | |

1 INTRODUCTION

1.1 Background and Objectives

1.1.1 Project Background

Infrastructure development is one of the pillars of Rwanda vision 2020 in which urban development and transport have been identified as some of the key drivers of the country's transformation agenda. Towards this end, the government has prioritised development of trunk infrastructure through Rwanda Urban Development Project (RUDP) programme.

The Government of Rwanda is implementing the programme (RUDP) with financing from the World Bank (WB) through the Local Administrative Development Entities Authority (LODA) under the ministry of infrastructure.

The main objective of the RUDP is to provide trunk infrastructure through strategic identification, selection and implementation of the identified investments in six secondary cities; Musanze, Rubavu, Rusizi, Nyagatare, Muhanga and Nyagatare in consultation with respective districts administrations. Development of aforesaid trunk infrastructure would promote urban development in the cities by improving access, mobility and integration of secondary support functions necessary for cohesive urban development.

Several investment programmes were identified in the six secondary cities through a study conducted in 2016 under RUDP phase 1. Implementation of identified projects is complete in all phase I projects. The district officials in the project cities have since identified current investment priorities that constitute RUDP phase two. The scope of Phase 2 of the RUDP covers extension of selected roads upgraded under phase 1, upgrading selected roads (not covered in phase 1) and upgrading of trunk infrastructure including prioritized standalone drainage channels across the 6 secondary cities.

1.1.2 Project Objectives

The objective of the project is to improve access to basic infrastructure and services, build the capacity of districts for sustainable urban management, and spur local economic development in the City of Kigali (CoK) and 6 secondary cities (Muhanga, Rubavu, Rusizi, Huye, Nyagatare, and Musanze).

1.2 Authority of the Report

The Government of Rwanda is implementing the programme RUDP phase 2 with financing from WB through LODA under the ministry of infrastructure. LODA

screened proposed infrastructure developments within Nyagatare city and in the other 5 secondary cities and found to meet the threshold of being subjected to WB polices: OP 4.01 on Environmental Assessment (EA); the WB OP 4.11 on Physical Cultural Resources (PCR); and WB OP 4.12 on involuntary displacement and resettlement because one of the major anticipated social impacts of the proposed project is displacement of persons along selected project corridors. From the foregoing, LODA commissioned the consultant (Joint venture between ECMN limited and ECOLEAD Consultants limited) to conduct Environmental and Social Impact Assessment on the Proposed Project as well as prepare Abbreviated Resettlement Action Plans (ARAPs) and/or Resettlement Action Plans (RAPs) Study to provide mitigation measures for the envisaged expropriation. The ESIA Report for RUDP phase 2 is presented as a separate report. This RAP has been prepared in compliance with the applicable laws of Rwanda and WB OP 4.12 - Involuntary Resettlement. In reference to the policy provisions of the World Bank, an ARAP is compulsory for Nyagatare city since selected projects within the city will affect less than two hundred persons albeit in different ways; displacement of people, partial demolition of their shelter/fixed assets including disruption business activities and sources of livelihood and associated impacts. In the context of this study, this Document Is an Abbreviated Resettlement Action Plan for Rwanda Urban Development Project Phase 2 for Nyagatare Secondary City.

1.3 Project Location

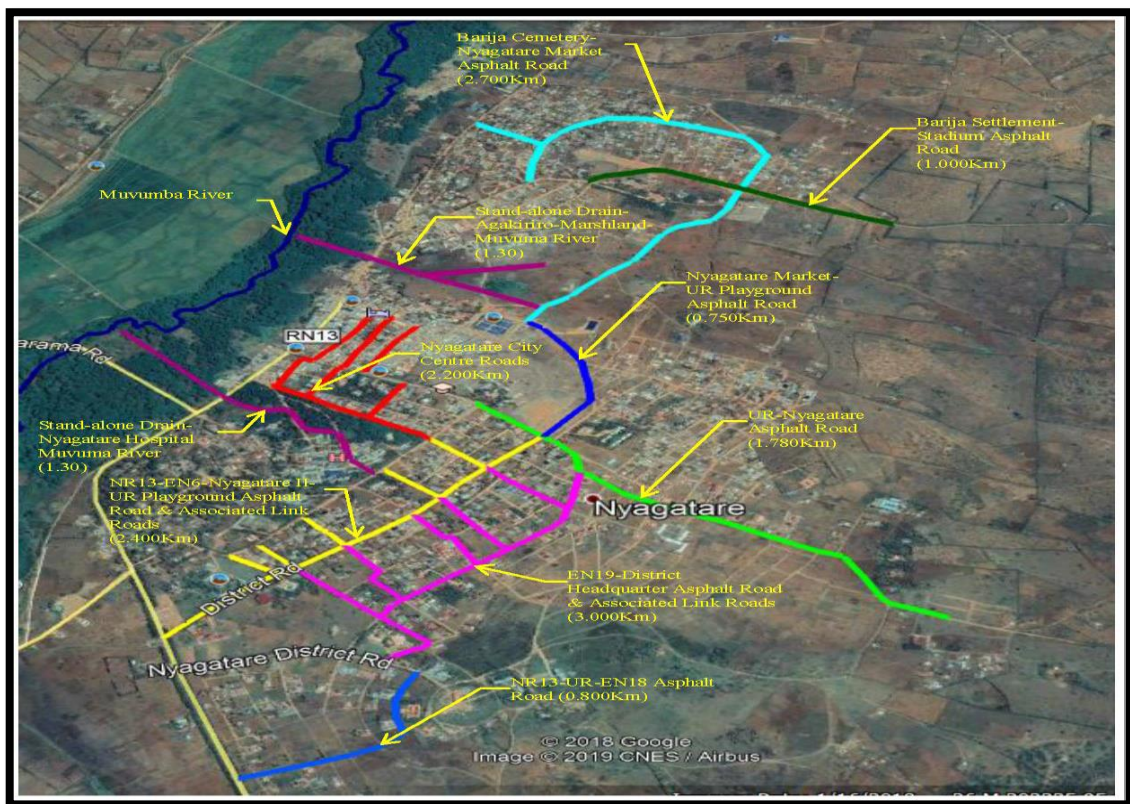
Located in the Eastern province, Nyagatare occupies the North Eastern extremity of Rwanda. Nyagatare City is the capital of Nyagatare district. The district borders Uganda in the North, Tanzania in the East and Gatsibo district to the west. It is the largest district in Rwanda covering an area of 1,741km². The city is strategically located on major road connecting Uganda-Rwanda-Tanzania as shown in figure 1-2 The city is one of the highest annual population growth rates standing at 6% on average compared to other cities for instance Rubavu with 3%, Huye with 2% and Rusizi, Muhanga, Musanze all with below 2% according to feasibility study done. The high population growth rates could be attributed to among others; Availability of land and Job opportunities and trade and training centres. However, the city is lagging behind in terms of infrastructure development. Nyagatare district administration identified the following investment priorities for Nyagatare city to be implemented with financing from the World Bank under phase 2 of RUDP;

Table 1-1: Nyagatare phase II project roads

| Nº | Road Name | Length [km] | Road corridor adopted |
|------------------------------|---|--------------|-----------------------|
| 1 | NR3-EN6-Nyagatare II-UR Play-ground Road and associated Link Roads to RUDP Phase 1 road | 2.42 | 1 & 4 |
| 2 | EN19-District District Headquarter and associated Link Roads to EN6 | 3.30 | 4 |
| 3 | UR-Nyagatare Asphalt Road | 1.78 | 4 |
| 4 | Barija Cemetery – Nyagatare Market Asphalt Road | 2.69 | 1 & 4 |
| 5 | Barija Settlement – Stadium Asphalt Road | 0.98 | 1 |
| 6 | Nyagatare Market – UR Playground | 0.64 | 1 |
| Total length of roads | | 11.81 | |

Figure 1-1 Overleaf below shows Location Map of different projects under RUDP Phase 2.

Figure 1-1: Location of proposed projects under RUDP Phase 2.



Source: RUDP Phase 2 - Nyagatare City - FS&PD Report Volume 1

(See an A3 size location Map Annex 1.2)

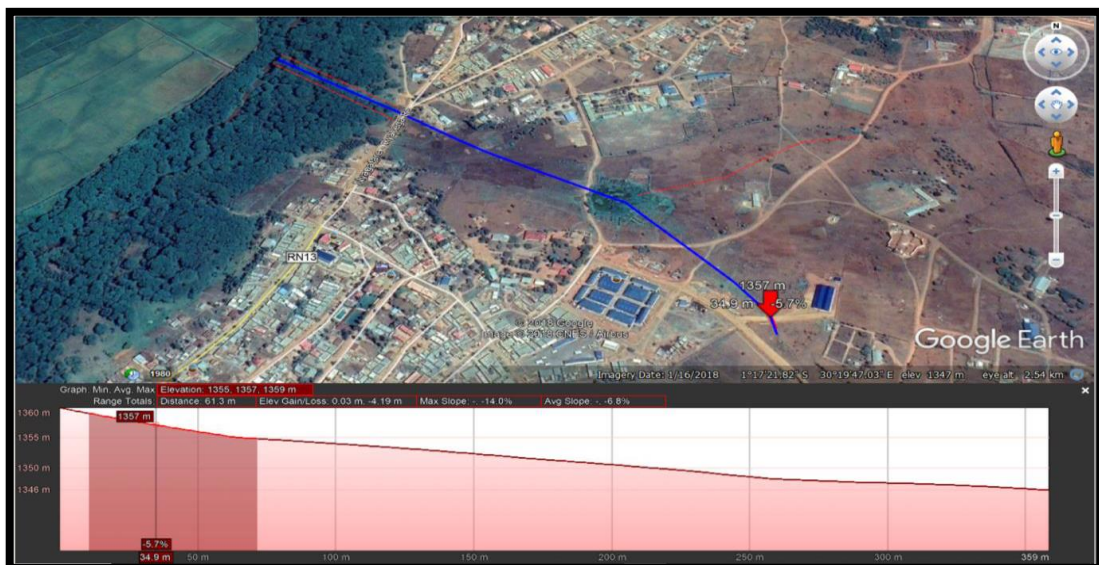
1.3.1 Stand-alone Drains and Outfall Drains

The RUDP phase 2 investment priorities include one stand-alone, from Agakiriro, crossing National Road RII to River Muvumba, 1.5km as shown in figure 1-2 above.

Table 1-2: Summary of Priority Drainage Projects

| Project Code | Project Name | Preliminary Drainage Design Features |
|--------------|---|--|
| NYA12 | Standalone drain from flooded area near Agakiriro, crossing National Road RII to River Muvumba I .5km | Trapezoidal masonry open channel base width 1.0m, depth 1.0m, total length 0.2km |
| | | Trapezoidal masonry open channel base width 1.5m, depth 1m, total length 0.6km |
| | | Trapezoidal masonry open channel base width 2.0m, depth 1.0m, total length 0.7km |
| | | Two road crossing locations with double barrel pipe culverts, 900mm dia. |
| | | Two road crossing locations with box culverts, width 2.0m by depth 1.0m. |
| | | Gabion outfall structure, width 2.0m by depth 1.0m, on River Muvumba. |

Figure 1-2: General Topographical layout of proposed stand-alone drain.



Source: RUDP Phase 2 - Nyagatare City - FS&PD Report Volume 1

Noteworthy, not all the project components will result in relocation. The actual project components necessitating relocation are presented in Chapter 2 of this Report.

1.4 Objectives of the Resettlement Action Plan study

The objectives of the RAP study were as follows:

- Identification of Project Affected Persons (PAPs);
 - Identification of land parcels to be acquired for development of project infrastructure;
 - Collection of qualitative and quantitative baseline socio-economic data of PAPs;
 - Establishment of entitlements of PAPs to compensation;
 - Collection of preferences for compensation;
 - Collection of comments and perceptions of the PAPs with regard to the project;
 - Development of a ARAP Report.
-

1.5 Methodology

The general approach used in the preparation of this RAP report involved a combination of the following:

- Desktop Studies;
- Site verification and assessment;
- Sensitisation of Project Affected Persons;
- Determination of the Socio-economic Profile of PAPs;
- Land searches;
- Valuation of land and assets.
- Consultations, FGD and Survey

1.5.1 Desktop Studies

The following documents were reviewed:

- Handbook for Preparing a Resettlement Action Plan
- Rwanda policy framework.
- Rwanda expropriation law.
- World Bank policies.
- District profiling document.
- The third integrated household living condition (EICV3) by national institute of statistics of Rwanda.

- World bank's OP 4.12 on involuntary resettlement.

1.5.2 Site Verification and Assessment

Site visits for project site familiarization, demarcation of affected properties and social economic surveys were conducted from April to May 2019. The objective was to determine the magnitude and types of impacts associated with the project (Identify PAPs) and determine mechanisms of minimizing the magnitude of these impacts.

1.5.3 Sensitization of Project Affected Persons

(a) Public Meetings

PAPs sensitization workshop was held in Nyagatare district on May 21st 2019. The ARAP team utilized weekly community meetings held every Tuesday. Three PAPs sensitization meetings were held Nyagatare 1 and Barija Cells. The PAPs were sensitized about the project and the probability of physical and economic displacement to allow for construction of Nyagatare city projects under RUDP phase II. A cut -off date for eligibility was set during these meetings. The cut-off date was agreed to be on 29th may 2019 which marked the end of census for Nyagatare city. Minutes of meeting are presented in Appendix 2 of this Report.

(b) Official letters

Official communication letter from the mayor of Nyagatare districts was sent on 18th May. The letter was to inform the respective sector heads, decentralized offices and PAPs to prepare for planned socio-economic surveys and valuation of affected properties. This was for the purposes of facilitating expropriation.

(c) Utility companies

One on one meeting was held with service provider companies which included government companies and private companies. These companies provide vital amenities and services such as electricity, water, telecommunication services etc. that utilize the road reserves therefore meetings were held and official letters sent to inform them about the upcoming project. On these meetings, all the issues concerning companies' utilities relocation was discussed.

1.5.4 Determination of the Socio-economic Profile of PAPs

The socio-economic profile of PAPs was determined by the use individual information which was collected by the enumerators through one on one interviews, focussed group discussions and filling of questionnaires. Business people and households were

interviewed and issued with questionnaires. Interviews were conducted in Kinyarwanda (Rwandan language). Questionnaires were filled in English by use of smart phones application (kobo collect).

- **Businesses:** business owners were interviewed where they were asked basic information on their socio-economics status and this included their education background, the income they get from their businesses, the expenses needed to conduct their businesses (taxes, loans, rent) and this information was assessed to determine their socio-economics profile of affected business operators.
- **Households:** households were also interviewed. Questions on their socio-economic status; Household size, their health status, incomes and their houses details were also observed by enumerators. The data captured was assessed to determine the socio-economics profile of project affected households.

Socio-economic profile of project affected persons is described in detail in chapter 4 of this report.

1.5.5 Preparation of the Land Acquisition Plan

Land and Asset valuation exercise commenced on 3rd, June, 2019 and was completed on 24th, July. The exercise entailed valuing of Land and Assets (Trees, crops, buildings, structures, and enterprises frontages among others).

The preliminary activities prior to the actual valuation included the following:

- Preliminary meeting for briefing on the scope of work;
- Demarcating Physical Boundaries, taking coordinates by using GPS to produce Maps for each road. This was done across all 6 cities concurrently
- Taking basic data of each Property:
 - Measurement of the Buildings if there are any;
 - Valuation of Crops or Plants if there are any;
- A physical inspection and identification of all the assets to collect the Census/inventory of all the persons making claim to the land, developments and crops/trees within the project affected area.
 - Collecting the Land Certificates of each Property;
 - Taking or Photographing (Passport Photos) the owner of each Property;
 - Collecting the ID of each Property's owner.

1.5.6 Land and Asset Valuation

Eligibility for compensation and the compensation value of affected assets in this project (RUDP phase 2) is guided by legal provisions and policy guidelines according to the Rwandan Constitution (Article 29), the Expropriation Law of Rwanda (N° 32/2015 of 11/06/2015) and the Bank's operational policy, WB OP 4.12. These documents regulate and give entitlement to the affected persons and institutions as well as provide the methodology of calculating compensation values. Based on review and interpretation of laws relating to valuation in Rwanda in particular the Rwanda expropriation law and the constitution of Rwanda, the provisions in these key pieces of legal statutes and legislative frameworks do not meet the standard of compensation at full replacement cost. One of the key gaps identified is; whereas, WB OP 4.12 policy defines affected person(s) as 'one using the land at the time, whether or not they have written customary or formal tenure rights', Rwandan Expropriation Law on the other hand defines affected person(s) as 'any person or a legally accepted association operating in the country who is to have his or her private property transferred due to public interest as well as legally accepted local administrative entities'. From the foregoing, Rwandan laws have to be supplemented by additional measures as provided in the World Bank involuntary policy so as to meet the replacement cost standard.

The use of replacement cost valuation method for valuing assets is recommended by World Bank operational policy 4.12. In this context, 'Replacement Cost' in relation to agricultural land earmarked to undergo expropriation under this project would be defined as the pre-project or pre-displacement, market value of land of equal productive potential or use located in the vicinity of the affected land, plus cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes whichever is higher.

For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

For houses and other structures, it is the market cost of the materials to build a replacement structure within an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials, to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration, building permit(s), and transfer taxes.

In compliance with WB policy 4.12 policy provisions, "determination of aforesaid replacement cost", would not take into account depreciation of the asset(s) and the value of salvaged materials. Similarly, the value of benefits to be derived from the project would not be deducted from cumulative value of the asset.

The rates are a true reflection of the current market prices and are likely to prevail within the next six months.

(a) Land Valuation

Land market values for transit-oriented development or land along road corridors vary according to structural attributes, land uses, location, accessibility, aesthetics, trunk infrastructure and utilities, market forces of demand and supply, present and future potential (speculative values) among others. In Nyagatare city, project roads transcend various zones within the city including the urban core (characterized by low- and high-density urban developments) and peri-urban areas (mostly agricultural with emerging urban developments). As a result, land values in the city are not the same and would therefore not be prorated with a standard cost per unit of measure (in this context cost per m²). The following land values per (m²) based on prevailing market prices in Nyagatare city were employed in computation of market value of land parcels earmarked to be expropriated. The values are road based according to village location considered to have equal locational advantages.

Table 1-3: Land Values.

| ROADS NAME | LAND RATE |
|---|-----------|
| NR3-EN6-Nyagatare II-UR Play-ground Road and associated Link Roads to RUDP Phase 1 road | 4000 |
| EN19-District District Headquarter and associated Link Roads to EN6 | 4000 |
| UR-Nyagatare Asphalt Road | 4000 |
| Barija Cemetery – Nyagatare Market Asphalt Road | 4000 |
| Barija Settlement – Stadium Asphalt Road | 4000 |
| Nyagatare Market – UR Playground | 4000 |

(b) Buildings/structures

Structure replacement cost approach as described above was employed. Since affected structures have different typologies, utilize different material both in terms of type, quantity and quality and had different sizes, there was no prorated standard for structure replacement. In addition, ill-fated structures were not uniformly affected (some are partially affected whereas others are wholly affected or residual structures are not viable). From the foregoing each affected structure was individually assessed and replacement cost determined for either rebuilding a new structure of equal or better standard or full replacement cost for affected component of affected property(s) that would be pulled down.

(c) Crops, plants and trees

The value of crops, plants, trees and related improvements was determined by use of income capitalization approach. Under this approach, the income earning ability of the

asset being valued was ascertained and capitalized using a market-driven discount rate for the remaining economic life of the asset. The productivity of each crop and the sale price per relevant unit of measurement was ascertained from discussions and review of records from marketing agents as per the guiding ministerial order. For trees which have not reached maturity age, they were valued as mature trees.

The Land and Asset Valuation Report is presented as Volume II of this Report.

1.6 Cut-Off Dates for Compensation

Cut-off Date was based on the dates of the census program within the particular section. Sensitization on cut-off dates was done during the public meetings. The cut-off date for Nyagatare city was set for 29th May 2019, which marked the end of census for Nyagatare city. Forums used in setting and communicating cut off dates to PAPs including dates when these forums were held is presented in detail in chapter 5 of this report.

1.7 Challenges Encountered During the Assignment.

The study has experienced a number of challenges this include:

- NYAGATARE has longer roads with less affected structures. So, enumerators had to walk longer distances in order to get the respondents, so it was tiresome.
- Nyagatare has a big agricultural area. Delineation of affected properties (land and developments thereon) and subsequent demarcation of affected properties was not done in detail. It was therefore not easy to identify affected properties on the ground. Similarly, location of property owners of affected land parcels that had no homesteads and or business structures on site was not easy.
- Some properties earmarked to undergo expropriation had conflicts at either intra-family level or inter household level. Most conflicts revolved around ownership tangles and boundary rows. Such conflicts were major impediments to smooth socio-economic and valuation exercises in Nyagatare city.
- Households' incomes shared from the social economic survey were not accurate. Most respondents were sceptical when requested to indicate the average income of the household. The respondents thought the information would be shared with Rwanda Revenue authority for tax determination purposes. Despite assurances to the contrary assuring the PAPs of confidentiality of data shared, very few respondents shared information on household income and the few who shared gave incorrect figures. Income sources declared were not reflective of the PAPs

economic status considering other aspects like housing and assets seen or owned in affected households"

2 PROJECT DESCRIPTION

2.1 RUDP Phase 2 Project

Nyagatare district administration identified the following infrastructure investment priorities for Nyagatare secondary city to be implemented with financing from the World Bank under RUDP phase 2; Upgrading of selected roads (6) to asphalt standards, upgrading of trunk infrastructure including prioritized standalone drain (1) and footpaths.

In terms of administrative location, RUDP Phase 2 is entirely located in Nyagatare Secondary City within larger Nyagatare district and covers 9 villages; Barija A, Barija B, Kinihira, Nyagatare I, Nyagatare II and Nyagatare III.

2.1.1 Selected Roads to be upgraded in RUDP phase 2 including link-up footpaths

Under RUDP phase 2, Nyagatare District is set to upgrade six roads with a cumulative total length of 11.81 Km or thereabouts. The roads have unnamed outfall footpaths. Selected project roads under this phase are;

1. NR3-EN6-Nyagatare II-UR Playground Road and associated
2. EN19-District District Headquarter and associated Link Roads to EN6– 3.30km
3. UR-Nyagatare Asphalt Road- 1.78 km
4. Barija Cemetery – Nyagatare Market Asphalt Road and associated Link Roads-2.69km
5. Barija Settlement – Stadium Asphalt Road- 0.98km
6. Nyagatare Market – UR Playground- 0.64km

Refer to RUDP phase 2 Roads location Map – Chapter 1 Project Descriptions Annexes; Anex 1.2

2.1.2 Stand-alone Drains and Outfall Drains

The RUDP phase 2 investment priorities include one stand-alone from Agakiriro, crossing National Road RII to River Muvumba with a total length of 1.5km.

Refer to RUDP phase 2 Stand-alone Drains Outfall drains Map – Chapter 1 Project Descriptions Annexes; Anex 1.2.

2.2 RUDP Phase 2 Sub-Project Components

2.2.1 Proposed Project Roads

RUDP phase 2 feasibility study proposed 7 road development options for consideration. The options differed in terms of provided carriageway and supportive road trunk infrastructure. Main trunk infrastructure components for the roads in this context includes but not limited to bus bays/bus-stops, curbs, greening space, street lighting, non-motorised transport (NMT) facilities (sidewalks and cycle lanes) drainage facilities, cut/embankment slopes and space for utility services depending on available Right –of-Way. From the 7 road development options proposed in the feasibility study phase, three options (1, 4 & 5) were recommended for implementation under RUDP phase 2 project. From the foregoing, prepared Abbreviated Resettlement Action Plan for Nyagatare city RUDP phase 2 incorporate assessment of the three broad road corridors for implementation herein after referred as: option 1(14m); option 4 (11m) and option 5 (8m); widest to narrowest road corridors respectively. Design of the road options was undertaken during the feasibility study phase while assessment of impacts was undertaken during the preliminary RAP studies. The rationale behind this consideration was to compare the three options in terms of envisaged expropriation costs and resettlement impacts. The two parameters were key in selecting the most appropriate road corridor to be implemented in a given road. For roads implemented under phase 1 which will be extended under phase 2, the RoW acquired under phase 1 would be maintained for purposes of maintaining a seamless road corridor and a standard building line.

Table 2-1 & 2-2 over leaf provides a summary of probable resettlement & expropriation impacts of selected project corridors according to preliminary census and valuation undertaken for proposed road corridors (8m, 11m & 13m) in Nyagatare city.

Table 2-1: Probable Resettlement Impacts of Proposed Road Corridors

| 1. AFFECTED PROPERTIES | | | | | | | | | |
|---|--|-----------------|-----------------|---|-----------------|----------------------------------|--|-----------------|-----------------|
| Total Number of Property Owners; Affected Land, Structures and Crops | | | | | | | | | |
| Road Name | NO. OF AFFECTED PROPERTY OWNERS | | | NO. OF PROPERTY OWNERS WITH AFFECTED CROPS | | | NO. OF PROPERTY OWNERS WITH AFFECTED STRUCTURES | | |
| | Option 1 | Option 4 | Option 5 | Option 1 | Option 4 | Option 5 | Option 1 | Option 4 | Option 5 |
| EN19-District Headquarter and Associated Link Road to EN6 | 28 | 17 | 5 | 23 | 12 | 3 | 10 | 4 | 1 |
| UR-Nyagatare Asphalt Road | 20 | 17 | 3 | 10 | 8 | 2 | 2 | 1 | 1 |
| Nyagatare Market UR-Playground | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Barija Cemetery-Nyagatare Market Asphalt Road | 28 | 28 | 17 | 18 | 18 | 17 | 8 | 8 | 5 |
| NR3-EN6-Nyagatare II UR Play ground | 28 | 28 | 20 | 15 | 15 | 16 | 12 | 12 | 2 |
| TOTAL | 105 | 90 | 45 | 66 | 53 | 38 | 32 | 25 | 9 |
| 2. DISPLACEMENT IMPACTS | | | | | | | | | |
| Partially Affected Properties & Fully Affected Properties | | | | | | | | | |
| Road Name | Partially Affected Properties | | | | | Fully Affected Properties | | | |

| | (Partial Expropriation) | | | (Full Expropriation) | | | | | |
|---|--------------------------------|-----------------|-----------------|-----------------------------|-----------------|-----------------|---------------------------------------|-----------------|-----------------|
| | Option 1 | Option 4 | Option 5 | Option 1 | Option 4 | Option 5 | | | |
| EN19-District Headquarter and Associated Link Road to EN6 | 28 | 15 | 4 | 0 | 2 | 1 | | | |
| UR-Nyagatare Asphalt Road | 20 | 17 | 2 | 2 | 0 | 1 | | | |
| Nyagatare Market UR-Playground | 23 | 22 | 21 | 2 | 0 | 0 | | | |
| Barija Cemetery-Nyagatare Market Asphalt Road | 27 | 24 | 7 | 1 | 1 | 0 | | | |
| NR3-EN6-Nyagatare II UR Play ground | 24 | 24 | 14 | 4 | 4 | 0 | | | |
| TOTAL | 122 | 102 | 48 | 9 | 7 | 2 | | | |
| 3. LAND USE OF AFFECTED PROPERTIES | | | | | | | | | |
| Road | Residential | | | Commercial | | | Public Purpose and Educational | | |
| | Option 1 | Option 4 | Option 5 | Option 1 | Option 4 | Option 5 | Option 1 | Option 4 | Option 5 |
| EN19-District Headquarter and Associated | 4 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | |
|---|-----------|-----------|-----------|----------|----------|---|----------|----------|----------|
| Link Road to EN6 | | | | | | | | | |
| UR-Nyagatare Asphalt Road | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Nyagatare Market UR-Playground | 5 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Barija Cemetery-Nyagatare Market Asphalt Road | 6 | 6 | 1 | 2 | 2 | 0 | 0 | 0 | 0 |
| NR3-EN6-Nyagatare II UR Playground | 7 | 7 | 8 | 5 | 5 | 0 | 6 | 0 | 0 |
| MTC-Diplomate-Station-Kontiner-BK | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 22 | 18 | 10 | 8 | 7 | | 6 | 0 | 0 |

Table 2-2: Probable Expropriation Impacts of proposed Road Corridors

| Road Name | 8m Corridor | | 11m Corridor | | 14m Corridor | |
|--|---|--|---|--|---|--|
| | Land to be Expropriated (M ²) | Total Expropriation cost (RWF) inclusive of 5% Disturbance Allowance | Land to be Expropriated (M ²) | Total Expropriation cost (RWF) inclusive of 5% Disturbance Allowance | Land to be Expropriated (M ²) | Total Expropriation cost (RWF) in 5% Disturbance Allowance |
| EN19-District Headquarter and Associated Link Road to EN6 | 75.5575 | 2,571,576 | 1,182.774 | 42,931,233.86 | 10,265.8675 | 6,330,889 |
| UR-Nyagatare Asphalt Road | 2,123.235 | 26,502,502 | 2,533.58 | 37,957,659.18 | 3,511.335 | 11,392,713 |
| Nyagatare Market UR-Playground | 674.486 | 2,928,060 | 580.2 | 2,436,840 | 6,503.19 | 2,436,840 |
| Barija Cemetery-Nyagatare Market Asphalt Road and Barija Settlement – Stadium Asphalt Road | 493.8324 | 3,011,544 | 9,706 | 52,947,047.68 | 9,706 | 52,947,048 |
| NR3-EN6-Nyagatare II UR Play ground | 2,085.08 | 27,352,934 | 2085.08 | 34,263,129.67 | 3645.056 | 34,263,129.67 |
| TOTAL | 5,452.19 | 66,031,998 | 16,088 | 170,535,910.39 | 33,631.45 | 107,370,619 |

From the assessments, during the preliminary RAP study, it was established that if the 14m corridor would be selected for implementation in all the 3 project roads, 131 properties would have to be expropriated while 11m and 8m corridors would see 109 and 55 properties expropriated respectively. In terms of direct expropriation costs without taking consideration for livelihood restoration costs and administrative implementation costs the widest road corridor (14m) has the highest expropriation costs (170,535,910.39 RWF) while the narrowest 8m corridor has the lowest expropriation costs (66,031,998 RWF).

(a) Selection of Road Corridors to be implemented

Taking into consideration proposed roads classes in terms of classification, traffic demand forecast, opportunity costs of implementing a given corridor (from a set of available corridors 8m, 11m or 14m) using probable resettlement impacts and expropriation costs as the yardstick, blanket implementation of one road option for all the roads in the city was not considered viable as selected project roads have different road characteristics. EN19-District Headquarter and Associated Link Roads to EN6 and UR-Nyagatare Asphalt Road had huge resettlement impacts and by extension higher expropriation costs due to high number of affected structures and costly land prices. 4m corridor was therefore considered ideal for implementation considering the resettlement impacts. NR3-EN6-Nyagatare II-UR Playground Road and associated link roads to RUDP Phase I road, Barija Cemetery-Nyagatare Market Asphalt Road and associated road links, Barija settlement-Stadium Asphalt road and Nyagatare market-UR Playground roads had few abutting structures with 11m & 8m corridors affecting mostly land and crops because they are situated in vast agricultural land with vast abutting agricultural land. In comparison, there was a marginal difference between 11m & 8m corridor in terms of resettlement impacts. However, in general, 14m few numbers of structures were affected considering these roads traverses vast open agricultural land in Nyagatare city. Considering the low expropriation costs due to relatively cheaper land and few structures affected (mostly boundary walls and a few annexes), Vast undeveloped land which provides space for infrastructure development and expansion, Rapid development and growing demand for housing in Nyagatare, 14m and 11m corridors were considered for implementation. Also, the 11m road had a reserve for future expansion considering the future projections in population growth (proposed asphalt road is likely to attract more residents due to availability of serviced plots in the relatively sparsely populated zone) thus exert pressure on the existing transportation infrastructure. A traffic demand forecast for aforesaid roads envisages an increase in traffic in the near future thus a relatively wider road (11m) was considered ideal to accommodate projected resident population growth.

From the foregoing, Nyagatare district administration in consultation with Local Administrative Development Entities Authority (LODA) and the Ministry of

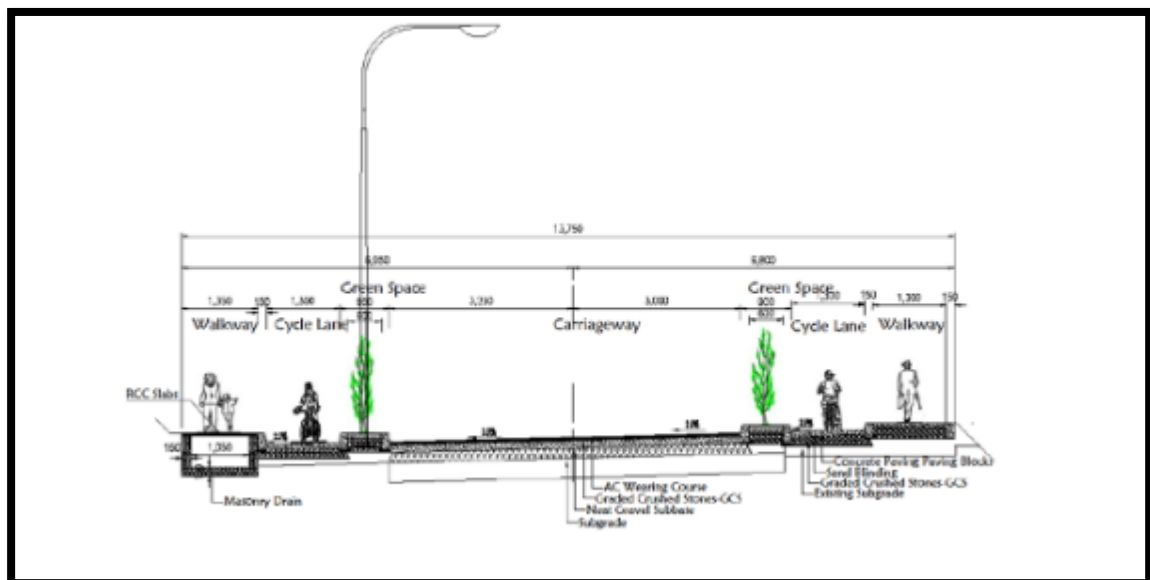
Infrastructure acting as coordination and supervision agencies settled on two (2) road corridors in terms of design that would be implemented in selected project roads;

7. 14m corridor for NR3-EN6-Nyagatare II-UR Playground Road main road and 11m corridor for its associated Link Roads to RUDP Phase 1 road.
8. 11m corridor for EN19-District District Headquarter and associated Link Roads to EN6.
9. 11m corridor for UR-Nyagatare Asphalt Road
10. 14m corridor for Barija Cemetery – Nyagatare Market Asphalt Road and 11m corridor for its associated Link Roads.
11. 14m corridor for Barija Settlement – Stadium Asphalt Road
12. 14m corridor for Nyagatare Market – UR Playground

(b) Selected Road Designs

Typical cross sections showing road design & trunk infrastructure provisions of the two selected road corridors extracted from detailed designs of the roads is shown below. Figures 2.1 (14m) and Figure 2.2 (11m) below & overleaf shows the typical cross-sections; carriageway width and trunk infrastructure for the two road corridors that would be implemented.

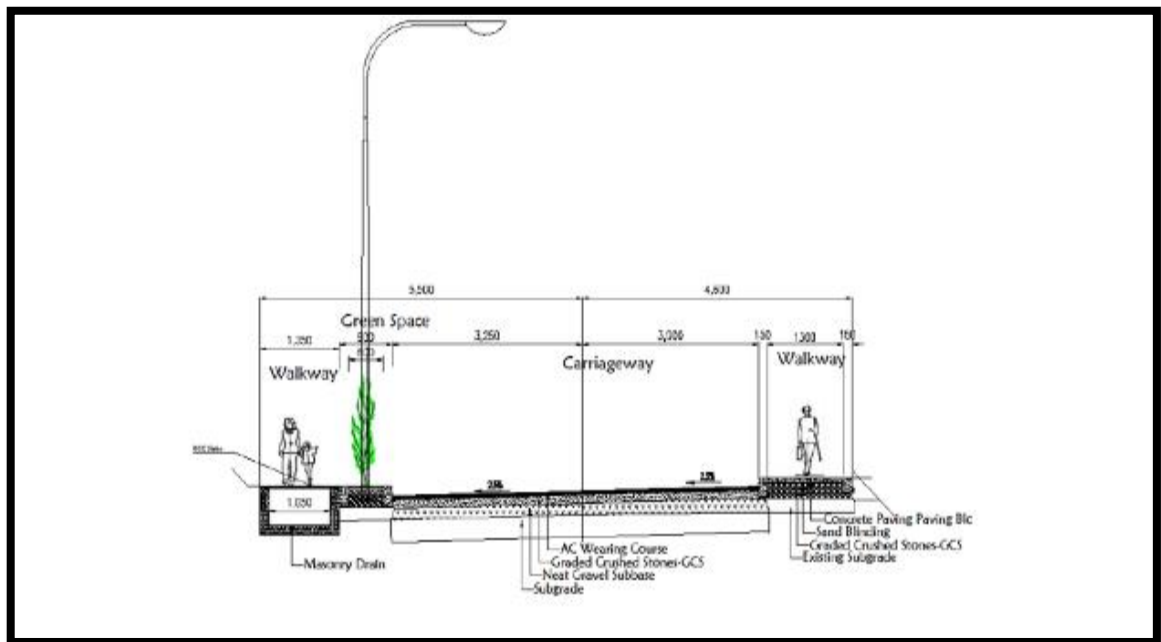
Figure 2-1: Cross Section of 14m Road



Source: RUDP Phase 2 - Nyagatare City - FS&PD Report Volume 1

14m corridor: Section width 13.75m consisting of 6m two-way carriageway with cycle lane, greening and walkway on both sides and storm drain and street lighting on one side.

Figure 2-2: Cross Section of 11m Road



Source: RUDP Phase 2 - Nyagatare City - FS&PD Report Volume 1

11m corridor: Section width 10.10m consisting of 6m two-way carriageway with walkway on both sides and greening, storm drain and street lighting on one side.

2.2.2 Stand-alone Drains and Outfall Drains Designs.

To come up with the most appropriate and effective drainage designs, in light of prevailing hydrological factors, detailed design consultant undertook a thorough hydrological analysis to inform hydraulic design and ideal storm drain inlets selection. Four major types of inlets; grate, curb opening combination and slotted were considered. Three storm inlet arrangements utilizing the above inlet types were considered as applicable for various corridors of road cross sections. For the purposes of this study the stand alone drain design features that would be implemented are highlighted though typical drains designs are not shared since the drains have not induced any involuntary resettlement impacts.

The Design features for the stand-alone drain is as shown on table 2.1 below.

Table 2-3: Drainage Design Features

| Drainage Channel | Drainage Design Features |
|---|--|
| Standalone drain from flooded area near Agakiriro, crossing | Trapezoidal masonry open channel base width 1.0m, depth 1.0m, total length 0.2km |
| | Trapezoidal masonry open channel base width 1.5m, depth 1m, total length 0.6km |

| | |
|---|--|
| National Road RII to River Muvumba I .5km | Trapezoidal masonry open channel base width 2.0m, depth 1.0m, total length 0.7km |
| | Two road crossing locations with double barrel pipe culverts, 900mm dia. |
| | Two road crossing locations with box culverts, width 2.0m by depth 1.0m. |
| | Gabion outfall structure, width 2.0m by depth 1.0m, on River Muvumba. |

The Covered standalone drain also acts as footpaths for accessing downhill homesteads

2.3 Project Components Necessitating Involuntary Resettlement

2.3.1 Overview

This section is an exposition of the involuntary resettlement in Nyagatare secondary city to pave way for implementation of RUDP phase 2. It outlines the land requirements and the impacts of land expropriation. The section further describes the process/methodology used to minimize aforesaid resettlement impacts.

2.3.2 Land Requirement

The project has the following project sub components;

- Selected street Roads alongside supportive trunk infrastructure.
- Selected Footpaths and
- Selected Stand-alone drains.

However, the technical designs for selected footpaths and selected stand-alone drains sub-projects in terms of land take does not require expropriation leading to either involuntary resettlement or voluntary land donation. This mainly because the design of the drains and footpaths fit within available natural drainage course ways and walkways respectively. As a result, the scope of prepared ARAP report for Nyagatare secondary city RUDP phase 2 incorporates assessment of resultant involuntary resettlement impacts for the 6 roads.

The affected land parcels were identified based on the route outline of the proposed RoWs (14/11m wide) superimposed on top of existing road to be upgraded. In areas where the RoW spills over to adjacent plot boundaries as delineated in the official records held by the Government of Rwanda, the extent of infringement was earmarked to be acquired. A ground truthing exercise was then carried out during the valuation exercise.

The following steps were followed during the ground truthing exercise to determine the size of land that would be acquired to pave way for proposed project implementation.

- Survey and pegging of actual affected area on the ground by the project surveyor based on the final approved road corridor alignment within earmarked land strip set to be expropriated. Setting up of beacons for all affected parcels was done at this stage to confirm actual extent of land take for each parcel affected by the project;
 - Demarcating physical boundaries
 - Numbering of each property to allow easy identification of the property, the owner(s) and location of each property
 - Taking of basic data of each affected property
 - Photography; taking passport photos for each property earmarked for expropriation
 - Collection and collation copies of identification documents of each property owner alongside the land certificates for these properties.
 - Survey and pegging of actual affected land on each property took into consideration areas measured on the respective land certificates. For properties with no land certificates, measurement of the subject land was done using GPS.
- Preparation of confirmed land and asset inventory for all project affected properties;
- Valuation of affected land parcels
- Update of PAP contacts database where necessary.

An aggregate land size of 23,570.60m² which translates to 5.824 acres is earmarked to be acquired in Nyagatare secondary city under RUDP phase 2. Aggregate strip of land that was acquired along EN19-District Headquarter and Associated Link Road to EN6 measures about 1,182.774m² or thereabouts; UR-Nyagatare Asphalt Road - 2,533.58m², 6,503.19m² along UR-Nyagatare Asphalt Road and 9,706m² and 3645.056m² along Barija Cemetery-Nyagatare Market Asphalt Road and NR3-EN6-Nyagatare II UR Playground respectively. To mitigate against loss of land and assets thereon, the entitlement matrix proposes compensation of lost assets at full replacement cost. The table 2.4 below summarises land acquired per road.

Table 2-4: Land requirement for RUDP phase 2 in Nyagatare Secondary City

| Road Name | Road Length (km) | Size of land Acquired (M²) |
|---|-------------------------|--|
| EN19-District Headquarter and Associated Link Road to EN6 | 3.30 | 1,182.774 |

| | | |
|--|--------------------|------------------|
| | | |
| UR-Nyagatare Asphalt Road | 1.78 | 2,533.58 |
| Nyagatare Market UR-Playground | 0.64 | 6,503.19 |
| Barija Cemetery-Nyagatare Market Asphalt Road and Barija Settlement-Stadium Asphalt Road | 2.69+0.98= 3.67 | 9,706 |
| NR3-EN6-Nyagatare II UR Play ground | 2.42 | 3645.056 |
| Total | | 23,570.60 |

2.3.3 Impacts of Land Expropriation

Table 2-5: Land Acquisition Impacts for RUDP phase 2 in Nyagatare Secondary City

| Road | Value of Land | Value of affected Assets | |
|--|-------------------|--------------------------|------------------|
| | | Structures | Crops |
| EN19-District Headquarter and Associated Link Road to EN6 | 4,731,096 | 563735.11 | 530,714 |
| UR-Nyagatare Asphalt Road | 10,134,320 | 460500 | 255382.7 |
| Nyagatare Market UR-Playground | 2,320,800 | 0 | 0 |
| Barija Cemetery-Nyagatare Market Asphalt Road and Barija Settlement – Stadium Asphalt Road | 38,824,440 | 6728334.607 | 4667537.32 |
| NR3-EN6-Nyagatare II UR Play ground | 8,340,320.00 | 23268628.07 | 1022604 |
| Total | 64,350,976 | 31021197.79 | 6,476,238 |

The total cost of expropriation (excluding livelihood restoration plan and project administrative costs) for EN19-District Headquarter and Associated Link Road to EN6 is 10,612,221 RWF; 11,392,713 RWF for UR-Nyagatare Asphalt Road; 2,436,840 RWF for Nyagatare Market UR-Playground; 57,254,951 Barija Cemetery-Nyagatare Market Asphalt Road and Barija Settlement – Stadium Asphalt Road and 34,263,129.68 for NR3-EN6-Nyagatare II UR Playground.

The total expropriation for each road is inclusive of the 5% allowance which caters for disturbance and economic losses.

Resettlement impacts and corresponding mitigation measures are analysed in detail in chapter 6 of this report.

2.3.4 Measures Taken to Reduce Resettlement Impacts

The project design team ensured that the designs had minimal impacts in terms of land taken and loss of assets by utilizing the existing Right of Way (RoW) as far as is feasible. Selected road corridor for implementation was informed by assessment of road characteristics. Low resettlement impacts and ease of impact mitigation were key in the final selection of the project roads in terms of width. In addition, the following measures were undertaken to reduce resettlement;

- ✓ To reduce expropriation costs, the centreline of the roads was shifted so that highly valuable properties are not or are least affected compared to relatively cheaper properties. This was only possible in situations where there was no limiting engineering design limitations such as embankments with a gradient of more than 60°
- ✓ To reduce resettlement, the centreline was also shifted from the most densely built up side to a relatively less densely built up area. This was possible when there was no significant difference in property values on either side of the road corridor.
- ✓ To avoid making the project contentious or susceptible to rejection, the centreline was rerouted to avoid affecting sensitive historical and socio-cultural sites such as memorial sites, public cemeteries among other sensitive communal and historical entities.

3 POLICY LEGAL AND REGULATORY FRAMEWORK

3.1 Introduction

The ARAP for the proposed project applied the laws, legislation, regulations, and local rules governing the use of land and other assets in Rwanda. This legal framework covers various aspects concerning RAP and includes:

- Social, political, economy and governance in Rwanda;
- Property and land rights, as defined by Rwanda law;
- Acquisition of land and other assets, including regulations over the buying and selling of these assets;
- Rights and compensation, in particular, the accepted norms influencing peoples' basic rights to livelihood and social services;
- Dispute resolution and grievance mechanisms, specifically the legal and institutional arrangements for filing grievances or complaints and how those grievances are addressed through formal and informal systems of dispute resolution;
- Legally mandated institutions, agencies associated with legal instruments governing land use and management.

3.2 Rwanda Policy Framework

Table 3-1: Policy Framework.

| Policy Instrument | Functions and Provisions |
|--|--|
| Rural Settlement Sector Strategic Plan (2013 – 2018) | <p>Foundation for sustainable urban and regional development in Rwanda and seeks to address the key issues faced due to urbanization pressures in the country. It is aligned with the key national strategies of Rwanda related to economic development, human development and environment. Key objective of the strategic plan is to ensure that development planning policies and processes are fully functional at local government level through clear guidelines and regulatory frameworks, and putting in place defined roles and responsibilities for the various stakeholders.</p> <p>Special focus is reserved for the harmonization of the development plans at various levels, strengthening coordination of different agencies involved in the sector, revitalizing the role of private sector in service delivery and investment, comprehensively addressing cross-cutting themes such as, capacity building, regional integration, environment and climate change, social inclusion etc., through their inclusion within the unified urban and rural development sector, fostering community participation in the urbanization process, strengthening financial management at local government level for budgeting and preparing capital improvement plans urban projects; and operationalize monitoring and evaluation of implementation efforts to check compliance with sectoral targets.</p> |
| National Poverty Reduction Strategy | <p>The National Poverty Reduction Strategy identifies the transformation of the subsistence agriculture, into a modernized agriculture, which is market oriented as one of the priority sectors.</p> <p>Other priority areas include human development which covers the actions of improving living conditions of the poor, economic infrastructure, governance, development of the private sector and the institutional reinforcement which includes transport sector.</p> |

| | |
|------------------------------------|--|
| District Development Plans (DDP) | <p>District Development Plans are aligned to EDPRS II, which is contributing to its implementation and consequently to the revised Vision 2020 targets. The aim and purpose of the District Development Plans is to create a platform for Districts to reflect on the past achievements and potentials and to come up with the priorities that will drive the development of district for the next five years and to meet the social economic development and needs of the population without contradicting with the national priorities.</p> <p>This project is in line with the DDP priority in promoting urbanization and facilitating access to basic infrastructure.</p> <p>All 30 districts have local urban development plans for portions of their main urban areas. Detailed physical plans are under various stages of preparation or finalization to support urban land management.</p> |
| National Housing Policy, 2015 | Specifies the roles of agencies delivering housing to a range of income groups |
| National Urbanization Policy, 2015 | Guides urban coordination, densification, conviviality (i.e. quality of life) and economic growth (off-farm employment) through the Rwanda Spatial Development Framework (2016) |

3.3 Rwanda Legislative Framework

Table 3-2: Legislative Framework

| Legislative Instrument | Functions and Provisions |
|--|--|
| The Constitution of the Republic of Rwanda, 2003 | <p>The Constitution of the Republic of Rwanda as promulgated in 2003 makes clear the requirement for equitable and participatory development for all citizens of the country, and makes quality and healthy environment as a basic right with every citizen required to protect, safeguard and promote a healthy environment. In this regard there are principally two articles among other provisions that relates to this study:</p> <ul style="list-style-type: none"> ○ Article 45 of the constitution states that all citizens have the right to participate in government of the country, whether ○ directly or through freely chosen representatives in accordance with the law. All citizens have the right of equal |

| | |
|--|---|
| | <p>access to public service e.g. Roads in accordance with their competence and abilities.</p> <ul style="list-style-type: none"> ○ Article 49 states that every citizen is entitled to a healthy and satisfying environment. Every person has the duty to protect, safeguard and promote the environment. The state shall protect the environment. The law determines the modalities for protecting, safeguarding and promoting the environment. |
| <p>Ministerial Order N°04/Cab. M/015 of 18/05/2015 determining urban planning and building regulations as per the Official Gazette n°20bis of 18/05/2015. Article 4:</p> | <p>The innovation intends to increase safety in the urban planning and construction industry and it has systemically rolled out across the country to benefit all the people living in Rwanda. This crucial activity will help to bring about augmented accessibility to more inhabitable and safer human settlements and thus better livelihoods.</p> <p>The Urban Planning Code provides urban planning principles that include:</p> <ol style="list-style-type: none"> 1. criteria of defining urban centers; 2. basic public infrastructures; 3. objectives and requirements of site development; 4. objectives and requirements for land subdivision, plot 5. restructuring and re-plotting; 6. plot development parameters based on zoning principles; 7. categorization of urban land use; 8. neighborhood design principles; 9. traffic circulation principles; 10. land requirements for urban roads and efficient mobility; 11. transport planning and transport terminals, 12. pedestrian’s circulation and safety planning; 13. parking; 14. water supply planning; 15. storm-water and erosion control planning and 16. management; 17. planning of solid and liquid waste treatment; 18. standards and procedures for urban upgrading; 19. guidelines to implement urban planning document <p>Minimum infrastructure standards</p> <p>The following minimum standards apply to infrastructure in upgraded neighbourhoods:</p> <ol style="list-style-type: none"> 1. Every plot shall be accessible by at least a footpath. 2. There shall be a Secondary, Local Distributor Road, or an 3. Access Road within 500 m. 4. Every road shall be accompanied by properly dimensioned 5. storm water channels. 6. Every household shall undertake proper evacuation of solid |

7. and liquid waste.
8. Every household shall undertake measures for the proper
9. control of erosion from storm water and liquid waste.
10. The electricity provider shall be responsible for the safety in
11. areas of electricity cable networks. No open wiring and
12. underground placement of cables shall be allowed.
13. Sewers must be protected in a way safe for passer-byes and
14. particularly children during storm water flushes. Safe
15. bridging passage ways shall be provided following the
16. course of footpaths.
17. Civil engineers and urban planners responsible for the
18. elaboration of the Specific Land Development Plan may
19. propose to the District to waive the standard width
20. recommendations for access roads and accompanying uses
21. following a road where there is insufficient space or the
22. intervention would cause unjustifiable displacement.

Minimum access to infrastructure and facilities

| Service / facility | Maximum travel distance | Catchment population | Location |
|--|-------------------------|----------------------|----------------------|
| Public toilet | 80m | 250 | Neighbourhood |
| Potable water access point Solid Waste Disposal Point | 250m | 2000 | Neighbourhood centre |
| Motorcycle taxi access point Minibus stop Access to vehicular road | 500m | 5000 | Neighbourhood centre |
| Public toilet | 1km | 5000 | Neighbourhood centre |

| | | | | |
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| | City bus stop | | | |
| Article 5: Human settlement areas servicing principles | <p>Every site proposed for human settlement must at least be serviced with the following facilities:</p> <ul style="list-style-type: none"> ✓ health care facilities; ✓ schools; ✓ civic centers; ✓ recreational centers; ✓ basic economic infrastructure□ | | | |
| Article 9: Urban utility servicing | <p>Every site proposed for urban neighborhood development must be serviced at least with the following basic utilities:</p> <ul style="list-style-type: none"> ✓ clean water, sanitation and storm water management; ✓ energy supply; ✓ liquid and solid waste management; ✓ access and transport infrastructure; ✓ information communication technology. | | | |
| Article 10: Water protection | <p>Any water body and water supply networks must be protected from any urban planning and building activity which may have a polluting effect on the quality of water and water catchment areas.</p> <p>The quality of water in the supply network shall be regularly monitored by the competent authority.</p> <p>The Urban Planning Code provides for criteria of preservation of the quality of water.</p> | | | |
| Article 14: Traffic and transport planning | <p>The Urban Planning Code provides for traffic and transport planning requirements.</p> <p>Traffic and transport planning must aim at:</p> <ul style="list-style-type: none"> ✓ integration of transport infrastructure with urban land use planning; ✓ integrate transport network for urban access; ✓ provision of public transport services and facilities; ✓ provision of parking and service delivery space; ✓ facilitation and increase of pedestrian and cyclists movement; ✓ environmental compliance. | | | |

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| <p>Article 17: Building materials</p> | <p>The purpose of this Code is to establish minimum requirements to safeguard public health, safety and general welfare by regulating and controlling the design, construction, quality of materials, sanitation, lighting and ventilation, energy conservation, safety to life and property from fire and other hazards attributed to the built environment, use and occupancy, location and maintenance of all the concerned buildings and structures in Rwanda.</p> <p>The use of locally produced building materials that do not compromise the natural ecosystem and which use the least energy for their production and transport must be emphasized in accordance with the Building Code.</p> |
| <p>Law on Environmental Protection – Organic Law n° 08/2005 of 08/04/2005</p> | <p>The Law on Environment Protection sets the modalities for protection, conservation and promotion of the environment in Rwanda. The law gives right to every natural or legal person in Rwanda to live in a healthy and balanced environment while obligating each and every citizen to contribute individually or collectively to safeguard country ‘s natural, historical and sociocultural heritage.</p> <p>The framework of the law on the protection and management of natural resources centers on avoiding and reducing the disastrous consequences on environment. It measures result from an environmental evaluation of policies, programs and projects, aimed at preventing the consequences of such activities.</p> <p>It provides for a right to a healthy and productive life in harmony with nature and to equitably meet the needs of the present and future generation in infrastructure development e.g. upgrading of roads and construction of drainage channels.</p> |
| <p>Ministerial Order determining the length of land on shores of lakes and rivers transferred to public property - N°</p> | <p>This law sets the boundary for development and settlement activities next to water bodies. This Order aims at setting aside the length of land on shores of lakes and rivers affected in the public domain for environmental protection. The land within a distance of fifty (50) meters from the lakeshore is public property. The land within a distance of ten (10) and five (5) meters from the shore of big rivers and small rivers respectively is public property.</p> <p>The length set is calculated beginning from the furthest line reached by water depending on successive flooding record; and such land is statutorily regarded as a protected area and not is allowed to erect</p> |

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| <p>007/16.01 of 15/07/2010</p> | <p>private property on such land. The only activities aimed at protecting the water bodies are permitted in these protected areas. Specifically, the following are protected: dumping solid wastes; and dumping liquid wastes.</p> <p>Additional relevant laws in ensuring environmental quality and sustainable resource utilization in regards to the proposed subprojects include:</p> <ul style="list-style-type: none"> ○ Law and statutory guidelines on Environmental Impact Assessment ○ The Law on Waste Management ○ The Law on Protection against Environmental Noise ○ The Law on natural water resources and discharges/effluents ○ The Law and guidelines on Occupational Safety and Health ○ Law N° 43/2013 of 16/06/2013 governing land in Rwanda ○ Law N° 13/2014 of 20/05/2014 on mining and quarry operations ○ Law N°47bis/2013 of 28/06/2013 determining the management and utilization of forests in Rwanda ○ Ministerial Order N° 001/16.01 of 03/01/2012 on explosives used in mining, quarrying and infrastructure activities ○ Law N°55/2011 of 14/12/2011 governing roads in Rwanda ○ Ministerial Order No008/MINIRENA/2015 of 18/06/2015 establishing a list of protected trees ○ Law N° 32/2015 of 11/06/2015 relating to expropriation in the public interest ○ Law N° 70/2013 of 02/09/2013 governing biodiversity in Rwanda ○ Ministerial Order N°003/16.01 of 15/07/2010 preventing activities that pollute the atmosphere ○ Prime Minister ‘s Instructions N° 005/03 of 27/12/2013 preventing air pollution caused by vehicular emissions and machines using petroleum products in Rwanda |
| <p>Law N° 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest</p> | <p>The Expropriation Law provides for public dissemination on the importance of the project to be established and the need for expropriation. Article 12 of the Expropriation</p> <p>Law stipulates that the relevant Land Committee, after receiving the request for expropriation, shall examine the basis of that project proposal. In case it approves the basis of the project proposal, the relevant Land Committee shall request, in writing, the District authorities concerned to convene a consultative meeting of the</p> |

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| | <p>population where the land is located, at least within a period of thirty (30) days after receipt of the application for expropriation, and indicating the date, time and the venue where the meeting is to be held. The relevant Land Committee shall take a decision within a period of at least fifteen (15) days after the consultative meeting with the population.</p> <p>Article 3 stipulates that it is only the Government that shall order expropriation in the public interest, and must be done with prior and fair compensation. The law also bars anybody from interfering of stopping expropriation on pretext of self-centred interests.</p> <p>Accordingly, Article 3 provides for any underground or surface activity carried out with in public interest on any land but with due and fair compensation to the land owner. Article 4 requires that any project, at any level, which intends to carry out acts of expropriation in the public interest, must budget and provide funding for valuation of the property of the person to be expropriated and for fair compensation.</p> |
|--|---|

3.4 World Bank’s OP 4.12 on Involuntary Resettlement

O.P 4.12 states that World Bank experience is that involuntary resettlement if unmitigated usually results in the following:

- Severe economic, social, and environmental risks:
- Dismantling of production systems;
- Impoverishment of people when their productive assets or income sources are lost;
- People are relocated to environments where their productive skills may be less applicable and the competition for resources greater;
- Community institutions and social networks are weakened;
- Kin groups are dispersed; and
- Cultural identity, traditional authority, and the potential for mutual help are diminished or lost.

To mitigate this, the policy requires the following of project developers for World Bank funded projects:

- Avoidance where feasible, or minimisation by exploring all viable alternative project designs;

- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits;
- Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs;
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Eligibility criterion, requirement for inclusive meaningful consultation and requirements of a cut-off date under OP 4.12

In terms of eligibility criterion, WB OP 4.12 policy recognizes the affected persons as ‘one using the land at the time, whether or not they have written customary or formal tenure rights. The completion of the census represents a provisional cut-off date for eligibility for resettlement assistance. PAPs in the project area before the census begins are eligible for compensation and assistance, as relevant and those who arrive after the cut-off date are not. (Squatters and encroaches are entitled to “resettlement assistance in lieu of compensation for assets sitting on land they occupy on condition that they occupy the project area prior to” the date of beginning of census or prior to the date the project area was delineated whichever date is earlier (OP 412, para 16). To meet this threshold WB safeguards standards requires that there is meaningful consultation to ensure cut-off date and eligibility criterion are disseminated to all the primary and secondary stakeholders to ensure smooth implementation of bank funded projects. Towards this end;

- Resettlement planners should ensure sufficient public awareness of the cut-off date;
- Census takers should provide enumerated PAPs with documentation that confirms their enumeration (Identity cards or a witnessed copy of the survey endorsed by the household head). Proof of enumeration precludes an influx of people into the project area after the cut-off date.

Annex 1 of O.P 4.12 outlines the information to be included in a ARAP Report to cover the following:

This annex describes the elements of RAP to include:

- Description of the project;
- The main objectives of the resettlement program;

- The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people;
- The results of a census survey covering:
 - ✓ Current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
 - ✓ Standard characteristics of displaced households,
 - ✓ The magnitude of the expected loss total or partial of assets, and the extent of displacement, physical or economic;
 - ✓ Information on vulnerable groups or persons as provided for, for whom special provisions may have to be made; and
 - ✓ Provisions to update information on the displaced people's livelihoods and standards of living
 - ✓ Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
 - ✓ Patterns of social interaction in the affected communities
 - ✓ Public infrastructure and social services that will be affected; and
- Legal framework including the scope of the power of eminent domain as well as laws and regulations relating to the agencies responsible for implementing resettlement activities. Gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps
- The findings of an analysis of the institutional framework covering the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;
- Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
- The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
- A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy.
- A summary of the views expressed and how these views were taken into account in preparing the resettlement plan;

- Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
- The organizational framework for implementing resettlement,
- An implementation schedule covering all resettlement activities
- Tables showing itemized cost estimates for all resettlement activities
- Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors.

Table 3-3: Comparative Analysis between W.B and RNL.

| Principles | <i>Rwanda legislations</i> | <i>World bank op 4.12</i> | <i>Gap filling Measures</i> |
|---------------------|--|--|---|
| <i>Valuation</i> | Valuation is covered by the expropriation law and the land valuation law and stipulates that the affected person receive fair and just compensation | OP4.12 prefers replacement cost method of valuation of assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into being account. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken. | Adopt replacement cost method of valuation |
| <i>Compensation</i> | Article 22 of the expropriation law no 32/2015 of 11/06/2015 entitles the landholder to compensation for the value of the land and activities on the basis of size, nature location considering the prevailing market value. | OP4.12 gives preference to land based resettlement strategies for displaced persons whose livelihoods are land based as compared to monetary compensation. | Adopt OP4.12 mode of compensation by giving preference to land based resettlement as opposed to monetary compensation |

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|---------------------------------------|--|--|--|
| <i>Participation and consultation</i> | The Rwandan law on expropriation simply stipulates that affected peoples be fully informed of expropriation issues. 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 pretext of self-centered justification which might not be the case | WBOP4.12 requires that persons to be displaced should be actively be consulted and should have opportunity to participate in planning and design of resettlement programs. Consultations need to be meaningful, inclusive of all PAPs (women, men, title/non-title holders, squatters, youth, vulnerable groups, minorities etc.)and should be a two way process of providing information and receiving feedback. | Adopt op 4.12 methods of participation |
| Timeframe | Rwanda expropriation law s stipulates a timeframe upon when the property to be expropriated must be handed over which is 120 days after compensation has been paid | WB OP 4.12 provides for a timeframe (cut-off-date) people who encroach on the area after the cut-off date are not entitled to compensation or resettlement assistance | A cut-off-date should be applied and the date will be widely disseminated to PAPs. |
| <i>Overall strategy</i> | Section 2 of 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 the op4.12, its not necessary to prove that the project fits within the overall land master plan | Adopt Rwanda expropriation law |
| <i>Required measures</i> | Expropriation law does not provide for alternatives when | Op 4.12 requires displaced persons to be consulted on offered choices among and | WB world bank op 4.12 to apply |

| | | | |
|-------------------------------------|--|--|--|
| | undertaking compensation | provided with technically and economically feasible resettlement alternatives | |
| <i>Grievance redress mechanisms</i> | The new expropriation law of 32/2015 of 11/06/2015 creates the resettlement and grievance redress committee and provides complaints procedures for individuals dissatisfied with the proposed project or the value of their compensation and process for expressing dissatisfaction for seeking redress. | Op 4.12 requires PAPs be informed of the compensation exercises and establishes grievance redress mechanisms. The GRM needs to be accessible, unbiased and responsive to all complainants. | Adopt Rwanda expropriation law which establishes the Grievance Redress Mechanisms by district (sector/cell) authority, PAP representatives and project and also meet the WB requirements set out under OP 4.12 |
| <i>Eligibility Criterion</i> | According To Rwandan Expropriation Law The Person To Be Expropriated Is Defined As ‘Any Person Or A Legally Accepted Association Operating In The Country Who Is To Have His Or Her Private Property Transferred Due To Public Interest As Well As Legally Accepted Local Administrative Entities’. | WB OP 4.12 policy recognizes the affected persons as ‘one using the land at the time, whether or not they have written customary or formal tenure rights’, | WB world bank op 4.12 |

| | | | |
|----------------------|--|--|--|
| <p><i>Census</i></p> | <p>According to Rwandan Expropriation Law no census is required to establish legitimate beneficiaries of compensation instead legitimate beneficiaries of compensation are defined by law as ‘any person or a legally accepted association operating in the country who is to have his or her private property transferred due to public interest as well as legally accepted local administrative entities.</p> | <p>O.P 4.12 requires a census to be carried out for purposes of: enumerating and collecting basic information on affected population; registering the affected population by residence or locality; establishing a list of legitimate beneficiaries before the project’s onset that counters spurious claims from those moving into the project area solely in anticipation of benefits; laying a framework for subsequent socioeconomic research needed to establish full replacement compensation rates and to design, monitor, and evaluate sustainable income restoration or development interventions; and providing a baseline for monitoring and evaluation of the ARAP. To achieve these census objectives among other bank policy objectives; particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other</p> | <p>WB world bank op 4.12 to apply.</p> |
|----------------------|--|--|--|

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| | | displaced persons who may not be protected through national land compensation legislation. | |
| <i>Livelihood Restoration</i> | No livelihood restoration programs are provided in the national laws. Compensation disbursed is as per Article 22 of the expropriation law no 32/2015 of 11/06/2015 entitles the landholder to compensation for the value of the land and activities on the basis of size, nature location considering the prevailing market value. | The bank's policy on involuntary resettlement requires project affected persons be assisted in their efforts to improve their livelihoods and standards of living to restore them, in real term, to pre-resettlement levels or to levels prevailing prior to the beginning of the project implementation whichever is higher. | WB world bank op 4.12 to apply |
| <i>Gender & Gender Based Violence (GBV)</i> | Both males and females are equal in the eyes of the law. The Constitution of Rwanda 2003 Article 17: Right to marry and found a family(Spouses are entitled to equal rights and obligations) Law N° 43/2013 of 16/06/2013 Governing Land in Rwanda | The burden of poverty falls disproportionately on women. The bank aims to reduce gender disparities and enhance women's participation in economic development of their countries by integrating gender considerations in its country assistance program (OD 4.20 <Gender Dimensions of development>, para. 1) | WB world bank op 4.12 to apply on Gender Adopt GBV adopt national law : Law N° 43/2013 of 16/06/2013 |

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|-----------------------------|---|---|--|
| | <p>Article 4: gives spouses Equal right to land</p> <p>On GBV; It is unlawful to commit violence against someone because of their gender. Article 2 of N°59/2008 of 10/09/2008 the law on prevention and punishment of gender-based violence (GBV) defines gender-based violence as “any act that results in a bodily, psychological, sexual and economic harm to somebody just because they are female or male.”</p> <p>The principle law on prevention of GBV has 9 articles (articles 3 – 11) that prevent and protect against GBV</p> <p>Articles 8; enshrines right of women to a maternity leave</p> <p>Article 9; stipulates Rights of a pregnant woman or of a woman who delivers</p> | | |
| <p><i>Vulnerability</i></p> | <p>Under Rwanda expropriation law (the principle law applicable whenever there is involuntary</p> | <p>World banks’ OP4.12 defines Vulnerable groups as people who by virtue of gender, ethnicity, age, physical or</p> | <p>WB world bank op 4.12 to apply.</p> |

| | | | |
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| | <p>resettlement), there is no formal recognition of vulnerable PAPs who are entitled to get extra support to cope with resettlement impacts.</p> | <p>mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.</p> <p>Vulnerable groups can include: Households headed by women;</p> <p>Households victimized by HIV/AIDS that are headed by children</p> <p>Households made up of the aged or handicapped.</p> <p>Households whose members are impoverished.</p> <p>Households whose members are socially stigmatized (as a result of traditional or cultural bias) and economically marginalized.</p> <p>World bank OP4.12 provides that special assistance to vulnerable PAPs may consist of the following: Provision for separate and confidential consultation; Priority in site selection in the host area;</p> | |
|--|--|---|--|

| | | | |
|--|--|--|--|
| | | <p>Relocation near to kin and former neighbours;</p> <p>Provision of a contractor, if necessary, to construct their new house;</p> <p>Assistance with dismantling salvageable materials from their original home;</p> <p>Priority access to all other mitigation and development assistance; and</p> <p>Monitoring of nutritional and health status to ensure successful integration into the resettled community.</p> | |
|--|--|--|--|

4 SOCIO-ECONOMIC PROFILE OF AFFECTED PERSONS

4.1 Overview

The field surveys regarding land acquisition and resettlement for the Project are intended to obtain the socio-economic information of the PAPs. The information obtained from household survey is useful for two major perspectives. First, the information formed the basis for the preparation for ARAP, and secondly it is used in course of monitoring and evaluation of project impact. This section will look at socio economic profile of PAPs in the project area.

This section is therefore an exposition of the socio-economic status of the PAPs in Nyagatare secondary city. The section begins with an outline of the project administrative location, then general details of the project affected households and businesses, the land tenure and project impact on land followed by a detailed analysis of the household incomes. Thereafter the section describes the housing and related facilities, the health, and disability as well as education status of the PAPs and culminates with the details of the identified vulnerable PAPs and the special/supplementary resettlement assistance accrue.

4.2 Description of the project area

Nyagatare city is relatively a new city compared with other secondary cities. It was established after the 1994 genocide. It was formally divided into different sections: a national park (Agakera) on the right side towards Kagitumba border and farming land on the left side towards Uganda border. However, large percentage of current city's location was previously farming land. The park section was converted to a settlement to accommodate returning natives mostly refugees from Uganda. Nyagatare city and surrounding environs was planned for urban development with the hinterland being reserved for dairy farming ranches. RUDP phase 2 project in the city is concentrated within the urban development zone in particular residential zones. Almost all roads prioritized within the city serve planned residential zones including planned community facilities and public purpose institutions. Within the affected residential zone(s), almost 40% of land parcels are built with the rest of the parcels either lying idle or under small scale urban agriculture. Most of the built houses in affected residential estates are holiday homes for owners who stay and work or do business in Kigali city and other cities and towns in the country.

During the socio-economic survey, a majority of PAPs/property owners did not participate in the survey as they were working elsewhere. The domestic workers in the homesteads did not have details about the socio-economic status of the owners; and some were not at liberty to share their boss's details without consultation. Most of the homesteads were locked with only guards manning the properties.

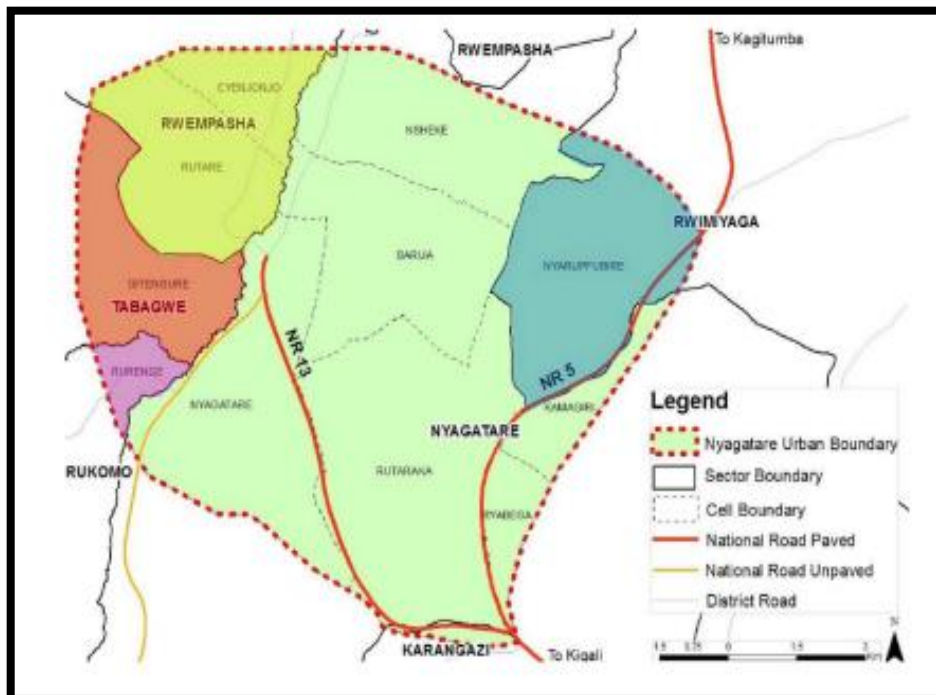
From the foregoing therefore, the socio-economic survey identified only 111 PAPs

4.3 Administrative location of the project.

The project is entirely located in Nyagatare secondary city in the central part of the Nyagatare District at approximately 80 Km from Kigali. The Master Plan boundary of Nyagatare City covers a planning area of 158 Sq. Km (15,800 Ha) and is comprised of 5 Sectors; Nyagatare Sector, Rwimiyaga Sector, Rwempasha Sector, Tabagwe Sector and a small part of Rukomo Sector as shown in figure 4.1. The City comprises of total of 11 cells and 27 villages with a total of 20,577 inhabitants contributing 14% of the total Nyagatare District and 10,856 households (Census, 2012).

The City has one of the highest annual population growth rates standing at 6% on average compared to other secondary cities for instance Rubavu with 3%, Nyagatare with 2%, and Rusizi, Muhanga, Musanze all with below 2% (Census Report, 2012). The high population growth rates could potentially be explained by among other issues, the availability of land and job opportunities, trade and training centres in the City of Nyagatare.

Figure 4-1: Nyagatare Urban Planning Boundary (MINIFRA, 2016)



Source: Nyagatare City RUDP II feasibility study Report

4.4 Project Affected Households, Businesses and institutions

4.4.1 Summary of the Census Findings

A total of 151 PAPs and 6 project affected institutions were identified. The PAPs were identified through census survey and are summarized below.

Table 4-1: Summary of the Number of PAHs, Businesses and Institutions.

| Total Number of PAHs and Businesses all Categories; Property Owners, Tenants, Enumerated during the Census period. | | | | |
|---|-------------------------------|--------------------|--------------------------------------|--------------|
| Village | No. of property owners | Number PAHs | Number of affected Businesses | Total |
| Barija A | | 8 | 2 | 10 |
| Barija B | | 19 | 7 | 26 |
| Kinihira | | 11 | 1 | 12 |
| Nyagatare I | | 11 | 0 | 11 |
| Nyagatare II | | 7 | 9 | 16 |
| Nyagatare III | | 32 | 4 | 36 |
| Total | | 88 | 23 | 111 |

Source: Field Surveys 2019.

4.4.2 Administrative Location of PAPs

Most of the PAPS were located in Nyagatare III (36) while a few PAPS were located in Nyagatare I (11) as shown in figure 4.2. Knowledge of the geographical spread of business and household PAPs will be key in developing grievance resolution mechanism that is all inclusive i.e. having relevant area village heads incorporated in the grievance resolution committees. This will also be relevant to know the best place to hold a disclosure meeting that is easily accessible to all the PAPS.

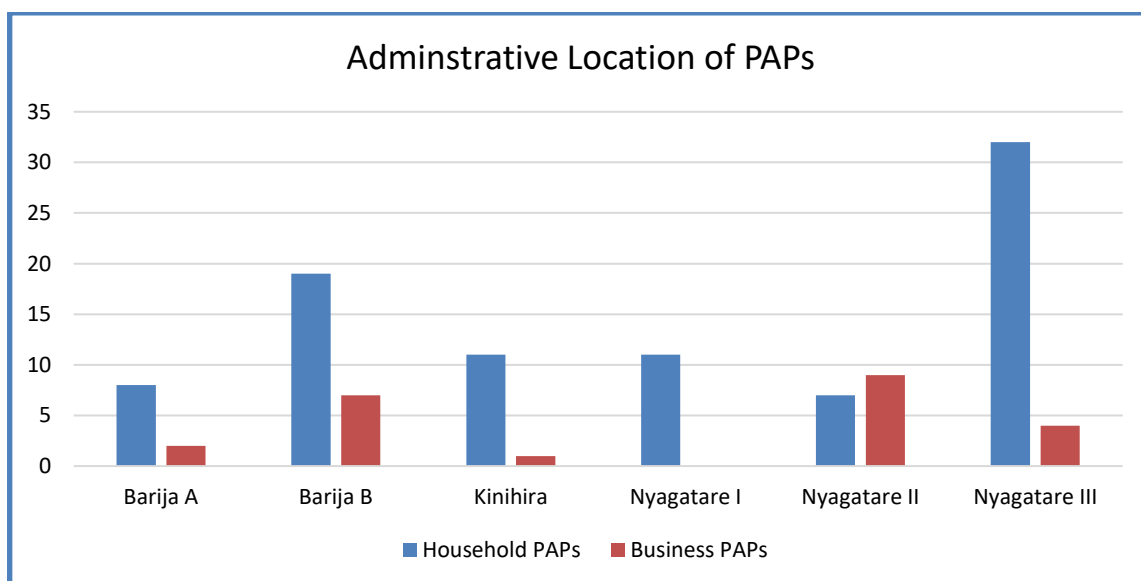
Table 4-2: Administrative Location of PAPs

| Total Number of PAHs and Businesses all Categories; Property Owners, Tenants, Squatter, Enumerated during the Census period. | | | | |
|---|-------------------------------|--------------------|--------------------------------------|--------------|
| Village | No. of property owners | Number PAHs | Number of affected Businesses | Total |
| Barija A | | 8 | 2 | 10 |
| Barija B | | 19 | 7 | 26 |

| | | | | |
|---------------|--|-----------|-----------|------------|
| Kinihira | | 11 | 1 | 12 |
| Nyagatare I | | 11 | 0 | 11 |
| Nyagatare II | | 7 | 9 | 16 |
| Nyagatare III | | 32 | 4 | 36 |
| Total | | 88 | 23 | 111 |

Source: Field Survey 2019

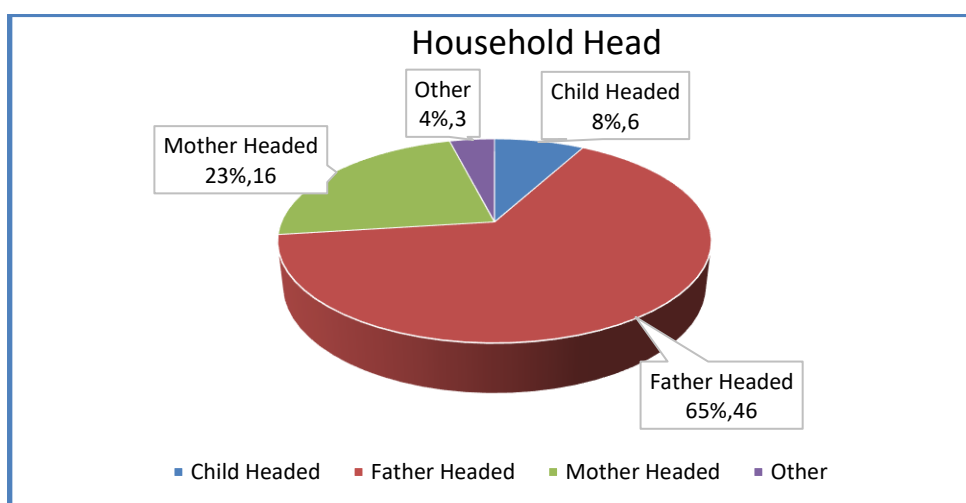
Figure 4-2: Location of PAPS by Village



Source: Field Survey 2019.

4.4.3 Household size and composition.

Figure 4-3: Households Heads Categories.



Field Survey 2019

In Nyagatare a total of 111 PAPS; households (88) and business (23) PAPS were enumerated. A total of 88 Household questionnaires were administered out of which 56 indicated their status in the household (whether they are household heads or not). Among the respondents, 27 were household heads. The rest of the respondents were family members who were interviewed in absentia of the heads during the survey exercise. From the foregoing, key data collected from household head representatives was validated by the absent household heads or their representatives who gave clear position of the household during the validation workshop.

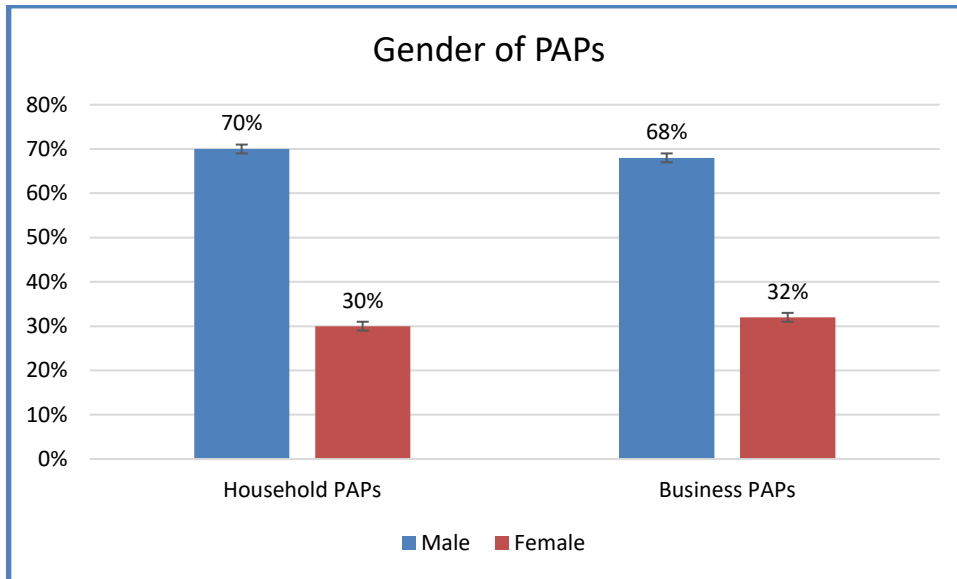
It was established that a majority of the PAPS - 78% of families were patrifocal households. Only a few families 13% were matrifocal households while 4% of the households were child headed as shown in figure 4.4. This simply implies that fathers are the main caregivers in terms of daily bread. This could be attributed to the fact that women carry out a disproportionate share of care-related activities which limits their potential to earn income and this perpetuates income inequalities between men and women among the PAPS. Much of this lingering inequality in the care burden is associated with determination of who, under traditional norms is most apt to provide for the family, along with decisions at the household level leaving fathers household heads in most of the families. However, matrifocal household heads are also quite sizeable (13%); This might be caused by death, divorce or rather in the family, women are more able to provide for the families due to Rwanda's disparity in employment among men and women. Given that mothers are more likely to obtain full custody of their children in cases of separation, divorce, the few cases of matrifocal households could also be attributed to this in amongst the PAPS.

Also, as seen, some families are child headed, this could be due to various reasons such as death of the parents, divorce, or both parents staying in a different area(s). **Note: Child headed in this context does not refer to the legal child age but rather an older child taking care of his/her siblings and other members of the household.**

During the validation workshop, the bread winners of these child headed and female headed households were interrogated in a quest to establish if the households are able to meet basic family needs like decent housing, quality healthcare and education of the child(s). It was established that, majority of the female and child headed households were better off compared to most male headed households.

In terms of gender of PAPS, figure 4.5 shows that majority of household PAPS were males (70%). Minority of business PAPS had males (15) and females (7).

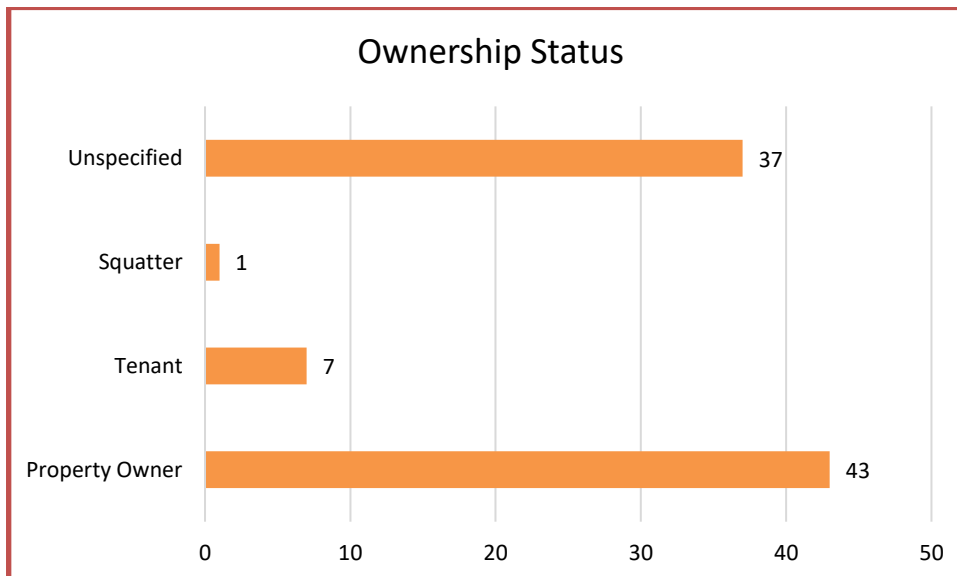
Figure 4-4: Gender of PAPS.



Source: Field Survey 2019.

Figure 4-5 shows that majority of households owned their own homes (79%) while minority rented houses (21%).

Figure 4-5: Ownership Status.



Field Work Survey 2019

Project Affected Institutions

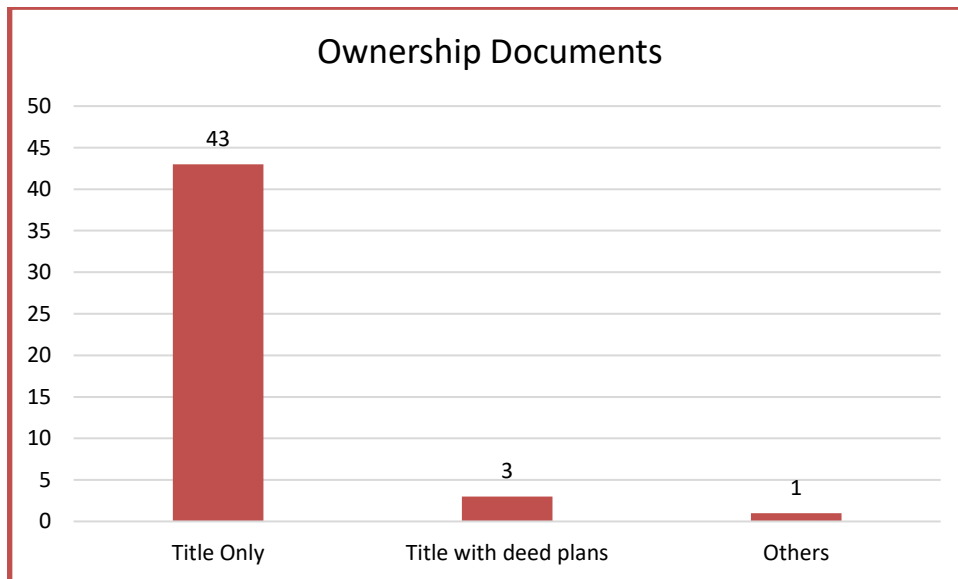
1. Marry and Paul International Primary School.
2. Nyagatare Catholic Church
3. E.S.I Nyagatare.
4. B.K Nyagatare Branch.
5. Nyagatare University.
6. A.D.P.R Church.

4.5 Land Tenure and Project Impacts on Land Use

4.5.1 Land Tenure

Property owners comprised the majority of the PAPs 49% of whom had land ownership documents. Majority of the project affected persons had title deeds (43) as shown in figure 4.7. A minority of PAPS had title with deed plans (3) while others had other documents (1). With almost 100% genuine ownership documents, determination of entitlements including valuation exercise and subsequent compensation would be relatively easy.

Figure 4-6: Entitlement and Ownership Documents



Source: Field Survey 2019.

Details of PAPs losing land with corresponding land acquired from each PAP is provided in the Land and Asset Valuation Report. The report is presented as Volume II of this Report.

4.5.2 Project Impacts on Land Use

Nyagatare district administration identified the following infrastructure investment priorities for Nyagatare secondary city to be implemented with financing from the World Bank under RUDP phase 2; Upgrading of selected roads (6) to asphalt standards, upgrading of trunk infrastructure including one prioritized standalone drain and outfall footpaths. However, the technical designs for selected footpaths and selected standalone drains sub-projects in terms of land take does not require expropriation leading to either involuntary resettlement or voluntary land donation. This mainly because the design of the drains and footpaths fit within available natural drainage course ways and walkways respectively. As a result, envisaged resultant involuntary resettlement impacts are for the 6 roads since the road corridors selected for implementation (14m and 11m) would require linear expropriation of abutting properties. Form the census conducted for this ARAP study, it was established that;

- A total of twenty-two (4) residential properties are affected along EN19-District Headquarter and Associated Link Road to EN6. No commercial and public purpose institutions are affected along the same road.
- Five (5) residential properties, one (1) commercial property are affected along Nyagatare Market UR-Playground road. No commercial and public purpose institutions are affected along the same road.
- Six (6) residential properties and two (2) commercial properties are affected along Barija Cemetery-Nyagatare Market Asphalt Road. No commercial and public purpose institutions are affected along the same road.
- Seven (7) residential properties, five (5) commercial properties and six (6) public purpose properties are affected along NR3-EN6-Nyagatare II UR Play ground
- Only two residential properties are affected along ADEPR church - Imberabyombi Primaire Catholique road No public purpose institution or commercial property is affected along the same road.

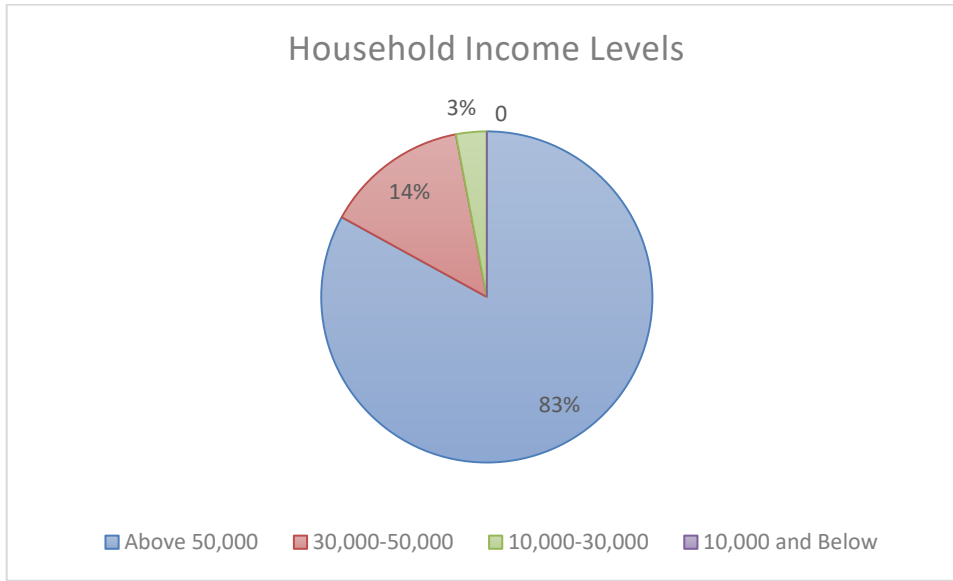
Detailed analysis of these impacts as well as mitigation measures that would be instituted to address aforesaid impacts are presented in detail in chapter 6 of this report.

4.6 Economic Activities of the project Affected Households

4.6.1 Household Income of Project Affected Households

As shown in figure 4-7, the level of household income did not have a major disparity as most PAPS income ranged between RWF 10000 – 50000. The figure further shows that there was sharp decline from those earning RWF 50000 to those earning above RWF 50000. This means that only a few people earned above RWF 50000. Household wealth is a very good indicator of project impacts, especially positive impacts as people that are better off tend to acquire more material assets.

Figure 4-7:Figure 4.12: Household Income Level



Source: Field Survey 2019

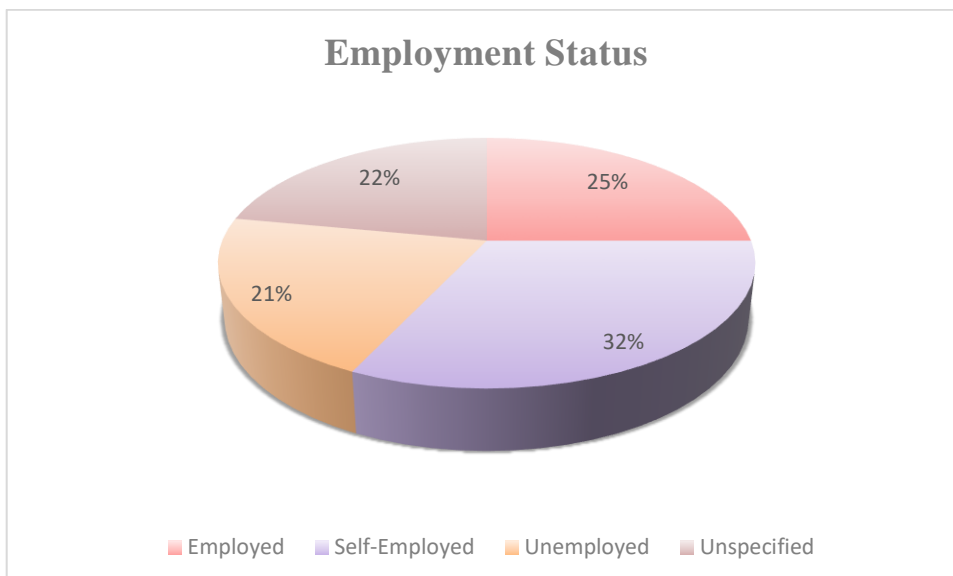
4.6.2 Sources of Income of Project Affected Households

Findings of Socioeconomic studies for Nyagatare city PAHs established that PAPs had multiple sources of income. Salary and wages from employment and casual jobs, small-scale business ventures and proceeds from farming were the main sources of income in a majority of the households.

4.6.3 Employment Income

Household income from Salary and wages from formal and casual jobs was the highest source of income for majority of households consulted. Under this category, 32% of the PAPs were self-employed while 25% had formal jobs earning a monthly salary or wages according to the agreed contractual terms. Noticeable number of PAPS making 21% are unemployed seeking for employment, students in the final years of tertiary and university education also fall in this category. The high rate of unemployment confirms low amount of disposable income among the PAPs. Most of the youths are still dependent on their parents and are yet to marry due to this low rate of unemployment.

Figure 4-8: Employment Status.



Source: Field Survey, 2019

It is worth noting that proposed RDUDP phase 2 did not occasion any loss of Household income from the formal or casual employment sector since no employer (individual, institution or enterprise) was gravely affected by the project leading to downsizing or close of business or institution. Towards this end, there is no wage-based livelihood restoration program planned under this project due to loss of jobs. Nevertheless, high incidence of unemployment especially among the youth (who are considered the cradle of labour force in Rwanda driving the national economy) living in the project area was underscored as an opportunity for smooth implementation of RUDP phase 2 project. During the project implementation phase, the contractor would benefit from the high employment rate by hiring all unskilled labourers and a majority of semi-skilled workers from the project area. Skilled labour and high-level expertise would be hired on merit from the contractor's pool of labour force. Engagement of locals in the project would reduce influx of non-locals seeking employment thus ease project implementation and minimise or eliminate conflicts associated with infrastructure projects.

(a) Agribusiness Income

Almost all roads prioritized within the city serve planned residential zones including planned community facilities and public purpose institutions. Within the affected residential zone(s), almost 40% of land parcels are built with the rest of the parcels either lying idle or under small scale urban agriculture. Most of the built houses in affected residential estates are holiday homes for owners who stay and work or do business in Kigali city and other cities and towns in the country. On agribusiness income, it is worth noting that income from farming referred in this context is not from farming activities of land earmarked for expropriation under this project but rather from other farms held by the households either as owners or lease holders. Farming activities are mostly limited to subsistence urban agriculture mainly food crops and food trees. Similarly, very small strips of land were set to be hived off and expropriated (mostly less than 10%). The overall impact on the food crops and trees was minor or insignificant

(considering compensation to be disbursed for lost crops and trees utilized income capitalization approach in valuation) for all affected households. Under this approach, the income earning ability of the asset being valued was ascertained and capitalized using a market-driven discount rate for the remaining economic life of the asset. The productivity of each crop and the sale price per relevant unit of measurement was ascertained from discussions and review of records from marketing agents as per the guiding ministerial order. For trees which had not reached maturity age, they were valued as mature trees. This approach ensured that PAPs were fully compensated for agricultural inputs such as seeds, seedlings, fertilizer, physical preparation of destroyed farm land (clearing, levelling, creating access routes and soil stabilization) & Fencing for pasture or crop land. Other agricultural production costs such as extension services like veterinary care and other crop farming extension services incurred by the farmer were also compensated. This cost was then adjusted by adding plus income that would have been gained from sale of the produce.

On overall the impacts of agribusiness farmer and by extension agribusiness livelihood loss induced by the project were minor. Nevertheless, aforesaid minor impacts were adequately mitigated as explained above. As a result, the project has not set aside a land-based livelihood restoration program. The project has however made provision for government extension services to be extended to PAPs when and if the PAPs request assistance in the course of implementation phase of the project. The budget from this assistance would be within the government normal budget as it would be undertaken by salaried government staff as part of their work using government funded logistics and in puts.

(b) Business Income

Nyagatare secondary city like many African cities has both formal businesses and informal businesses. During the census, it was established that 23 businesses (business operators or premises) will be affected in one way or another by proposed RUDP phase 2.

Following analysis of census data for selected road corridors that will be implemented, it was established that eight (8) of aforementioned businesses are structured i.e. they are run from permanent business premises. Further study on the eight business premises established that in both business premises (one along Nyagatare Market UR-Playground road, two along Barija Cemetery-Nyagatare Market Asphalt Road and five along NR3-EN6-Nyagatare II UR Playground), only auxiliary facilities are affected with the actual business premises remaining intact. Since the residual business premises are viable to support the business operations without any need to scale down or relocate the business, the project has no significant bearing on the business operations. To mitigate the partial loss of land and auxiliary facilities, affected assets were valued at full replacement cost as indicated in sub section 1.5.6 on Land and Asset Valuation. Over and above cumulative full replacement costs derived from valuation of land earmarked for acquisition including assets thereon, a 5% additional package pegged on aggregate value of expropriation costs has been added to the expropriation budget to cater for disruptions and economic losses of the PAPs.

Prorating the allowance allows for PAPs to get proportionate compensation packages commensurate with actual losses they incur. This mainly because economic or business

losses span from several underlying activities of the project either directly or indirectly such as temporally closure of business premises during civil works of the roads, downtime of business when the operators take time out to rebuild affected auxiliary facilities of the business premises to marginal loss of business goodwill. From the foregoing, involuntary resettlement impacts of the eight business operators had no enterprise-based livelihood loss as the businesses would continue with their mundane trade activities during and post project implementation phase. Any business downtime or temporal loss of good will during project implementation phase would be sufficiently augmented as explained above. Consequently, there is no enterprise-based livelihood restoration program planned for the eight PAPs. Nevertheless, recommendations have been made in the ESIA report and this ARAP report to give local businesses priority when procuring goods and services for the project from affected local suppliers. This requirement is however not an entitlement on the local business as the same is not captured in the contractor's TOR.

Majority of affected business PAPs (15) are informal traders mostly selling fresh farm produce while the other category of these traders are airtime vendors. Those selling farm produce mostly sell seasonal farm produce like fruits, sugarcane and vegetables straight from their farms to supplement their household income. These traders had no structures of any sort (makeshift or movable), they were mostly selling from large basins, sacks or simply lay their wares on the ground. Most of the women in this kind of business that were interviewed indicated that they don't engage in the trade on a regular basis – mostly it will depend on what is available in their farms for sell or what time of the day it is. Morning they mostly sell milk and other breakfast related food staff while in the evening they sell vegetables and other supper related food staff (temporal markets). Consequently, their presence along the roads is limited to a particular time of the day when it is convenient to get clients. If the roads are improved to asphalt standards, they stand to benefit a lot because of anticipated human and vehicular traffic increase. For purposes of preparing a livelihood restoration program in this ARAP, aforesaid category of PAPs are classified as informal business PAPs category (1).

Similarly, there is a 2nd category of traders who had easily movable structures like large umbrellas and stools for airtime vendors. The later indicated that they don't have permanent trading places as they occasionally move - following potential customers to places of worship, sport events, community meetings etc. They align themselves strategically along the roads leading to these events where they have more customers.

From the foregoing analysis it is apparent that the project would not occasion any commerce-based livelihood loss for informal PAPs category (1) and (2) thus no remedial enterprise-based livelihood restoration program is planned under this project for these categories of PAPs. However, given the low incomes these categories of traders operate with and considering most of these traders are women who are the pillars of household's support systems, this project has made provision to sponsor a business training and support program for these PAPs. The program is geared towards;

Entrepreneurship training in business planning, marketing, inventory and quality control and linking the traders with local NGOs and government entities providing small-scale credit facilities to finance star up enterprises.

There is also a 3rd category of business PAPs who were located along the project roads and had some form of makeshift structures from where they operate daily businesses or somehow operated from the same location even without any business premises every business day. In the project roads these PAPs were 8 (5 women, 3 men). Even though this category had few PAPs along sparsely populated corridors, it was apparent that their business ventures are the primary means of earning a livelihood. Upgrading of the project roads would see business ventures of these PAPs affected as they would no longer be able to operate as usual since trading activities of their nature are legally carried out from designated formal markets (they are able to operate from their current location because earth roads have less scrutiny compared to asphalt road by relevant law enforcement authority). It is noted therefore that proposed project would indirectly result in loss of trading areas and by extension loss of livelihood if remedial measures are not taken to secure their means of livelihood.

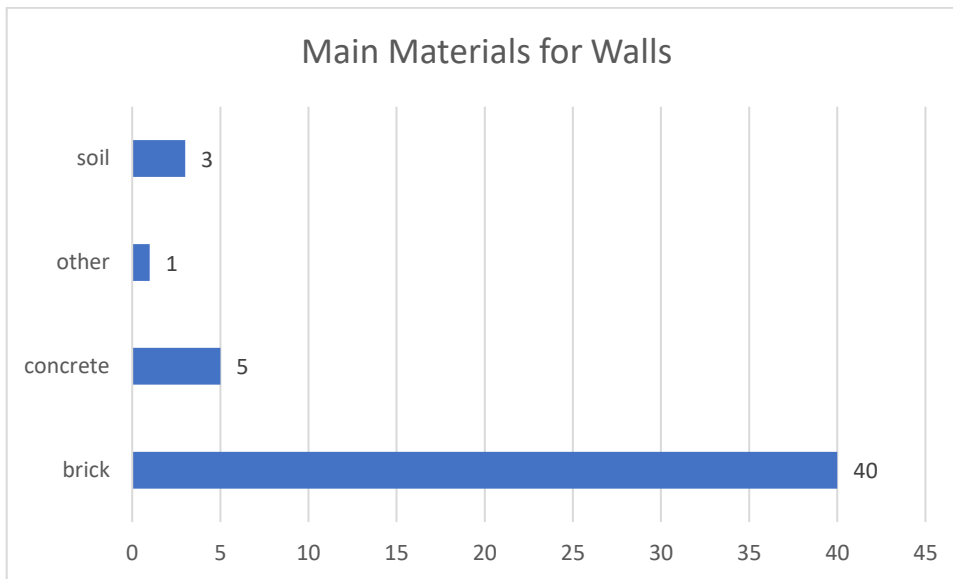
Towards this end, this project has made provision for livelihood restoration program that seeks to secure these business PAPs trading spaces. The same some consideration will be made to other informal business PAPs in the other categories who wish to secure formal trading spaces as well. Nyagatare district administration has agreed to relocate these categories of PAPs to existing nearby formal markets (where they would have more customers). Rent in leased spaces would be paid for these categories of PAPs for a period of six months to allow them stabilize.

Please refer to Livelihood reparation program plan for proposed program in chapter 6 of this report.

4.7 Housing and Related Facilities

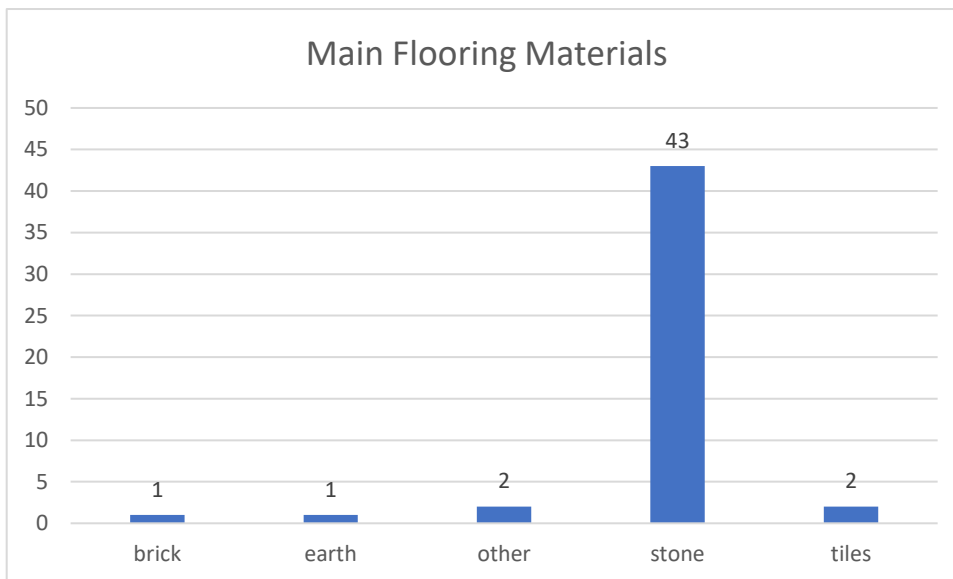
The major material used to construct roofs of most houses was tiles made of clay (44) while a minority constructed using concrete (3), wood (1) and other materials (1) as shown in figure 4.13,

Figure 4-9: Wall Material



Source: Field Survey 2019.

Figure 4-10: Main Flooring Materials.



Source: Field Survey 2019

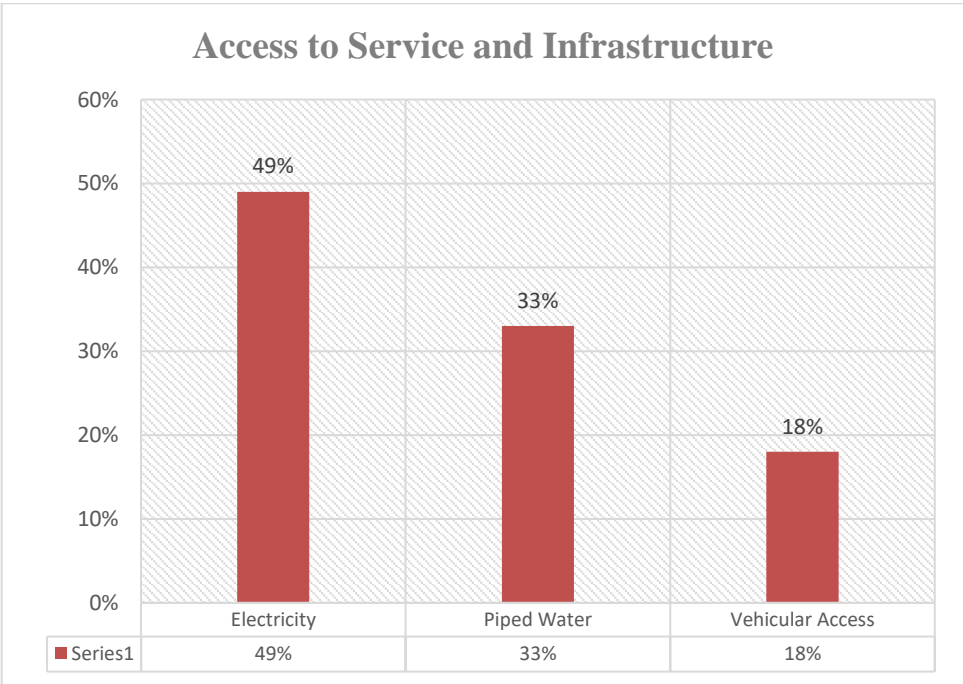
Based on findings from the socio-economic surveys, affected housing structures are considered to be decent and of high standards considering the economic status of the PAPs. This implies that housing and decent housing in particular was prioritized at household level meaning that a significant proportion of earnings, savings and loans from banks and other lending institutions was used to finance acquisition and construction of residential and commercial houses.

Planned expropriation along selected project corridors under this project is bound to occasion partial or full demolition of earmarked properties. Valuation and subsequent compensation of affected household and business structures should meet the standards of full replacement costs. Compensation packages agreed upon should be disbursed promptly. For individuals that have borrowed loans using affected properties as their collaterals, the lending institutions may be forced to enter into another contractual agreement with the asset owner in the event the asset is relocated or scaled down (Reduced in size) to pave way for the proposed project implementation as discussed with the project proponent. It is worth noting however, that for all properties that would be expropriated under phase 2 based on selected road corridors, none of the properties has been used as collateral to access a loan or credit facility.

Housing utilities and Trunk Infrastructure

In terms of utilities serving affected housing structures, 64% of the affected units were connected to electricity while 30% had access to piped water. However, only 6% had a motorable road access. This indicates that housing infrastructure provision is lagging compared utilities servicing. From the foregoing, upgrading of project roads as envisaged under this project is paramount to improve living conditions of the residents of Nyagatare city.

Figure 4-11: Access to services and Infrastructure



4.8 Water and Sanitation

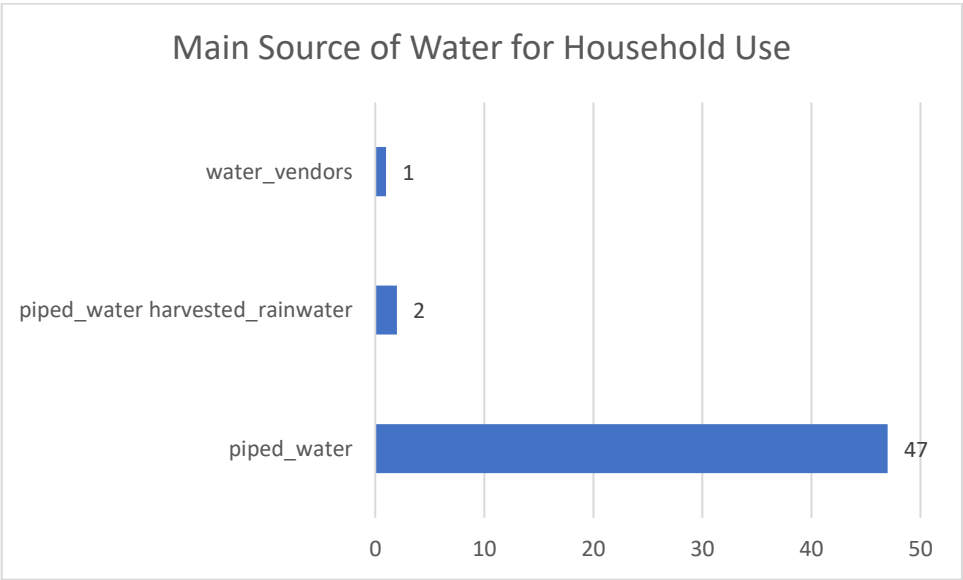
Lack of access to water and sanitation, and poor hygiene behaviour has major effect on health impacts. The world Health Organization (WHO) estimates that 842,000 deaths from diarrhoeal diseases each year could be prevented by improved water, sanitation and hygiene (WASH).

Universal access to safe drinking water is a fundamental need and human right. Securing access for all would go a long way in reducing illness and death, especially among children. The water sources used by the all the households the PAPs within the project area is piped water. Tapped water is considered an improved water source as per the WHO standards; sources of water such as boreholes are unimproved water sources as they are open to pollution.

A water source that is within 1000m from its intended users is considered accessible as per the WHO standards. The four households have access to piped water that is connected to the houses.

The main source of water for domestic use by a majority was piped water (47) while the minority were piped water harvested rainwater and water vendors (1) as shown in figure 4.17.

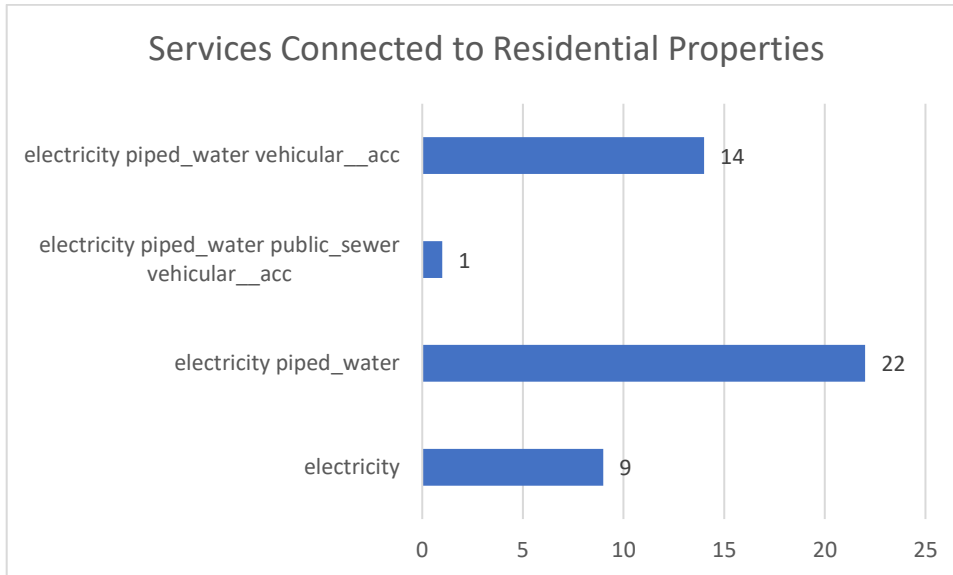
Figure 4-12: Main Source of Water for Household Use



Source: Field Survey 2019

Project affected persons indicated that the main service connecting to their property was electricity piped water (22) as shown in figure 4.18. A good number of people were also connected to electricity, piped water vehicular (14) and electricity piped water (22) to their residential properties.

Figure 4-13: Services Connected to the Property



Source: Field Survey 2019

Water is a basic necessity, and an important resource for sustaining life. The decline in water quality endangers the health of humans as well as the ecosystem. Clean drinking water, hygiene, and sanitation play an important part in maintaining health. Access to safe drinking water and good sanitation are vital for family well-being as it prevents the occurrence of diseases.

Therefore, the project must ensure that the construction phase which will have impacts on utilities make sure that there are enough measures taken to counter this by stakeholder involvement. This will bring sustainable development in the community.

4.9 Education

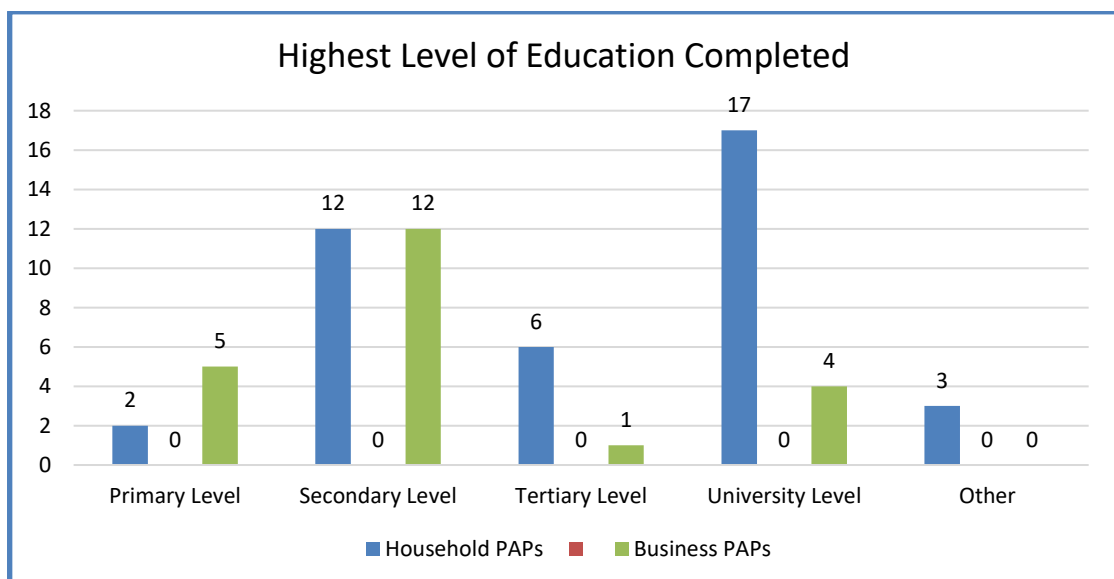
The highest level of education on household PAPS was secondary education (34) as shown in figure 4.16. There was no major disparity between household PAPS who acquired secondary, tertiary and university education. This means that most household PAPS were educated.

Majority of business PAPS had acquired secondary education (20) while a minority had acquired tertiary education (1). In this ARAP study, level of education is one of the parameters used to determine vulnerability of PAPS for consideration for extra support. Vulnerable households (low literacy level and limited ability to qualify for employment and low income) were identified and recommended for support. The project has various job opportunities ranging from construction experts in various fields, skilled and semi-skilled workers in infrastructure projects to non-skilled workers offering manual labour. Because of the nature of the project (infrastructure – road), PAPS considered for both skilled and non-skilled labour need some form of training especially on occupational health and safety such as proper donning and use of personal protective equipment (PPEs), emergency preparedness and proper use of construction equipment. This training will be offered by the project contractor within the contractor’s administrative cost before and during the construction phase. Similarly, on job training for PAPS with interest to acquire semi-skilled expertise in the course of the project implementation period would be undertaken by the contractor in partial fulfilment of skill/knowledge transfer requirement. The district administration would help in seeking certification for qualified workers.

Financial literacy trainings to help the beneficiary PAPS who secure employment save money and link up to local co-operatives and local NGOs fostering entrepreneurship to finance start-up businesses once the project is completed would also be undertaken by local government officials in charge of social welfare"

In addition, during disclosure of the ARAP, the illiterate and semi illiterate will need assistance to understand the contents of the report and therefore the project has set aside a budget for translating the report (the executive summary) in Kinyarwanda.

Figure 4-14: Highest Level of Education (Business and Household)



Source: Field Survey 2019.

4.10 Identified Vulnerable PAPs

According to the OP4.12 criteria of identifying vulnerable project affected persons elaborated above, no vulnerable PAP(s) requiring special/supplementary resettlement assistance was identified from the census and social economic survey carried out in Nyagatare secondary city.

Figure 4-15: Photolog showing Affected Properties



Affected shop



Affected boundary wall on RoW



Affected Business.

- The business owner would lose his business premises



Peri-urban zones of Nyagatare – Few Structures Affected



Affected Household

- Low Cost Housing consideration for affordable housing program recommended for this category of PAPs



Affected Business premises and University Gate

5 PUBLIC CONSULTATIONS AND PROJECT DISCLOSURE

5.1 Background

Consultation and participation is a process through which stakeholders influence and share control over development initiatives, and the decisions and resources that affect them. It is a two-way process where the executing agencies, policy makers, beneficiaries and affected persons discuss and share their concerns in a project process.

Extensive consultations were conducted with all stakeholders of RUDP phase 2 (both primary and secondary stakeholders). The project lead supervision and advisory agency – LODA in conjunction with the project proponents - Districts' administration of the six secondary cities where RUDP phase 2 would be implemented, invested in early planning to solicit the views, support and cooperation of all stakeholders in order to build community support for the project. The consultation exercises carried out prior to A/RAP preparation were;

- Project screening to Identify all stakeholders
- Sensitization of key stakeholders. LODA and district administration of the six secondary cities informed decentralized local government units (sector, cell, village leaders) and local NGOs including community-based organizations (CBOs) about RUDP phase 2. Aforementioned group were also requested to inform their constituents.
- Brief all project line officers and personnel who will interact on a regular basis with people affected by the project regarding envisaged effects of the project and measures to mitigate its impacts. Training of key district officers involved in implementation of the A/RAP was also conducted by LODA.

The specific objectives of this early consultation process were to:

- To brief the stakeholders on forthcoming A/RAP Study to be undertaken in the six secondary cities;
- Facilitate the development of appropriate and acceptable entitlement options;
- Explain valuation methodology and compensation procedure that would be applied during the A/RAP study and implementation phase. The aim is to build consensus on the process so as to make compensation process transparent, fair and just and
- Enhance ownership of the project

5.1.1 Objectives of the Public Consultation

The specific objectives of the consultation process were to:

- Make the ARAP study participatory and transparent;
- Facilitate the development of appropriate and acceptable entitlement options;
- Minimise the risk of poor co-ordination through establishment of communication channels and redress mechanisms as early as the RAP Study phase;
- Providing a platform for future consultation by:
 - Reducing conflict through early identification of contentious issues;
 - Improving transparency and accountability of decision making;
 - Facilitating participation to increase public confidence in the RAP process;
 - Identifying stakeholders with who further dialogue can be continued in subsequent
 - stages of the project.

5.2 Stakeholder Identification

Projects resulting in physical or economic displacement call for special consultation process(es) that provides a medium of free flow of information among key project stakeholders. For effective resettlement to be carried out without raising wanton conflicts, the project must incorporate regular consultation with a wide range of project stakeholders. Broadly defined, stakeholders in such projects (projects resulting in physical or economic displacement) are classified in two broad categories; primary stakeholders and secondary stakeholders.

Primary stakeholders in this project refers to any individual or group that is directly affected by, or that believes it is affected by, the project. Under RUDP phase 2, there are three sub-categories of primary stakeholders;

- Project Affected Persons (PAPs) affected as individuals & Project affected Households (PAHs) - affected family(s)
- Project affected institutions (PAIs) - affected institutions both private and public
- Utility and telecommunication service providers

The second group under primary stakeholders is any individual or group that can play a significant role in shaping or affecting the project, either positively or negatively. This may include the host community in the event the project occasions relocation of affected persons or group to a different geographical location.

Secondary stakeholders in this project (RUDP phase 2) include; Project proponents – districts’ Administration of the six secondary cities; Huye, Musanze, Rubavu, Nyagatare, Muhanga and Rusizi, Line government agencies and ministries; Ministry of Local Government, Ministry of Infrastructure, Local Administrative Development Entities Authority, Rwanda Housing Authority, Residents of Project Cities NGOs working in the project area, and all parties with an interest in the project(local communities, road users, media etc.) and the Project Financier (World Bank).

Early consultations of aforementioned primary stakeholders help to manage public expectations concerning the impacts of the project and its expected benefits. Subsequent consultations provide secondary stakeholders opportunities to negotiate compensation packages and eligibility requirements, resettlement assistance, and the timing of resettlement activities.

5.3 Stakeholder Engagement

Stakeholders were engaged through:

- Public Sensitization meetings
- One on one interviews during the door to door survey;
- Key informant interviews.
- Validation workshops

5.3.1 Public Sensitization Meetings

Public sensitization on the project was done during ‘Inteko Y’abaturage’ (local community meetings held every Tuesday across the country). The meetings bring together members of the community in a given village to discuss matters of interest to the community members and also solve any conflicts amongst the village members. With the support of the village leaders; RUPD phase 2 project was selected as one of the agendas of ‘Inteko Y’abaturage’ held on Tuesday, 21st May 2019. The sensitization took place in two meetings held in Nyagatare 1 and Barija cell. Public sensitization was prioritized in the meetings so the consultant was allocated time in aforesaid meetings to present the agenda of RUPD phase 2 project.

The public sensitization agenda and ensuing discussion are presented below;

- Sensitisation of primary stakeholders on RUDP phase 2 project. The stakeholders were briefed at length on;
 - a) Project components and specific location of the projects within the city that would be implemented under RUDP phase 2
 - i. Prioritized street Roads alongside supportive trunk infrastructure.

- ii. Prioritized Footpaths and
- iii. Prioritized Stand-alone drains.

b) Project implementation options for roads

- i. Option 1
- ii. Option 4
- iii. Option 5

- The Consultant team explained anticipated impacts (economic, social and environmental) of the project subcomponents including probability of partial or full expropriation of land and developments thereon to pave way for construction of NYAGATARE city project components under RUDP phase 2.
- Setting and agreeing on the cut- off dates for compensation as per World Bank's O P 4.12; Sensitization on cut-off dates was done during the public meetings. The cut-off date for NYAGATARE city was set for 29th May 2019, which marked the end of census for NYAGATARE city.
- Discussions and agreement on the schedule and modalities for the household survey (census, enumeration and valuation exercises). These included an explanation of the PAPs roles in the exercise including the documentation required during the census and the valuation activities;

A summarised Collection and collation of comments on resettlement and the outcomes are presented in Table 5-1 overleaf.

5.3.2 One on One Door to Door Interviews and Key Informant Interviews

(a) Project Affected Persons/Households

Consultations were conducted by use of questionnaires. A team of 18 enumerators with expertise and tools to administer questionnaires using KoBo Toolbox (a free open-source tool for mobile data collection - The app allows a social survey analyst to collect data in the field using mobile devices such as mobile phones or tablets, as well as with paper or computers) undertook socioeconomic survey and census in NYAGATARE city on 29th May. Consequently, 29th which marked the end of the census for NYAGATARE city was set as the cut-off date.

The exercise targeted enumeration of the project affected persons and identification of project affected institutions in NYAGATARE city. The target was to enumerate 100% of the PAPs. A few PAPs especially those operating informally along the road corridors informed the enumeration team that the frontages (where their business is located) belonged to the government since they were road reserves and therefore did not see the need to fill the questionnaires. During the two-day enumeration exercise, about 85% of PAPs were enumerated. The remaining 15% of PAPs were followed up as call-backs (the PAPs were reached through phone calls - mobile phone numbers shared by neighbours or relatives) where meetings were set up for enumeration. Enumeration of the remaining 15% PAPs that were not identified during the social economic survey

period was completed on 30th, May. See Appendix II of this report for the copies of selected feedback questionnaires.

(b) Project Affected Institutions

During the survey exercise, it was established that 6 institutions were partially affected and may therefore require valuation of earmarked section (land and developments thereon) for expropriation purposes. During the survey exercise postal addresses and telephone numbers of individuals in charge of these institution was collected. Official communication on planned valuation and subsequent partial expropriation of land and asserts of these institutions was sent by the project proponent – NYAGATARE district administration. The list of affected institution is shown below.

7. Marry and Paul international primary school.
8. Nyagatare Catholic Church
9. E.S.I Nyagatare.
10. B.K Nyagatare Branch.
11. Nyagatare University.
12. A.D.P.R church.

(c) Institutions and service providers

PAPs also included Government entities and private companies which provided vital amenities and services such as electricity, water, telecommunication services etc. Below were companies that were affected;

1. MTN;
2. AIRTEL;
3. REG (Rwanda energy group); and
4. WASAC (water Sanitation Corporation).

All utility and telecommunication service providers were contacted by LODA and a budget was set aside for relocation of the pipelines, telecommunication service lines and electricity distribution and transmission mains.

5.3.3 Validation Workshop

Validation workshop was held in all the six secondary cities. PAPs who attended the workshop had a one-on-one secession with enumerators who validated data of the PAPs captured during the socio-economic survey.

During the validation workshop probable vulnerable PAPs were identified and interviewed at the side-line of the workshop to assess if they met the vulnerability threshold according to World Bank involuntary resettlement policy.

Focus Group discussions were also conducted with affected community regarding the RAP strategy for livelihood restoration. The group discussions served as a focal point for consultation on the types of assistance proposed by the RAP consultant as well as subsequent participation of PAPs in ARAP implementation.

PAPs data was verified, passport photos of the PAPs were also taken to act as a second layer of identification over above use of Names of the PAPs and passport/identify card numbers.

Validation workshop for NYAGATARE was held at NYAGATARE sector office on 03th, July 2019.

5.3.4 Summary of Public Consultation and Stakeholder Engagement in Nyagatare

The table 5-1 provides a summary of aforementioned public consultation and stakeholder engagement forums carried out in the course of preparation of Nyagatare secondary city ARAP.

Table 5-1: Summary of Public consultation and Stakeholder engagements.

| Consultation Forum | Venue | Date | Meeting Participants | Position & Number |
|------------------------------------|--------------|------------------------------------|-----------------------------|--|
| Sensitization workshop meeting (2) | Nyagatare I | Tuesday, 21 st May 2019 | PAPs, Residents | Total 43 (24 women, 19 men) |
| | | | Local Leaders | -Barija and Nyagatare I Cell Coordinators |
| | | | Consultant Representatives | One Assistant project Valuer. Two Assistant RAP experts |
| | Barija | Tuesday, 21 st May 2019 | PAPs, Local Residents | Total 39 (18 women, 21 men) |
| | | | Local Leaders | Cell Coordinator Village leaders (4) |
| | | | Consultant Representatives | One Assistant project Valuer. Three Assistant RAP experts |

| | | | | |
|--|---|------------------------------|---|---|
| Census & Door to Door Interviews | PAHs and Affected business place/premises | 29 th May 2019 | The exercise was conducted by enumerators. Methodology used explained in subsection 5.3.2 above | |
| Key informants' workshop (1) | Classic Hotel; Kigali | 23 th , April | District officers (district valuers, social protection officers and environment officers) | N/A |
| Focus Group Discussions (2) <ul style="list-style-type: none"> • Women • Youth | Barija | 3 rd , July, 2019 | Selected PAPs Women with Women members of GRCs | Women PAPs (6) GRCs members (2) |
| | | | Selected PAPs Youth with youthful members of GRCs | Youthful PAPs (6) GRCs members (2) |
| Validation Workshop (1) | Gihundwe Sector Head Office | 3 rd , July, 2019 | Local Leaders | Village leaders (3) |
| | | | Consultant | Sociologist (1) RAP experts (1) Assistant RAP experts (7) Data expert (1) Land Valuer (2) Photographer (1) |

The attendance sheet showing meeting participants is shown in annex 2, part 2.3

5.4 Outcomes of the Stakeholder Engagement Program

From the stakeholders' participation, the Key issues raised and responses provided are presented in Table 5-2 below.

Table 5-2: Issue Response Matrix

| Issue | Question/Concerns | Response |
|--------------------------|--|--|
| Compensation | The PAPs wished to know how the compensation process will be conducted. | <p>After valuation exercise of the assets and land, and subsequent signing of valuation logs by affected property owners, the cumulative budget would be forwarded to the implementing Agency (Nyagatare District Administration) and it was expected that the compensation process will follow the proposed process in the RAP report. This includes addressing any grievances during the RAP implementation phase.</p> <p>The executive summary of the ARAP will be translated and disclosed in Kinyarwanda at the district, sector and cell level for public scrutiny and verification.</p> <p>Valuation exercise would be according to Rwanda expropriation law or World Bank policy guidelines - full replacement cost whichever is higher and benefits PAPs the most would be considered during the valuation and subsequent compensation.</p> |
| Employment opportunities | The PAPs wished to be given first priority especially when it comes to employment opportunities during the project construction phase. | This item was picked as a recommendation that would be forwarded to the project proponent. The assigned Contractor was advised to allocate a certain percentage of job opportunities to the locals, whenever they met the required qualifications for the job. |

| Issue | Question/Concerns | Response |
|---|--|---|
| Project Impacts | The PAPs were concerned of some of the negative project impacts especially during the construction phase such as compromise of houses stability due to cracks occasioned by vibration from heavy machinery, dust emissions that may pose health risks. | <p>All negative impacts were identified and reported in the ESIA report. Consequently, the project proponent and contractor would be bound to implement appropriate mitigation measures fronted in the ESIA report during the project implementation phase.</p> <p>The responsibility to rehabilitate properties affected by project activities will be vested on the contractor as per the tender and contract agreement with the contractor.</p> <p>The budget for the rehabilitation would be secured from contractor's insurance kitty set aside to finance rehabilitation of unforeseen negative eventualities of the project occasioned by construction works/activities.</p> <p>Nyagatare district administration and the RAP implementation grievance resolution committee would monitor and ensure rehabilitations are done in time and to satisfactory standards.</p> |
| Valuing affected assets (crops and trees) | The PAPs were concerned about their crops and trees because they thought that they will not be compensated | Trees and crops were valued according the ministerial order guideline. Compensation packages awarded would meet the full replacement costs of above land asserts lost. |
| Cultural heritages, and other sensitive environments or entities. | Some PAPs were concerned about special cases like graves and other cases like culture properties. | Cultural heritages, cemeteries, graves and other cultural assets shall be identified and avoided as per the national laws and World Bank Cultural heritage operational policies. |

| Issue | Question/Concerns | Response |
|--|--|---|
| For people whom their land and boundaries wall will be destroyed, how are they going to live in houses without anything separating them with the road. | The PAPs were concerned about their children safety if they are so close to the road's boundaries, | Structures that would be too close to the road raising serious safety issues would be fully expropriated. |

5.4.1 Perception of PAPS - Proposed RUDP PHASE 2.

From the public consultations, interviews, stakeholders' engagement, the beneficiaries and affected persons overwhelmingly supported the project and they were ready to cooperate to ensure the project is implemented within the shortest time possible.

5.5 Future Stakeholder Engagement

5.5.1 Future Stakeholder Engagement by Nyagatare District Administration.

The study report proposes that NYAGATARE district administration should disclose the ARAP study findings as follows:

DISCLOSURE OF PARTICULARS OF AFFECTED PAPs

NYAGATARE district should liaise with MININFRA for publication of expropriated properties (formal land owners). The subsequent activities including public hearing would then follow the requirements of the Expropriation Law of Rwanda (N° 32/2015 of 11/06/2015).

GRIEVANCE HANDLING AND RESOLUTION MECHANISMS

Stakeholder engagement should include grievance handling and resolution. Modalities for the implementation of this ARAP are as proposed in Chapter 9 of this Report.

MONITORING AND EVALUATION

Stakeholder engagement during monitoring and evaluation phase of ARAP implementation has been designed to include participatory assessment as outlined in Chapter 10 of this Report.

5.5.2 Approval and Disclosure of the RAP

The final RAP will be approved by the Government of Rwanda and World Bank and subsequently disclosed locally with translation of the executive summary into a language that the PAPs understand (Kinyarwanda). It will also be disclosed in World Bank external website. For any changes made to the RAP the same approval and disclosure protocols will be followed.

See photologs overleaf depicting consultation forums held.

Figure 5-1: Photologs showing consultation Forums



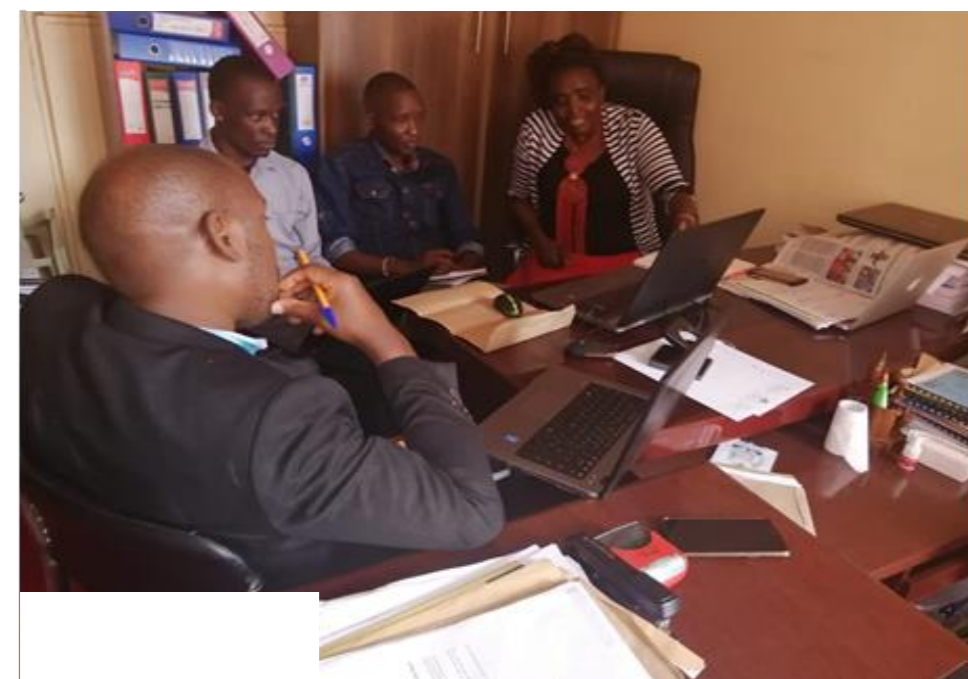
Enumerators during the training.



Sensitization meeting in Barija cell.



Enumerators on field during the enumeration exercise.



Experts meeting to plan the validation workshop.



PAPs attending the validation workshop in Nyagatare sector office.



Enumerators interviewing the PAPs during the validation

6 IMPACTS OF THE PROJECT

6.1 Background

This chapter outlines the resettlement impacts that the Project's land expropriation process sets to induce. It also provides a general guideline and action plans for mitigating involuntary resettlement impacts according to World Bank safeguard policies and complimentary national laws and policies of the Republic of Rwanda in relation to RUDP phase 2.

As explained in detail in chapter 2 of this report, only roads project subcomponents in Nyagatare city would induce involuntary resettlement. The other two project subcomponents (standalone drains and footpaths) would not require any land acquisition thus have no resettlement impacts. The three project roads whose implementation would lead to involuntary resettlement are;

1. NR3-EN6-Nyagatare II-UR Playground road and associated Link Roads to RUDP Phase 1 Road (2.415km).
2. EN19-District District Headquarter and associated Link Roads to EN6 (3.299km).
3. UR-Nyagatare Asphalt Road (1.778km).
4. Barija Cemetery – Nyagatare Market Asphalt Road (2.689km).
5. Barija Settlement – Stadium Asphalt Road (0.981km).
6. Nyagatare Market – UR Playground (0.642km).

6.2 Expected Impacts

6.2.1 Positive impacts

The specific positive benefits of these roads (per segment) are highlighted below:

Table 6-1: Positive Impacts of the road Projects within Nyagatare City.

| S No | Road ID | Name | Road Upgrading positive impacts |
|------|---------|---|---|
| 6 | R4 | Road from Umutara Polytechnique to NR13 | <ol style="list-style-type: none">1. It will act as main feeder2. It will improve the connectivity among large residential/commercial area as well as with ex. national road3. It will connect University of Rwanda (Nyagatare campus) to NR134. It will enhance the mobility in the area of schools |

| | | | |
|-------|-----------------------------|----------------------|---|
| | | | 5. It will reduce travel time and VOC 1. 6. It will increase business activity |
| 7 | R5 | | 1. It will act as main feeder 2. It will improve the connectivity with Nyagatare market and proposed Agakiriro 3. It will serve Umutara Polytechnique 4. It will reduce travel time and VOC 5. It will increase business activity |
| 8-11 | R173 B R9A, R228 A, R170 | Bypass Road | 1. It will act as main feeder 2. It will improve the connectivity among residential/ commercial area 3. It will reduce travel time and VOC 1. 4. It will increase business activity |
| 12-14 | R209, R106 A R109 A | | 1. Act as a main feeder road 2. Improve connectivity within the residential area 3. The road would serve future development 4. Improve connectivity with the existing national road through cobble stone road 5. Reduce travel time and VOC 6. Increase business activity |
| 15 | R13B | | 1. It will act as main feeder 2. It will improve the connectivity with Nyagatare market and proposed Agakiriro 3. It will improve the connectivity among surrounding residential area 4. It will reduce travel time and VOC 1. 5. It will increase business activity |
| 16 | R17 | Barija Internal Road | 1. It will act as main feeder 2. It will improve the connectivity between Barija residential area and R11 3. It will rise the beauty resulting investment attraction 4. It will connect proposed Nyagatare stadium 5. It will reduce travel time and VOC 6. It will increase business activity |

Other general positive benefits for road upgrading includes;

- ✓ For the utility service providers, the decommissioning and installation of new lines may result to upgrade of their services by installing new cables and duct routes as well as new and improved water pipes;
- ✓ New duct routes for the telecommunication service providers may attract new customers which is an advantage to their businesses.

Positive Impacts for Construction of Stand-alone Drains

- ✓ Better storm water flow reducing possible flooding downstream towards the marshland.
- ✓ Improved drainage
- ✓ Reduced effects of flooding and soil erosion
- ✓ Improved sanitation on the area activities.

6.2.2 Negative impacts

(a) Assessed impact of RUDP phase 2 Subproject Components

Table 6-2 & 6-3 over leaf provides a summary of RUDP phase 2 Resettlement & Expropriation impacts for upgrading the three project roads.

Table 6-2: Implementation Impacts for Selected Road Options

| | | | | | |
|--|-------------------------|-----------------------------------|---|--|---|
| <p>2. INFORMAL BUSINESS TRADERS Majority of the PAPs (15) were operating along the roads.</p> <p>Eight (8) out of fifteen (15) informal business PAPs were women while the three (3) of the eight (8) properties that would be expropriated are owned by women or jointly owned by a married couple.</p> | | | | | <p>IMPLEMENTATION IMPACTS</p> <p>Applicable mitigation measures part ‘B’ & ‘D’ in the entitlement matrix.</p> <ul style="list-style-type: none"> ✓ Livelihood restoration programs for (11) 3rd category PAPs. |
| <p>Three Categories;</p> <p>1st Category; Small scale traders selling fresh farm produce like fruits and vegetables. These traders had no structures of any sort (makeshift or movable), they were mostly selling from large basins, sacks or simply lay their wares on the ground.</p> <p>2nd Category: Traders who had easily movable business shelters like large umbrellas and stools for airtime vendors or handcarts. They align themselves strategically along the roads with high Origin-Destination traffic especially pedestrian e.g. to places of worship, schools, market or shopping centres etc.</p> <p>3rd Category: located along the project roads and had some form of makeshift structures for daily businesses or somehow operated from the same location even without any business premises every business day</p> | | | | | <ul style="list-style-type: none"> ❖ Except for the 3rd category (with 8 PAPs), category (1) & category (2) PAPs had no permanent trading areas. They mostly moved from place to place. They are therefore not restricted to the project roads only. |
| <p>4. AFFECTED PROPERTIES Break Down of Affected Assets (Land, Structures and Crops)</p> | | | | | <p>IMPLEMENTATION IMPACTS MITIGATION</p> |
| <p>Road Option</p> | <p>Road Name</p> | <p>Affected Properties</p> | <p>No. of affected Assets (Land & Crops)</p> | <p>No. Of Property Assets (Land and Structures)</p> | <p>Applicable mitigation measures part ‘A’, ‘B’ & ‘C’ in the entitlement matrix.</p> |

| | | | | | |
|--|--|-----------|-----------|-----------|--|
| Option 4 (11m corridor) | EN19- District Headquarter and Associated Link Road to EN6 | 17 | 12 | 4 | ❖ A total of (17) properties are affected along EN19- District Headquarter and Associated Link Road to EN6. Twelve (12) out of the 17 affected properties have crops and land affected while four (4) out of 17 affected properties have structures and land as the main affected assets. 13 properties have land as the only affected asset. |
| | UR- Nyagatare Asphalt Road | 17 | 8 | 1 | |
| Option 1 (14m corridor) | Nyagatare Market UR- Playground | 1 | 0 | 0 | ❖ A total of (17) properties are affected along UR- Nyagatare Asphalt Road. Eight (8) out of the 17 affected properties have crops and land affected while 1 out of 17 affected properties have structures and land as the main affected assets. Sixteen (16) properties have land as the only affected asset. ❖ Only one (1) property is affected along Nyagatare Market UR-Playground. There are neither commercial properties nor Public purpose properties that are affected. ❖ A total of twenty-eight (28) properties are affected along Barija Cemetery-Nyagatare Market Asphalt Road. Eighteen have crops while eight have structures and land as the only affected asset. Only 20 property have land as the only affected asset. ❖ A total of twenty-eight (28) properties are affected along NR3-EN6-Nyagatare II UR Playground. Fifteen have crops while twelve have structures and land as the only affected assets. Only 16 property have land as the only affected asset. |
| | Barija Cemetery- Nyagatare Market Asphalt Road | 28 | 18 | 8 | |
| | NR3-EN6- Nyagatare II UR Play ground | 28 | 15 | 12 | |
| | Total | 91 | 53 | 25 | |

| 5. DISPLACEMENT IMPACTS | | | | IMPLEMENTATION IMPACTS MITIGATION |
|--|---|--|---|---|
| Partially Affected Properties & Fully Affected Properties | | | | |
| Road Option | Road Name | Partially Affected Properties (Partial Expropriation) | Fully Affected Properties (Full Expropriation) | |
| 4 (11m corridor) | EN19-District Headquarter and Associated Link Road to EN6 | 15 | 2 | <p>Entire loss of land or partial loss where residual is not viable accounts for nine (9) properties representing 7.8% of affected properties.</p> <p>Nyagatare district administration would follow section ‘A’ (Loss of Residential / Commercial / Institutional Land) of the entitlement matrix to mitigate adverse impacts of the project</p> <ul style="list-style-type: none"> ✓ According to the entitlement matrix, Nyagatare district administration would acquire all lands if the residual land is not economically viable for the owner. <p>❖ In terms of implementation displacement impacts, two (2) parcels are entirely affected along EN19-District Headquarter and Associated Link Road to EN6, with a part within the right of way corridor and another within the way leave corridor and /or the residual land unable to support existing land use post expropriation phase. No land parcel and properties are entirely affected along UR-Nyagatare Asphalt Road</p> <p>Two (2) parcels and properties are entirely affected along Nyagatare Market UR-Playground. Similarly, one (1) and four (4) property(s) and land are entirely affected along Barija Cemetery-Nyagatare Market Asphalt Road and NR3-EN6-Nyagatare II UR Playground respectively. Consequently, affected business entity(s) or households would have to be relocated elsewhere to pave way for proposed</p> |
| | UR-Nyagatare Asphalt Road | 17 | 0 | |
| 1 (14m corridor) | Nyagatare Market UR-Playground | 23 | 2 | |
| | Barija Cemetery-Nyagatare Market Asphalt Road | 27 | 1 | |
| | NR3-EN6-Nyagatare II | 24 | 4 | |

| | | | | | |
|---|--|--------------------|-------------------|---------------------------------------|--|
| | UR Play ground | | | | <p>upgrading of the road. From the foregoing, these affected land parcels would be expropriated in totality</p> <p>❖ Some properties along the project roads would not be partially affected and therefore have no displacement impacts. As seen from the table these parcels fall partly within the way leave corridor and unaffected section is viable to support existing land use. This means that the section within the right of way corridor and within the way leave corridor would be acquired while unaffected section would not be expropriated. In this scenario there is no displacement impact occasioned by the project and the section of the land hived-off would be compensated at full replacement cost</p> |
| | Total | 106 | 9 | | |
| 6. LAND USE OF AFFECTED PROPERTIES | | | | | IMPLEMENTATION IMPACTS MITIGATION |
| Road Option | Road Name | Residential | Commercial | Public Purpose and Educational | <p>Only Eight (8) formal business operators and six (6) public purpose institution are affected. Livelihood impacts of the project are low.</p> <p>Applicable mitigation measures part ‘B’, ‘D’ & ‘C’ in the entitlement matrix.</p> |
| 4 | EN19-District Headquarter and Associated | 4 | 0 | 0 | <p>❖ A total of four (4) residential properties are affected along EN19-District Headquarter and Associated Link Road to EN6.</p> |

| | | | | | |
|---|---|-----------|----------|----------|---|
| | Link Road to EN6 | | | | <ul style="list-style-type: none"> ❖ Five (5) residential properties and one (1) commercial property are affected along Nyagatare Market UR-Playground. ❖ Six (6) residential properties, two (2) commercial properties are affected along Barija Cemetery-Nyagatare Market Asphalt Road. ❖ Seven (7) residential properties and five (5) commercial properties are affected along ICK-ADEPER NR3-EN6-Nyagatare II UR Playground. Six (6) public purpose institution are affected along the same road. ❖ Generally, a total of six (6) institutions are affected in Nyagatare secondary City. |
| | UR-Nyagatare Asphalt Road | 0 | 0 | 0 | |
| 1 | Nyagatare Market UR-Playground | 5 | 1 | 0 | |
| | Barija Cemetery-Nyagatare Market Asphalt Road | 6 | 2 | 0 | |
| | NR3-EN6-Nyagatare II UR Play ground | 7 | 5 | 6 | |
| | MTC-Diplomate-Station-Kontiner-BK | 0 | 0 | 0 | |
| | Total | 22 | 8 | 6 | |

Table 6-3: RUDP phase 2 Expropriation Impacts of proposed Road Corridors

| Road | Road Length (km) | Size of Land Acquired (m ²) | Value of Land Expropriated (At Full Replacement cost) | Value of above Ground Properties/ Assets. (At Full Replacement Costs) | |
|--|--------------------|---|---|---|------------------------|
| | | | | Structures | Crops & standing Trees |
| EN19-District Headquarter and Associated Link Road to EN6 | 3.30 | 1,182.774 | 4,731,096 | 563735.11 | 530,714 |
| UR-Nyagatare Asphalt Road | 1.78 | 2,533.58 | 10,134,320 | 460500 | 255382.7 |
| Nyagatare Market UR-Playground | 0.64 | 6,503.19 | 2,320,800 | 0 | 0 |
| Barija Cemetery-Nyagatare Market Asphalt Road and Barija Settlement-Stadium Asphalt Road | 2.69+0.98= 3.67 | 9,706 | 38,824,440 | 6728334.607 | 4667537.32 |
| NR3-EN6-Nyagatare II UR Play ground | 2.42 | 3645.056 | 8,340,320.00 | 23268628.07 | 1022604 |
| Total | 11.81 | 23,570.60 | 64,350,976 | 31021197.79 | 6,476,238 |

6.3 Proposed Entitlement Matrix

Eligibility for compensation for this project is guided by legal provisions and policy guidelines according to the Rwandan Constitution (Article 29), the Expropriation Law of Rwanda (N° 32/2015 of 11/06/2015) and the Bank's operational policy, WB OP 4.12. These documents regulate and give entitlement to the affected persons and institutions. Based on review and interpretation of laws relating to valuation in Rwanda in particular the Rwanda expropriation law and the constitution of Rwanda, the provisions in these key pieces of legal statutes and legislative frameworks do not meet the standard of compensation at full replacement cost. One of the key gap identified is WB OP 4.12 policy recognizes the affected persons as 'one using the land at the time, whether or not they have written customary or formal tenure rights' while according to Rwandan Expropriation Law the person to be expropriated is defined as 'any person or a legally accepted association operating in the country who is to have his or her private property transferred due to public interest as well as legally accepted local administrative entities'. From the foregoing, Rwandan laws have to be supplemented by additional measures as provided in the World Bank involuntary policy so as to meet the replacement cost standard.

The use of replacement cost valuation method for valuing assets is recommended by World Bank operational policy 4.12. In this context, 'Replacement Cost' in relation to agricultural land earmarked to undergo expropriation under this project would be defined as the pre-project or pre-displacement, market value of land of equal productive potential or use located in the vicinity of the affected land, plus cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes whichever is higher.

For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

For houses and other structures, it is the market cost of the materials to build a replacement structure within an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials, to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration, building permit(s), and transfer taxes.

In compliance with WB policy 4.12 policy provisions, "determination of aforesaid replacement cost", would not take into account depreciation of the asset(s) and the value of salvaged materials. Similarly, the value of benefits to be derived from the project would not be deducted from cumulative value of the asset.

6.3.1 Resettlement & Expropriation Impacts Mitigation

From the foregoing analysis, Project affected persons are affected differently due to varying losses occasioned by planned expropriation to pave way for project implementation. There are for (5) main losses that adversely affect PAPs entitlements necessitating some form of mitigation or compensation for smooth implementation of the project. For purposes of preparing an entitlement matrix to guide in mitigation of the project displacement impacts, the losses are categorised into 5 main categories.

- 1) Category 'A' **Loss of Residential / Commercial / Institutional Land. (Entitlement Unit – Land Owner, Tenant or lease holder (current user of the land))**
 - a. Partial loss of land but residual is viable economically enough
 - b. Entire loss of land or partial loss where residual is not viable
- 2) Category 'B' **Loss of Residential and Non-Residential Structures Including business premises (Entitlement Entity - Dwelling Unit(s) Owner, Business Premises Owner, tenant, Lease holder (current user of the land) and squatter)**
 - a. Fully affected / partially affected and remaining structure is non-viable (Owner Built)
 - b. Loss of occupied portion (Tenant and informal business operators) and squatter
- 3) Category 'C' **Loss of Standing crops and Tree Crops (land owner, tenant, Lease holder (current user of the land with standing crops/trees) and squatter)**
- 4) Category 'D' **Loss of Livelihood**
 - a. Land based livelihoods; (Entitlement entity - Agri-business Farmer)
 - b. Wage based livelihoods (Entitlement entity - Workers/employees of affected entities)
 - c. Enterprise-based livelihoods (Affected Established and nascent entrepreneurs and artisans)
 - d. Squatters will be included for b and c

Proposed project implementation also affects a special category of PAPs (in this project classified as category 'E' - vulnerable groups). According to WB safeguard policies, a safety net should be provided for vulnerable PAPs affected by Bank

funded projects to cushion these PAPs from adverse impacts of the projects over and above basic compensation for lost entitlements. Based on an in-depth socio-economic survey and census exercise conducted to determine socio-economic profile of the PAPs, vulnerable PAPs were identified based on the following socio-economic indicators;

5) Category ‘E’ Assistance to Vulnerable Groups

- a. Highly vulnerable households (Elderly living alone, disabled, or household headed by women)
- b. Highly vulnerable households (low literacy level and limited ability to qualify for employment and low income)
- c. Highly vulnerable households (pre-existing medical condition and low income)

6) Category ‘F’ Impact on Public Utilities

- a. Relocation of utilities
- b. Temporary Interferences of service provision

Figure 6-1 over leaf illustrates adapted compensation strategies that was employed in this ARAP for Nyagatare city.

In view of the above, the proposed entitlements are as summarised in Table 6-4 below.

Table 6-4: Entitlement Matrix.

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|---|--|-----------------------|---|
| A. Loss of Residential / Commercial / Institutional Land | | | |
| A1 | Partial loss of land but residual is viable economically enough | Title Holder | <ul style="list-style-type: none"> • Cash compensation at full replacement cost. • A 5% Disturbance allowance |
| | | Tenant / Lease Holder | <ul style="list-style-type: none"> • Advance notice to vacate |
| A2 | Entire loss of land or partial loss where residual is not viable | Title Holder | <ul style="list-style-type: none"> • Cash compensation for entire land holding at full replacement cost |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|--|---|--------------------------------------|--|
| | (Acquire all lands if the residual land is not economically viable for the owner.) | | <ul style="list-style-type: none"> • 5% Disturbance allowance replacement cost |
| | | Tenant / Lease Holder | <ul style="list-style-type: none"> • Advance notice to vacate |
| B. Loss of Residential and Non-Residential Structures (Including “business premises”) | | | |
| B1 | Fully affected / partially affected and remaining structure is non-viable (Owner Built) | Owner | <ul style="list-style-type: none"> • Compensation for the structure at full replacement cost • 5% Disturbance allowance (to cater for demolition, moving fee etc. or economic loss in case of a business premise) • Right to salvage material; • Advance notice to vacate. |
| B2 | Loss of occupied portion | Tenant and informal business tenants | <ul style="list-style-type: none"> • Incorporated into formal trading areas • Six (6) months paid rent for the new trading area. • Advance notice to vacate in accordance with the tenancy agreement; • Re-imbusement of remaining worth of deposit on rent and good will |
| C. Loss of Standing Tree Crops | | | |
| C1 | Tree | All Cultivators | <ul style="list-style-type: none"> • Compensation at full replacement cost for any non-food trees, shrubs / permanent grass based on economic value for tree and vegetation. |
| D. Loss of Livelihood | | | |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|---------|------------------------------|---|---|
| D1 | Land based livelihoods; | Agri-business Farmer | <ul style="list-style-type: none"> • Physical preparation of the farm land (clearing, levelling, creating access routes and soil stabilization) • Fencing for pasture or crop land • Agricultural inputs (seeds, seedlings, fertilizer) • Government Extension services like veterinary care |
| D2 | Wage based livelihoods | Workers/employees of affected entities | <ul style="list-style-type: none"> • On-Job-Training and consideration in Nyagatare RUDP phase 2. • Provision made in contracts with project subcontractors for employment of qualified local workers • Link up with local NGOs and government entities providing small-scale credit facilities to finance star up enterprises |
| D3 | Enterprise-based livelihoods | Affected Established and nascent entrepreneurs and artisans | <ul style="list-style-type: none"> • Sponsored entrepreneurship training in business planning, marketing, inventory and quality control) • Procuring goods and services for the project from affected local suppliers. |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|---|---|--|--|
| E. Assistance to Vulnerable Groups | | | |
| E1 | Special assistance for vulnerable households or persons | Highly vulnerable households (Elderly living alone, disabled, or Child headed households) | <ul style="list-style-type: none"> Assistance to move |
| | | Highly vulnerable households (low literacy level and limited ability to qualify for employment and low income) | <ul style="list-style-type: none"> Priority consideration for non-skill Labour in Nyagatare RUDP phase 2. |
| | | Highly vulnerable households (pre-existing medical condition and low income) | <ul style="list-style-type: none"> Facilitation of government provided medical services or insurance of free medical cover. |
| F. Impact on Public Utilities | | | |
| F1 | Relocation of utilities | Telecommunications companies | <ul style="list-style-type: none"> Redesigning, relocation and prompt repair of damaged utilities or service lines infrastructure within project costs as per |

| S/ N | Type of Loss | Unit of Entitlement | Entitlements |
|---------|--|---|---|
| | | REG (Rwanda energy group) WASAC (water and sanitation corporation) | contractor's terms of service. <ul style="list-style-type: none"> ○ The relocation and repair will be done by the project contractor(s) in collaboration with the service providers progressively depending on how works progress on the ground ● Provision of common service ducts on the roads way leaves |
| F2 | Temporary Interferences of service provision | | <ul style="list-style-type: none"> ● 3 to 4 months' notice to relocate the services ● Measures taken to ensure minimum service disruption |

(a) Principles of the Entitlement Matrix

- A participatory framework for consultation with affected persons and communities. Local authorities, non-governmental organizations (NGOs) and other key stakeholders was utilized when preparing the entitlement matrix.
- Provision of compensation for loss of land and other assistance where necessary, for those who have formal legal rights to land, and 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;
 - Support after displacement, for a transition period, based on reasonable estimate of the time likely to be needed to restore PAPs livelihood and standards of living; and
 - Development assistance such as land preparation, credit facilities, training, or job opportunities in addition to compensation measures;
- Provision of resettlement assistance In lieu of compensation for the land they occupy and other assistance as necessary, for those who have no recognizable legal right or claim to the land they are occupying if they occupied the project area prior to the cut

cut-off date. In this regard resettlement may, as appropriate to the World Bank OP4.12, consist of helping the PAPs with seeds, cost of preparing gardens, and transport to new locations. ‘resettlement assistance’ in this context 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; and

- Provision of compensation for loss of assets and other land, impact on livelihoods, as well as costs involved in resettlement actions to all persons who qualify for compensation.

(i) Loss of Livelihoods

Livelihood losses induced by proposed project are analysed in detail in chapter 4, subsection 4.6.2 on income sources of project affected persons/households.

PAPs sources of income (business, agribusiness and employment) were analysed and impacts of the project on the sources of income established on the following livelihoods;

- Land based livelihoods - No Livelihood loss was established.
- Wage based livelihoods - No Livelihood loss was established.
- Enterprise-based livelihoods - Livelihood loss for a few informal PAPs established.

This project has made provision for livelihood restoration program that seeks to secure these businesses losing trading spaces (3rd category of informal PAPs). The same consideration will be made to other informal business PAPs in the other categories who wish to secure formal trading spaces as well. Nyagatare district administration has agreed to relocate these categories of PAPs to existing nearby formal markets (where they would have more customers). Table 6-5 below shows proposed Enterprise-based livelihood restoration program for Nyagatare city. The program is meant for (8) PAPs but the district is willing to enrol (50) PAPs from the other category of PAPs in the informal business if they opt to be enrolled in the program. From the social economic survey, it was established that very few Business PAPs from the other two categories were willing to move to the formal markets.

Table 6-5: Livelihood Restoration Action Plan

| Program | Affected PAPs | Action | Actors | Inputs | Expected outcome | Budget in RWF | Time Frame |
|--|--|--|---|--|---|---|--|
| <ul style="list-style-type: none"> Enterprise-based livelihoods restoration program | <ul style="list-style-type: none"> 8 informal business PAPs | <ul style="list-style-type: none"> Allocated alternative trading areas in existing formal nearby markets. Six (6) months paid rent for the new trading area. | Nyagatare District Administration | <ul style="list-style-type: none"> Trading spaces in formal markets | <ul style="list-style-type: none"> Reduced informality Increased tax collection | <ul style="list-style-type: none"> 720,000 | <ul style="list-style-type: none"> June 2020- June 2021 |
| | | <ul style="list-style-type: none"> Government entrepreneurship training in business planning, marketing, inventory and quality control | <ul style="list-style-type: none"> Nyagatare District Administration Local NGOs | <ul style="list-style-type: none"> Finance Expertise | <ul style="list-style-type: none"> -Increased business record | <ul style="list-style-type: none"> 237,000 | <ul style="list-style-type: none"> |
| | | <ul style="list-style-type: none"> Link up with local NGOs and government entities providing small-scale credit facilities to finance start up enterprises | <ul style="list-style-type: none"> Nyagatare District Administration | | <ul style="list-style-type: none"> -Increased business start ups | <ul style="list-style-type: none"> Nil | <ul style="list-style-type: none"> |

(ii) Relocation of public utilities

The project will result in the relocation or temporary interferences of some public utilities. These utilities play an important role and therefore change due to their relocation will be felt.

Some of the impacts will include:

- Outages of services;
- Damage of infrastructure;
- Loss of revenue and customers;
- Congestion on utility services way leaves thus hampering expansion of network;
- Disruption of orderly services to their customers;
- Loss of water;
- Contamination of clean water; and
- Increased operation costs.

Table 6-7 below indicates the utility and service providers identified on site.

Table 6-6: Identified utility and service providers

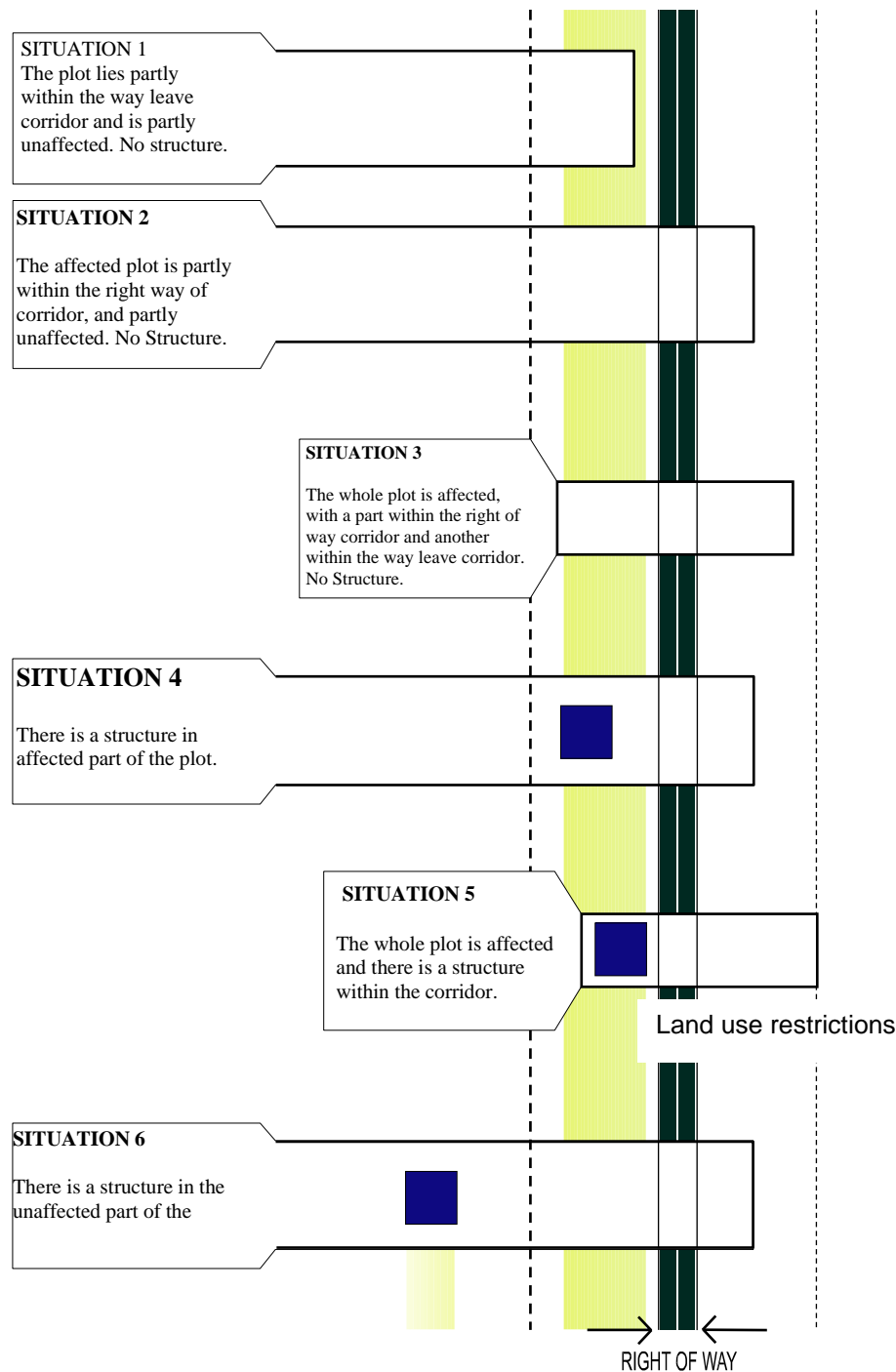
| Institution in charge of asset | Affected asset |
|--|-------------------------------------|
| Telecommunications companies | Fiber Optical Network Cables |
| REG (Rwanda energy group) | Power lines, poles and transformers |
| WASAC (water and sanitation corporation) | Water pipes |

Table 6-7: Institution and Service Providers Relocation Action Plan

| Institution | Affected asset | Action | Actors | Inputs | Expected outcome | Budget (RWF) | Time Frame |
|--|------------------------------------|--|--|----------------------------|---|---------------------|------------------------|
| Telecommunications companies | Fibre Optical Network Cables | <ul style="list-style-type: none"> • Redesigning, relocation and prompt repair of damaged utilities or service lines within project costs as per contractor's terms of service • 3 to 4 months' notice to relocate the services • Measures taken to ensure minimum service disruption • Provision of common service ducts on the road's way leaves | - Contractor - Affected Telecommunications companies | Finance Manpower/Labour | Uninterrupted telecommunication network | 166,100,242 | Before Ground Breaking |
| REG (Rwanda energy group) | Poles, powerlines and transformers | | - Contractor - REG (Rwanda energy group) | Finance | Continued energy access | | |
| WASAC (water and sanitation corporation) | Water pipes | | - Contractor - WASAC (water and sanitation corporation) | Finance | Continued water supply | | |

Figure 6-1: Illustration of Compensation Strategies

OWNERSHIP SITUATIONS

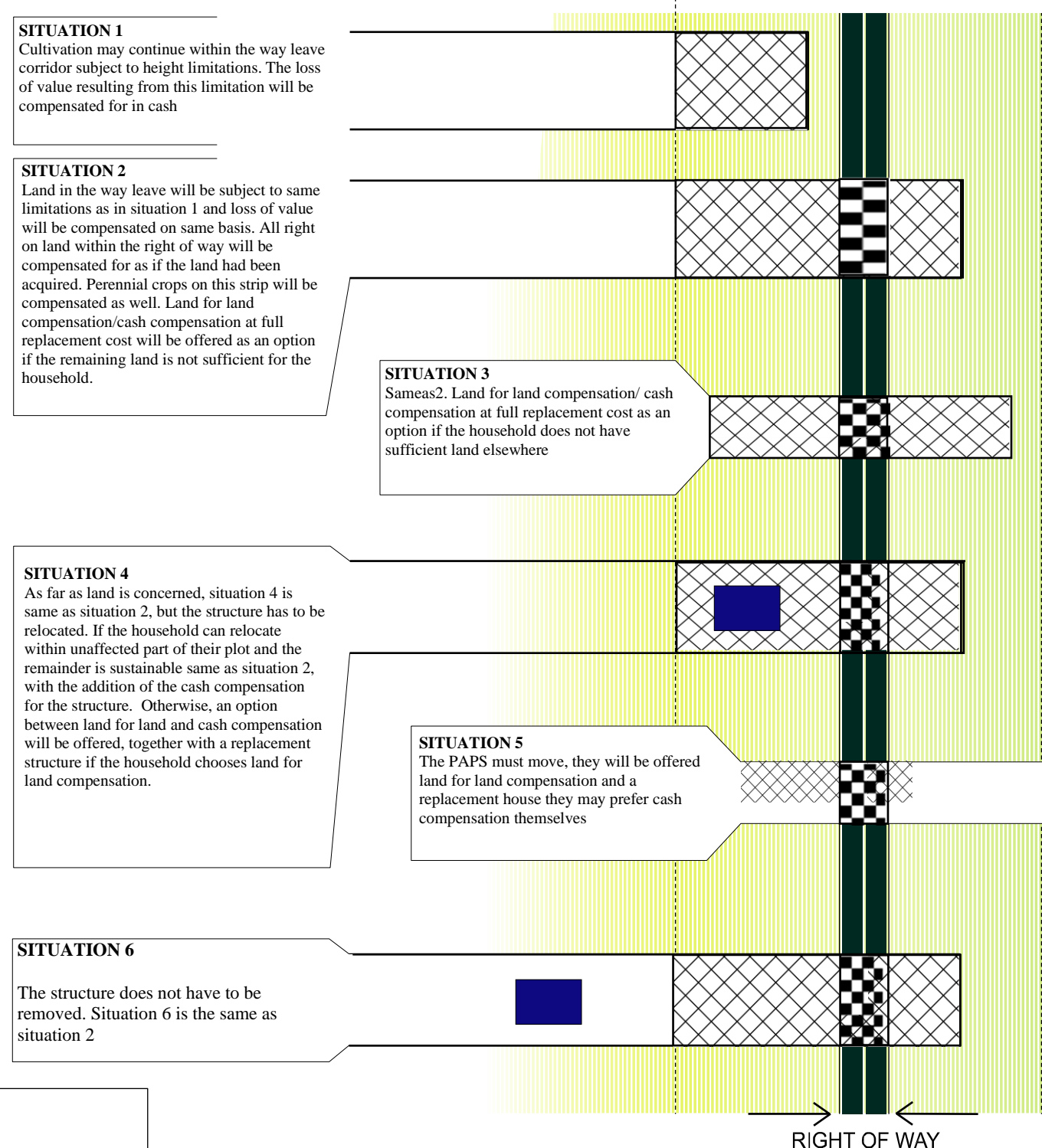


Land use restrictions

- Way leave: limitations on land use (no structures, tree height limited)
- Right of Way: Land to be kept clear for access purposes
- Structure

PAPs: Project Affected Persons

STRATEGIES FOR COMPENSATION



Adapted from IFC handbook for Preparing a Resettlement Action Plan- IFC (2002) and modified for RUDP phase 2 A/RAPs

6.3.2 Compensation Alternatives

During the social economic survey exercise, compensation alternatives were presented to all PAPs (at individual or household level). Affected households/persons were required to select the compensation alternative(s) they preferred based on asset loss. A total of 88 and 23 households and Businesses respectively were consulted. All the property owners responded opting for cash compensation. Below are the compensation options from which the PAPs were supposed to choose from.

- Monetary compensation at current market prices
- Monetary compensation at full replacement costs
- Relocation to alternative sites with same locational advantages.
- Any other preferred form of compensation

During the validation workshop, PAPs' preferred form of compensation is one of the key data sets that was validated. PAPs were sensitized more about available compensation options. Options that were presented were; "land for enrolment in the affordable housing program" for affected low cost housing mostly housing low income earners. PAPs were informed for one to be eligible for consideration under the project, the household or individuals' entire land or residence should be wholly affected by the road option that would be implemented or partially affected with residual land not being viable for use by the PAP/PAIs. Land for land compensation option for other interested categories was also offered but subject to availability of the land that would be acceptable to the PAPs. It was reported that the district administration does not have alternative land to offer the PAPs in lieu of RoW acquired but consideration would be made for the PAPs who prefer this form of compensation. During the validation workshop no PAP expressed interest for in kind compensation (land for land).

6.4 Implementation Budget

Aggregate strip of land that would be acquired along EN19-District Headquarter and Associated Link Road to EN6 measures about 1,182.774m² or thereabouts; UR-Nyagatare Asphalt Road - 2,533.58m². 6,503.19m² along UR-Nyagatare Asphalt Road and 9,706m² and 3645.056m² along Barija Cemetery-Nyagatare Market Asphalt Road and NR3-EN6-Nyagatare II UR Playground respectively. To mitigate against loss of land and assets thereon, the entitlement matrix proposes compensation of lost assets at full replacement cost.

Towards this end, the use of replacement cost approach for valuing land and assets thereon was employed in determining the cost of expropriation of the land and affected assets. (The methodology employed in valuing land and assets is described in detail in subsection 1.5.6 page 1-8).

The total cost of expropriation for EN19-District Headquarter and Associated Link Road to EN6, UR-Nyagatare Asphalt Road, Nyagatare Market UR-Playground, Barija Cemetery-Nyagatare Market Asphalt Road and NR3-EN6-Nyagatare II UR Play ground is 10,612,221, 11,392,713, 2,436,840, 57,254,951 and 34,263,129.68 RWF respectively. The total expropriation for each road is inclusive of the 5% allowance which caters for disturbance and economic losses. Over and above the total expropriation cost for Nyagatare city 21,474,123.8 RWF representing 20% of the total expropriation cost for the city was provided for contingencies. The total Expropriation cost therefore for Nyagatare district is 128,844,742.8 RW.

Prorating allowance allows for PAPs to get proportionate compensation packages commensurate with actual losses they incur. This mainly because economic or business losses span from several underlying activities of the project either directly or indirectly such as temporally closure of business premises during civil works of the roads, downtime of business when the operators take time out to rebuild affected auxiliary facilities of the business premises to marginal loss of business goodwill. Table 6-8 shows expropriation summary costs for Nyagatare city RUDP phase 2

The list of affected property owners alongside apportioned expropriation costs of lost assets is presented as separate volume of this report. (Volume II: Land and Asset Valuation Roll)

Table 6-8: Implementation Budget/Expropriation Costs for Nyagatare Secondary City

| Road Name | No. of land parcels to be expropriated | Value of land (RWF) | Value of crops (RWF) | Buildings Value (RWF) | Total Expropriation at full Replacement Cost | Disturbance allowance. 5% (RWF) | Total Expropriation cost (RWF) |
|--|--|---------------------|----------------------|-----------------------|--|---------------------------------|--------------------------------|
| EN19-District Headquarter and Associated Link Road to EN6 | 4 | 4,731,096 | 530,714 | 563735.11 | 5,825,545 | 505,343.85 | 10,612,221 |
| UR-Nyagatare Asphalt Road | 13 | 10,134,320 | 255,382.7 | 460,500 | 10,850,203 | 542,510.14 | 11,392,713 |
| Nyagatare Market UR-Playground | 2 | 2,320,800 | 0 | 0 | 2,320,800 | 116,040.00 | 2,436,840 |
| Barija Cemetery-Nyagatare Market Asphalt Road | 12 | 38,824,440 | 4667537.32 | 6728334.607 | 50,220,312 | 2,726,735.75 | 57,254,951 |
| NR3-EN6-Nyagatare II UR Play ground | 8 | 8,340,320.00 | 1022604 | 23268628.07 | 32,631,552.07 | 1,631,577.60 | 34,263,129.68 |
| Sub-Total | 39 | 64,350,976 | 6,476,238 | 31021197.79 | 101,848,412 | 5,522,207.34 | 107,370,619 |
| 20% Contingency Budget | | | | | | | 21,474,123.8 |
| Total Expropriation cost | | | | | | | 128,844,742.8 |
| Costs of Restoring Livelihood Loss | | | | | | | 1,587,000 |
| Cost of Relocating Utilities | | | | | | | 166,100,242 |
| GRC Operationalization Budget | | | | | | | 3,340,000 |
| M & E (The proposed M&E mechanism is internal; it will be done by existing staff from LODA SPIU and District) | | | | | | | Nil |
| RAP Implementation Budget | | | | | | | |

Source: Field Survey, 2019

7 INSTITUTIONAL ARRANGEMENT OF IMPLEMENTATION OF RAP

7.1 Existing Institutions of Relevance to this RAP

Nyagatare district administration is the project proponent in charge of implementation of the project while Local Administrative Development Entities Authority (LODA) and the Ministry of Infrastructure will act as coordination and supervision agencies.

The following institutions are of relevance to the implementation of the RAP. This is in accordance with their mandates as per the laws of Rwanda.

Table 7-1: Stakeholders/institutions to support RAP planning and implementation

| Stakeholder Group | Sub-sector / Agency | Role/Contributions |
|---------------------------------------|--|--|
| Government of Rwanda | MINECOFIN | <ul style="list-style-type: none"> • Coordinates the national budgeting, planning and financing framework. • Borrower for the Rudman responsible for ensuring value for money |
| Government of Rwanda | MININFRA –Project Coordinating Unit | <ul style="list-style-type: none"> • Formulation of national policies and strategies; sector oversight, budgeting and resource mobilization; overall sector performance monitoring for the country including urban areas and secondary cities under which this project is proposed. • Executing ministry of the RUDP • Leads coordination of key stakeholders including Provincial Administrations with the concern of Nyagatare District, RGB, RHA, RTDA, LODA, WASSAC, RRA, REMA& RDB among others. |
| Project Proponent/Implementing agency | Local Administrative Entities Development Agency (LODA)- Project Management Unit (PMU) | <ul style="list-style-type: none"> • Finance development activities in local administrative entities with legal personality; serve as an intermediary between local administrative entities with legal personality and donors especially those involved in financing development activities in those entities; • Put in place mechanisms of distributing financial support in local administrative entities with legal personality; monitor the use of funds |

| | | |
|-------------------|---|---|
| | | <p>allocated by LODA to development activities in the local administrative entities with legal personality; approved by decentralized entities;</p> <ul style="list-style-type: none"> • Monitor the use of funds allocated by LODA to development activities in the local administrative entities with legal personality; establish strategies for creation of highly intensive labor and assistance to those unable to perform such jobs and who are approved by decentralized entities; • Build capacities of local administrative entities with legal personality within the scope of LODA mission; • Coordinate government 's development activities in local administrative entities with legal personality; mobilize and collect funds • Responsible for management and disbursement of Resources; serve as the Project Implementation Management Unit through the Single Project Implementation |
| Government Agency | Roads and Transport Development Authority, RTDA | <ul style="list-style-type: none"> • Implement Government policy on roads, railways, cable car and waterways transport infrastructures; • Manage and control national road network with a view to achieving road safety and maintenance; manage and control waterways transport infrastructure with a view of ensuring their value added; • Develop railway and cable car infrastructure in Rwanda; develop public transport service within the country on road and waterways. RTDA manages all the National Roads with in the secondary cities. RTDA is also the technical advisor to the District for planning and development of road networks in secondary cities. • Provision of technical backup and oversight for RUDP |

| | | |
|-------------------|-------------------------------|---|
| Government Agency | Rwanda Housing Authority, RHA | <ul style="list-style-type: none"> • Serves as overall project manager on behalf of the State for all projects related to housing and construction including road and drainage infrastructure; • Advise the Government on the formulation of the policy on housing, urban development and construction; conduct regular and thorough assessment of the status of urban areas and construction in Rwanda and survey requirements for additional housing; • Promote and facilitate the provision of urban housing in Rwanda; advise the Minister in charge of urban housing and construction on the formulation of systems and procedures for the development of construction in Rwanda in accordance with the law; • Enforce compliance with the law on environmental protection aiming at developing urban housing and construction; obtain, maintain, operate, update and disseminate scientific, socioeconomic, and environmental data pertaining to urban construction; • Maintain and update a database of all public fixed and movable assets; advise Government on all mechanisms that may be used to improve urban spontaneous settlements; • Advise Government on recommended standards for urban construction; provide advice on all aspects of urban building including suitability, cost, use of local materials, construction procedures adapted to earth structures; • Develop programs and make proposals for the development of urban housing and implement such programs as approved by the Minister in charge of housing; • Update the relevant Minister on the status of construction in rural and urban areas and provide advice on appropriate improvements; • Contribute to establish and promote grouped settlement. |
|-------------------|-------------------------------|---|

| | | |
|-----------------------------|--------------|---|
| | | <ul style="list-style-type: none"> • Chairs the settlements upgrading committee (MININFRA, Nyagatare City) • Will provide policy guidance and technical oversight on RUDP upgrading of Nyagatare City. |
| District Communities | Local | <ul style="list-style-type: none"> • Responsible for the provision of access to basic services, including Roads, water, sanitation and solid waste management. Local governments have financial autonomy (fiscal decentralization); own the top center infrastructure; are in charge of implementing urban projects; are encouraged to contract private operators for infrastructure O&M; prepare and implement consolidated district development plans |
| Civil Society/ NGOs | | <ul style="list-style-type: none"> • Contribute to the implementation of Urban projects; participate in the Sector-Wide Approach and in coordination mechanisms at the district and national level; play a major role in solid waste management infrastructure O&M; prepare and implement consolidated district development plans. |
| Communities | | <ul style="list-style-type: none"> • To be involved in project identification, planning and commissioning, as a matter of policy; form user committees to represent consumer interests; are in charge of the operation and maintenance of certain water infrastructures (community management). Collective sewerage projects (condominium type) will actively involve communities in planning, Operation & Management and possibly construction. Villages may assume a major role for the provision of sanitary facilities and local solid waste management. |

The sections below outline the particular mandates of the above.

7.1.1 Ministry of Infrastructure (MININFRA)

The MININFRA was the project executing Ministry with the key role of coordinating the implementing agencies and other key players including relevant Ministries (MINECOFIN, MINALOC, MINIRENA, MINICOM), Provincial Administrations with the concerned Nyagatare District, RGB, RHA, RTDA, LODA, WASSAC, RRA, REMA & RDB among others.

The oversight included implementation of RAP, coordination and monitoring of implementation performance of the project, risk management, monitoring & evaluation and disclosure of information, developing and putting in place performance agreements, and developing and implementing the communication strategy for Urban Development Project.

The Table 2 overleaf gives the summary of responsibility and roles that should be played during the preparation and implementation of RAP

Table 7-2: Roles and responsibilities of involved institutions.

| ORGANISATION | RESPONSIBILITY |
|---|--|
| ECMN and Eco lead Consultants | <ul style="list-style-type: none"> <input type="checkbox"/> Screening of sub-projects to identify resettlement and compensation requirements; <input type="checkbox"/> Preparation of A/RAPs; <input type="checkbox"/> Work with Nyagatare district to establish a grievance redress procedure; <input type="checkbox"/> Consultation, public participation and grievance mechanisms; <input type="checkbox"/> Responsible for ensuring that grievance mechanisms meet the requirements of the RPF legislation. |
| The Single Project Implementation Unit comprises of the following technical expertise district Engineer as the RUDP Implementation Coordinator, a Financial Management Specialist as the finance and administration manager, and a Sociologist and an Environmental Expert as the social and environmental Safeguards oversight managers. | <ul style="list-style-type: none"> <input type="checkbox"/> Supervising documentation for monitoring purposes, in accordance with procedures put in place by the District authorities; <input type="checkbox"/> Contracting and implementing physical works, according to agreed procurement procedures; <input type="checkbox"/> Managing sub accounts (SOEs etc) according to agreed FM arrangements; <input type="checkbox"/> Providing quarterly financial reports on physical and financial progress; <input type="checkbox"/> Environmental and Social Safeguards Implementation; <input type="checkbox"/> Informing and engaging citizens; <input type="checkbox"/> Resolving Grievances and complaints; <input type="checkbox"/> Ensuring availability of district officers. |
| Nyagatare district administration | <ul style="list-style-type: none"> <input type="checkbox"/> Review and sign off of all documentation (e.g. completed RAP, grievance forms, consultation plans); <input type="checkbox"/> Participation in documentation of assets; <input type="checkbox"/> Compensation of RAP; <input type="checkbox"/> Responsible in monitoring and implementation. <input type="checkbox"/> Identification of land for replacement and effective consultation at the sector level, cell level, and at village level (Umudugudu) <input type="checkbox"/> Facilitate coordination of information collation activities (such as surveys) <input type="checkbox"/> Work together with the GRCs to ensure that complaints are dealt with and that the RAP is implemented smoothly and efficiently; <input type="checkbox"/> Follow up and monitor the relocation and settlement of PAPs. <input type="checkbox"/> Review investment priorities identified by Feasibility Study Consultants; <input type="checkbox"/> Disclose executed budget |
| PAPS | <ul style="list-style-type: none"> <input type="checkbox"/> Participation in measurement and valuation of assets of PAPS <input type="checkbox"/> Signing of Valuation forms <input type="checkbox"/> Clearance of the ROW |
| World Bank | <ul style="list-style-type: none"> <input type="checkbox"/> Monitoring and Evaluation |

8 GRIEVANCE MECHANISM

8.1 Background

Grievance mechanisms are important to the resettlement process as they allow for RAP implementers to identify disputes in good time and allow for them to be resolved in a transparent and accountable manner. Compensation based disputes and issues are also likely to occur during and after the RAP implementation program, hence it is critical to establish this system prior to implementation of the resettlement program. Lack of perceived transparency may also lead to feelings of mistrust and misinformed judgments on both sides. A well established and validated grievance mechanism can also promote good relations between the project proponent and the affected community thus reducing the risk of hostilities and delays on the construction program, both before and after the contractor takes possession of the site.

The grievance framework recommended for this RAP is built on already existing structures within the laws of the GoR and affected community.

Grievance mechanism developed to address conflicts in the A/RAPs of the six secondary cities comprised of a 3- tier grievance redress mechanism;

- ✓ Socio-economic Surveys- Grievance Resolution Committees
- ✓ Resettlement and Compensation - Grievance Resolution Committees
- ✓ Project implementation Grievances Resolution Committee

8.2 Grievances Resolution Committees

8.2.1 Socio-economic Surveys – Grievances Resolution Committees

The socio-economic surveys - Grievance Resolution Committees (GRCs) were constituted to address conflicts that arose from the socio-economic survey exercise and assist in linking enumerators to individuals or households identified on the ground but not enumerated (herein after referred to as call backs) due to varying circumstances such as absenteeism from affected businesses or homesteads by the end of the “cut-off date”. The committees were constituted during the sensitization meetings held during ‘Inteko Y’abaturage’ (community meetings) held every Tues-day. In Nyagatare district, 2 such GRCs were constituted in aforesaid meetings held in Nyagatare sectors Barija and Nyagatare cell. Composition of these committees was drawn from the lowest level of association at the village level where PAPs were generally well acquainted to each other. Community members who attended aforementioned meetings nominated two

members from each affected village (nominated members volunteered to join the GRCs) to join the village head or representative of the village heads (chair of the GRC) in the committee.

These committees worked with the enumerators during the socio-economic survey and were on standby to resolve any arising grievance or take note of call-backs that would be enumerated later. Whenever handling call backs, the committee would get the telephone number of the PAPs call to confirm if the PAP or representative of the household can find time to come for the enumeration exercise and if it was not possible, the committee were to follow on a later date agreed with the PAP to make sure the PAP or PAH is enumerated. Based on the number of call backs per city, the enumeration team leader assigned city-based enumerator(s) to work closely with the ad hoc GRC to ensure 100% enumeration of project affected persons/households.

The committee inspired confidence in the affected communities about the socio-economic exercise through extensive awareness creation including playing a key role in organizing and participating in Focused Group Discussions (FGDs) at the sideline of validation workshop (held at Nyagatare sector office on 03rd, July 2019) to discuss among other things participatory entitlement matrix development, viable community based livelihood restoration programs and special needs for vulnerable PAPs.

The mandate of these socio-economic Surveys – grievances resolution committees was mutually terminated after the validation workshops of Nyagatare District. One member of each committee together with the respective village head or representative of the village head was nominated to join the next higher tier-committee (Resettlement and Compensation - Grievance Resolution Committee).

8.2.2 Resettlement and compensation – Grievances Resolution Committees

The resettlement and compensation – Grievances Resolution Committees will mainly handle issues arising from unsatisfactory valuation claims from project affected persons. Key representatives in the committees will include but not limited to; consultant RAP valuer, district valuer or respective valuation officer at the sector or cell level, The District Land Commission officers' representative at either the sector or cell level and representatives from lower tier committees.

District officers in consultation with the consultant property valuer & LODA agreed on the committee composition and appropriate numbers to be nominated to join the committees. The committees were constituted the 1st week of June in all the cities before valuation exercise began.

The guiding principles for the Resettlement and compensation – Grievances Resolution Committees (that will help to solve valuation and compensation grievances) are: entitlements matrix, legal stipulations and procedures as per the Rwanda Expropriation

law which provides for ‘Fair and Just’ compensation packages & World Banks’ OP 4.12 - Involuntary Resettlement standards which advocates for compensation packages that espouse full replacement costs of affected properties.

Whenever a PAP, PAH or PAI have issues with valuation done by the consulting valuer and refuses to sign the valuation log presented by the consulting valuer, the complainant is advised to present the case to the ad hoc Resettlement and compensation – Grievances Resolution Committees. When presented with a valuation complaint, the committee is supposed to screen the valuation methodology employed (if it followed project entitlement matrix) and assess if the value given meets full replacement costs according to World Banks’ OP 4.12 - Involuntary Resettlement policy. If the committee is convinced the valuation fee recommended by the consulting valuer is acceptable, the ‘offer value’ would be maintained if its deemed unfair or does not meet full replacement cost then the committee would request the consulting valuer and the district valuer to jointly revalue the project and ensure the PAP gets ‘fair and just’ compensation or a compensation package that meets the full replacement cost.

In situations where affected individuals, households or institutions reject the value given by the Resettlement and Compensation Committee even after justification and or review of the figure by the Committee. The complainant(s) are requested to;

- Log a formal complaint with the District Land Committee. If the committee upholds the original value, the complainant final resort as per the national laws is to file a case in the competent Court of Law. According to the Expropriation Law, filing a case in courts of law does not stop planned expropriation exercise(s). The suing for review of the compensation decision should be done within 15 days after the local appeals decision is made.
- As per World Bank Operational Procedure 4.12 standards, grievances logged outside the timeframe may still be valid and legitimate. For proposed RUDP phase 2 projects, government expropriation authorities ensured that all affected people were fully informed. Full disclosure of the opportunity cost of falling to lodge the complaints in time was made.

The mandates of these committees would be terminated once respective districts approved compensation packages and compensated the PAPs. According to the work-plan, this would be done between 19th to 30th August 2019. A representative of the committees (village heads, cell heads, and sector heads) were nominated to join the next higher tier-committee (Project Implementation - Grievance Resolution Committees).

8.2.3 Project Implementation – Grievances Resolution Committees

These were the highest tier Grievance Resolution Committees that handled all grievances that arose during the compensation stage. The committees will be constituted prior to commencement of Clearance of the Right of Way in Districts by PAPs/Contractor. According to the work plan, the Exercise will take place a week before ground breaking. The committees will handle all arising grievances throughout implementation phase of RUDP phase 2 until commission of all project sub components. The district officers in consultation with LODA agreed on composition and number of representatives to be nominated in these Committees. These representatives will include: Local leaders (at cell, sector and Village level), District land commission officer, district Valuer, Youth representative and women representatives (at cell sector, cell and village levels) and the contractor.

Six (6) GRC members are selected for Huye secondary city RUDP Phase 2. To ensure smooth operation and execution of assigned duties related to grievance resolution, an operationalization budget for the committee has been provided in this project. In proposed RUDP phase (2); 3,340,000 RWF is allocated to GRC operations including but not limited to; transportation, airtime and training.

8.3 Gender Equality and Gender Based Violence

Violence against women and girls is rooted in gender-based discrimination and social norms and gender stereotypes that perpetuate such violence. Prevention entails supporting the implementation of the agreed conclusions of the 57th Session of the Commission on the Status of Women (CSW) that placed a strong focus on prevention through the promotion of gender equality, women’s empowerment and their enjoyment of human rights. It also means making the home and public spaces safer for women and girls, ensuring women’s economic autonomy and security, and increasing women’s participation and decision-making powers—in the home and relationships, as well as in public life and politics. Working with men and boys helps accelerate progress in preventing and ending violence against women and girls. They can begin to challenge the deeply rooted inequalities and social norms that perpetuate men’s control and power over women and reinforce tolerance for violence against women and girls.

In this project, in terms of gender composition, constitution of all GRCs was purposefully selected to ensure no committee had more than two thirds (2/3) of the members being of the same gender. This ensured equal representation. In addition, awareness was created during the sensitization and validation meetings on the equality of all persons before the law. During valuation phase of affected properties, in cases where land earmarked for expropriation was owned by a spouse or co-owned by a couple, consent was sought from both spouses and from dependants of the later in cases where the latter are likely to be adversely affected and they have children who have reached a legal age though still under the care of the parents.

On gender-based violence, prevention geared approach has been adopted in this project. This has been done through ensuring that there is fair representation. The composition of all the three tier Grievance Resolution Committees were constituted in such a way that no committee had more than two thirds (2/3) of the members being of the same gender. This level of representation (greatly benefit women who more often than not bear the brunt of GBV) would ensure women issues are fairly addressed as well as the women would have a voice in decision making processes.

Similarly, GBV has been stressed as key in this project - emphasis made on the strict adherence to Rwandan Law 2 of N°59/2008 of 10/09/2008 on prevention and punishment of gender-based violence (GBV) in all project formations and particularly GRMs procedures. Provisions have also been made to ensure that a woman representative from the National Women Council at cell level will be part of the GCR and will be the focal person for GBV. In the event there are serious cases of GBV where there is criminal liability on the part of the offender/perpetrator of GBV, the case(s) will be referred to Isange One Stop Centre (a national specialized service centre for GBV cases offering free-of-charge support where survivors of gender based violence can find comprehensive services such as: medical care; psychosocial support; police and legal support, and collection of legal evidence). The law against GBV stipulates punitive penalties and long prison terms for individuals who perpetuate violence. This would also serve as a hindrance against GBV in this project.

9 MONITORING AND EVALUATION

9.1 Background

Monitoring of the RAP will be carried out during the whole process of land acquisition and the compensation to ensure that the objectives are met and successful implementation of the RA occurs. The monitoring will be carried out by a Committee composed of Nyagatare District representatives, SPIU for RUDP, Nyagatare Sector and GRCs to ensure that all of the responsible implementing agencies follow the schedule and comply with the principles of the RAP.

Suggested key indicators are outlined below and include (and not limited to):

- Number and place of public consultation meetings held with PAPs and local authorities in preparation of, or during RAP implementation;
- Number of PAPs effectively compensated for different types of losses (land, structures, crops as well as business and livelihood loss) and aggregated amount disbursed compensation (actual versus planned)
- Timing for compensation
- Number of complaints including total received, total justified, and total non-justified.
 - This should include the subject matter for all complaints;
 - An explanation for non-justified complaints;
 - Total resolved at various levels including the type of agreement reached;
 - Total referred to the legal system/ Courts of Law, including a clarification on who initiated (local leaders, PAP or Nyagatare District) the referral and the subject matter.
- Procedures in the operations such as asset verification and valuation procedures including effectiveness of compensation delivery system;
- Number of assets compensated and the amounts paid out to the individuals and public facilities and utilities restored;
- Number and category of people paid their compensation and rehabilitated including vulnerable groups receiving assistance;

Suggested performance/evaluation indicators include:

- Total nature and level of all complaints received, resolved;
- Completion of payment within, or after 2 months of estimated completion date indicated in the RAP implementation plan;
- Revival of livelihood activities for the affected persons within 4 months after the compensation payment;
- Submission of monitoring reports at the frequency indicated in the M/E of the RAP

Table 9-1: Plan for Monitoring, evaluating and reporting.

| Item | Main Activities | Responsible Institution | Frequency of Monitoring |
|--|--|--------------------------------|-----------------------------------|
| Public consultation | Consultation meeting with the PAPs | Nyagatare District | Four times a month |
| Database | Updating census results | Nyagatare District | Monthly |
| Disclosure of entitlement | Display to the PAPs the results of the census. | Nyagatare District | After census and assets valuation |
| Preparation of alternatives | Follow up of implementation of proposed alternatives | ECMN and ECOLEAD | Once a week |
| Compensation and other resettlement measures | Follow up compensation process | Nyagatare District | Once a week |
| Follow up of PAPs livelihoods | Follow up and monitoring of PAPs livelihoods | Nyagatare District | Once a week |

9.2 Resettlement Implementation Completion report

A completion report of the entire resettlement process for this project will be prepared and will include a hand over certificate which will ostensibly provide a verification of when the compensation and assistance were undertaken and to whom these services were provided as well as to indicate that indeed all the compensation has been delivered.

This report will be prepared and submitted to the Bank three months after the end of compensation payment by the Nyagatare District. The ARAP implementation report will include (but not be limited to) the following information:

- Background of the ARAP preparation including a description of the project activities, scope of impacts, number of affected persons, and estimate budget;
- Update of its implementation with actual numbers of displaced persons by segments, compensation paid, issues/complaints raised and solutions provided;
- Complaints status;
- Socioeconomic status of the PAP families, their living conditions and livelihood. Highlight a few case studies of individual PAP family experience, including at least one family considered “vulnerable”; such as how the PAPs used the cash compensation they received, etc.
- Early assessment of the impacts of resettlement and compensation on affected categories at the time of the report production;
- Total sum disbursed; and,
- Lessons learned from the RAP implementation

9.3 RAP Implementation schedule

There will be seven main steps to be followed during the implementation of RAP as shown in the Table 9-3 overleaf

Table 9-2: Proposed RAP Implementation Schedule

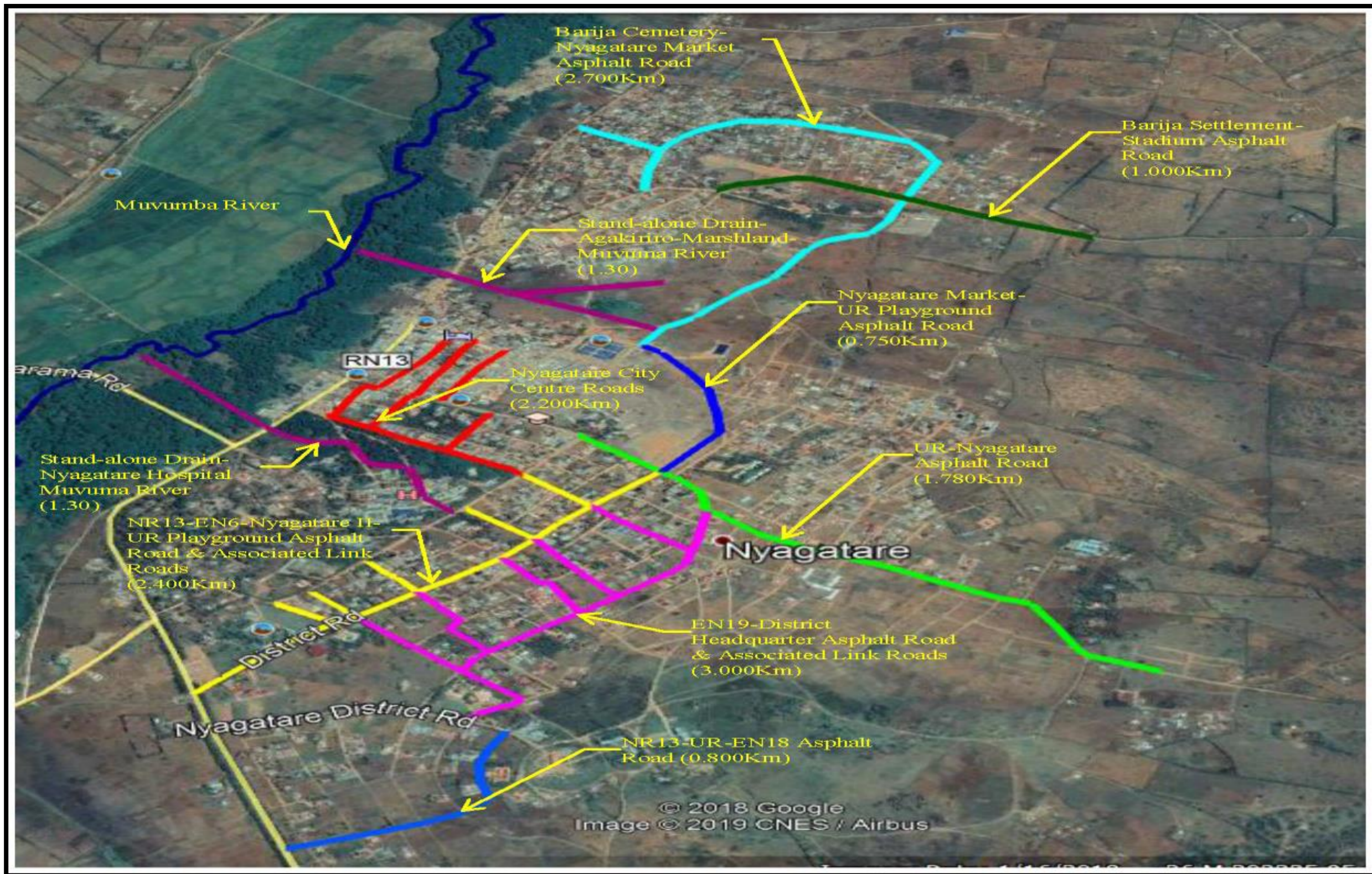
| | Calendar Year | 2019 | | | | | | | | | | 2020 | | | | | | | | | | | |
|----|---|------|------|------|------|---|-------|----|----|-------|-----|--------|------|--------|------|--------|--------|--------|--------|--------|--------|--------|--------|
| | Time in months | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | |
| 1 | Working Group / Task Team Set-up | Blue | Red | | | | | | | | | | | | | | | | | | | | |
| 2 | Road Reserve Confirmation Survey & demarcation | Blue | Red | | | | | | | | | | | | | | | | | | | | |
| 3 | Public Notice of the intention to carry out RAP study | | Blue | Red | | | | | | | | | | | | | | | | | | | |
| 4 | Asset Inventory / Evaluation | | | Blue | | | | | | | | | | | | | | | | | | | |
| 5 | Validation & Agreement with PAPs | | | | Blue | | | | | | | | | | | | | | | | | | |
| 6 | Disclosure of the RAP | | | | | | | | | Blue | Red | | | | | | | | | | | | |
| 7 | Implementation of Compensations & Land Title Transfer | | | | | | | | | | | Blue | Blue | Blue | Blue | Blue | Red | | | | | | |
| 8 | Clearance of Road Reserve (Demolition & Levelling) | | | | | | | | | | | Blue | Blue | Blue | Blue | Blue | Red | | | | | | |
| 9 | Grievance Redress | | | | | | | | | | | Yellow | | Yellow | | Yellow | Yellow | Yellow | Yellow | Yellow | Yellow | Yellow | Yellow |
| 10 | Monitoring and Supervision (Quarterly Report to LODA/GoR) | | | | | | Brown | | | Brown | | Brown | | Brown | | Brown | Brown | Brown | Brown | Brown | Brown | Brown | Brown |

10 REFERENCES

- Environmental and Social Impact Assessment (ESIA) For Rwanda Urban Development Project (RUDP) – Phase 2
- Handbook for Preparing a Resettlement Action Plan, International Finance Corporation, 2121 Pennsylvania Avenue, NW, Washington, DC 20433 USA; IFC (2002)
- Nyagatare City Feasibility Study and Preliminary Design Report, Final (April 2019)
- Involuntary Resettlement Policy OP 4.12 World Bank (2004), (revised April 2004)
- Rwanda Expropriation Law.
- Rwanda Policy Framework.
- The Third Integrated Household Living Condition (EICV3) by National Institute of Statistics of Rwanda (2012).

11 APPENDICES

Appendix 1: Location Map



Appendix 2: Minutes of Public Meetings

2.1 Sensitization Minutes

Inyandiko myuguzi y'Inama yo kumenyeshya igikorwa cy'ibarura
 itariki: 21/08/2019
 isaha: 02:30
 aho byabereye: akagali ka Barija

1. ABITABIRIYE INAMA

| No | Amazina | Icyo bakora |
|----|------------------------------|--------------------------|
| 1 | Eng. Ndatimana Jean Baptiste | Umugenagaciro |
| 2 | Ingabire Marie Ange | Dwungirije umpuguzi |
| 3 | Umuyobozi | Umukuru w'umudugudu |
| 4 | Nzabarushimana Jean de Dieu | Dwungirije umugenagaciro |

GAHUNDA Y'INAMA

| Isaha | Gahunda | Ababishinzwe |
|-------------|--|---------------------|
| 00:30-01:00 | Kuhagera | Bose |
| 01:00-02:30 | Ijambo ry'ikaze | Umukuru w'umudugudu |
| 02:30-04:00 | Ibisobanuro ku gikorwa giteganywa cy'ibarura ry'abatuye ahazubakwa ibikorwa remezo (imihanda, ruhurura, imiferege) | Ingabire Marie Ange |

Ibisobanuro by'impukeke ku gikorwa cyo kwimura abantu

RUDP icyifuzo cya kabiri ni umushinga wa leta y'Urwanda ku bufatanye na Banki y'isi ugamije guteza imbere ibikorwa remezo no kwagura imihanda yahozeho mu miji itandatu izungurira Kigali ariyo, Musanze, Rubavu, Rusizi, Huye, Muhanga, Nyagatare, ibikorwa biteganywa kubakwa muri icyo miji n'imihanda ya kaburimo, ruhurura zitwara amazi ndetse n'imiferege bikaba biteganywa ku mu gihe ibi bikorwa bizaba bimaze kubakwa bizazaza imbere zigendanyirizwa, n'imihahirane muri icyo miji.

Iyiguzi rero ikaba izakorwa ku buryo bubari hari icyiguzi izakorwa ku muhanda ufite 14m n'icyiguzi izakorwa ku muhanda ufite 11m.

Mu gihe uyu mushinga uzaba ushyirwa mu bikorewa hari bimwe mu bikorewa by'abaturage bizangizwa aribyo, inzu zizasenywa, ubucuruzi bwo ku muhanda buzabangamirwa mu gihe igikorwa nyirizina cyizaba gitangiyeho ndetse hari n'abazatakaza ubutaka bwabo.

Izi ngaruka zose zose zashyirwa ahazubakwa ibikorwa remezo bazahura nazo banki y'isi yazitekerereye akaba ariyo impanvu icyiguzi izibanda cyane ku baturage bafite ibikorwa bizangizwa n'uyu mushinga batuye mu miji wa Nyagatare.

bagomba kuzahabwa ingurane y'ibyaho byangijwe mbere yuko uyu mushinga wo kubaka ibikorwa remezo utangira impanvu nyamukuru y'icyi nama kwari kumenyeshya abazangirizwa n'imihanda, abafite ubucuruzi aho imihanda izaba bwaba ari ubuhoraho

cyangwa se ubw'igihe giso - ba nyiramazu ndetse n'abakodesha kuzitabira igikorwa giteganywa cy'ibarura.

IBYAGANIRIWEHO MU NAMA

| No | Ibyabajijwe | Uko byasubijwe |
|----|--|--|
| 1 | Ndifuzo kumenya ibimenyetso byashyizwe ku nzu yange icyo bisobanura | Ingabire yasubijwe ko Amahara ari ku mazu asobanura uburyo amazu azangizwa n'imihanda uko ari buhari Umutuku uvuye uburyo bwa 1 Ubururu bogasobanura uburyo bwa 4 X uvuye ibizangizwa F uvuye uruzitiro H uvuye inzu A: uvuye annex |
| 2 | Ibarura bimaze kutubwira rizakorwa rite ? | Abakurama b'ibara bahuguye bazagenda inzu ku yindi babaza abaturage bafite ibikorwa bizangizwa n'ibikorwa remezo - ibibazo byanyane n'imibereho yabo, ibyo bibazo bikazajya byuzuzwa muri telephone hakoreshejwe ikoranabuhanga nyuma hazakorwa uhusesenguzi |
| 3 | Umurage wa gatatu wabajije ikibazo yagarutse ku kibazo cy'ibura ry'akazi asaba ko mu gihe igikorwa nyirizina cyo kubaka imihanda kizaba gitangiyeho ko abatuye aho bababwira akazi | Tuzabatangaho icyifuzo ko abaturage batariye ahazaza imihanda bakwibandwaho mu gushyirwa akazi |
| 4 | Ndifuzo kumenya icyo uyu mushinga kuri twe | biatwe imbere yuho mu miji bito byongere ubugendanyirizwa n'ubutembanirye n'indi miji |

Mu gusoma inama, umunyamabanga nshingwabikorwa yafashe umwanya ashimira abitabiriyeho inama bese ndetse n'ababajije ibibazo ndetse n'abatanzwe ibitekerezo byiza byubakira.

Inama yarangiyeho saa kumi n'itwwe n'imimota mirongo itanu

Byateguye
 INGABIRE Marie Ange
 [Signature]

byemejwe
 Kayunga Pascal
 [Signature]

2.2. Validation Minutes

Inyandiko mvugo y'inama yo kwemeza no gukosora amakuru

Itariki : 3/07/2019
Isaha : saa tatu
Aho byabereye : akagali ka Barija

Agenda

| Isaha | Gahunda | Ahayoboye gahunda |
|-----------|---|---------------------|
| 08:15 | Kuhagera | Bose |
| 8:15-8:20 | Gutangiza inama | Djalila Bazubagira |
| 8:20-8:50 | Ibisobanuro ku gice kigezweho cyo kwemeza no gukosora amakuru | Eric Mosoti |
| 8:50-9:00 | Kwerekana uko igikorwa nyirizina kiri bugende | Abakarani w'ibarura |

Attendance

| No | Amazina | Icyo bakora |
|----|-----------------------------|---------------------|
| 1 | Djalila Bazubagira | Impuguke |
| 2 | Eric Mosoti | Impuguke |
| 3 | Ingabire Ange | Umukarani w'ibarura |
| 4 | Irudukunda Sandarh | Umukarani w'ibarura |
| 5 | Nzabarushimana Jean de Dieu | Umukarani w'ibarura |
| 6 | Gwiza Elisabeth | Umukarani w'ibarura |
| 7 | Rugira Emmanuel | Umukarani w'ibarura |
| 8 | Issah Nshimiyimana | Umukarani w'ibarura |
| 9 | Karyandekwe Christian | Umukarani w'ibarura |

Uwayoboye inama yatangiye ashimira abitabiriye igikorwa cyo kwemeza no gukosora amakuru. Aboneraho no guha umwanya impuguke ziri gukora inyigo y'ahuzubakwa ibikorwa remezo (imibanda, ruhurura, imiferege) ngo zisobanure icyo igikorwa cyo kwemeza no gukosora amakuru kigamije.

Eric Mosoti, umwe mu mpuguke yafashe umwanya atanga ibisobanuro mu ncamake igikorwa cyo kwemeza no gukosora amakuru kigamije kurebe ko amakuru yafashwe mu gihe twari mu gikorwa cy'ibarura ariyo ndetse no kureba niba nta makosa yakozwe kugirango akosorwe.

Turaza kwibanda cyane kureba niba amazina yatanze ku bahagarariye imiryango niba ariyo, niba numero z'indangamuntu zanditse neza, ndetse tunarebe neza niba amakuru mwagiyemo mutanga ku birebana n'imibereho ndetse n'ubukungu ariyo cyangwa

se niba hari icyo mwibagiwe kutubwira mu gihe twari mu barura mukitubwirye tucyongeremo

Abari bitabiriye inama kandi bamenyeshesheje ko bazatora ababagarariye babifashijwemo n'abayobozi b'inzego zibanze ndetse n'akanama nkemurampaka, kugirango ibibazo byagiye bigaraga by'amakimbirane, bizajye biganirwaho, ubundi bishakirwe ibisubizo, baziga kandi ku ngaruka abazimurwa bazahurana nazo, bazafasha kugaragaza abaturage batishoboye, ndetse na gahunda zashyirwaho kugirango abaturage bagire imibereho myiza.

Eric Musoti yakomeje asobanura ko mu gihe tazaba dufite amakuru yizewe, bizafasha mu gihe cyo gutanga ingurane kuko izahabwa nyirayo (uyikwiriye) kandi ko igikorwa cy'iyemeza makuru gitanduka n'icyo kugena agaciro.

Abifuza ingurane y'ubutaka ku butaka akarere kazabanza kicare kareba ubutaka gafite ako bungana, nikabona buhagije kazatanga ingurane y'ubutaka kandi nikabona ari buto kazatanga ingurane y'amafaranga.

Abaturage batishoboye bafite ibibazo by'imibereho cyane cyane, ubumuga, indwara zidakira abamfakazi cyangwa abana bahagarariye ingo, bitanywe ko leta izabagenera ubufasha kugirango bibafashe kuzamura imibereho yabo.

Mu gusoma igikorwa cy'iyemezamakuru abaturage bose bifujye ko bahabwa ingurane y'amafaranga ihwanyije agaciro n'ibyabo bizangizwa n'ibikorwa remezo.

Inama yatangiye saa mbiri za mu gitondo irangira saa munani z'amanywa.

Yanditswe na **INGABIRE... Ange**

Yemezwa na **INGABIRE... Ange**

2.3 List of Attendees

| No. | NAME | SECTOR | CELL | VILLAGE | PHONE NUMBER | GENDER |
|-----|------------------------|-----------|-----------|---------------|--------------|--------|
| 1 | Alphonse | Nyagatare | Nyagatare | Nyagatare I | 0786382481 | Male |
| 2 | Bagabo Steven | Nyagatare | Nyagatare | Nyagatare III | 0788312316 | Male |
| 3 | Basabe Francoise | Nyagatare | Nyagatare | Barija B | 0788565851 | Male |
| 4 | Batamuriza Colette | Nyagatare | Nyagatare | Nyagatare I | 0787260533 | Female |
| 5 | Batamuriza Jeannette | Nyagatare | Nyagatare | Kinihira | 0788774720 | Male |
| 6 | Francis | Nyagatare | Nyagatare | Nyagatare III | | |
| 7 | Hakizimana Lucien | Nyagatare | Nyagatare | Kinihira | 0782591186 | |
| 8 | Imanishimwe Cyrille | Nyagatare | Nyagatare | Nyagatare I | 0786039186 | Male |
| 9 | Ingabire Hycenthe | Nyagatare | Nyagatare | Kinihira | 0788424576 | |
| 10 | Ingabire Janvier | Nyagatare | Nyagatare | Nyagatare III | | Male |
| 11 | Kabutura | Nyagatare | Nyagatare | Kinihira | 0788316831 | Female |
| 12 | Karigirwa Phiona | Nyagatare | Nyagatare | Barija A | 0781039644 | Female |
| 13 | Karikombi Aaron | Nyagatare | Nyagatare | Nyagatare III | 0788484097 | Female |
| 14 | Karuhanga Nathan | Nyagatare | Nyagatare | Nyagatare III | 0788854466 | Male |
| 15 | Kayinamura John | Nyagatare | Nyagatare | Barija B | 0788460059 | |
| 16 | Kyabarungi Anet | Nyagatare | Nyagatare | Nyagatare III | 0788791433 | |
| 17 | Let Me U Peter | Nyagatare | Nyagatare | Nyagatare II | 0788595687 | Male |
| 18 | Mahoro Diane | Nyagatare | Nyagatare | Barija B | 0784275451 | Male |
| 19 | Mbabazi Faith | Nyagatare | Nyagatare | Barija B | 0785417080 | Male |
| 20 | Mirenge James | Nyagatare | Nyagatare | Nyagatare III | 0788687233 | Male |
| 21 | Mugisha K Godfrey | Nyagatare | Nyagatare | Nyagatare III | 0786780056 | |
| 22 | Mukamisha Esperence | Nyagatare | Nyagatare | Nyagatare II | 0783570499 | Male |
| 23 | Mukamudenge Marthe | Nyagatare | Nyagatare | Nyagatare III | | |
| 24 | Mukamutsinzi Jullienne | Nyagatare | Nyagatare | Barija A | 0783943625 | Female |
| 25 | Mukarurangwa Justine | Nyagatare | Nyagatare | Barija B | 0788637878 | |
| 26 | Mupende David | Nyagatare | Nyagatare | Nyagatare III | 0788537975 | |
| 27 | Murekatete Frola | Nyagatare | Nyagatare | Nyagatare III | 0781812764 | Male |
| 28 | Musabye Josephine | Nyagatare | Nyagatare | Nyagatare II | 0788442341 | |
| 29 | Musabyimana Julienne | Nyagatare | Nyagatare | Barija B | | |
| 30 | Mutamba Anet | Nyagatare | Nyagatare | Nyagatare III | 0788877716 | Female |
| 31 | Muteteri Donatile | Nyagatare | Nyagatare | Nyagatare III | 0784883519 | Male |
| 32 | Muteteri Juliette | Nyagatare | Nyagatare | Barija B | 0785674320 | |
| 33 | Muvunyi Saidi | Nyagatare | Nyagatare | Kinihira | 0788562608 | |
| 34 | Mwizerwa Eugene | Nyagatare | Nyagatare | Barija B | 0784447860 | |
| 35 | Ndabukiye Damien | Nyagatare | Nyagatare | Nyagatare III | 0788622712 | Male |
| 36 | Ndirima James | Nyagatare | Nyagatare | Nyagatare III | 0788778271 | Male |
| 37 | Niwemwana Betty | Nyagatare | Nyagatare | Barija B | 0783464589 | Male |
| 38 | Niyizere Eric | Nyagatare | Nyagatare | Barija B | 0788679452 | |
| 39 | Nsengumuremyi Aimable | Nyagatare | Nyagatare | Kinihira | 0788207571 | Male |

| | | | | | | |
|----|--|-----------|-----------|---------------|------------|--------|
| 40 | Nshuti Anitha | Nyagatare | Nyagatare | Barija A | 0788595524 | Male |
| 41 | Ntale Didas | Nyagatare | Nyagatare | Nyagatare II | | |
| 42 | Ntarindwa Antoine | Nyagatare | Nyagatare | Barija B | 0788617197 | Male |
| 43 | Nyamwiza Sylvie | Nyagatare | Nyagatare | Nyagatare II | 0788520341 | Male |
| 44 | Nyirantagorama Jeanne | Nyagatare | Nyagatare | Barija B | 0789347642 | Female |
| 45 | Nzamwitakuze Vestine | Nyagatare | Nyagatare | Nyagatare III | 0789306644 | Female |
| 46 | Rugema Innocent | Nyagatare | Nyagatare | Barija B | 0785749980 | Male |
| 47 | Ruyombyana | Nyagatare | Nyagatare | Nyagatare II | 0788687262 | Female |
| 48 | Rwemarika Donath | Nyagatare | Nyagatare | Nyagatare III | 0788593585 | Male |
| 49 | Tuyisabe Jean Nepo | Nyagatare | Nyagatare | Barija B | 0788299972 | Male |
| 50 | Umutoni Monique | Nyagatare | Nyagatare | Nyagatare I | 0788594119 | Male |
| 51 | Unkown Owner | Nyagatare | Nyagatare | Nyagatare I | | |
| 52 | Uwangabe Prisca | Nyagatare | Nyagatare | Barija A | 0782921983 | Female |
| 53 | Uwanyirigira Esperance | Nyagatare | Nyagatare | Barija B | 0785089420 | Female |
| 54 | Uwase | Nyagatare | Nyagatare | Barija A | 0788915752 | Male |
| 55 | Uwimbabazi Phoibe | Nyagatare | Nyagatare | Kinihira | 0788622636 | Male |
| 56 | Uzamuranga Chantal | Nyagatare | Nyagatare | Kinihira | 0782922010 | Male |
| 57 | Tuyisenge Taccie | Nyagatare | Nyagatare | Nyagatare II | 0780426877 | Male |
| 58 | Ndakizera Pascasie | Nyagatare | Barija | Barija B | 0788517550 | Female |
| 59 | Baramba Samuel | Nyagatare | Nyagatare | Nyagatare II | 0781076715 | Male |
| 60 | Butare Tom | Nyagatare | Barija | Kinihira | 0788670300 | Male |
| 61 | Bamutake Yvone | Nyagatare | Nyagatare | Nyagatare III | 0788834373 | Female |
| 62 | Niyonkuru Ferdinand | Nyagatare | Nyagatare | Nyagatare III | 0784123613 | Male |
| 63 | Uwase Eduige | Nyagatare | Nyagatare | Nyagatare II | 0782397036 | Female |
| 64 | Mukarugamba Fortunee | Nyagatare | Barija | Barija B | 0788579699 | Female |
| 65 | Uwingabire Beatrice | Nyagatare | Barija | Barija B | 0788656752 | Female |
| 66 | Habanabakize Augustin | Nyagatare | Nyagatare | Nyagatare II | 0783772783 | Male |
| 67 | Hategekimana Jmv | Nyagatare | Nyagatare | Nyagatare II | 0783665799 | Male |
| 68 | Niyitanga Japhet | Nyagatare | Barija | Barija B | 0789768266 | Male |
| 69 | Bizimana Gervais | Nyagatare | Barija | Barija B | 0782083880 | Male |
| 70 | Maniragaba Jean Damascene | Nyagatare | Barija | Barija B | 0783864465 | Male |
| 71 | Gatabazi Felecien and Mukashyaka Jeannette | Nyagatare | Barija | Barija B | 0788727915 | Male |
| 72 | Mukandoli Anonciata | Nyagatare | Barija | Barija A | 0783427756 | Female |
| 73 | Bizimana Germain | Nyagatare | Barija | Barija A | 0782083880 | Male |
| 74 | Kwizera Jean Marie Vianney | Nyagatare | Nyagatare | Nyagatare II | | Male |
| 75 | Rukundo Siladgi | Nyagatare | Nyagatare | Nyagatare II | 0782280222 | Male |
| 76 | Mutuyimana Clarisse | Nyagatare | Nyagatare | Nyagatare III | 0780490967 | Female |
| 77 | Mushayija Cesar | Nyagatare | Nyagatare | Nyagatare II | 0788374144 | Male |
| 78 | Philbert Kavamahanga | Nyagatare | Nyagatare | Nyagatare II | 0788509411 | Male |