
REPUBLIC OF RWANDA



MINISTRY OF AGRICULTURE AND ANIMAL RESOURCES

LWH-RSSP Single Project Implementation Unit (SPIU)

Rural Sector Support Project (RSSP)

**RESETTLEMENT ACTION PLAN FOR CONSTRUCTION OF GACACA DAM.
KAYONZA DISTRICT**

SEPTEMBER, 2012

ACRONYMS

CIP:	Crop Intensification Program
GoR:	Government of Rwanda
HH:	Household
LWH:	Land Husbandry, Water Harvesting and Hillside Irrigation
MINAGRI	Ministry of agriculture and Animal Resources
PAPs:	Project Affected Persons
RAP:	Resettlement Action Plan
RPF:	Resettlement Policy Framework
RSSP:	Rural Sector Support Project
SPIU:	Single project Implementation Unit
rwf:	Rwandan Francs
WB:	World Bank

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EXECUTIVE SUMMARY

The Rural Sector Support Project (RSSP) Project with the support of the World Bank has identified Gacaca site for construction of a dam and irrigation scheme in Kayonza District in the Eastern Province. The construction of GACACA dam and irrigation scheme will facilitate irrigation on 500 ha (gross area).

The construction of the dam and irrigation system implies a need for land and hence land acquisition that is expected to lead to physical and economic displacement of people and loss of access to the land that provides for economic resources. This, therefore, principally triggers World Bank Operational Policy OP4.12 on involuntary resettlement and Rwanda laws on expropriation and land ownership. The land identified for the construction of GACACA irrigation scheme is owned by the Government of Rwanda and private people and is being used by different individuals for various land use types including livestock grazing and subsistence agriculture. In accordance with the World Bank Policy OP 4.12 a resettlement action/compensation plan must be developed to be submitted to World Bank for approval.

Therefore, the project is duly prepared Resettlement Action Plan (RAP) by in line with all necessary requirements outlined in the Resettlement Policy Framework (RPF) document. The main elements of the RAP are: public consultation, documentation of assets, disclosure of entitlement, preparing of alternatives, compensation and resettlement, addressing grievances, monitoring and reporting.

The census and valuation of assets indicate that the construction of Gacaca dam will affect 64 people in three villages, Rwinyambo, Rwakabanda, Murundi from Murundi sector, Kayonza District and 201,271,864 Rwandan francs will be used to compensate land and cattle shed and houses. Thus, 62 people losing crops will receive 184,032,934 rwf, 64 PAPs will lose 43.8ha of their land and will be given the same size of land in Gacaca marshland. 18 PAPs will receive 15,739,930 rwf for their cattle sheds and 1 vulnerable person will receive assistance in construction of a new house in grouped settlement.

During the implementation of the RAP, the project will provide compensation for crops, lands and shelter through the District and ensure provision of capacity building and technical support relating to maintenance of structures and rice production. The District will ensure that the eligible PAPs are compensated. LWH-RSSP SPIU together with the District will be responsible for monitoring and reporting the implementation of the RAP.

Any aggrieved party may ask for justification of the decisions from the Resettlement and Compensation Committee, but should the answer still be unsatisfactory, they may appeal to the local leadership starting with the Cell, Sector and District leaders. If the grievances are not resolved in this way, local courts should be used. If the case is not resolved it will proceed to the Land Commission and then to the Courts of Law. The project will ensure that all PAPs understand the complaints procedure and will ensure each party involved fulfils its duties to the PAPs ensuring just compensation.

1. INTRODUCTION

1.1. Description of the project

Gacaca marshland is located in the Eastern Province, in Kayonza District, Murundi sector. Spanning over 26 km from south to north, the southern tip of the studied watershed area is situated 5 km north of Kayonza, while the marshland joins Ntende Rwagitima at its northern extent. Access to the site is possible through Kayonza - Nyagatare national road, by turning shortly after Kayonza towards Gahini, then Rukara. From Rukara tracks lead to the different part of the marshland. The area suitable for irrigation development is the downstream part of the marshland between Ryamanyoni and Ngumeri at the junction with Ntende Rwagitima irrigation scheme.

Gacaca marshland is presently partially exploited for agriculture. The southern area is mostly used for cattle grazing and banana plantations. The central part is presently developed for maize cultivation with support and follow up of CIP (Crop Intensification Program) programme. Some paddy fields are also currently under development, drawing experience from nearby Ntende Rwagitima and Kanyonyomba irrigation schemes.

The northern part of the marshland is inundated during the rainy season and used for cattle grazing during the dry season. Banana plantation and bean in association with maize are mostly seen in the transition zone at the foot and on the slopes of the surrounding hills on the right bank of the marshland. Satellite images show that until recently the Gacaca marshland was mainly devoted to livestock activities on its right bank. Field visits done in the frame of this assignment show an ongoing shift towards agro-activities in this zone: bean and maize crops are now seen on former grazing areas.

The detailed design study, which is in the second phase, made it possible to assess the work required to build the storage dam and the irrigation and drainage network and the roads within the perimeter. The irrigation covers 362 ha net irrigated by 7 intakes placed on the main rivers. The model takes into account the downstream irrigation schemes which depend from Gacaca river for their supply of irrigation water: Ntende-Rwagitima downstream sectors (65 ha) and the planned Gacaca downstream scheme (302.5 ha). The results show that it is not possible to irrigate these areas without the construction of 1 dam storing $2.5 \cdot 10^6 \text{ m}^3$ on the main Gacaca river. Main characteristics of Gacaca irrigation scheme are:

- Dam storing capacity $2.5 \cdot 10^6 \text{ m}^3$
- Irrigation scheme net area ha 361.9
- Irrigation canals km 27.0
- Tertiary canals km 36.3
- Main drain km 9.7
- Secondary dains and collectors km 40 565
- Hydraulic structures pce 315
- Access dirt roads km 5.2
- Internal access tracks km 0.7
- Bridges pce 4
- Pedestrian bridges on drains and canal

These constructions will be done on land owned by the government and private people which is used for growing different crop and animal grazing. LWH_RSSP SPIU will work with the existing farmers to increase their production and improve marketing. Training

topics will include maintenance of the dam system and appropriate water use, farming techniques, appropriate use of pesticides and fertilizer, storage and marketing techniques.

1.2. Scope of the RAP

The aim of the RAP report is to develop an action plan that ensures that the PAPs livelihoods and standards of living are improved or at least restored, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. The scope of work undertaken during the RAP preparation included:

- Project description;
- Analysis of the objective of resettlement programmes;
- Analysis of potential project impacts through identification of the PAPs, estimating their number and evaluating the impacts of the project on them;
- Conducting social-economic studies including census surveys, land tenure and transfer systems;
- Consultations with affected Project Affected Persons (PAPs)
- Analysis of the legal framework;
- Analysis of institutional framework covering the identification of agencies responsible for resettlement activities,
- Grievances address mechanisms that evaluate availability of affordable and accessible procedures for third party settlement of disputes arising from resettlement.
- Organizational responsibilities for implementing resettling, including identification of agencies responsible for delivery of resettlement measure and provision of services
- RAP Implementation schedule covering all resettlement activities from preparation through implementation.
- Cost and budget shows itemized best cost for all activities;
- Monitoring and evaluation mechanisms-Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by World Bank.

1.3. Methodology

The preparation of this resettlement action plan result of the combination of desk study and field surveys and census. The desk study involved review of previous study documents and analysis of the proposed project maps; and field surveys to establish the location of the proposed dam, irrigation canals and related infrastructure. The field survey consisted on conducting household census of identified PAPs; conducting baseline socio-economic survey on the project area as well as census and measurement of lands and crops which are likely to be affected. Discussions with PAPs and key stakeholders including District Administration were also another tools used along the preparation of this RAP.

2. LEGAL AND INSTITUTIONAL FRAMEWORK

The Legal and institutional framework evaluates the available laws, regulations, policies and institutions that guide the land acquisition and compensation, crop and assets compensation including mechanisms for conflict resolution and appeals. These legal frameworks provide applicable legal and administrative procedures including remedies available to displaced persons in the judicial process and the normal time frame for such procedures and available alternative dispute resolution mechanisms that may be relevant to the project. There are several enactments all governing land and transactions of land in the country. The laws and regulations relates to agencies responsible for implementing resettlement activities and guides on issues such as land, water and environment among others.

2.1. Legal framework

This section seeks to highlight major issues related to Rwandan land legislation with regards to resettlement. It provides a brief overview of the Rwandan Land Policy, the Rwandan Constitution provisions connected with land use, planning, management and tenure, the Organic Land Law, Presidential and Ministerial orders and decrees connected with land and more specifically the legislation related with land expropriation, land valuation and land replacement.

The following list comprises the existing legislation that relates to Land and resettlement issues in Rwanda:

- The Rwandan Constitution, promulgated in 2003;
- Organic Land law N0 08/2005 of 14/07/2005 determining the use and management of land in Rwanda;
- Organic law determining legislation around environmental management and protection;
- Land Valuation Law promulgated in 2007;
- Land Expropriation Law promulgated N0 18/2007 of 19/04/2007;
- Presidential Order N° 54/01 of 12/10/2006 determining the structure, the responsibilities, the functioning and the composition of Land Commissions; and
- Ministerial Order N° 001/2006 of 26/09/2006 determining the structure of Land Registers, the responsibilities and the functioning of the District Land Bureau.

2.2. Institutional framework

It is for the benefit of both the project and the PAPs to devise a grievance redress mechanism through which complaints and disagreements can be resolved. The grievance framework recommended for this RAP is built on already existing structures within the laws of the GoR and affected community. The project is advised to develop organs involved in resettlement such as Resettlement Steering Committee (RSC) at the District level include the project representatives, the PAPs representatives, the District representative, and relevant key stakeholders.

2.3. World Bank Involuntary resettlement related policies

The World Bank involuntary resettlement related policies are also critical in preparation and implementation of this RAP. The main objectives of the World Bank Policy 4.12 include: Avoiding or minimizing involuntary resettlement where feasible, exploring all viable alternative project design; where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share in project benefits.

Displaced persons should be meaningfully consulted and have opportunities to participate in planning and implementing resettlement programs. Those 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 beginning of project implementation, whichever is higher. Specifically, the production systems of a community are safeguarded to the extent that guarantees their livelihoods and that their skills base remain relevant regardless of the resettlement site. The policy objectives are also designed to minimize kinship group dislocation that might subject the affected persons to unfair competition when mutual help is diminished or lost.

The project consultant's met the objective of the WB by conducting public participation in the project area; evaluating project alternatives to enable minimize involuntary resettlement and developed an entitlement matrix to guide in calculation of resettlement and replacement costs.

3. POTENTIAL IMPACTS AND AFFECTED POPULATION

The proposed construction of irrigation system at GACACA dam site will lead to the physical displacement of households living in the project site or utilizing the land for their livelihood.

3.1. Land Ownership

The identified site for the dam is owned by the government and private people. About 43.8ha of land will be required from different individuals who have the legal right over the different pieces of lands.

3.2. Land Use Type

The land to be acquired is being utilized in different ways that vary in nature and include:

- Animal grazing
- Agricultural activities
- Water points
- Cattle shed and shelters

3.3. Loss of land, cattle sheds and crops.

The civil works activities will entail clearing of the vegetation inherent in the project site which includes fruit trees, trees, grass and crops that have been planted and or cultivated by the PAPs. Most of land to be used will permanently be lost to the project activities except for the land for the borrow pit which will be reused by the owners after extraction of soil. The land to be permanently lost includes the flooded area and the area where the dams will be constructed. The dam buffer zone (50m from highest level of water in the dam) will still be used by the owners in a way that ensures erosion control. They will be trained in emergency safety procedures and all appropriate dam safety measures will be adopted to ensure their protection.

The construction of Gacaca dam will also affect cattle sheds and other structures that need to be compensated. Most of identified shelters of the PAPs will be affected only after the dam will be full of water. Nevertheless, PAPs will be compensated and relocated prior to start of civil works in the area where they live.

3.4. Size of land and crops expected to be acquired

Table 1: Resettlement impact

Item	Unit
Affected District	Kayonza District
Affected Villages (Imidugudu)	Rwinyambo, Rwakabanda and Murundi
A) Resettlement	
Households compensated and relocated	1
Households compensated and not relocated	63
B) Land	
Land for crops and animal grazing that will be completely lost	43,8ha

3.5. RESETTLEMENT MEASURES FOR EACH CATEGORY OF ELIGIBLE PAPs

PAPs were categorized as shown in the table below:

Table2. Categories of the PAPs

Categories of affected people	Number of PAPs	Measures of resettlement
Losing <20% of land	50	Land for land exchange in marshland
Losing >20% of land	14	Land for land exchange in marshland
Losing Crops	62	Compensation in cash and/ or in kind
Losing cattle sheds and	18	Compensation in cash

other structures		
Vulnerable	7	Additional assistance –seeds and fertilizer Construction material for one vulnerable family

4. FINDINGS OF THE CENSUS

Topographic works were done by the engineering team to confirm the project area. Before the census the project recruited and trained field surveyors and held meetings with PAPs to explain project activities and the importance of the RAP preparation. Then field surveyors were recruited, trained and presented to the PAPs and local leaders before they begin the census.

4.1. Documentation of holding assets

Holdings and assets were inventoried by a team of field surveyors recruited and trained by the project and findings were recorded and presented to the PAPs during disclosure held at project site. After two disclosures, corrections were made and final lists are attached to the RAP.

The main findings of the census were that 64 house holds in 3 villages, Rwinyambo, Murundi and Buhabwa from Kayonza District, will be affected by the construction of this dam. Affected households are engaged in agriculture and animal grazing as their main sources of income. The table below summarizes the social economic situation of affected households.

Table 3: Description of households in Gacaca dam site

Village	Household	Average Household size	% Children	% women	Occupation	Average Annual income(Rwf)	Involved in Community Based Organization
Rwinyambo	27	7	47	49	Farmer	1,447,663	60%
Rwakabanda	9	9	61	46	Farmer	15,694,444	90%
Buhabwa	28	5	59	47	Farmer	686,250	68%
	64	7	55.7	47.3		5,942,786	73%

4.2. Vulnerable groups/persons

The socio-economic survey identified different categories of vulnerable people among those losing crops and lands. Among seven vulnerable people identified are disabled persons and old people (see socio-economic census). In addition to the compensation for their assets, vulnerable people will be given seeds and fertilizers for the first season and as other PAPs they will be trained in rice farming. One vulnerable family will be assisted in construction of new houses as they are losing their shelter. If any other vulnerable people

are identified in the course of the implementation of the RAP, special attention will be given to their needs and reported in the Progress Reports to this RAP.

4.3. Records keeping

The information in this RAP were evaluated by the Sector leaders and PAPs and confirmed as true. Both RSSP and the District will keep this information including the relevant records and copies.

4.4. Determination of Cut-off date

The entitlement cut-off date refers to the time when the assessment of persons and their property in the identified project starts and therefore new cases of affected people were not considered. The cut off date was being determined through a meeting with the PAPs and the representatives of Kayonza District and RSSP before the census survey was carried out. The agreed cut off date was June 10th, 2012.

5. DESCRIPTION OF COMPENSATION AND OTHER RESETTLEMENT ASSISTANCE

5.1. Resettlement allowance

The construction of Gacaca dam and irrigation infrastructure will affect land, crops and some buildings of population. The project and the district will compensate the PAPs for crops, houses and lands that will be affected. Crops will be compensated in cash or and in kind while PAPs will get exchange of lands in Gacaca marshland once is rehabilitated. In regards to buildings PAPs will get financial compensation for their cattle sheds and other structures and one vulnerable family will be assisted in construction of new house in grouped settlement.

5.2. Availability of input to the PAPs

PAPs will get assistance by providing to them seeds and fertilizers mainly through the cooperative, which is currently using the marshland. PAPs will also benefit from trainings on rice farming and get land plot in rehabilitated marshland. They will be also encouraged to join existing cooperative in GACACA marshlands.

5.3. Accessibility of jobs to PAPs during marshland rehabilitation

During construction of the dam and land husbandry works, a high intensity of labor will be needed by the contractor. RSSP and Kayonza District will ensure that the PAPs get first priority during job allocation. This will facilitate additional income that will help and support them. This will facilitate additional income that will help and support these people in their new location.

6. ELIGIBILITY

Eligibility for compensation is enshrined under the Rwandan Constitution (Article 29), the Expropriation Law of Rwanda (No 18/2007 of 19/04/2007) and OP 4.12 of the World

Bank. These documents regulate and give entitlement to those affected, whether or not they have written customary or formal tenure rights.

In the Rwandan Expropriation Law the person to be expropriated is clearly defined under article 2 (7) to mean “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”.

7. VALUATION OF AND COMPENSATION FOR LOSSES

This section describes the methodologies that were used to value losses and determine replacement costs as well as the roles of the different institutions and PAPs during the determination of compensation process.

7.1. Compensation for Land

The exchange of land for land is the preferred means of compensation of compensation. In this context, the district of Kayonza will allocate 43.8 ha of lands to the PAPs who have lost their land in Gacaca marshland after rehabilitation.

The new land law on ownership, especially private land in terms of compensation and acquisition in Rwanda, provides for negotiations over the value of land during acquisition as a preferred means for arriving at a common agreement. In other words, PAPs are accorded room to negotiate for the suitable compensation. The financial compensation will be the last option and the land value is calculated with reference to the ministerial order determining the land prices in all cells in Rwanda.

7.2. Valuation for crops

As is shown in the results of census, crops were valued by the resettlement committee put in place. The valuation of those crops was done using the current value of crops on the market, negotiation with population and expropriation law. The value of crops depends on its type and age.

7.3. Resettlement measures for each category of eligible PAPs

The table below describes resettlement measures accepted for each PAPs category:

Table 3: Resettlement measures for each category

Item	Affected Villages	Number of PAPs	Compensation measures	Cost (Rwf)
Crops	3	64	Financial Compensation and compensation in kind	184032934
Losing lands	3	64	Exchange of lands in Marshland	
Houses and cattle shed	3	18	Financial compensation and assistance in building other houses	15,738,930

Vulnerable people	3	7	Additional assistance –seeds and fertilizer Construction material	1,500,000
Total		64		201,271,864

8. CONSULTATION WITH PAPs ON ACCEPTABLE ALTERNATIVES

Consultation meetings with PAPs began in June 2012 to discuss issues related to resettlement and compensation. RSSP held these meetings with the local communities at the site for GACACA in order to inform them about the planned projects. The local communities were fully involved in all the processes of the development of this RAP and are well informed about the construction of a Dam.

8.1. Verification and disclosure of entitlements

Upon identification of the households that would be affected by the project was completed, RSSP social safeguards team, Kayonza district and Local authorities organized meetings with PAPs to discuss compensation requirements and concerns. The District also arranged meetings for the negotiations with the local communities to discuss the alternatives for resettlement and compensation. There has been two meeting for disclosure, one on August 8, 2012 and another one on September 14, 2012 where the project Social safeguards team and districts staffs presented the results of census and value of PAPs assets. Comments from the two meeting were incorporated in the Census results.

8.2. Other meetings and consultations.

There will be other meeting and consultations with Kayonza district and banks and PAPs to discuss how to proceed with the compensation and signing of the agreement and contract documents.

8.3. Main issues raised by the PAPs during the first meeting

The following issues have been raised by the PAPs:

- When are we getting compensation?
- How will crops be valued?
- Will the project gives us jobs?
- How will land be compensated?
- What are the other assistance that project will provides to PAPs

These issues raised by PAPs were responded as follows:

Table.3 Issues of PAPs and responses given

Issues	Responses
Timing of getting compensation	The District will begin the resettlement process after the signing of Grant agreement and this will be done before works starts.
How crops will be	The valuation of the crops will be done with reference to current rates

valuated?	applied in Rwanda with reference to the market price
How land will be compensated?	PAPs who are losing private lands will be given exchange of equivalent lands in Marshland
Employment	The PAPs will be given priority in recruiting during construction works.
How to join the cooperative	The PAPs will be encouraged to join cooperative or to create new cooperatives. The PAPs were explained that the project is supporting the cooperative in capacity building, which will help also to enroll new members.

8.4. Agreement on compensation and preparation of contracts

The District of Kayonza and Ngoma will prepare an agreement for compensation and for payments to the PAPs. The District of Kayonza has explained to the PAPs what will be compensated for whether in cash or kind. These were done by listing all the assets and land to be compensated at the current value. PAPs will provide Bank accounts where their money will be transferred.

9. GRIEVANCE REDRESS MECHANISM

The District of Kayonza is acknowledged institution for which the PAPs have been made aware of as avenues for expressing discontent and disapproval to the resettlement and compensation process. Article 26 of the Expropriation Law N^o 18/2007 of 19/04/2007 provides complaints procedures for individuals dissatisfied with the value of their compensation. The Law stipulates that dissatisfied persons have a period of 30 days after project approval decision has been taken to appeal (Article 19).

The first step of redress is to inform those to be expropriated of their rights during the expropriation process. 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 many of the local meetings and understands the RAP process; local leaders have been encouraged to consult when addressing appeals.

If the grievance is not resolved via the local leadership structure, and the Land Commission upholds the original value, the complainant final resort shall be to file the case to the competent Court of Law. According to Article 26 of the Expropriation Law N^o 18/2007 of 19/04/2007, filing a case in courts of law does not stop expropriation process to be effected. Article 26 provides complaints procedures for individuals dissatisfied with the value of their compensation according to the law. It stipulates that dissatisfied persons have a period of 30 days after project approval decision has been taken to appeal (Article 19).

To ensure that the affected parties are fully aware and to reduce possible backlog of complaints, it should be noted in advance that most members of the rural communities

take time to decide to complaints within 30 day period required to file their complaints. As per international standards, grievances logged outside this timeframe may still be valid and legitimate. Customarily, the government expropriation authorities ensure that all affected people 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.

RSSP will follow up the aggrieved PAP at each level to ensure that the grievances are resolved. Each sector should identify one PAP to work with RSSP and the local leaders to ensure that the grievances are attended to in time. This is in addition to the existing Resettlement Committee.

10. DESCRIPTION OF ORGANISATIONAL RESPONSIBILITIES

The table below gives the summary of responsibility and roles that should be played by every institution during the preparation of RAP.

Table 5. Roles and Responsibilities for each institution

ORGANIZATION	ROLES AND RESPONSIBILITY
RSSP Social safeguards team	<ul style="list-style-type: none"> • Screening of sub-projects to identify resettlement and compensation requirements; • Work with District of Kayonza to create Resettlement and Compensation Committee; • Provision of capacity building and technical support relating to resettlement and compensation activities;
District authorities	<ul style="list-style-type: none"> • Review and sign off of all documentation (e.g. completed RAPs, grievance forms, consultation plans). • Participation in documentation of assets • Compensation of RAP • Responsible in monitoring and implementation
PAPs	<ul style="list-style-type: none"> • Participation in documentation and measurement of assets of PAPs

Resettlement and Compensation Committees	<ul style="list-style-type: none"> • Development and implementation of RAP, valuation of assets, distribution of compensation payments, identification of land for replacement and effective consultation at the sector level, cell level, and at village level (Umudugudu) • 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. • 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.
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10.1. Roles of RSSP during Land and assets measurements

RSSP played an oversight role in monitoring and ensuring that the process of surveying the land was done in an open and transparent manner and in the presence of all the PAPs. RSSP has informed the PAPs in advance and within adequate time on the dates when the survey and measurements were done and insist upon the presence of the PAPs in all meetings and documentation of assets. The project will also:

1. Ensure that the RAP process is implemented successfully.
2. Transferring money to the District for payment of compensation;
3. Working together with the District to ensure that complaints are dealt with and that the RAP is implemented;
4. Follow up the improvement of PAPs livelihoods.

10.2. Roles of the PAPs

The primary role of the PAPs during the process of measuring land is to be physically present and ascertain that indeed the measurements are correct and to their satisfaction. Upon being adequately satisfied with the measurements, their signatures will be given as proof of approval.

10.3. Roles of Kayonza district

The authorities of Kayonza District played an important role during survey and valuation of land targeted for the construction of GACACA Dam.

1. Ensure that all the money sent to the districts for RAP implementation is given to the affected people on time.
2. Working with RSSP to ensure the satisfactory implementation of RAP activities.
3. Ensure that all the complaints concerning the RAP are addressed.

11. IMPLEMENTATION SCHEDULE

There will be 8 main steps to be followed during the implementation RAP as shown in the table below

Table 5. Implementation schedule

Item	Main activities	Responsible institution	Timing
Public consultation	Consultation meeting with the PAPs to inform them on scheduled activities and their roles to accomplish the RAP and Compensation	- Kayonza district -RSSP staffs	10 th June, 2012
Database	Documentation of assets (crops) and land measurement	Kayonza district -RSSP staffs	June 10 th - 15 th July 2012
Disclosure of entitlement	To display to the PAPs the results of the census.	Kayonza district -RSSP staffs	8 th August 2012
Final disclosure	To display to the PAPs final results of the census and the value of their assets.	Kayonza district -RSSP staffs	14 th Septemeber 2012
Preparation of alternatives	Comparison and choice of the best alternatives of compensation to the PAPs	Kayonza district -RSSP staffs	July 15-30, 2012
Grant agreement	Preparation and negotiation of grant agreement for compensation payment	Kayonza district -RSSP staffs	September 25-30, 2012
Compensation and other resettlement measures	Compensation for crops	Kayonza district -RSSP staffs	October, 2012
	Land for lands	Kayonza district -RSSP staffs	After rehabilitation of marshlands
Monitoring and supervision	Follow up of the implementation	Kayonza district -RSSP staffs	From October, 2012 to June 2013

12. ESTIMATED COST FOR RESETTLEMENT

Table6: Estimated cost for resettlement

Item	Main activities	Responsible institution	Cost (rwf, Operating cost)
Public consultation	Consultation meeting with the PAPs to inform them on scheduled activities	-Kayonza -RSSP staffs	72,000

	and their roles to accomplish the RAP		
Database	Documentation of assets (crops) and Land measurement	Kayonza district -RSSP staffs	3,000,000
Disclosure of entitlement	Display to the PAPs the results of the census.	- Kayonza district -RSSP staffs	72,000
Preparation of alternatives	Comparison and choice of the best alternatives of compensation to the PAPs	- Kayonza district -RSSP staffs	72,000
Compensation and other resettlement measures	Compensation for crops	-Kayonza district	184,032,934
	Compensation for land	-Kayonza district	Land for land
	Compensation for Houses and cattle shed	Kayonza district	15,738,930
Follow up of PAPs	Follow up and monitoring of PAPs livelihoods	Kayonza district -RSSP staffs	288,000
	Assistance to vulnerable people	Kayonza district -RSSP staffs	1,500,000
Total			204,271,864

13. FRAMEWORK FOR MONITORING, EVALUATION AND REPORTING.

13.1. Monitoring plan

The civil works for an irrigation schemes in GACACA marshland is planned to start in October, 2012. 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 RAP occurs. The monitoring will be carried out by a committee composed of Kayonza District representatives, representative at the Sector & cell level and RSSP staffs, to ensure that all of the responsible implementing agencies follow the schedule and comply with the principles of the RAP.

Suggested monitoring 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 and aggregated amount disbursed compensation (actual versus planned);
- Number of complaints:
 - Total received;
 - Total justified;
 - 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 RSSP II) the referral and the subject matter.

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 affected farming activities within 4 months after the compensation payment;
- Submission of monitoring reports at the frequency indicated in the M/E of the RAP implementation report or quarterly.

The table below illustrates the compensation implementation plan and responsible institutions that are expected to oversee the implementation;

Table 7. Plan for Monitoring, evaluating and reporting

Item	Main activities	Responsible institution	Frequency of monitoring
Public consultation	Consultation meeting with the PAPs	-Kayonza District -RSSP staffs	Twice a month
Database	Updating census results	-Kayonza District - RSSP staffs	When it's need
Disclosure of entitlement	Display to the PAPs the results of the census.	-Kayonza District - RSSP staffs	Twice
Preparation of alternatives	Follow up of implementation of proposed alternative	-Kayonza District - RSSP staffs	Once a week
Compensation and other resettlement measures	Follow up compensation process	- Kayonza District - RSSP staffs	Once a week
Follow up of PAPs	Follow up and monitoring of PAPs livelihoods	- Kayonza District - RSSP staffs	Once a week

13.2 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 6 months after the end of compensation payment by the District of Kayonza, together with RSSP or before the Implementation Completion Report by the Bank for RSSP, whichever comes first. The RAP implementation report should include (but not be limited to) the following information:

- Background of the RAP 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
- Lessons learned from the RAP implementation

Suggested annex:

- List of people affected as per the RAP report
- List of people compensated during implementation

Annexes:

Annexe 1. Rates of Valuation of Crops

Type of Crop	Unity	Age	Value (rwf)
Inanasi Ananas Pineapple	Cluster		300
Ibinyomoro Prunier du japon Tree Tomato	Plant	0 to 1 year	1300
		1 to 3 years	2550
		3 to 5 years	2000
Umwembe Manguier Mango	Plant	0 to 1 year	3450
		1 to 3 years	7000
		3 to 5 years	9000
Ipera Goyavier Guava	Plant	0 to 2 years	3450
		2 to 4 years	7000
		≥ 4 years	9000
Ipapayi Papaye Papaya	Plant	0 to 1 year	1200
		1 to 3 years	9000
		≥ 3 years	10,700
Avocat Avocatier Avocado	Plant	0 to 1 year	4005
		1 to 3 years	13,020
		≥ 3 years	24,060
Moringa Moringa Moringa trees	Plant	0 to 1 year	1000
		1 to 3 years	4005
		3 to 5 years	5500
		≥ 5 years	7500
Ibindi biti Other fruit trees (not listed in the crop valuation document)	Plant	0 to 2 years	2100
		2 to 4 years	4500
		4 to 5 years	5500
Ibiti bitanga imiti (umuravumba, igicunshu, umwenya,...) Medicinal crops	Plant		2800
Urutoke Bananes Bananas	Mat/Souche	0 to 1 year	500
		≥ 1 year	2500
	Are	0 to 1 year	22,000
	Are	≥ 1 year	110,000
Urusenda Pilipili	Plant	0 to 6 months	150
	Plant	≥ 1 year	650
	Are	0 to 6 months	15,000
	Are	≥ 1 year	65,000
Urubingo Penissetum Elephant Grass	Are		10,000
Imiyenzi	Cluster	Young Age	105

Euphorbes		Average	525
Spurges		Aged	920
Imiyenzi nu rugo	m	Young Age	270
Enclos d'euphorbes		Average	420
Spurge enclosure		Aged	920
Imihate	Cluster	Young Aged	125
Dracaenas		Average Age	575
Imihate y'urugo	m	Young Age	285
Enclos de Dracaenas		Average Age	860
Umuvumu	Plant	Young Age	270
Ficus		Average	860
Ficus		Aged	2860 to 4290
Imiko	Plant	Young Age	270
		Average Age	450
Ibindi biti	Plant	Young Age	105
Other trees not specified		Average	270
		Aged	450
Ikibonobono	Plant	Young Age	105
Ricin		Average	575
Castor Oil Plant		Aged	715
Sipure – Cypres	Plant, are	Young	286/plant, 7150/are
Gereveliya – Greveleia		3 to 5 years	572 to 858/plant, 13,585/are
Gasiya – Acacia		5 to 10 years	1287 to 2145/plant, 22,880/are
Pinusi – Pinus		≥ 10 years	4290 to 5720/plant, 57,200/are
Umusave – Markhamia			
Sederela – Terminalia			
Pasiparumu	m ²		620
Pasparum			
Ibishyimbo	Are		2250
Haricots			
Beans			
Amasaka	Are		3500
Sorgho			
Sorghum			
Amateke	Plant, are		80/plant, 20,000/are
Colocases			
Imyumbati	Plant, are		90/plant, 4050/are
Manioc			
Cassava			

Umuceri Riz Rice	Are		14,000
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