

## REPUBLIC OF RWANDA



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**Abbreviated Resettlement Action Plan (ARAP)**

Rehabilitation and upgrading of Karomero-Karundo Mbugangari Roads  
(coded R7, R8, R2, R3 and R20) in Rubavu District

Final Report

June , 2017

## ACRONYMS AND DEFINITIONS

|                   |  |
|-------------------|--|
| <b>AIDS:</b>      | Acquired Immune Deficiency Syndrome                        |
| <b>CAC:</b>       | Cell Adjudication Committee                                |
| <b>CBOs:</b>      | Community Based Organizations                              |
| <b>CoK:</b>       | City of Kigali   |
| <b>CSO:</b>       | Civil Society Organizations                                |
| <b>DDC:</b>       | District Development Committee                             |
| <b>DDS:</b>       | District Development Strategy                              |
| <b>DLOs:</b>      | District Land Offices                                      |
| <b>EDPRS II:</b>  | Second Economic Development and Poverty Reduction Strategy |
| <b>EMF:</b>       | Environment Management Framework                           |
| <b>ESIA:</b>      | Environment and Social Impact Assessment                   |
| <b>ESMF:</b>      | Environmental and Social Management Framework              |
| <b>GDP:</b>       | Gross Domestic Product                                     |
| <b>GoR:</b>       | Government of Rwanda                                       |
| <b>HIV:</b>       | Human Immunodeficiency Virus                               |
| <b>JADF:</b>      | Joint Action Development Forums                            |
| <b>LODA:</b>      | Local Development Agency of Rwanda                         |
| <b>M&amp;E:</b>   | Monitoring and Evaluation                                  |
| <b>MINAGRI:</b>   | Ministry of Agriculture and Animal Resources               |
| <b>MINALOC:</b>   | Ministry of Local Government                               |
| <b>MINECOFIN:</b> | Ministry of Finance and Economic Planning                  |
| <b>MINICOM:</b>   | Ministry of Trade and Industry                             |
| <b>MININFRA:</b>  | Ministry of Infrastructure                                 |
| <b>MINIRENA:</b>  | Ministry of Natural Resources                              |
| <b>MTR:</b>       | Mid Term Review  |
| <b>NDIS:</b>      | National Decentralization Implementation Secretariat       |
| <b>NGO:</b>       | Non-Governmental Organizations                             |
| <b>NLC:</b>       | National Land Commission                                   |
| <b>OP:</b>        | Operational Policy   |
| <b>PAP:</b>       | Project Affected Persons                                   |
| <b>PCDP:</b>      | Public Consultation and Disclosure Procedures              |
| <b>PMU:</b>       | Project Management Unit                                    |

|              |   |
|--------------|---|
| <b>PPP:</b>  | Public Private Partnership              |
| <b>RUDP:</b> | Rwanda Urban Development Project        |
| <b>RAP:</b>  | Resettlement Action Plan                |
| <b>ARAP:</b> | Abbreviated Resettlement Action Plan    |
| <b>RDB:</b>  | Rwanda Development Board                |
| <b>REMA:</b> | Rwanda Environment Management Authority |
| <b>RGAC:</b> | Rwanda Governance Advisory Council      |
| <b>RGB:</b>  | Rwanda Governance Board                 |
| <b>RHA:</b>  | Rwanda Housing Authority                |
| <b>RNRA:</b> | Rwanda Natural Resources Authority      |
| <b>RPF:</b>  | Resettlement Policy Framework           |
| <b>RRA:</b>  | Rwanda Revenue Authority                |
| <b>RSTF:</b> | Rural Resettlement Task Force           |
| <b>RTDA:</b> | Rwanda Transport Development Agency     |

## **DEFINITIONS OF TERMS USED IN THIS DOCUMENT**

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:

a. Relocation or loss of shelter

b. 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 c. The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

2. “Associated projects” means any subprojects or activities which are directly related to the planned infrastructure development in the six secondary cities.

3. “Census” means a field survey carried out to identify and determine the number of Project Affected Persons (PAP), their assets, and potential impacts; in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures, emanating from consultations with affected communities and the Local Leaders.

4. “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 six secondary cities. 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.

5. “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.

6. “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.

7. “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: a. Standard of living adversely affected, whether or not the Project Affected Person must move to another location; b. 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; c. Access to productive assets adversely affected, temporarily or permanently; or d. 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: a. Loss of benefits from use of such land; b. relocation or loss of shelter; c. loss of assets or access to assets; or d. loss of income sources or means of livelihood, whether or not the project affected person has moved to another location.

9.” 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.

10. “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.

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

12. “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.

13. “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.

14.” 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;

15. “Replacement cost for agricultural land” means the pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: a. preparing the land to levels similar to those of the affected land; b. any registration, transfer taxes and other associated fees;

16. “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: a. Building materials transporting building materials to the construction site; c. Any labour and contractors’ fees; and d) any registration costs.

17. “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,

18. “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. The Resettlement Action Plans (“RAPs”) for the infrastructure development in the six secondary cities will be prepared and will be consistent with the provisions of this RPF.

19. “Resettlement Action Plan”: see Resettlement and Compensation Plan above,

20. “Vulnerable Groups” refers to: a. Widows, the disabled, marginalized groups, low income households and informal sector operators; b. Incapacitated households – those no one fit to work and; c. Child-headed households and street children d. 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.

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## **EXECUTIVE SUMMARY**

The Government of Rwanda (**GoR**) intends to construct the following infrastructures: Rehabilitation of Karomero-Karundo Mbugangari Roads coded R7, R8, R2, R3 and R20 as well as lined rehabilitation of drainages under the Rwanda Urban Development Project funded by the World Bank.

For LODA to meet its internal standards and as a risk management approach, it applied National legislation on Environmental and Social Sustainability for projects that are likely to have an environmental and social impact. In this particular instance, the focus was on the National Expropriation Law No.33/2015 and the World Bank policy on involuntary resettlement (OP 4.12). An Abbreviated Resettlement Action Plan (ARAP) was prepared to ensure that the exercise of expropriation and resettlement is undertaken in accordance with the World Bank involuntary resettlement as well as the National Expropriation Law.

The main purpose of the Abbreviated Resettlement Action Plan is to ensure that the populations which have to leave their environment and lose some of their properties are treated fairly. The overall objective of the proposed project is to support Rwanda's urbanization process by delivering basic services that will improve living conditions and promote local economic development.

Several methods have been used while preparing this Abbreviated Resettlement Action Plan and they include the review of available documents, stakeholder consultations, social economic household survey and observations.

For this ARAP to meet the World Bank policy on involuntary resettlement (OP 4.12) and other Several National policies and local legal frameworks that regulate the land relations and resettlement in Rwanda were reviewed including; the National land law and expropriation.

## FINAL ARAP RUBAVU DISTRICT

Several institutions will be involved in the implementation of this ARAP and these will include Ministry of Infrastructure(MININFRA), Ministry of Finance and Economic Planning (MINECOFIN), RTDA, Rwanda Natural Resources, Authority (RNRA), Ministry of Local Government (MINALOC) and the district of Rubavu.

For the purpose of public awareness, several meetings were held with different stakeholders at national, district and local levels during the month of December 20<sup>th</sup> 2016. During the consultations, several issues were raised by the different stakeholders and they included provision of employment opportunities to the local people, long period taken between valuation of assets and compensation exercise, presence of land with disputes, assistance to vulnerable people whose structures are affected by the project, absentee landlords and the need for collaboration with local leaders among others.

The impact of the project on households will vary as some households will no longer be able to utilize the area in the Right of Way (RoW) for certain boundary walls as well as growing trees and fruits. Some households will only be affected during construction and afterwards they will be able to continue utilizing the portion of land in the area as before for the land where the road will be rehabilitated, the affected portions of land will remain unutilized for the entire period of existence of the Road.

Various assets will be affected during the construction of the roads, these assets will include boundary walls which are expected to be removed permanently for the project, Houses, Plantations, annexes and permanent acquisition of portion of land. In regard the affected structures/buildings will require relocation. Detailed information on the magnitude of the impact is annexed on this table.

A grievance resolution channel has been proposed through which the grievances shall be resolved. In case of any dissatisfied person, it was made clear to the PAPs that the complaint should be recorded and filed with Cell leadership for onward consideration by the Resettlement and Compensation Committee put in place for purposes of the RUDP project in Rubavu City. Beyond this stage, if the complainant is not satisfied, there are other steps that were set up and are clearly explained in grievance and redress mechanism chapter. However, it is important to emphasize that as per World Bank OP.4.12, grievances logged outside the set timeframes by the national laws may still be valid and legitimate.

## FINAL ARAP RUBAVU DISTRICT

For the affected people's lives to remain normal as well as people living in the project area, Livelihood and income restoration shall be done through providing skilled and semi-skilled jobs during the construction period.

To ensure fairness and just, the resettlement schedules will be coordinated with the construction schedule and before any project civil works activity is implemented, PAPs will have to be compensated in accordance with the Rwandan laws and regulations and the World Bank Involuntary Resettlement Policy.

The District of Rubavu has agreed and committed to set aside a total compensation budget for the properties to be affected during the implementation of this project estimated to be **Forty-Three Million, Two Hundred Eighty-Six Thousand, Eight Hundred Forty-three (43,286,843Frw)**. This is equivalent to **USD 51,716.65**

There is a need to carry out both internal and external monitoring to ensure complete and objective information to avoid bias. Internal monitoring will be undertaken by the implementing agency, a Consultant and/or the local authorities involved. Some of the indicators for internal monitoring to be considered will include; the number of households and individuals affected by the project; actual compensation amount paid and timelines; number of PAPs who have not received compensation, number of people raising grievances in relation to the project and number of unresolved/resolved grievances.

External monitoring will include an independent impact evaluation that will determine: if compensation payments have been completed in a satisfactory manner; and if there are improvements in livelihoods and well-being of PAPs.

In conclusion, if the guidelines and recommendations set out in this ARAP are followed, the negative impact of the project on the people will be minimized and thus the project will be socially and environmentally viable.

## 1. INTRODUCTION

This document is an Abbreviated Resettlement Action Plan (ARAP) for the construction and upgrading of Karomero, Karundo and Mbugangari roads in Rubavu City. It was prepared by the Government of Rwanda (GoR) as one of the requirements by the World Bank to support the development of urban infrastructure in six secondary cities of Rwanda including Musanze, Huye, Nyagatare, Rubavu, Rusizi, and Muhanga; as well as the development of infrastructure in the Agatare area of Nyarugenge District. In Rubavu District, the efforts have been led by the Ministry of Infrastructure (MININFRA) through the Executing Agency for the Rwanda Urban Development Project (RUDP), under which the construction and upgrading of the Karomero and Karundo roads are financed. The RUDP aims at improving urban management, infrastructure services and local economic development with the following as the major components:

- a) Performance Based Grants to Support Infrastructure Investments for Basic Services (including settlement upgrading) in the secondary cities of Huye, Rusizi, Musanze, Muhanga, Rubavu, and Nyagatare that have been identified in the National Urbanization Strategy to serve as poles of future urban and economic growth.
- b) Facilitating Local Economic Development in the six secondary cities linked to the infrastructure investments to promote local economic development such as expanding or improving the market infrastructure and providing technical assistance to the District in enabling and partnering with the private sector (e.g., through guidance on Public Private Partnership (PPP) arrangements).
- c) Upgrading of the Agatare Informal Settlement in Nyarugenge District of the City of Kigali to support Nyarugenge District in planning, facilitation and implementation of the Agatare neighborhood upgrading intervention, which will serve as a piloting of community based urban regeneration measure that will subsequently be scaled up to other parts of Kigali and to secondary towns.

- d) Technical Support for the Implementation of the National Urbanization Strategy involving targeted capacity building support for government agencies at both central and local levels to enable an equitable urbanization process which also promotes economic growth.
- e) Project Management Support so as to provide the implementing agencies at national level and the Districts with project management support.

## 2. PROJECT ACTIVITIES

During the Detailed Engineering Design in Rubavu city, total of 3.851 km roads and about 1.902 km of cross drainage works were identified in Phase-1 for Rubavu with an estimated cost of USD 4.49 Million.

Below is the map of Rubavu city where the Rehabilitation and upgrading of Karomero-Karundo Mbugangari Roads coded R7, R8, R2, R3 and R20 as well as lined rehabilitation of drainages.

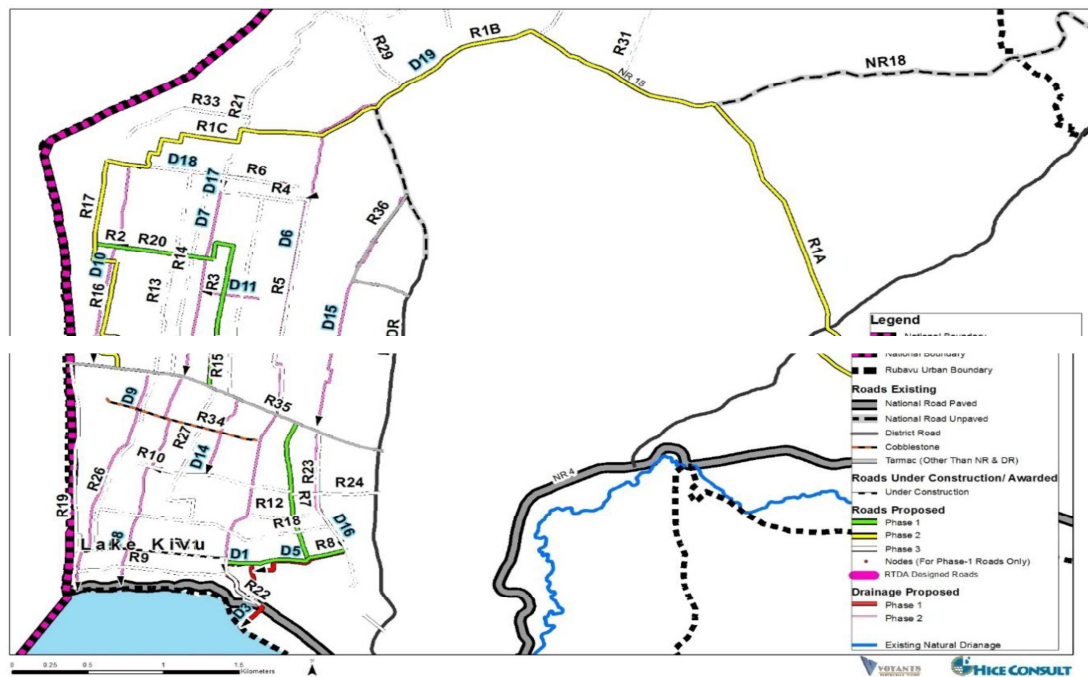


Figure 1: Map showing the proposed roads to be constructed in Rubavu city



### 3. PUBLIC CONSULTATION

According to the World Bank resettlement policy, affected persons and host communities are supposed to be meaningfully **consulted** early in the planning process and encouraged to participate in the planning and implementation of the resettlement program. While preparing this ARAP, the affected persons were informed about their options and rights pertaining to resettlement. Hence, consultation meetings with PAPs were held to discuss issues related to compensation. RUDP and the District of Rubavu held meetings with the local communities in order to inform them about the planned subproject.

The local communities were fully involved in all the processes of the development of this ARAP and they were informed about the construction of the proposed roads.

Upon identification of the households that will be affected by the project, LODA/RUDP and Rubavu District staff organized meetings with the PAPs to discuss compensation requirements and concerns. The District arranged meetings for the negotiations with the local communities to discuss the alternatives for compensation and the proposed site that seemed to be suitable for the project.



**Figure 2: Consultation meeting in Rubavu District**

### **3.1 Verification and Disclosure of entitlements**

Public consultations took place from the initial stage of ARAP preparation with the local community and PAPs involved in the process of documentation and valuation of their assets. The ARAP will be disclosed after the approval by the World Bank, and the medium of communication will be **Kinyarwanda**. The summarized copy of ARAP on critical issues will be translated in Kinyarwanda and displayed at Cell, Sector and District offices and it will also be discussed during community works (Umuganda) and other public meetings.

### **3.2. Main issues raised by the PAPs during the first meeting held.**

The issues raised at the consultation meetings are summarized in the table below, along with the responses given by the committee comprised of LODA staff (Social and Environment specialists), and District and Sector officials.

**Table 1: Issues of PAPs and responses given**

| <b>Issues</b>  | <b>Responses</b>  |
|--|---|
| Valuing affected assets (crops and trees)                      | The valuation of the crops trees and houses will be done with reference to current compensation rates applied in Rwanda and the compensation package is based the age and type of the crop or tree.   |
| Security issues during the demolition of their boundary walls? | Compensation will take place before construction works start, hence, the affected people will be able to rebuild their boundary walls. During the demolition of the boundary walls, security personnel will be deployed at the site until the walls are rebuilt.  |
| How will I know the amount of money to be compensated?         | All the PAPs names and their properties as well as their amount of money will be compensated will be displayed at cell and sector offices and all PAPs will sign on their compensation forms showing the amount of money they will receive. The compensation package will be agreed upon by the PAP before signing. |

### **3.3. Attitudes of PAPs towards Approved RUDP project Sites**

The consultations with several stakeholders including PAPs indicated that most of the people did support the construction of the proposed roads. This was attributed to the fact that these people already knew the importance associated with the construction of the roads and many thought that they could increase their monthly rent fee and this would increase their income.

## 4. IMPACT OF THE INVESTMENTS IN RUBAVUDISTRICT

Attempt has been made to avoid resettlement whenever possible as per the primary criteria of development scheme for Phase-1 selected projects. However, the impact on a few properties could not be avoided even after applying all necessary measures.

Based on the updated valuation report, it is only 18 people who will be affected, assets include seventeen (17) boundary walls, two (2) kiosks, two (2) annexes, land, Plantations and seven(7) business units (shops), which will be partially affected according to the valuation report, they will be affected at about 30% and the owners of these shops will be compensated for the full value of their structures, all two house owners will remain in their main houses because only shops will be affected . No rental tenants in the affected kiosks as well as in the affected Business Units.

The table indicating the amount and the affected properties is annexed on to this report.



Figure 3: Some of the buildings that will be affected by the construction of the roads

### 4.1 Methodology of the land acquisition process and ARAP

The development and implementation of this ARAP that seeks to adhere to their requirements of the World Bank policy on involuntary resettlement (OP 4.12) and the National Expropriation law no 32/2015 of 11/06/2015. The stakeholder engagement and socioeconomic data collection required to

develop this ARAP took place through a series of site visits to the concerned districts between May and June 2015 and June and July 2016.

#### **4.2 Approach of ARAP preparation:**

The ARAP preparation followed the following key essential stages:

- Identification of project impacts and affected populations was achieved by-
  - Reviewing the map of the extent of proposed road diversions.
  - Reviewing the Socio-economic Impact Assessment report;
  - Consultation with affected populations on suggestions regarding mitigation measures and preferred development opportunities;
  - Reviewing the detailed Engineering Design
- Review of legal framework for land acquisition and compensation for Rwanda;
- An Entitlement Matrix was drawn indicating which people are affected, entitled to what compensation and cut-off date after which any intruders are ineligible were also determined;
- A detailed budget was drawn covering; cost of compensation including assets and disruption.
- Monitoring and implementation plans were drawn. The implementation schedule covers all activities of the resettlement process that were planned, that is, consultations, ARAP, formal establishment of grievance mechanism, agreement of LRP and agreement on the resettlement sites.
- ARAP, monitoring and evaluation.  
Monitoring was discussed based on performance monitoring, impact monitoring and complete external audit;
- Information from the stakeholder engagement enabled the study to describe organizational responsibilities and establish a formal grievance redress mechanism;

Some of the more relevant activities mentioned above and applied in the process of preparing the ARAP are discussed in a little more detail hereafter: Village-Level Discussions and Focus Group Discussions (FGDs) were also used in the exercise:

One-on-one key informant interviews, cell and village-level discussions and FGDs were applied to understand the extent of potential resettlement-related impacts of the Project's land acquisition process, as well as other relevant issues. The outcomes of these consultations were used to fine-tune the scope and strategy for the next stage of data collection.

In each project site, the FGDs were held with: (i) local government leaders; and(ii) general public meetings with the communities that will be affected.

## **5. RESETTLEMENT COMPENSATION STRATEGIES**

Asset inventory and valuation was done in Rubavu District, for the proposed road construction by the certified valuer alongside the district engineer and the social protection officer. The valuation process was an entire field operation that involved a certified valuer and other parties including local authorities and PAPs, local meetings explaining to the affected communities the manner in which the valuation would be done were held. After consultations with various stakeholders, the following were the key activities agreed upon;

- Plots of land were measured by tape measure to determine the size. This was done in the presence of the Displaced persons and the committee chosen to follow-up the Asset inventory and valuation.
- Houses were measured by tape measure, type and quantity of construction materials used on the house as well as the state of the

structure was determined. All this was done in the presence of the affected owner and valuation committee.

- Crops valuation criteria based on the area of coverage, in other cases number of standing crops and age.
- For the two houses that will be partially damaged, the two tenants were given a notice of three months by the house owners to vacate the houses, this period is more than what it is stipulated by law, which is one month.
- Crop and tree owners: Valuation is for annual crops since the seasonal crops shall be harvested by the time of project commencement. For those hiring or care taking for the actual land owner, compensation shall be written against those hiring or care taking of the land not to the land owners to avoid any misconduct by the land owners who might seize the compensation packages intended for those hiring the land.
- Trees valuation criteria based on the number of trees, age and type of tree.
- All this data was entered into individual valuation field sheets for each plot of land and for each affected person. Each of these was verified by the valuation committee and the affected person, who signed against the sheet. These sheets were signed off by the Cell and Sector authorities before they are sent to the District land commission for endorsement and for payment processing.

### **5.1 Cut - off date**

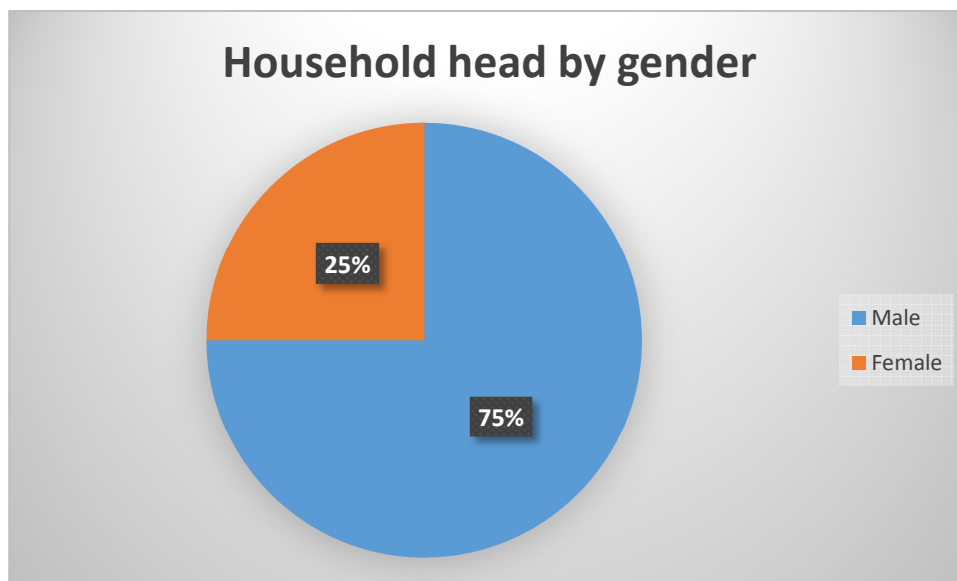
The cut-off date is defined by the IFC and the World Bank as the date of completion of the census and assets inventory of persons affected by the project. Any person occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. The entitlement cut-off date in this ARAP refers to the timeframe advertised by the District of Rubavu beyond which no more claims could be made for inclusion on the list of PAPs, and at which point no assessment of new persons and their

property outside the published list would be undertaken. The cut-off date was determined through a meeting with the PAPs, at the District headquarters, before the commencement of the census survey and social assessment. The agreed cut-off date was 13<sup>th</sup>, December 2016

## 6. SOCIO ECONOMIC STATUS OF THE AFFECTED PEOPLE

To assess the impacts of the project on the Project Affected Persons (PAPs), a socioeconomic survey was conducted by a Consultant in January, 2017. This section of the report presents the findings on the socio economic conditions of the people that will be directly affected by the project and the general socioeconomic conditions of the area.

The socioeconomic findings indicate that the average household size of Project Affected Households (PAHs) is 4 persons per home with the smallest household having one (1) member and the largest having 13 members. These findings further indicate that 75% of the surveyed households are headed by males while 25% are headed by females.



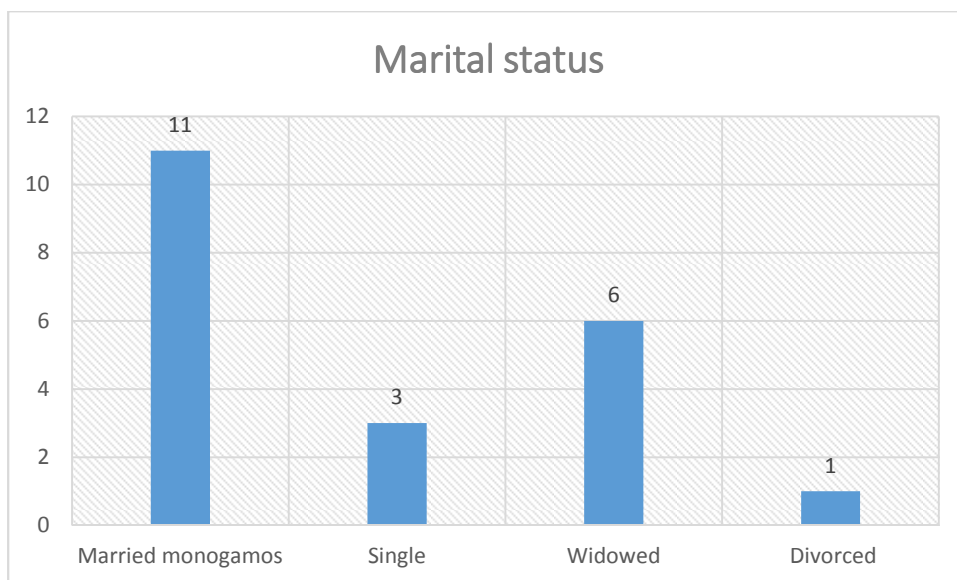
**Figure 4: Household head by gender**

**Source:** socioeconomic baseline study



## 6.1 Marital Status

The socio-economic findings also indicate that eleven people are married and have one (1) spouse, six are widowed, three are still single and one respondent is divorced. This indicates that the majority of the respondents are married and followed by the widowed. Below is the graph illustrating these findings.

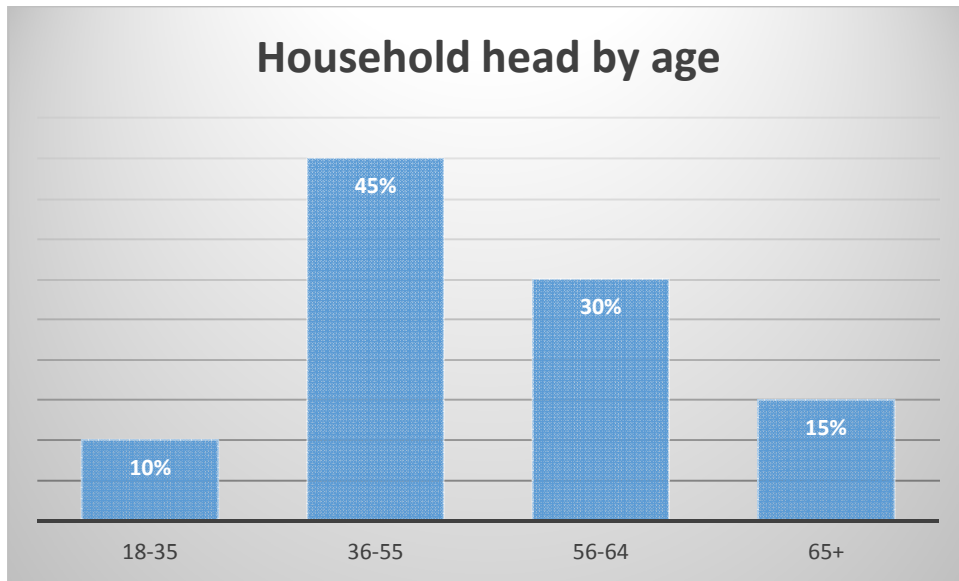


**Figure 5: Marital status**

**Source:** socioeconomic baseline study

## 6.2 Household head by age

The study further indicates that 45% of household heads are between the age of 36-55 years of age, 30% of the house heads are between the age of 56-64 years of age, 15% are 65 and above of age and 10% of the household heads are between the age of 18 to 35 years of age. This implies that the age group of 36-55 years of respondents are economically active. People of 18-35 assume very few are in universities, they are working and quite able to have children.

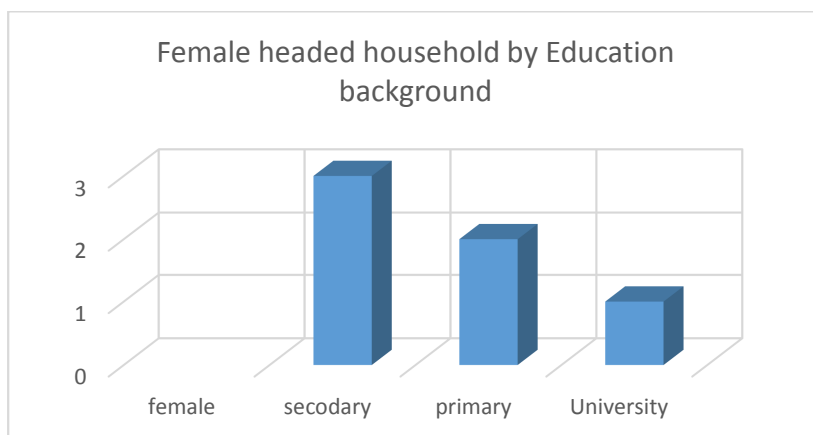


**Figure 6: Household head by age**

**Source:** socioeconomic baseline study

### 6.3 Education background by gender househeads

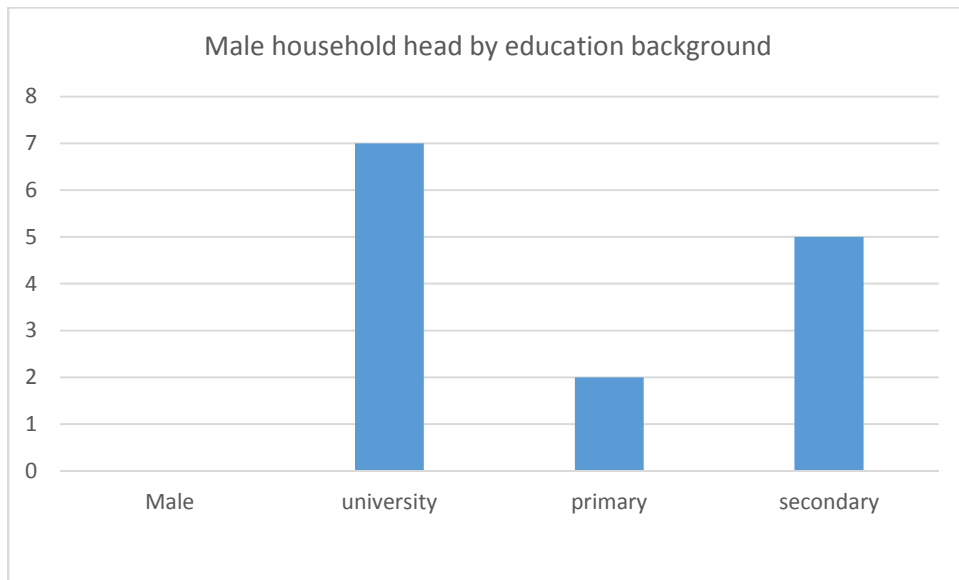
Among Female household heads, two women have not completed primary school, three women household heads have completed secondary school education and one has completed University education.



**Figure 7: Female headed household by education background.**

**Source:** socioeconomic baseline study

On the other hand, among their male counterparts seven (7) male headed holds have completed university education, this implies that 50% of the male household heads have completed their University education, two have completed Primary school, this implies that 14% have completed primary school education and five have completed secondary school education, this also implies that 35.7% have completed secondary school education.



**Figure 8: Male household head by education background**

**Source:** socioeconomic baseline study

#### **6.4 Common Diseases in the project area**

Among the diseases that are commonly found in the project area are Asthma and cough, according to the responses from the respondents. Many of the respondents explained that there is a direct connection between the presence of cough infections among many people in the project area and the dusts from the existing rough road, they believe that once the road is constructed, cases of cough infections and other respiratory infections will drop dramatically.

#### **6.5 Distance to Water**

During the survey, it was found out that 100% of the households have water in their homes, hence the availability of the constructed road in their area

will another advantage to their wellbeing and it will improve their living standard.

## **6.6 Vulnerability**

None of the affected people (PAPs) were found in the project area, there are two women who have minor injuries on their legs and this cannot stop them from doing their daily activities.

## **6.7 Access to Credit Facilities**

All respondents interviewed have access to credit facilities, these include local banks like Bank of Kigali, Access Bank, SACCOs, CSS, KCB etc.

## **6.8 Socio-economic importance of the Project**

The project will be of great importance to the people residing in the vicinity of the roads that will be constructed as well as to Rubavu residents in general. According to the people residing in the project area, the following is the importance of the proposed roads in Rubavu District.

- a) Easy movement of goods and services among businessmen, hence, enhancement of the development of trade and income among people.
- b) Reduction of respiratory infections due to dust: People said that once the roads are constructed, there will be reduction of dust and this will lead to the reduction of respiratory infections like coughs, etc.
- c) The value of people's properties is likely to increase, properties like land and houses will have more value after the construction of the road.
- d) Reduction of transport fares
- e) Availability of semi and unskilled jobs
- f) Solving the problem of stagnant water especially during rain seasons
- g) Hotels and Lodges will get more customers because it will be easier to access them
- h) Roads beautify the area where they traverse

## **7. LEGAL AND REGULATORY FRAMEWORK**

### **7.1 Land law in Rwanda**

The Organic Law No.43/2013 of 16/06/2013 governing land in Rwanda serves the purpose to determine modalities of allocating, acquisition, transfer, use and management of land in Rwanda.

Under this law and relevant to this study are the definitions given to:

- **Land tenure:** the system by which land is held, describing the rights, responsibilities and restrictions that are attached to the land holder.
- **Expropriation:** an act of taking away individuals' land by the State due to public interest in circumstances and procedures provided by law and subject to fair and prior compensation.

The land owner shall enjoy full rights to exploit his/her land in accordance with the provisions of this Law and other laws. The State recognizes the right to freely own land and shall protect the land owner from being dispossessed of the land whether totally or partially, except in case of expropriation due to public interest. All buildings, crops and other works found on land that have been performed by the land owner using his/her money or otherwise are presumed to be his / hers.

However, this does not prohibit any other person to own buildings, crops and any other works on other person land in accordance with procedures provided for by this Law, other laws or agreement with the land owner.

### **7.2 Ministerial Order No. 001/2006 of 26/09/2006**

This Order provides for the structure of land registers, the responsibilities and the functioning of land bureaus in each district (Article 1). According to this order, the overall responsibility of implementing the land policy lies with the Land Bureau, and the law clearly stipulates the functioning of the land bureaus at both Central and Local Government levels.

### **7.3 Law N°55/2011 of 14/12/2011 Governing Roads in Rwanda**

This law provides for regulation of road works in the country, putting the responsibility for all national roads and adjoining roads under the Roads and Transport Development Authority, RTDA; while putting the district and adjoin feeder roads under the responsibility of the local authorities, and that of the roads exclusively within the designated urban centres under the urban authorities.

### **7.4 Law N° 43/2013 of 16/06/2013 Governing Land in Rwanda**

This Law determines modalities of allocating, acquisition, transfer, use and management of land in Rwanda. It also establishes the principles applicable to rights recognized over all lands situated on Rwanda's national territory and all rights united or incorporated with land, whether naturally or artificially. The State under this law is the sole authority to accord rights of occupation and use of land. It also has the right to order expropriation in the public interest.

### **7.5 Law N° 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest**

This Law determines procedures relating to expropriation in the public interest. Expropriation is the taking of private property in the public interest aimed at development, social welfare, security and/or territorial integrity for public good or State interest. An expropriator is a government organ with responsibilities and powers conferred by law to carry out expropriation in public interest. The Expropriation Law also provides for contestation of the process including listing of affected persons and valuation of the affected property.

**Article 28 of the expropriation law of 2015:** Criteria for determining fair compensation was applied as well. "The compensation for disruption caused by expropriation to be paid to the expropriated person shall be equivalent to five percent (5%) of the total value of his/her property expropriated

## **7.6 Rwanda's Urbanization and Rural Settlement Sector Strategic Plan 2013-18**

The Sector Strategy promotes the development of secondary cities while creating a network of urban and urbanizing centers. Additional overall urban development guiding principles to be followed in preparing this project are: (a) designs which will encourage densification of the cities, resulting in reduced urban infrastructure and services costs, (b) local economic development must also be taken into consideration in the dialogue with the cities as to investment options, and (c) the investment options must be ranked as well using social inclusive growth as a major criterion.

## **7.7 World Bank Safeguards Policies**

The World Bank policy on involuntary resettlement (OP 4.12) emphasizes that any development project should avoid or minimize involuntary resettlement and where this is not feasible, it should compensate for lost assets at full replacement cost, and assist the displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. The World Bank OP 4.12, Annex A (Paragraphs 17-31), describes the scope (level of detail) and the elements that a resettlement plan should include:

- a) WB OP 4.12. (6a) demands that the resettlement plan includes measures to ensure that displaced persons are (i) informed about their options and rights, (ii) consulted on, offered choices among others and provided with technically and economically feasible resettlement alternatives, and (iii) provided prompt and effective compensation at full replacement costs.
- b) WB OP 4.12 (8) requires that particular attention should be paid to the needs of vulnerable groups among those displaced such as those below the poverty line, landless, elderly; women and children and indigenous peoples and ethnic minorities.
- c) WB OP4.12 (12a) states that for households depending on land for their livelihoods preference should be given to land based solutions; however, payment of cash compensation for



lost assets may be appropriate where livelihoods are land-based but the land taken for the project is a small fraction (less than 20%) of the affected asset and the residual is economically viable. d) WB OP4.12 Para (6 b & c) state that in case of physical relocation, displaced persons should be (i) provided with assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, location advantages, and other factors is at least equivalent to the advantages of the old site. e) WB. OP 4.12 (13 a) stipulates that any displaced persons and their communities and any host communities receiving them should be provided with timely and relevant information, consulted on resettlement options and offered opportunities to participate in planning, implementing and monitoring resettlement. In addition, displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance in addition to compensation measures such as land preparation, credit facilities, training, or job opportunities. f) WB OP4.12 Para 13 (a) requires that appropriate and accessible grievance mechanisms are established to sort out any issues arising.

## **7.8 Comparison between National Legislation and WB OP 4.12**

This section compares differences between the laws of Rwanda related to expropriation and the World Bank's safeguards on Involuntary Resettlement. In this project, where the Rwanda law differs with the Bank's OP 4.12' the latter will apply or take precedence. The promulgation of the new Expropriation Law introduces a legal framework within which expropriation activities

must be conducted, and above all, attempts to bring Rwandan legislation more in line with international best practice requirements

### **7.9 Gap Analysis between Rwandan Expropriation Law and WB Op 4.12**

Despite this, there are still some gaps between the national Rwandan legislation and the World Bank Policy OP 4.12. These relate to the general principles for resettlement, eligibility criteria, the notification period for expropriation and resettlement, and the procedures required throughout the resettlement process. The key differences are as follows.

a) Avoid Resettlement: While OP 4.12 stipulates that projects should first avoid involuntary resettlement as much as possible, there are no similar provisions in Rwandan national legislation, which states that ‘expropriation of land will be done when deemed necessary for public purposes.’ Secondly, the notification period under national legislation requires that property must be handed over 120 days after financial compensation has been paid, while OP 4.12 requires that displacement must not occur until all necessary measures for resettlement are in place including assisting the PAPs with relocation. b) Meaningful and participative consultation: OP 4.12 requires that persons to be expropriated should be meaningfully consulted and that the PAPs should have the opportunity to participate in planning and design of resettlement programs. The Rwandan Expropriation Law only stipulates that affected peoples be fully informed of expropriation issues and that the public interest will always override any individual interest. Indeed, the law prohibits anyone to hinder the expropriation process based solely on “self-centred” reasons. c) Eligibility determination: According to the Bank policy (OP 4.12) eligibility determination of the PAPs entitles those who have formal rights, those with claims to land, and those with no recognizable legal right to compensation; but under the Rwanda Expropriation law compensation is limited only those

land titles and or recognizable customary or written evidence of land ownership, persons recognized as legal occupants and owners of the expropriated land and property thereon. The World Bank OP4.12 policies is much broader and includes both legal and illegal occupants of the land. d) Notification period required: The Rwandan new expropriation law requires that property must be handed over 120 days after financial compensation has been paid, while OP4.12 requires that displacement must not occur before all necessary measures for resettlement are in place, not only compensation. e) Fair and just compensation: The Expropriation Law provides for fair and just compensation to expropriated peoples eligible for compensation, the definition of 'fair and just' is not clearly defined, and therefore there is a risk that Project Affected People's livelihoods may not be restored or improved after compensation and resettlement.

## **8. GRIEVANCE MANAGEMENT AND REDRESS**

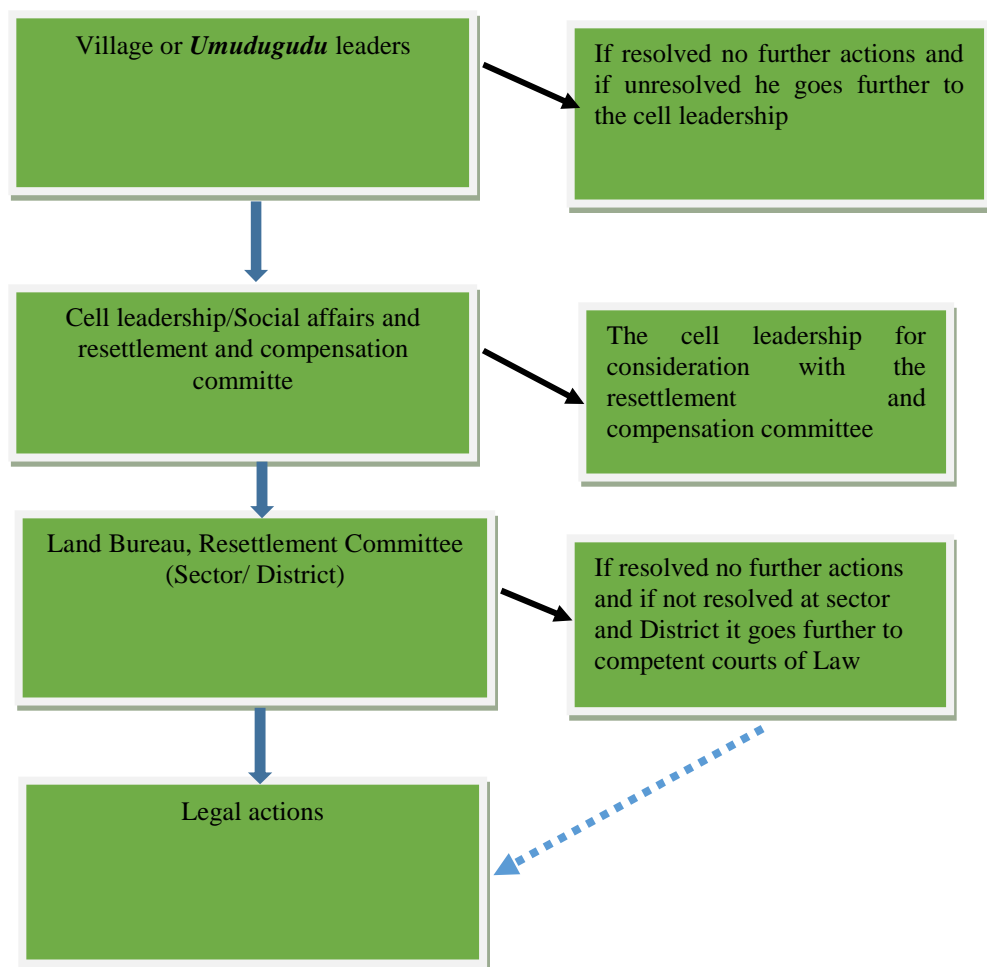
The GRM has been appropriately articulated in the RPF and is for the benefit of both the project and the PAPs so as to amicably and in a timely manner solve any conflicts and grievances that may arise with the displacement and resettlement processes and activities. The grievance framework recommended for this ARAP is built on already existing structures within the laws of the GoR and affected community. A Resettlement and Compensation Committee, including representatives of the PAPs, women, youths, local authorities, and those designated by law from the District Leadership was set up to guide the implementation of the ARAP and expedite any handling of grievances that may arise in the implementation of the ARAP. It is very important that appropriate and accessible grievance mechanisms are established to sort out any issues arising in connection with resettlement and compensation. During the implementation of the project activities it is likely that disputes/disagreements between the project implementers and the affected persons will occur. Grievances may arise from members of communities who are dissatisfied with the eligibility criteria, resettlement measures, compensation packages/rates and ownership of property etc. Other grievances may include family issues like death of eligible PAPs and thus disputes between heirs and other family members, divorce/separation of spouses and missing PAPs on the register among others. It is therefore necessary to establish channels through which aggrieved people could file their complaints so as to ensure successful project development and implementation. This chapter sets out the measures to be used to manage grievances that will arise.

Therefore, the grievance framework recommended for this ARAP is built on already existing structures within the laws of the GoR and affected community. A Resettlement and Compensation Committee, including representatives of the PAPs, women, youths, local authorities, and those designated by law from the District Leadership was set up to guide the implementation of the ARAP and expedite any handling of

grievances that may arise in the implementation of the ARAP. In case of any dissatisfied person, it was made clear to the PAPs that the complaint should be recorded and filed with Cell leadership for onward consideration by the Resettlement and Compensation Committee put in place for purposes of the RUDP project in Rubavu City by the Social Development Specialist from LODA and Director of Social Protection and Rubavu District Engineer. The dissatisfied person will be given a complaint log which he or she will use to lodge the complaint(s). The Rubavu District has acknowledged institution for which the PAPs have been made aware of as avenues for expressing discontent and disapproval to the resettlement and compensation process. The Rwanda Expropriation Law clearly stipulates the complaints procedures for individuals dissatisfied with the value of their compensation. The Law stipulates that dissatisfied persons have a period of 15 days after the approval decision for the valuation has been taken in this case by the Rubavu District to appeal. In the event that the PAP rejects the value given by the Resettlement and Compensation Committee, they can ask for justification of the figure from the Committee. Should they still disagree with the value given, they can appeal to their local leadership starting at the Cell level, then the Sector and finally the District leadership. The District Land Commission officer should be present at the local meetings so as to closely follow the proceedings and to guide local leaders when addressing appeals. If the grievance is not resolved via the local leadership structure, and the District Land Committee upholds the original value, the complainant final resort shall be to file the case to the competent Court of Law. According to the Expropriation Law, filing a case in courts of law does not stop expropriation process to be effected. 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 standards, grievances logged outside this timeframe may still be valid and legitimate. Customarily, the government expropriation authorities ensure that all affected people have been fully informed, and will issue warnings about the consequences of failure to lodge their complaints in time. Within this customary procedure, affected people

have been informed of the procedures before their assets are taken. The Rubavu District will follow up the aggrieved PAPs at each level to ensure that the grievances are resolved. Below is the figure illustrating the process.

**Figure 9: STEPS TO LODGE COMPLAINT**



## 9. IMPLEMENTATION OF THE ARAP

### 9.1 Eligibility

Eligibility for compensation is as stipulated in 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. The WB OP 4.12 goes further and recognizes the affected persons as that one using the land at the time, whether or not they have written customary or formal tenure rights. However, in the 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” as far as this project is concerned, the World Bank Policy OP.4.12 will take precedence

Entitlement matrix proposes eligibility and payments for the losses triggered by the project (e.g. land, housing, trees, crops, land etc). Hence, based on analysis of the impact of the project and the criteria for eligibility, the following entitlement matrix is developed on categories of Displaced and host communities according to losses and their entitlement benefits. Table 9 shows the entitlement benefits.

**Table 2: Entitlement Matrix**

| Type of Loss        | Entitled Person | Type of Impact   | Compensation/Entitlement/ benefits   | Responsible Organization |
|---------------------|-----------------|--|--|--------------------------|
| Land (Agricultural) | Title holder    | <b>Displacement</b><br>Any portion of land holding lost to the | Cash compensation for affected land equivalent to full replacement cost as per the National legislation. | Rubavu District          |

| Type of Loss | Entitled Person | Type of Impact   | Compensation/Entitlement/ benefits  | Responsible Organization |
|--------------|-----------------|--|---|--------------------------|
|              |                 | project, entire plot of land displaced   | <p>For those that agree to resettle at the site, crop land will be availed within the sites for subsistence HH farming.</p> <p>Displaced communities will still be allowed to cultivate seasonal crops during the time project commencement has not yet started</p>                                   |                          |
| <b>House</b> | Owner           | <p><b>Displacement:</b></p> <p>Entire structure affected or structure partially affected but the remaining structure is not suitable for continued use</p> | <p>House compensation at the resettlement site of full replacement value and of equal or better size and quality in an available location of proposed settlement sites in the District master plan.</p> <p>For those that already own other built houses that meet minimum criteria of a suitable</p> | Rubavu District          |



| Type of Loss          | Entitled Person | Type of Impact  | Compensation/Entitlement/ benefits   | Responsible Organization |
|-----------------------|-----------------|---|--|--------------------------|
|                       |                 |   | <p>house equivalent to the one displaced Cash compensation of full replacement cost for entire structure and other fixed assets without depreciation, or alternative structure.</p> <p>Right to salvage materials without deduction from compensation.</p>   |                          |
| <b>Standing crops</b> | Crop Owners     | Crops affected by land acquisition or temporary acquisition or easement | <p>Cash compensation equivalent to market value/ full replacement cost for the mature and harvested crop.</p> <p>For those hiring or caretaking for the actual land owner but with annual/perennial crops, compensation was written against the land owner but would only be released to the land owner on written agreement authenticated</p> | Rubavu district          |

| Type of Loss | Entitled Person | Type of Impact | Compensation/Entitlement/ benefits  | Responsible Organization |
|--------------|-----------------|----------------|---|--------------------------|
|              |                 |                | <p>by local authority that he/she shall compensate the actual crop/ tree owner. The reason compensation was made to the land owner and not the crop owner was because payment is done by the Ministry of Finance, which only makes payments against land on which the crops exist.</p>  |                          |
| <b>Trees</b> | Tree Owners     | Trees lost     | <p>Cash compensation based on type, age and productive value of affected trees.</p> <p>For those hiring or care taking for the actual land owner but with annual/perennial crops, compensation was written against the land owner but would only be released to the land owner on written agreement authenticated by local authority that</p> | Rubavu district          |

| Type of Loss | Entitled Person | Type of Impact | Compensation/Entitlement/ benefits  | Responsible Organization |
|--------------|-----------------|----------------|---|--------------------------|
|              |                 |                | he/she shall compensate the actual crop/ tree owner. The reason compensation was made to the land owner and not the crop owner was because payment is done by the Ministry of Finance, which only makes payments against land on which the crops exist. |                          |

## 9.2 Verification and Disclosure of entitlements

The local community and Displaced Persons shall be involved in the process of documentation and valuation of their assets. Property valuation forms shall be presented to Displaced Persons for verification, once they are comfortable with the proposed full replacement cost for their property, they signed or thumb pressed in ink against their names as a sign of agreement. These documents will then be shared with the Cell and Sector authorities who countersign as a sign of approval and authorization of legal process. The RAP will be disclosed after the approval by LODA and the World Bank and the medium of communication will be in English and Kinyarwanda. The translated copy of ARAP in Kinyarwanda will be displayed at Cell, Sector and District offices and it will also be discussed during end of month community works (Umuganda).

### 9.3 Description of relevant Organization’s Responsibilities

The Table below gives the summary of responsibility and roles that should be played by every institution during the preparation of ARAP for Rubavu RUDP subprojects implementation.

**Table 3: Summary of responsibility and roles**

| <b>Organization</b>                             | <b>Responsibility</b>  |
|---|--|
| Rubavu District and LODA Social Safeguards team | <ul style="list-style-type: none"> <li>✓ Screening of sub-projects to identify resettlement and compensation requirements</li> <br/> <li>✓ Preparation and Implementation of ARAP District of the Rubavu District to create Resettlement and Compensation Committee;</li> <br/> <li>✓ Provision of capacity building and technical support relating to resettlement and compensation activities</li> </ul> |
| Rubavu District authorities and Gisenyi Sector  | <ul style="list-style-type: none"> <li>✓ Review and sign off of all documentation (e.g. completed ARAPs, grievance forms, consultation plans);</li> <li>✓ Participation in documentation of assets</li> <li>✓ Compensation of ARAP Responsible in monitoring and implementation</li> </ul>   |
| PAPs  | <ul style="list-style-type: none"> <li>✓ Participation in census/measurement and valuation of assets</li> </ul>  |
| Rubavu District and Resettlement and            | <ul style="list-style-type: none"> <li>✓ Identification of land for replacement and effective consultation at the sector level,</li> </ul>   |

|                                    |  |
|------------------------------------|--|
| <p>Compensation<br/>Committees</p> | <p>cell level, and at village level<br/>(Umudugudu)</p> <ul style="list-style-type: none"> <li>✓ Representation of PAPs; Facilitate coordination of information collation activities (such as surveys, supervising documentation) for monitoring purposes, in accordance with procedures put in place by the District authorities;</li> <li>✓ Elect a representative of the Committee to act as Project Liaison Officer who has regular contact with PAPs and can lead consultation, public participation and grievance mechanisms Responsible for ensuring that grievance mechanisms meet the requirements of the RPF legislation.</li> </ul> |
|------------------------------------|--|

## **10.BUDGET**

The estimated budget for compensation of the affected assets will be **Forty-Three Million, Two Hundred Eighty-Six Thousand, Eight Hundred Forty-three (43,286,843Frw)**. The district of Rubavu has set aside this amount of money to compensate all people who will be affected by the project implementation.

## **11.MONITORING AND COMPLETION AUDIT**

The civil works for rehabilitation and construction of roads, drainage and public lighting infrastructure in Rubavu City is planned to start in June of 2017. Monitoring of the ARAP 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 ARAP occurs. The monitoring will be carried out by a committee composed of Rubavu District representatives, representative at the Sector & cell level, women and youth representatives from Gisenyi Sector, and the SPIU -Social Safeguards Specialist, to ensure that all of the responsible implementing agencies follow the schedule and comply with the principles of the ARAP. 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 ARAP implementation;
- Number of PAPs effectively compensated and aggregated amount disbursed compensation (actual versus planned);
- 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 Rubavu District) the referral and the subject matter.
- 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 Monitoring and Evaluation M/E of the RAP implementation report or quarterly.

**Table 4: Plan for Monitoring, Evaluating and Reporting**

| <b>Item</b>               | <b>Main activities</b>  | <b>Responsible institution</b>                      | <b>Status</b>   | <b>Timing</b>    |
|---------------------------|---|---|---|------------------|
| Public consultation       | Consultation meeting with the PAPs  | Rubavu District                                     | Completed   | <b>Dec.2016</b>  |
| Data Base                 | Updating census results   | Rubavu district                                     | Completed   | <b>Feb/2017</b>  |
| Disclosure of Entitlement | Display to the PAPs the results of the census                                   | Rubavu District                                     | Completed   | <b>Feb./2017</b> |
| Valuation                 | Valuation of properties that will be affected                                   | Rubavu District                                     | Completed   | <b>Feb./2017</b> |
| Grievance Management      | Handling complaints   | LODA-SPIU as an overseer and the District of Rubavu | Grievance redress committee available   | <b>Feb/2017</b>  |
| Compensation              | Follow up and monitoring all PAPs whether they have received their compensation | Rubavu District                                     | Not yet completed, Compensation will be effected after approval of ARAP by World Bank | <b>May 2017</b>  |



|                                   |   |                 |  |                 |
|-----------------------------------|---|-----------------|--|-----------------|
|                                   | package   |                 |  |                 |
| Notification on Demolition period | Informing the PAPs on the commencement of demolition of structures for the right of way | Rubavu District | They will be notified after compensation and the transition or preparation period will be agreed upon by all PAPs and the District of Rubavu | <b>May 2017</b> |

## 12.CONCLUSION

In conclusion, a completion report of the entire resettlement process for this project will be prepared and will include a handover 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.

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;
- ✓ 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 ARAP implementation

Note: Note: Valuation report including land ownership documents could not be annexed on to this report due its size, it's rather attached on to this report.



**List of annexes:**

- ✓ List of people affected as per the ARAP report
- ✓ Proposed Grievance log
- ✓ Table showing affected properties and extent of damage

**TABLE SHOWING PAPs AND THEIR PROPERTIES TO BE  
AFFECTED WITH CORRESPONDING AMOUNTS**

| <b>No:</b> | <b>PAPs</b>   | <b>Properties to be affected</b>                  | <b>Amount of Money in (RFW)</b> |
|------------|---------------|---|---------------------------------|
| 1          | <b>-PAP 1</b> | Foundation, Land plantations                      | 960,535                         |
| 2          | <b>PAP 2-</b> | Land, Boundary wall +one Business unit+ one annex | 5,784,222                       |
| 3          | <b>PAP 3</b>  | Boundary Wall, Land Plantations                   | 1,202,272                       |
| 4          | <b>PAP 4</b>  | Boundary Wall, Plantations                        | 9,399,26                        |
| 5          | <b>PAP5</b>   | Boundary Wall, one Annex Land                     | 3,852,180                       |
| 6          | <b>PAP 6</b>  | Boundary Wall, Land                               | 2,081,507                       |
| 7          | <b>PAP 7</b>  | Boundary Wall, Plantations+ land + one kiosk      | 3,600,736                       |
| 8          | <b>PAP 8</b>  | Boundary Wall, Land                               | 1,572,605                       |
| 9          | <b>PAP 9</b>  | Boundary Wall, one kiosk Land                     | 3,692,901                       |
| 10         | <b>PAP10</b>  | Boundary Wall Land Plantations                    | 2,765,489                       |
| 11         | <b>PAP 11</b> | Boundary wall Land                                | 1,585,993                       |
| 12         | <b>PAP 12</b> | Boundary Wall, Land Plantations                   | 1,820,426                       |

|    |                    |  |                   |
|----|--------------------|--|-------------------|
| 13 | <b>PAP 13</b>      | Six Business units and portion of Land | 6,762,857         |
| 14 | <b>PAP 14</b>      | -Boundary Wall, Flowers<br>- Land      | 2,142,763         |
| 15 | <b>PAP 15</b>      | Boundary wall, land                    | 1,561,117         |
| 16 | <b>PAP 16</b>      | Boundary Wall, Land                    | 964,214           |
| 17 | <b>PAP 17</b>      | Boundary Wall,<br>flowers<br>land      | 1,549,173         |
| 18 | <b>PAP 18</b>      | Boundary Wall                          | 447,928           |
|    | <b>GRAND TOTAL</b> |  | <b>43,286,843</b> |

**Proposed Grievance log (Translated from Kinyarwanda to English)**

**Grievance Resolution Form for complaints of affected people by the Secondary Cities Projects.**

.....Province  
..... District  
Sector:.....  
Cell:.....  
Village:.....  
Name of Complainant:.....  
Date of complaint:.....  
Description of the Complaint:  
.....  
.....  
.....  
.....  
Decision taken on complaint:  
.....  
.....  
.....  
.....  
Response given to complainant:  
.....  
.....  
Name and Signature of:

|           |             |
|-----------|-------------|
| Secretary | Chairperson |
|-----------|-------------|

Committee members

**TABLE SHOWING AFFECTED ASSETS AND EXTENT OF  
DAMAGE**

| <b>TYPES OF ASSETS TO BE DAMAGED</b> | <b>NUMBER OF AFFECTED ASSETS</b> | <b>CELL</b>         | <b>NUMBER OF TENANTS</b> | <b>SIZE OF DAMAGE</b>   |
|--------------------------------------|----------------------------------|---------------------|--------------------------|---|
| Boundary walls and portion of land   | <b>17</b>                        | MBUGANG ARI & NENGO | <b>NONE</b>              | Fully damaged   |
| Business units                       | <b>(7)SEVEN BUSINESS UNITS</b>   | MBUGANG ARI         | NONE                     | - Less than <b>20%</b> of damage for all seven (7) business units.<br><br>- <b>64m<sup>2</sup></b> of land to be taken for the six business units<br><br>- <b>98m<sup>2</sup></b> of land will be taken for one business unit |
| <b>KIOSQUES</b>                      | <b>2</b>                         | MBUGANG ARI         | <b>NONE</b>              | Fully damaged   |
| <b>ANNEX</b>                         | <b>2</b>                         | MBUGANG ARI         | <b>NONE</b>              | Fully damaged   |